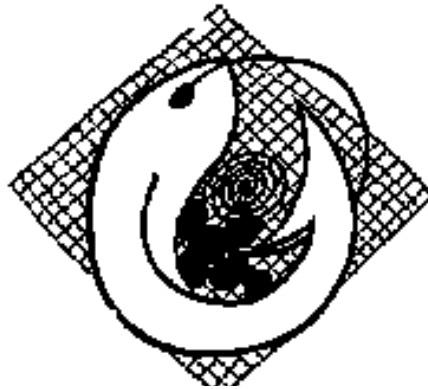


A submission from
Tasman and Sounds Recreational
Fishers' Association (Inc)

TASFISH



February 2008

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1. Introduction

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Tasfish is committed to the sustainable use of our marine resources in the Top of the South and good management of our marine ecosystems.

Tasman Bay Amateur Marine Fishers' Association was formed in the 1980's in response to proposals to introduce large scale farming of scallops in the Croisilles Harbour a popular recreational fishing area on the coastline north of Nelson city. Since that time it has been renamed **Tasfish** and become involved in many fishery allocation and management issues affecting all the major species of interest to recreational fishers. This has included being part of many of the species specific working groups set up by MFish e.g. Snapper, Blue Cod, Shellfish. We have worked closely with both MFish and The Challenger Scallop Enhancement Company in the rebuild and ongoing management and annual allocations within the scallop fishery. We were involved in the attempts to set up Fisheries Plans for both the Area 7 Blue Cod and Paua fisheries and view these combined stakeholder fishery management initiatives as important windows to the future. We are now involved in the recently formed Challenger Finfish Recreational Advisory Group set up in conjunction with the Challenger Finfisheries Management Company Limited and have four members on the Ministry of Fisheries Top of the South Recreational Forum and 3 members on the Challenger Inshore Fin Fish Plan Advisory Group.

Increasingly in recent years we have been regularly involved in space allocation issues for marine farming and in particular limiting their placement over habitat of recreationally important species. This has included many hundreds of submissions to Marlborough District Council on Marine Farm Resource Consent applications and also to MFish on Marine Farming Permits on how these farms affect fish or fishers. Our toughest case was taking MFish to judicial review over one permit. We recognize the importance of suitable habitat for all species and accept the need for careful management of marine ecosystems.

Membership of Tasfish is both individual and affiliate. While individual membership is relatively low at less than 50 many of the fishing and boating clubs in the Top of the South, from Golden Bay to Nelson and the Marlborough Sounds, affiliate to Tasfish along with several ratepayer groups particularly in the Marlborough Sounds. We represent a membership in excess of 1000 members and Tasfish is itself affiliated to the New Zealand Recreational Fishing Council and the organisation is recognized as a consultative body representing amateur fishers by MFish. Tasfish participates as fully as possible for a voluntary organisation in the annual management rounds and in addition we have made submissions on many of the recent Bills before Parliament relating to our marine systems.

2. Amateur Fishing Trust

1. Tasfish applauds the Minister for initiating the creation of an amateur fishing trust and believes for the trust to be successful in achieving the aims expressed by the minister and makes the following submission on the establishment and operation of the NZAFT (New Zealand Amateur Fishing Trust).
2. The funding for this initiative must be passed in the budget as the NZAFT will be the catalyst for creating an organised mandated structure for the amateur fishing providing the following comments, suggestions and views are considered and taken into account for the trust to not only be effective but to survive long term for the benefit of amateur stakeholders.
3. The amateur fishing trust can not be allowed to replace all existing funding for the processes that amateur fishers currently participate in i.e. regional recreational forums and fish plan advisory groups. The existing funding must be maintained and not replaced by the amateur fishing trust.
4. While we applaud the Minister for this initiation and make the following comments we believe there should be widespread investigation into what similar organisations operate in other parts of the world and how they were established and how they operate now, with a view to understanding how they got to where they are, learn by their mistakes.

