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Introduction

Terms of reference

- 1 The Primary Production Select Committee, in setting the Terms of Reference for the scampi enquiry, has asked for information about:
“The relevant reporting, monitoring and policing of commercial fish catches to ensure compliance with the law with relevance to scampi and by-catch during the period 1990-92” Terms of Reference no.5
- 2 The purpose of this background paper is to provide the Select Committee with a context in which to consider the compliance issues in the course of its deliberations on the management of the scampi fishery.

Contents of this summary paper

- 3 Compliance activity in the scampi fishery during the period 1990-92 needs to be considered in the context of the wider operating environment and priorities of the compliance resources of MAF Fisheries at that time.
 - 4 This paper explains the implications the introduction of the quota management system in 1986 had on the delivery of fisheries compliance services. It outlines how MAF Fisheries responded to that change and the focus for compliance effort during the late 1980s and early 1990s. It also summarises compliance activity in the scampi fishery during 1990-92.
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Compliance Overview

Compliance Environment Prior to Quota Management System

Introduction	5	Fisheries compliance is an essential component of the fisheries management process. Once controls are established to ensure fisheries resources can be sustained over time, and once catch rights to those fisheries resources have been allocated amongst fishers, compliance activity is necessary to protect the integrity of the management system controls and the rights of fishers ⁽¹⁾ .
	6	The integrity and credibility of the organisation enforcing the rules is critical to the effectiveness of any compliance regime and therefore the effectiveness of the whole fisheries management system.

Fisheries enforcement before the QMS	7	Before the Quota Management System (QMS) was introduced on 1 October 1986 fisheries were in most cases controlled by what are referred to as “input” controls. Input controls mean: <ul style="list-style-type: none">• controlling access to taking fish commercially by requiring permits, vessel registration and other authorities (eg: controlled fishery licences)• controlling the effort that may be used in fishing by restricting the size of fish that may be taken, the areas that can be fished or the fishing gear that may be used ⁽²⁾.
	8	In most commercial fisheries there was competitive fishing with no limit on the total amount of fish that could be taken.

Enforcement “game warden” focus	9	The focus on access or effort controls meant that fisheries enforcement at this time was focused on a “game warden” approach. Wrong-doers were caught in the act following physical observation of fishing activities. The emphasis was on surveillance of the catch sector to detect non-compliance with these controls ⁽³⁾ .
	10	This approach required a narrow set of skills with little requirement for analytical, investigative or audit skills.

Fisheries enforcement organisation 1986	11	The Fisheries enforcement organisation at this time was a self-contained group within the Fisheries Management Division of the Ministry of Agriculture and Fisheries.
	12	Fishery Officers reported to Supervisory Fishery Officers at a District level who reported to Regional Fishery Officers. Regional Fishery Officers reported to the Chief Fishery Officer ⁽⁵⁾ .

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- 13 Fisheries enforcement resources in 1986 totalled 116 – 94 Fishery Officers and 22 registry and administrative staff who administered fishing permits and vessel registration ⁽⁵⁾.
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Implications of QMS Introduction for Delivery of Compliance Services

NZ first to introduce ITQs on comprehensive basis

- 14 Although Iceland, Australia and Canada had previously introduced individual transferable quotas (ITQs) for a single species fishery, New Zealand was the first country to implement ITQs and a QMS on a comprehensive basis (29 species, which included some species combinations and multi-species fisheries).
- 15 There were few precedents for MAF Fisheries to follow. The early days of the QMS were therefore a time of learning, adaptation and, to some extent, trial and error for both the MAF Fisheries and for the fishing industry.

ITQ catch rights basis of QMS

- 16 Under the QMS fishers held individual transferable quotas (ITQs) representing a quantity of fish that could be harvested each year. These catch rights could be traded (bought, sold or leased) and, under the original QMS, fishers were required to hold ITQ before taking quota species.

Assurance required that all catches within quota

- 17 The successful operation of the QMS required assurance that only those who held quota took quota species and to ensure all catches of quota species were within those quota holdings.
- 18 Having compliance staff monitor and verify every landing of fish ('dockside monitoring' as used in Iceland) would have been impractical and prohibitively expensive in New Zealand ⁽⁸⁾.
- 19 The commercial fishing industry was very diverse and had a wide geographic spread. In the early 1990's the industry consisted of some 3,500 permit holders ⁽⁶⁾, 1,800 quota holders, 2,500 fishing vessels, at least 1,000 landing points for fish products and over 5,000 commercial fish purchasers and traders ⁽⁷⁾.

Framework gave industry participants economic incentives to manage harvesting activities within quota

