

REGULATORY IMPACT STATEMENT

Introduction of New Lining Form

Executive summary

Current regulations require vessels 6m to 28m in length which fish by lining to report to the Ministry of Fisheries (MFish) an overview of their fishing activity on a Catch Effort Landing Return (CELR). In consultation with MFish science, operations and compliance groups; industry; and external researchers, MFish has identified the need to collect more detailed information on fishing activity in these fisheries.

The preferred option is to introduce a new form for these vessels that allows the collection of more detailed information on fishing events, vessel positions, and species. This information will be useful to scientists, fishers, fishery managers, and compliance. The preferred option will increase the reporting effort by fishers and increase data processing costs.

This Regulatory Impact Statement (RIS) has addressed all relevant aspects of the RIS requirements contained in Cabinet Office Circular CO (07) 3. Where a requirement has not been addressed it is considered to be not relevant to this proposal.

Adequacy statement

This Regulatory Impact Statement has been reviewed by the MFish Regulatory Impact Analysis Review Committee and is considered adequate according to the criteria agreed by Cabinet.

Status quo and problem

The Fisheries (Reporting) Regulations 2001 currently require vessels 28 metres and under in overall length to record fishing by bottom longlining, surface longlining (targeting species other than tuna or swordfish), and trot lining on Catch Effort and Landing Returns (CELRs).

The CELR is a multi-purpose form that is used to capture information from most methods of commercial fishing and has been used in the same format since it was introduced in 1989. The CELR is designed to be used with specific cardboard templates that are overlaid on to the form for different types of fishing. The CELR provides users of this information with an overview of fishing activity (e.g. total number of sets completed in a day) and allows fishers to provide start positions of fishing as a general statistical area or as latitudes and longitudes (in degrees and minutes). The vast majority of fishers provide statistical areas which are often very large in comparison to the localised spatial management requirements of the fisheries. The CELR only provides space to record estimated catch for five species each day of fishing.

Inshore fisheries and fisheries management practices have evolved since the CELR was first introduced in 1989. In 2005, MFish and researchers from the New Zealand Seafood Industry Council (SeaFIC) and the National Institute for Water and Atmospheric Research (NIWA) identified the need to address information issues relating to the inshore snapper bottom longlining fishery, as well other inshore lining fisheries (e.g. ling, bluenose and hāpuka/bass).

It was determined that the collection of “high resolution” information in these fisheries was needed to address information issues and prevent bias in survey results. “High resolution” information provides a detailed account of each fishing event (set-by-set) and the vessel position as latitudes and longitudes (in degrees and minutes). The project team also determined that it would be valuable to record catch estimates for up to eight species for each set.

Because the CELR was designed to collect low resolution information, it was determined that a different form would be necessary to collect high resolution information for lining vessels 6m to 28m in length. MFish proposed the introduction of a new trip-based form for vessels 6m to 28m in length to record fishing by lining.

Objectives

Collection of information to support sustainable management of inshore fisheries via forms that are simple and intuitive for fishers to complete.

Alternative options

The alternative to the preferred option is to defer proceeding with proposal to introduce a new form for vessels 6m to 28m in length to report fishing by lining. Under this scenario, these vessels would continue collecting low resolution information on the CELR rather than high resolution information on the proposed new form. Because there is widespread support for collecting high resolution information in these fisheries, this is considered less desirable than the preferred option to introduce a new form.

Preferred option

The preferred option is the introduction of a new form. Under this option, a new form that collects high resolution information, has space to record up to eight species for each set, allows fishers to record sets from multiple days on one form, and has been tested by fishers to ensure it is easy to complete will be introduced. This is the preferred option because it best meets the information needs of data users in a manner that minimizes the burden on fishers as much as possible. Some benefits of the new trip-based form include:

- scientists will have an improved ability to examine factors affecting fish distributions and stock abundance
- fishers will have the ability to demonstrate fishing history for the purpose of establishing spatial property rights
- fisheries managers will have an improved understanding of the fishery at a finer scale
- compliance will have an improved ability to enforce spatial regulations.

The preferred option will increase effort required by fishers to complete forms. Because fishers will be required to complete information for each set, rather than daily summaries, it is estimated that the effort required by fishers to complete the returns will increase by approximately 80%. Under the preferred option, fishers will need a navigational aid (e.g. GPS) to determine latitudes and longitudes. MFish will implement a process whereby fishers who are unable to provide latitudes and longitudes can apply for dispensation from this reporting requirement. Because the amount of information (number of fields) collected will

increase with the change to high resolution data under the preferred option, data processing costs will also increase.

The proposal will not make any existing rules redundant, although some consequential changes to reporting regulations will be necessary to take account of the revised situation.

Implementation and review

The implementation of the preferred new return will require amendments to the:

- Fisheries (Reporting) Regulations 2001
- Fisheries (Infringement Offences) Regulations 2001

All regulatory changes will be carried out by the Ministry.

The new return will come into effect on 1 October 2007. The introduction and management of commercial returns is administered by Commercial Fisheries Services Ltd (FishServe). FishServe will advise affected fishers of the amended reporting requirements relating to the preferred option and provide them with the new returns.

The information collected under the preferred option will be used to in the management of New Zealand fishstocks. The value and usefulness of the information will be assessed and monitored through the MFish standard Fishery Assessment Working Group process.

Consultation

The information fields and design of the new form were developed in consultation with representatives from MFish including: Science, Fisheries Operations, Compliance and RDM; representatives from the fishing industry; and researchers from SeaFIC and the NIWA. The form was finalized through several rounds of user-testing with actual fishers to insure it was intuitive and simple to complete.

In late February, MFish consulted with stakeholders on the new form. Five submissions were received. They were all from the commercial sector and were generally supportive of the need to collect high-resolution information in the inshore fisheries, and of the preferred option. The submissions indicated the need to ensure that the final form design had been reviewed and tested by fishers.

Following consultation, the form was finalized through several rounds of user-testing with actual fishers to insure it was intuitive and simple to complete.

Departmental consultation was also carried out with Ministry of Justice, Ministry for the Environment, Te Puni Kokiri, Ministry of Economic Development, the Treasury, and Department of Conservation. The Ministry of Fisheries supports this recommendation.