Establishing the Trust

5. The trustees to be appointed must bring with them a range of professional experience not least of which should be the ability to provide sound financial management direction and be able to deliver ways of increasing the trust fund. i.e. know how money works and how to make more money from the money they already have.
6. Experience in administering trusts is important to ensure sound governance of the trust and the trustees that are appointed must have an empathy with the issues facing the amateur fishing sector.
7. Trustees can not have any conflict of interest with the amateur sector and all potential for conflict of interest must be declared.
8. Trustees should receive no remuneration.
9. Establishment costs of the trust should be borne by the Crown
10. The trust must become a registered charity for tax purposes.

Seed Funding

11. If the initial capital input is only \$5 000 000 then none of this should be used in establishing the trust.

12. None of the initial capital input should be spent.
13. We believe the whole \$5 000 000 of the seed funding should be invested and the trust run on the proceeds.
14. For example an investment with a return of 8% would ensure the trust had \$400 000pa to fund operating costs.

On Going Funding

15. The trust fund investment could be augmented by the purchase of different levels of life memberships by individuals, organisations and corporates.
16. These donors would become life members of the trust and this would offer no real benefits to the donors aside from the knowledge that their life membership has contributed to increasing the annual operating funds by increasing the size of the trust's investment.
17. A register of life membership would kept and displayed.
18. Any hint (at this stage) that the trust is established to facilitate or operate an amateur fishing license will create widespread mistrust and division within the amateur sector, and must be avoided.
19. The trust could however boost annual operational funds by having a voluntary register for amateur fishers. Individuals could voluntarily pay an annual registration to the trust and receive some privileges.
20. The trust annual operational costs could further be boosted by sponsorship from manufacturers, suppliers and brand owners to the amateur fishing fraternity.
21. Of concern is that the operational funds the trust has will be consumed in amateur trust representation at the various meetings and participation in the various levels of consultation that revolve around fisheries management. Ways must be sought to overcome wasteful spending.

Allocation of Funds

22. Trust funds must be allocated on a regional basis, and the share each region receives should not be done on a population basis. There needs to be a better mechanism in place to ensure each region's share is commensurate with the issues and size of each region's fishery and the issue of the day.
23. Regions should have to apply for funds from the trust stating clearly what they are to be used for and total accountability must be ensured.
24. Where one or all regions are or can participate jointly on a regional or national level this should be encouraged to ensure effective use of the trusts funds.

Trust Employees

25. The trust organisation will need to employ one very capable person who has excellent organisational, financial and marketing skills along with the ability to write submissions on behalf on the amateur sector and to disseminate information to the organisations the trust represents.
26. The trust would also need access to a “friendly” lawyer/solicitor. It is important the trust funds are not swallowed up by the legal fraternity.

Organised Representation

27. It is paramount for amateur fishers to improve the organisational structure of amateur fishing groups to participate more effectively in fisheries management processes resulting in better outcomes for the amateur sector.
28. The amateur fishing trust could and should be the catalyst for this organisational structure to be formed. The structure could be achieved by local, regional and national fishing groups affiliating to the New Zealand Amateur Fishing Trust (NZAFI).
29. Regional groups could provide delegates to the NZAFI working committee. This provides the NZAFI with a national mandate from amateur fishers who could engage freely with other stakeholders.
30. Amateur Fishing Regions could be defined by the boundaries that determine the Recreational Regional Forums.
31. This does mean delegates come from these forums. It means that delegates come from an even spread through out the country as defined by the forums.
32. This would improve the level of participation by the amateur sector and achieve improved outcomes that would assist in achieving the ministry’s goal to “*Maximise the value New Zealanders obtain through the sustainable use of fisheries resources and protection of the aquatic environment.*”
33. Regional organisations would still engage in local area management issues with other stakeholders.