- 20 The QMS was therefore designed to provide a framework which gave industry participants economic incentives to manage their harvesting activities within their quota holdings. To monitor this framework fishers, quota holders and licensed fish receivers were required to report monthly to MAF Fisheries.
- 21 The key incentive for fishers to report honestly was the ability of MAF Fisheries to retrospectively detect offending. This was possible by cross-checking catch and landing reports and by verifying the data reported by fishers and receivers by examining and auditing fishing industry product flow (purchase/ sales) records.
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Need to deter unlawful activity	22	Any scheme relying on self-declaration by participants will always have a certain level of unlawful activity. The cross-checks in the reporting framework could easily be avoided by collusion between fisher, quota holder and receiver who, in many cases, are one in the same ⁽⁸⁾ . The ability to examine and audit fish product flow records would always be constrained by the resources available to conduct this specialised activity.
	23	As a result, and in common with any system relying on the honesty of participants, unlawful acts (eg: fishing without quota, false reporting) need to be deterred by detection, prosecution and appropriate penalties ⁽⁹⁾ .
Enforcement focus changes	24	After 1 October 1986 the focus of enforcement therefore had to widen considerably to deal with the new challenges of the Quota Management System.
	25	Traditional fisheries management regimes based on input or effort controls require an enforcement system structured around surveillance and catching offenders in the act. The QMS, based on output controls, required a more complex enforcement system involving surveillance, monitoring, investigation and audit to catch offenders after the event.
Difficulty of detection leads to trade off	26	Detecting and therefore deterring fisheries offending in New Zealand is inherently difficult due to the size of the 200 mile exclusive economic zone (EEZ), the length of coastline and number and geographic spread of fishing industry participants.
	27	These difficulties can be dealt with either by increasing resources so that the chances of being caught are higher, or by having substantial penalties, so that even though the chances of being caught may not be high, the consequences of being caught are severe.
	28	Changes required to implement the QMS in 1986 were required to be accommodated within existing budget allocations ⁽¹⁰⁾ . The trade-off for not increasing compliance resources has been increased penalties (maximum fines and forfeiture) in fisheries legislation since 1986. The difficulty involved in detecting and deterring fisheries offending was expressly recognised in subsection 107C(3) the Fisheries Act 1983 and section 254 of the Fisheries Act 1996.

Organisational Response to Introduction of QMS

First priority to “bed in” QMS	29	The first priority for the implementation of the QMS from 1986 to early 1988 was to ensure the administration of the system - quota trading and reporting by fishers, quota holders and fish receivers - was bedded in properly ⁽⁴⁾ .
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	30	The enforcement effort during this period was on ensuring the information needed for monitoring and enforcement of the QMS was available ⁽¹¹⁾ .
Ensuring compliance have appropriate skills	31	By mid 1988 the focus shifted to ensuring that MAF Fisheries had the appropriate skills required to enforce the QMS effectively.
	32	<p>A 1988 Strategic Compliance Plan established the framework for a restructure of the MAF Fisheries compliance capability ⁽¹⁰⁾. Implications of the restructure included:</p> <ul style="list-style-type: none"> • Emphasis on monitoring of fish product flows, along with random catch, product and accounting system surveillance and targeted investigations and audits. • Refocusing the surveillance and QMS monitoring functions and adding investigative and audit skills to provide a multi-disciplinary team approach to compliance • Reduced effort in or stopping some activities to enable greater emphasis to be placed on ensuring compliance with the QMS, both for those operating within the scheme and those operating illegally outside it. ⁽¹⁰⁾ • Turnover of 55% of staff, allowing the recruitment of new staff from Police, Customs, Securities Commission and private enterprise to provide the required compliance skills. • A comprehensive training and development programme to enhance the skills, knowledge and attitudes of both existing and new staff ⁽¹⁾. • Decentralising the management of MAF Fisheries services, including compliance, to a regional and district level.
Full development of skills took time	33	The recruitment of new skills into MAF Fisheries compliance was largely completed by the end of 1989.
	34	The QMS was new, the associated law was untested and rapidly changing between 1986 and 1990 as MAF Fisheries worked to refine the QMS and deal with implementation challenges ⁽⁸⁾ .
	35	The full development of QMS investigation and audit competencies in teams therefore took time and involved a process of adaptation, innovation and sometimes trial and error.
Environment created tensions	36	Tensions were created within MAF Fisheries as a result of the process of change from 1986, the influx of new staff from 1988 and the competing priorities, cost reductions and major changes to the QMS (new by-catch defences, catch balancing rules and record-keeping and reporting regulations) which all occurred in the early 1990s.

37	Many of the new staff recruited were former Police officers. In the North region in particular all management and team leader positions in compliance were filled with former Police staff.
38	These staff brought considerable law enforcement skills and disciplines to MAF Fisheries, however, in some cases their generally slow assimilation into the fisheries environment and low level of understanding of the complexities of QMS enforcement contributed to tensions and some performance problems ⁽¹²⁾ .
Compliance resources 1990-1992	39 Although there were 125 established positions in compliance during 1991, the normal process of staff turnover and recruitment meant only 114 of these were filled by mid 1991. ^{(1) (13)}

Compliance Functions During 1990-92

Focus on ensuring reporting framework effective	40 The focus of compliance resources in the early 1990s was on ensuring compliance with the law underpinning the QMS - in other words, that the information needed for monitoring and enforcement of the QMS was available - and that the risk of detection and prosecution deterred non-compliance.
	41 This required a focus on ensuring correct and timely completion of QMS documentation and the monitoring of catch against quota, utilising the surveillance, monitoring, investigative and audit skills of compliance staff. Each of these functions is described below: ⁽⁵⁾
Surveillance function	42 The surveillance function included: <ul style="list-style-type: none"> • Catch surveillance – random and targeted surveillance and inspection aimed at the catch sector, utilising Fishery Officers, Observers and Defence Force air and surface patrols. • Product surveillance – observation of vessel landings, transport, processing, distribution and export of fish. • Accounting systems surveillance – random testing of fish product recordkeeping systems within fish processing companies to ensure systems are able to provide reliable information and that records and returns are timely and accurate.
Monitoring function	43 The monitoring function included: <ul style="list-style-type: none"> • Quota ownership – recording trading of quota catch rights. • Industry reporting – catch effort and landings reported by fishers (CELRs etc.), fish received reported by licensed fish receivers (LFRRs), catch against quota reported by quota holders (QMRs).

