

# SUMMARY OF RECOMMENDATIONS

---

## Corrections and amendments to returns

1 MFish recommends that you:

- a) **Agree** to amend the Fisheries (Reporting) Regulations 2001 to revoke regulations 7(6) and 16(5) which require any amendments or corrections to MHRs and LFRRs to be made on the original return.

## Regulatory measures relating to procedures for weighing fish packed and frozen at sea

2 MFish recommends that you either:

- a) **Agree** to retain the status quo – there continues to be a lack of prescription in legislation regarding how to weigh containers of fish that have been packed and frozen at sea.

OR:

- b) **Agree** to amend fisheries regulations by adding a weighing procedure similar to that detailed in Schedule 1 of the FAP to be used in the event of doubt or a dispute regarding the reported weight of a product line of fish packed and frozen at sea; AND
- c) **Approve** consultation between MFish and representatives of the fishing industry during the process of drafting of such a regulation.

*(MFish preferred option).*

OR:

- a) **Agree** to amend fisheries regulations to require that a weighing procedure, similar to that detailed in Schedule 1 of the FAP, be used by all parties whenever weighing a product line of fish packed and frozen at sea.

OR:

- b) **Agree** to require, via a Code of Practice, a specified weighing procedure, similar to that detailed in Schedule 1 of the FAP, be used by MFish whenever determining the weight of a product line.

## Daily completion of certain fields on TCEPR, SJ CER and TLCER forms

- 3 MFish recommends that you:
- a) **Agree** to the amendment of regulations 11(2)(a), 12(2)(a) and 13(2)(a) of the Fisheries (Reporting) Regulations 2001 to clarify the wording of the requirement to complete certain fields of the relevant returns on a daily basis (or more frequently), as per the original intent of the regulations.

## Identification of containers holding freshwater eels

- 4 MFish recommends that you:
- a) **Agree** to amend the Fisheries (Commercial Fishing) Regulations 2001 to create a requirement for containers holding freshwater eels (*Anguilla dieffenbachii*, *A. australis* and *A. reinhardtii*) to be labelled with the permit holder's initials, surname and client number.

## Correction of Coordinates and description errors in challenger area regulations

- 5 MFish recommends that you:
- a) **Agree** to amend the Fisheries (Challenger Area Amateur Fishing) Regulations 1986 and the Fisheries (Challenger Area Commercial Fishing) Regulations 1986 with the revised area definitions and coordinates.

## Reporting of Non-Defined Processed States

- 6 MFish recommends that you:
- a) **Note** that MFish and Industry agree on the general principles for reporting of non-defined processed states;
  - b) **Note** that MFish's proposal (**option 2A**) would only affect those vessels that process non-defined product states from hoki fillets;
  - c) **Note** that Industry have proposed an alternative option (**Option 2B**) that would impose a reporting regime on all hoki fillet product processed at sea;
  - d) **Agree** to the principles underlying this proposal, ie, to amend the Fisheries (Reporting) Regulations 2001 to allow for the application of greenweight to multiple principal landed states, rather than the just the one that has the greatest actual weight as is the case at the moment, and that this should apply in cases where fillets are further processed into non-defined landed states;
  - e) **Note** that the proposal will be deferred until 1 June 2009 to allow sufficient time to work through implementation issues with fishing industry representatives.

## Review of Regulatory Measures and Other Management Controls for blue cod in the Marlborough Sounds

- 7 MFish recommends that you consider the following options for the Marlborough Sounds blue cod fishery:

EITHER:

- a) **Option 1 – Retain the *Status quo***

OR:

- b) **Option 2 - Implement** 'no-take' areas from 1 October 2008 to 1 October 2012 for blue cod recreational fishing in the enclosed Marlborough Sounds as defined:

The 'no-take' areas applies to those waters inside a line drawn between Te Akaroa Point/West Entry Point (40°56.83'S, 173°59.85'E) and the Southern Point of Duffers Reef (40°57.11'S, 174°03.05'E), and a line between the nearest two points of Allen Strait (40°59.68'S, 174°03.77'E and 40°59.77'S, 174°03.93'E), and a line between Cape Jackson (40°59.70'S, 174°18.78'E) and Cape Koamaru (41°05.50'S, 174°22.98'E), and a line between Ruamoko Point (41° 14.43'S, 174° 09.73'E) and Dieffenbach Point (41° 14.00'S, 174° 08.70'E) (see Figure 1 in FAP).

OR:

- c) **Option 3 - Implement** 'no-take' areas from 1 October 2008 to 1 October 2012 for blue cod recreational fishing as proposed under Option 2 and including the Tory Channel as defined:

The 'no-take' areas applies to those waters the outer coordinates for the channel if included are a line between East Head (41°12.60'S, 174°19.38'E) and West Head (41°12.79'S, 174°18.90'E) of Tory Channel (see Figure 1 in FAP).

AND:

- d) **Agree** that the Fisheries (Challenger Area Amateur Fishing) Regulations 1986 be amended to require recreational fishers to land blue cod in a whole or gutted state except for personal consumption when on board a boat or vessel.

AND:

- e) **Agree** that the Fisheries (Challenger Area Amateur Fishing) Regulations 1986 and the Fisheries (Infringement Offences) Regulations 2001 be amended:

- to impose infringement offence penalties on persons found taking or possessing blue cod below minimum legal size in the Challenger East Area; and
- to create summary offences, infringement offences and penalties in connection with the closure/landing measures recommended above.<sup>1</sup>

AND:

- f) **Direct** the CIFF Fisheries Plan Advisory Group to set review criteria to evaluate the success and need to maintain the proposed blue cod 'no-take' areas

## **Proposal to list prawn killer (PRK) on the sixth schedule of the Fisheries Act 1996**

8 MFish recommends that you:

- a) **Agree** to retain the status quo- prawn killer is not included in the Sixth Schedule of the Act.

*(MFish preferred option)*

OR:

- b) **Agree** to add prawn killer to the Sixth Schedule subject to the conditions that any prawn killer must be likely to survive after release and that return to the water take place as soon as possible.

## **Localised depletion of Hapuku/ bass in the Central fisheries Management Area**

9 MFish recommends that you:

- a) **Agree** to retain Regulation 3A(4) of the Fisheries (Central Area Amateur Fishing) Regulations 1986 without amendment;

AND:

- b) **Note** the Ministry of Fisheries will monitor, and consider new, fishery information as it became available for hapuku/bass in the CFMA.

---

<sup>1</sup> Summary offence penalties will be in the normal range for offences of this type- \$10,000-\$20,000. Infringement offence penalties will be in the normal range of \$500.

## Review of High seas fishing Permits

10 MFish recommends that you:

- a) **Agree** to recommend the promulgation of the Fisheries (High Seas Reporting) Regulations 2008 and/or the Fisheries (High Seas Fishing) Regulations 2008 by 1 October 2008 and as appropriate place in regulations HSFP conditions that are generic and unlikely to change from fishing year to fishing year.

Russell Burnard  
**Manager Regulatory and Information**

APPROVED / NOT APPROVED / APPROVED AS AMENDED

Hon Jim Anderton  
**Minister of Fisheries**

/ / 2008