3. Recreational Fishing Charter Vessel Reporting

34. TASFISH understands that the recreational charter boat fleet in N.Z. has increased significantly in recent years and is harvesting a significant portion of the recreational take. If this is in fact the case TASFISH believe funding must be approved for a Charter Vessel Registration and Reporting regime and make the following submission.
35. The size and length of charter boat vessels has increased significantly over the past decade, this has enabled the charter fleet to take larger groups far greater distances.
36. Under current legislation any person with the appropriate launch master qualifications and an MSA (maritime safety authority) surveyed vessel can enter the charter fishing business and thus become a CBO (charter boat operator) for hire to the recreational fishing sector.
37. Currently CBO have no catch reporting system and this lack of information on the CBO harvest levels limits the ability of fisheries managers to make good decisions.
38. There is little value in gathering information or putting controls in place unless the information is used to improve the fishery. We do ask how this information is to be used.
39. We believe if fish stocks are too managed at sustainable levels on the basis of best available information then gathering data from CBO will add to the information fisheries managers have. Quite simply the information available on the size of and the location of the CBO harvest must improve to ensure fisheries managers make the best decisions
40. CBO are commercial operators, and some have suggested they should fall under the QMS (quota management system) and own quota. As CBO clients are amateur fishers and fish under the amateur fishing rules the option of a CBO being required to hold fish quota or ACE (annual catch entitlement) and operate under the QMS is not an option.
41. Charter boats have always been a significant harvester of the amateur catch and an important way for many amateur fishers to go fishing. However it is apparent that the size of the charter boat harvest is increasing and MFish have neither any information on the number of charter boats or the size of their catch.
42. With decline of inshore fisheries stocks due to commercial fishing's destructive bulk harvesting fishing practices amateur fishers have to travel greater distances to catch a feed. The need of the amateur fisher to travel further to catch a feed is met far more economically by the use of CBO as the cost of owning and running a boat to get you to where the fish are is not an option for many people.

43. Many organisations and communities around the country have concerns about the numbers of CBO in productive amateur fishing areas adopting a meat hunter approach. In particular commercial fishers having run out of ACE switching to becoming a CBO resulting in increased pressure on both the fishery and the legitimate CBO.
44. Couple this with the seasonal movement of CBO from port to port resulting in spatial conflict issues and localised depletion.
45. It is our submission that both a catch reporting system and a CBO licensing system be made mandatory for all CBO to ensure controls on and information from the CBO fleet.
46. All CBO should be required to hold a CBO license and each CBO would have a home port and fishing area they were licensed to operate in.
47. All current legitimate CBO would apply for and be granted a CBO license.
48. If a limit was set on the number of licenses available the target number permitted could be achieved through attrition e.g. retirement or inactivity.
49. CBO licenses should not have a market value and would not be automatically transferable.
50. Any transfer of a CBO license would need to be approved by the licensing authority and CBO would pay an annual license fee to the licensing authority.
51. CBO would operate under a code of conduct/practice that ensured good fishing practices.
52. CBO would be restricted from using certain gear; i.e. set nets, set lines and dropper lines.
53. CBO could have restricted DBL (daily bag limits) and be restricted on the accumulation of DBL.
54. Reporting on activity, effort and harvest by CBO must be implemented and we applaud the minister for this initiative – however we ask how can you gain information on the CBO harvest if you do not have a CBO register or licensing regime? Who do you know you should be getting reports from?
55. Daily activity, effort, location and harvest information must be made compulsory for all CBO.
56. CBO being required to submit trip and catch reports detailing effort and location (not the secret fishing spot but by reporting area) and landings can

only improve information on the amateur catch as accurate information on this catch is critical for accurate stock assessment.

57. There is very poor information on the size of the amateur catch and we agree with the minister that the information on “the activity of the charter vessel component of the amateur fishery is an important prerequisite for improved management of the sector and the fisheries it is involved in.”
58. The use of the existing commercial reporting regime by CBO makes a lot of sense. However only the aspects the commercial reporting regime that relate to location, effort and catch should be used.
59. Overburdening CBO with reports on information that are outside what the amateur harvest catch is will encourage non compliance with the reporting regime.
60. The above measures will go a long way to ensure long term sustainability of the legitimate CBO and add value to their business.
61. We also believe that non NZ Citizens should not receive the same rights to go fishing and take a DBL as NZ Citizens do.
62. Non NZ citizens must be made to pay a license fee whether fishing with a CBO or not.
63. These funds could then go into research on behalf of the amateur sector.