- Comparative analysis – catch landed compared to fish received, catch reported compared to quota rights held to identify variances/ discrepancies
- Comparison of surveillance observations with monitoring information to identify variances/ discrepancies

Investigation, intelligence analysis and audits/ examination function

- 44 The investigation, intelligence analysis and audits/ examination function included:
- Management of intelligence – surveillance and monitoring observations, informant information, information from other agencies
 - Audit and examination – substantive audits of industry record-keeping systems compared to reported fish landings, investigative examinations where reasonable grounds to believe offending
 - Targeted Investigations – of illegal commercial fishing outside the QMS (eg: poaching/ blackmarket) and reporting fraud within the QMS

Resources in 1991

- 45 The following table summarises how compliance resources were allocated between the various functions in mid 1991. ⁽¹³⁾

Position Title	Staff
Managers	10
Fisheries Investigators	12
Fishery Surveillance Officers	63
Investigating Accountants	2
Fisheries Intelligence Officers	2
Fisheries Monitoring Officers	24
Training Officer	1
Total	114

Compliance tools available in 1990-1992

- 46 Compliance tools available to detect and deter offending in 1990-1992 included:
- Monitoring** and comparison of data in monthly catch, landing, receiving and quota reports to detect potential mis-reporting or illegal fishing
 - Catch and product-flow surveillance** from point of landing to sale/ export to detect potential mis-reporting or illegal fishing

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- c) **Investigation** of specific instances of non-compliance to provide evidence to prosecute potential mis-reporting or quota fraud practices
 - d) **Audits and investigative examinations** of fishing company records to detect potential mis-reporting or quota fraud practices
 - e) **At-sea surveillance patrols** by RNZ Navy to detect potential catch or area mis-reporting or illegal fishing
 - f) **Air surveillance patrols** by RNZ Air Force to detect potential area mis-reporting or illegal fishing
 - g) **Observer coverage** to monitor and supervise fishing activity and report illegal activity
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Limitations on MOD patrols and observer coverage

- 47 In 1990 the Ministry of Defence had a limited capacity for MAF Fisheries at-sea and air surveillance patrols and were not meeting MAF Fisheries requirements for these services. ⁽¹⁴⁾ ⁽¹⁵⁾
 - 48 Observer coverage was limited to 20 to 25% of the deepwater trawl fleet and was targeted to priority fisheries. ⁽¹⁶⁾ Observer coverage at this time was focused on collection of scientific information with compliance a secondary role.
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Compliance Focus 1990 –1992

Balancing competing priorities

- 49 In common with most law enforcement agencies MAF Fisheries resources were constrained and therefore activities had to be prioritised.
 - 50 Most fishers, whether commercial, recreational or customary Maori, believe their fishery is the priority to which fisheries enforcement resources should be targeted.
 - 51 MAF Fisheries compliance managers were responsible for allocating limited resources to maintain an appropriate level of compliance across commercial and non-commercial fishing sectors and in many fisheries.
 - 52 Fisheries ranged from multi-million dollar large-volume fisheries like orange roughy and hoki, harvested far off shore, to highly valuable inshore fisheries like snapper, rock lobster and paua. In these inshore fisheries commercial and non-commercial fishers and illegal poachers were in competition, and often in conflict, over the same resource.
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Enforcement strategies dictated by offending	53	By 1990 enforcement strategies were dictated by the type of offending, the level and impact of the offending on the integrity of the fisheries management system, the protection of fishing rights, and the need to deploy limited enforcement resources to maintain the maximum possible deterrent. ⁽⁷⁾
Enforcement operational priorities established	54	National enforcement operational priorities were established during the 1991/92 year to assist in the planning and direction of enforcement resources in order to deliver value for money fisheries enforcement services. ⁽¹⁷⁾
	55	Operational planning by compliance regions and districts followed these national priorities to ensure the limited compliance resources were targeted where they would be most effective.
1991-1992 enforcement operational priorities	56	<p>The 1991-92 fisheries enforcement operational priorities in order of priority were: ⁽¹⁷⁾</p> <ol style="list-style-type: none"> 1. Organisational management – the management and administrative functions that keep the compliance organisation functioning 2. Exclusive Economic Zone – ensuring the security and integrity of the EEZ 3. Commercial Output (QMS) – enforcement of the QMS relating only to QMS species and specifically excluding non-QMS species subject to individual or competitive area catch limits 4. Poaching – enforcement of illegal fishing for commercial gain by those without fishing permits 5. Commercial Input – enforcing commercial input or effort controls including individual or competitive catch limits 6. Recreational – enforcement of rules relating to non-commercial recreational fishing 7. Aquaculture – enforcement of lease and licence conditions for marine and freshwater fish farms 8. Maori – enforcement of customary non-commercial fishing permits and taiapure areas
Priority factor weighting to QMS offending	57	Activities under each heading were also prioritised and a priority factor weighting given to assist in targeting resources within each activity category.
	58	With limited resources, compliance effort was targeted at offending having the greatest affect on fisheries sustainability and the most serious impact on the quota management system. ⁽¹⁷⁾

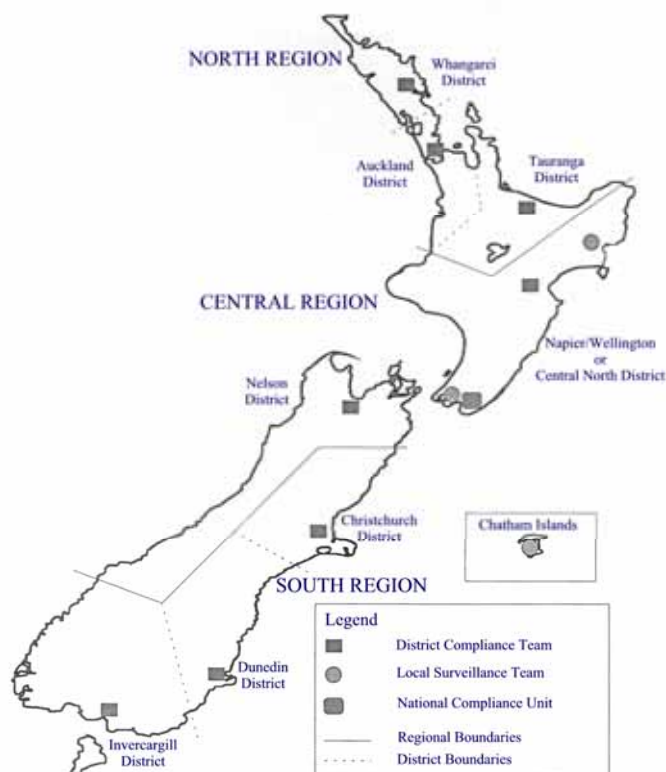
Level of compliance with QMS lower than desirable	59	By 1991 fishing industry commitment to the QMS was noted as remaining surprisingly high, however the assessed overall level of compliance had, until then, been lower than desirable.
	60	This was mainly due to a perception that the chances of being detected, prosecuted, convicted and effectively penalised were relatively low during the early years of the QMS. ⁽¹⁾
Early 1990's a critical time for integrity of QMS	61	The start of the 1990's was therefore a critical time for the integrity of the QMS. Success with prosecutions for QMS fraud (making false catch declarations) was essential to deter offending and to protect the property rights of those who were complying with fisheries laws.
	62	By 1991 the investment made in changing the skill mix of the compliance organisation during the 1988 compliance restructure was beginning to produce results. Once enforcement resources were committed to QMS fraud prosecutions they could not be re-deployed for extensive periods.
	63	MAF Fisheries compliance resources in most districts were over-committed to major QMS prosecutions by 1992 which impacted on the resources available for other enforcement activities.
	64	A summary of QMS prosecutions between 1990 and 1994 is attached as Appendix 3.
Major QMS investigations similar to complex corporate fraud	65	Major QMS investigations and prosecutions were (and still are) extremely challenging and complex.
	66	Crown Solicitors and Judges have commented on the similarities between fisheries QMS prosecutions and the type of complex corporate fraud and conspiracy work undertaken by the Serious Fraud Office. ⁽¹²⁾
	67	Successfully investigating and prosecuting major QMS offending required skilled staff committed to obtaining a result, effective leadership and a multi-disciplinary team approach. ⁽¹⁸⁾
	68	Investigations were also very invasive and disruptive for fishing companies, requiring the removal of company operating documents. As a result investigations are not undertaken lightly.
Example of Operation Roundup	69	An example of a major QMS investigation and prosecution during the 1990-1992 period was operation Roundup.
	70	This example illustrates that serious QMS fraud investigations were complex, long-term, very demanding on staff and resource-intensive, requiring large teams drawn from many locations and disciplines.

Scale of Operation Roundup	71	Roundup focussed on the false reporting of over 1,000 tonnes of the quota species orange roughy.
	72	Twenty-one individuals and companies were charged with over 2,000 offences under the Fisheries Act 1983 and the Fisheries Reporting and Recordkeeping Regulations.
Staff resources consumed for months	73	The surveillance and termination phases of Operation Roundup consumed the entire staff resources of the MAF Fisheries Central Region for several months from late 1990 to mid 1991. Covert surveillance of landings at Wellington were carried out day and night throughout this period.
	74	The termination phase, commenced in May 1991, involved 64 staff from throughout the country. Searches of 18 business and residential properties resulted in the seizure of more than 80,000 business documents and fish purchase and sales records. Fishing vessels and vehicles used in the offences were also seized.
80,000 documents analysed during investigation	75	During the subsequent investigation phase the 80,000 seized document exhibits were analysed and compared to the catches and landings reported by the fishers and processing companies and also compared to the surveillance observations.
	76	A team of 3 MAF Fisheries investigating accountants was also involved for around 6 months conducting forensic accounting and investigative examinations of documents and financial records seized from the fish processors. Four months of analysis took place before the offenders could be interviewed and charges laid.
Number of exhibits greater than in SFO Equiticorp trial	77	Building several prosecution casefiles against the offenders occupied a team of around 10 investigators and surveillance officers, with periodic assistance from forensic document examiners, investigating accountants and solicitors, for a further two years.
	78	Presentation of 80,000 document exhibits in Court exceeded the number presented in the Equiticorp prosecution taken by the Serious Fraud Office in the early 1990s. Compliance staff developed an innovative electronic document management system for use in the court proceedings.
\$12.5 million in fines and forfeiture	79	The prosecution resulted in the conviction of the offenders with fines totalling \$2.5 million dollars and forfeiture of quota, fishing vessels and vehicles worth \$12 million. ⁽¹⁹⁾
Many similar QMS investigations	80	While Operation Roundup was the largest, it was only one of several similar serious QMS fraud investigations MAF Fisheries undertook throughout the country during 1990-1992.

How Compliance Resources Were Managed

- Compliance resources not managed as nationally integrated business group**
- 81 During the period 1990-92 compliance functions were carried out in nine districts and by the National Compliance Unit (NCU) and audit team in Wellington.
- 82 Compliance resources were not managed as a nationally integrated business group within MAF Fisheries. The Manager (Fisheries Compliance) had no line control or authority over District Compliance Managers
- 83 Without national operational command and control structures, which are a feature of all effective enforcement agencies, there were operational and resource allocation inefficiencies for compliance. ⁽⁷⁾
- 84 A map of the compliance districts in 1990-92 is shown below.

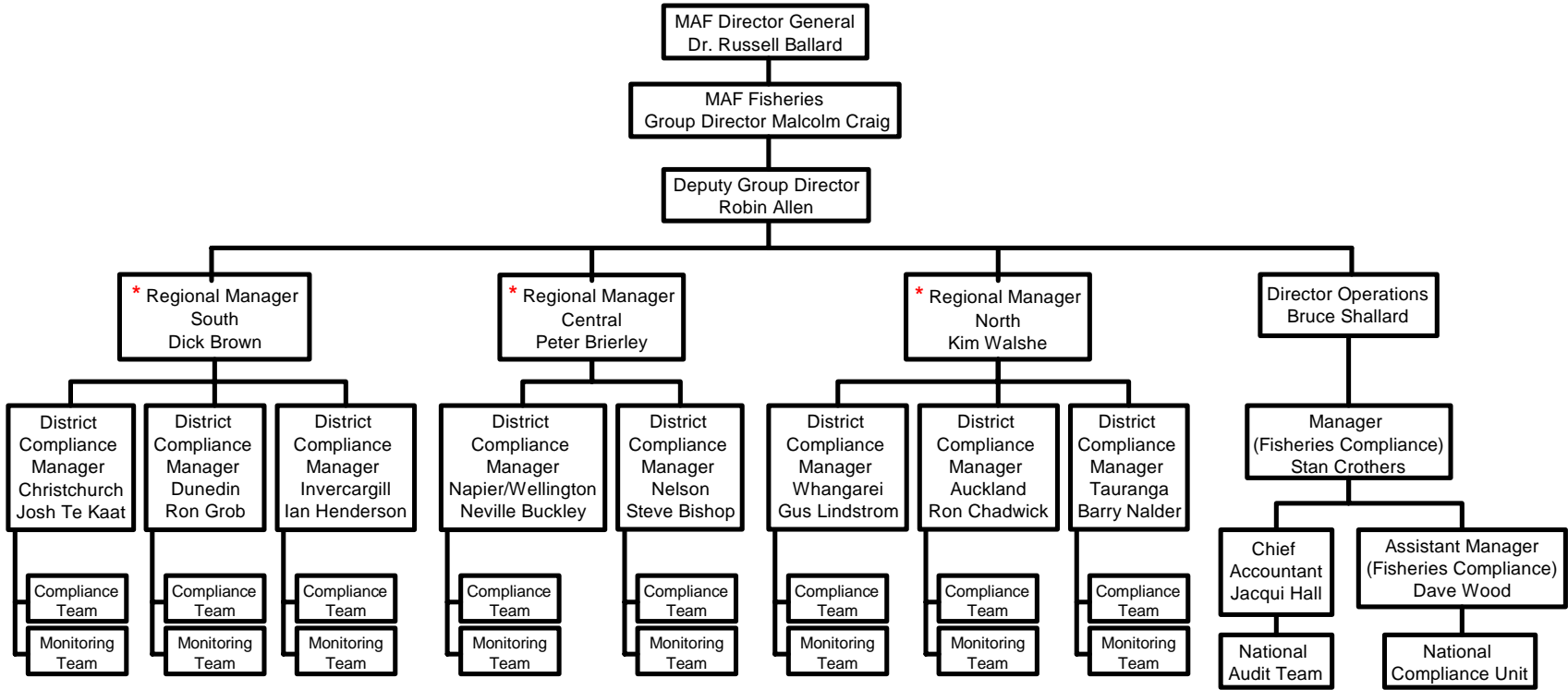
MAF FISHERIES COMPLIANCE DISTRICTS 1990-92



- Organisational chart**
- 85 An organisational chart showing how compliance resources were managed in MAF Fisheries during 1990-92 is included on the following page.

MINISTRY OF AGRICULTURE AND FISHERIES

MAF FISHERIES COMPLIANCE ORGANISATION CHART 1990 - 1992



* Regional Managers also had Science, Fisheries Management & Administration Teams reporting to them. For the sake of clarity, the chart has omitted these other MAF Fisheries functions.

Role of regional managers	<p>86 Regional Managers in Auckland, Nelson and Dunedin, who were members of the MAF Fisheries Board, managed the distributed fisheries management, research, policy advice, compliance and administration resources within their regions.</p> <p>87 Other members of the MAF Fisheries board managed the Wellington-based research, fisheries management and administration, policy advice, national compliance and corporate administration resources.</p> <p>88 The MAF Fisheries structure meant that accountability for the delivery of compliance services was somewhat diffuse.⁽¹⁹⁾</p>
Role of Manager Fisheries compliance	<p>89 The role of the Manager (Fisheries Compliance) was to:</p> <ul style="list-style-type: none"> • establish national fisheries compliance policy, plans, procedures and standards • provide technical compliance advice to the MAF Fisheries board, • manage the national compliance unit and audit team • exercise delegated authority in relation to investigation, seizure and prosecutions relating to foreign licensed and charter vessels • liaise with other national and international enforcement agencies.⁽²⁰⁾ <p>90 The Manager (Fisheries Compliance) had no management control or authority over District Compliance Managers but had a functional relationship with these positions.</p>
Compliance role and structure at district level	<p>91 District Compliance Managers managed compliance teams, consisting of Fishery Surveillance Officers, Fisheries Investigators and Monitoring Officers.</p> <p>92 District Compliance Managers were responsible for implementing national compliance policies, plans, procedures and standards at a district level, tactical or field planning, organisation and control and prosecution decision making.⁽²¹⁾</p>
Role and structure of NCU	<p>93 The National Compliance Unit, located at Greta Point in Wellington, was quite separate in both function and location from the MAF Fisheries Corporate Head Office.</p> <p>94 The National Compliance Unit was similar to a compliance district but had a focus on national and international concerns relating to New Zealand fisheries interests. The unit was responsible for the enforcement of the 200 mile exclusive economic zone, the prosecution of foreign-owned fishing vessels, liaison with other enforcement agencies on a national and international level, national intelligence management and training.</p>

	95	The National Compliance Unit consisted of a small investigative and intelligence team (2 Investigators and 2 Intelligence Officers) and a Training Officer.
Role of audit team	96	An investigative audit and examination team (a Chief Investigating Accountant plus an Investigating Accountant) was also located at Greta Point in Wellington.
	97	The role of the audit team was to conduct industry audits, support districts with investigative examinations, establish and maintain industry recordkeeping standards and provide accounting advice and technical support to compliance teams.
Functional relationship between Manager (Fisheries Compliance) and DCMs	98	The functional relationship between the Manager (Fisheries Compliance) and the District Compliance Managers operated in two ways.
	99	Firstly the Manager (Fisheries Compliance) was responsible for establishing national fisheries compliance policy, plans, procedures and standards. However, these required the support of Regional Managers to implement as they were responsible for setting regional operational plans and had line responsibility for DCMs.
	100	Secondly, a Compliance Technical Committee (CTC), chaired by Manager (Fisheries Compliance) and attended by DCMs, Assistant manager (Fisheries Compliance) and Senior Investigating Accountant.
Compliance Technical Committee (CTC) did not achieve consistency	101	The role of the CTC was a forum to raise and resolve issues, ensure national consistency in enforcement activities, and provide advice to the Manager (Fisheries Compliance) for the development of fisheries compliance policy, plans, procedures and standards.
	102	The CTC also provided a forum for managers to negotiate resource-sharing arrangements but did not determine what investigations should be done or who should be prosecuted.
	103	The CTC was not always successful at achieving consistency between Districts. ⁽²²⁾ The effectiveness of the functional relationship between DCMs and the Manager (Fisheries Compliance) depended on the effectiveness of personal relationships and was also influenced by the working relationship each DCM had with their Regional Manager.

The Offence Detection and Investigation Process

Effectiveness of enforcement depends on resources	104	The effectiveness of enforcement systems in terms of detection and prosecution of offenders relies on the type, quantity and quality of enforcement resources and how effectively these resources are used. ⁽⁷⁾
	105	The detection and investigation of fisheries offences, particularly QMS offences, is complex, requiring a combination of skills, judgement, systems and processes involving many fisheries and enforcement disciplines.
Fisheries fraud offences depend on analysis of	106	QMS offences are sometimes referred to as “victimless crimes” because there is usually no complainant to notify the offence and give evidence against the offenders. This means that there is rarely eye-witness evidence and prosecutions depend on analysis of documentary evidence together with supporting circumstantial evidence.
	107	In the fisheries environment enforcement action may result from informant information, the analysis of intelligence or fishing return data, surveillance, monitoring, or the auditing of fishing industry records. All these activities require a decision to be made on the quality, reliability and accuracy of the information.
Enforcement powers controlled	108	Enforcement powers inevitably impact on individual rights. The essential enforcement powers of entry, search, seizure, audit, questioning, arrest etc. are strictly controlled by legislation with direct accountability to the Judiciary and Government.
	109	General fishery officer powers to enter and examine under section 79(1)(b) of the Fisheries Act 1983 were restricted to the purpose of the enforcement and administration of the Fisheries Act and Regulations.
	110	Targeted powers to enter and search under s.79(1)(a) and to seize under s.80 were also restricted to the purpose of the enforcement of the Fisheries Act and Regulations and required a fishery officer to believe on reasonable grounds that an offence had been committed. Mere suspicion was not enough.
Not every incident followed through to prosecution	111	Not every incident, complaint or informant information can or should be followed through to a successful prosecution.
	112	Firstly, the information may be unreliable or untrue or unable to be substantiated to evidential standards by investigation and therefore not justify further action. ⁽²³⁾ Secondly, the resources required to investigate and prosecute may not be justified or available because of other priorities.

Four typical steps	113	Before prosecution action can be taken there are generally four stages and decisions points. Each decision point has the effect of acting as a filtering process.
<i>Offence detection stage</i>	114	In the offence detection stage initial information is received and assessed, intelligence analysed, further information gathered, attempts made to corroborate informant information, the nature and extent of offending is determined and options for further action explored.
	115	The decision point is: do reasonable grounds exist to believe offending has occurred and can admissible evidence be obtained to prove offending? Do the circumstances warrant further action? If not the offence detection stage may continue or be stopped.
<i>Operational planning stage</i>	116	In the operational planning stage an appreciation (consideration of factors relating to the offending and the courses open to the enforcement agency) is conducted and a course of enforcement action chosen, a mission or aim of the enforcement action identified, operation orders prepared and approval sought from the controlling officer to commit resources.
	117	The decision point is: are the resources available to gather admissible evidence to prove offending and do the circumstances justify deploying resources? If not the operation may not go ahead, or may be refocused or scaled down, deferred, discontinued or alternative strategies explored to gain compliance.
<i>Investigation stage</i>	118	In the investigation stage fishery officer powers are exercised to gather evidence, seize evidence and property used in offending, interview offenders and witnesses, and conduct investigative examination of records and returns.
	119	The decision point is: has sufficient admissible evidence of offending been gathered? If not the investigation may continue until sufficient evidence is produced, or be refocused or discontinued.
<i>Prosecution stage</i>	120	In the prosecution stage a prosecution case file is prepared, legal advice obtained, recommendations and decisions are made on prosecution outcome, charges are laid and evidence presented in Court.
	121	The decision point is: can the ingredients of the offences be proven beyond reasonable doubt? Does the offending warrant prosecution action? If not, the matter will not proceed to prosecution.

Reliance on judgement and expertise of staff

- 122 Systems and processes used in compliance in the early 1990s to detect and investigate alleged offences relied on:
- a) the expertise and judgement of individual staff to identify possible offending from their work activities (information received, observations made, analysis undertaken), and take appropriate follow-up action;
 - b) the effectiveness of the staff member's manager in monitoring and reviewing progress on the enquiry at regular intervals.
- 123 The specific action taken would depend on the circumstances of each case and the nature of the possible offending. For example follow-up action by monitoring staff on a reporting discrepancy may be routine, while follow-up action on allegations of QMS offences would involve full briefing of the District Compliance Manager and agreement to a planned course of enquiry or investigation.
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Compliance systems and processes to support investigations

- 124 The exact process for investigating any significant offending likely to result in prosecution action varied from office to office depending on the style of the manager and the capability of the staff. However, all processes would have involved the following general steps:
- i. The detecting/ investigating officer would provide a job sheet, report or verbal briefing to the District Compliance Manager or controlling officer. This would summarise the alleged or possible offending, actions undertaken to verify the information and recommendations for further action.
 - ii. The manager or controlling officer would respond with either a written or verbal agreement or instruction on the follow-up action to be taken and resources available (if required).
 - iii. In major investigations the manager may negotiate with other managers for additional support or resources required from other districts or from the national compliance unit or other agencies.
 - iv. The manager would monitor progress on the enquiry or investigation informally and formally at regular intervals. In major investigations this would be most likely to be formalised into regular progress reports particularly at the major decision points.
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Authority for making decisions on investigations

- 125 District Compliance Managers had sole responsibility for the allocation and direction of investigative and other fisheries enforcement resources within their District, within the overall planning framework of national, regional and district operational plans. ⁽²²⁾
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126 Manager (Fisheries Compliance) had sole responsibility for the allocation and direction of National Compliance Unit investigative and examination resources, within the framework of a national compliance operational plan. ⁽²¹⁾

Prosecution Decision-Making Authority

Authority to make prosecution decisions

127 MAF Fisheries policy was that only Fishery Officers designated as Manager Fisheries Compliance or District Compliance Manager were to exercise the discretion whether or not a person or company should be prosecuted. ⁽²⁴⁾

Prosecution authority of Manager Fisheries Compliance

128 Manager (Fisheries Compliance) was authorised to make decisions relating to:

- a) All offences against the Territorial Sea and Exclusive Economic Zone Act 1978 and Regulations
- b) All offences against the Fisheries Act 1983 and Regulations relating to the activities of chartered or licensed foreign fishing vessels, foreign companies or nationals
- c) All offences against the Fisheries Act 1983 and Regulations resulting from casefiles managed by the National Compliance Unit investigators and examiners

Prosecution authority of District Compliance Managers

129 District Compliance Managers were authorised to make decisions relating to all offences against the Fisheries Act 1983 and Regulations not involving chartered or licensed foreign fishing vessels, foreign companies or nationals.

130 Only District Compliance Managers and Manager (Fisheries Compliance) had authority to make or change a prosecution decision.

Controls on prosecution decision making

131 The rationale for whether or not to prosecute was required to be fully documented by the person making the decision.

132 District Compliance Managers were required to have their decisions peer-reviewed by another District Compliance Manager or by the Manager (Fisheries Compliance) in cases where the maximum penalty exceeded \$10,000 or automatic forfeiture consequences applied to property/ quota valued over \$25,000. Legal advice was also required in such cases.

Changes Since 1995

Changes since establishment of Ministry of Fisheries in 1995

- 133 When the Ministry of Fisheries was established on 1 July 1995 compliance was established as a standalone business group with direct functional lines of command from Manager Compliance, through Regional Compliance Managers to District Compliance Managers and other Compliance unit managers.
- 134 Compliance strategies and policies were established and compliance operational plans co-ordinated nationally.
- 135 The compliance operational structure since 1995 allows for improved co-ordination and sharing of resources nationally between districts and with the national operations group. An organisational chart for the compliance business group of the Ministry of Fisheries in 2002 is included on the following page.
- 136 Establishment of a Serious Offences Unit has also improved the Ministry's capacity and capability to tackle serious complex QMS fraud investigations, particularly those involving deepwater fisheries. Collaboration with other enforcement agencies (eg: defence force, police) has also been substantially improved through memoranda of understanding.
- 137 Information systems have been implemented and refined since 1995 which have improved the management of intelligence, offences, prosecutions, and compliance inspections on a national basis.

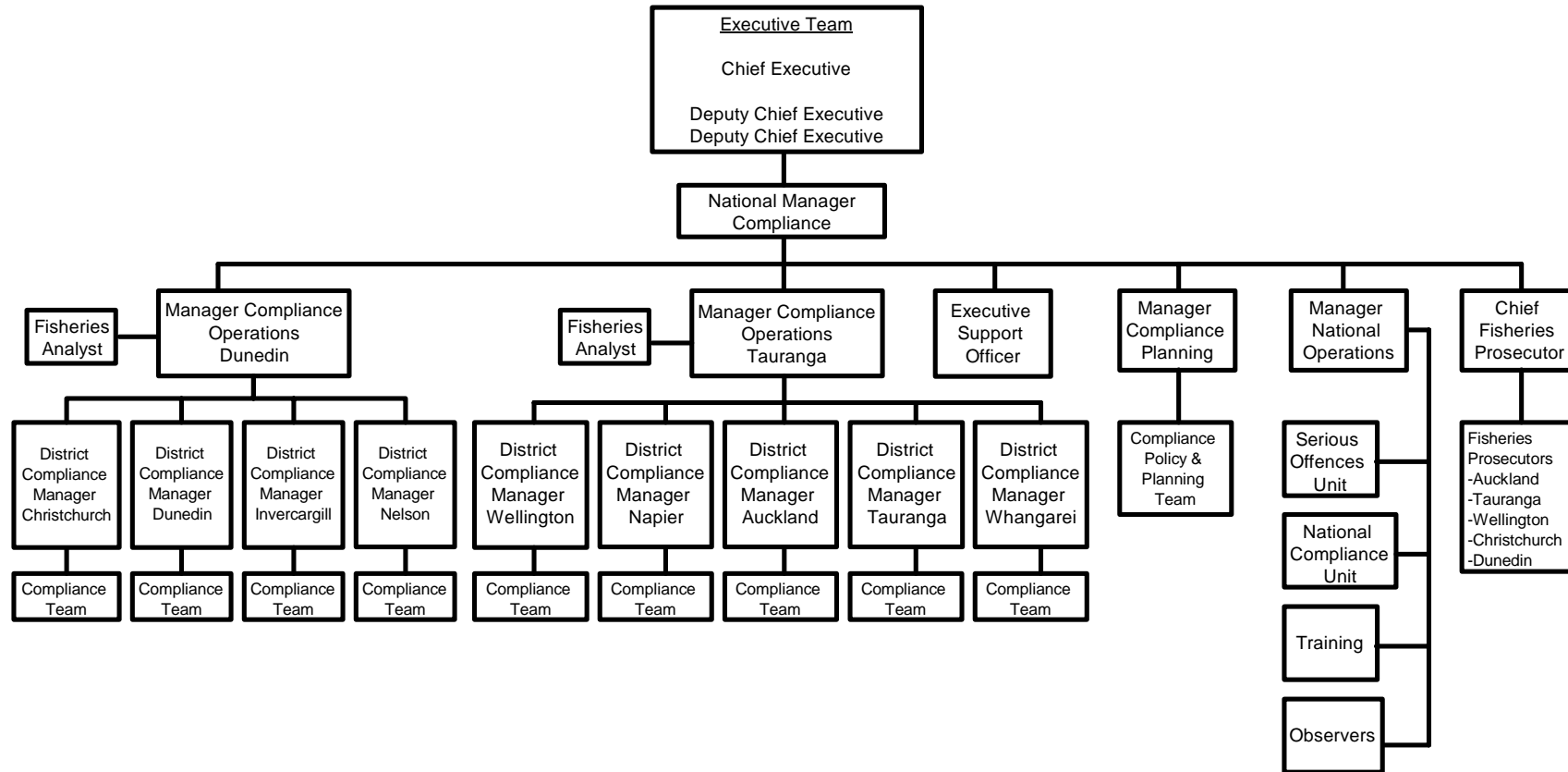
Resources in 2002/03

- 138 The following table summarises how compliance resources are allocated between the various roles in 2002/03.

Role	Staff
Business Group Manager	1
Senior Operations Managers	4
District and Unit Managers	11
Investigators	16
Surveillance Officers	81
Investigating Accountants	4
Analysis and Intelligence	10
Non-commercial Fisheries Liaison & Co-ordination	4
Training	3
Prosecutors	7
Infringement Notice Processing	3
Observer Programme	6
Support	2
Total	152

MINISTRY OF FISHERIES

COMPLIANCE ORGANISATION CHART 2002



Compliance Activity In The Scampi Fishery 1990-92

The Nature of Compliance Activity in the Scampi Fishery

New, high value fishery	139	The scampi fishery developed rapidly during the late 1980's at a time when the High Court injunction prevented management under the QMS. Instead, the fishery was managed under the variable non-QMS regime that applied.
Scampi fishery a lower priority than QMS	140	In 1990-92 scampi was a lower priority than QMS offending.
	141	Scampi was a non-quota species representing only a fraction of 1% of all New Zealand fisheries by value or volume. ⁽²⁵⁾
Types of compliance activity in scampi fishery	142	MAF Fisheries was aware of some potential offending in the scampi fishery during 1990-92 and focused some compliance effort on the fishery.
	143	General compliance activities to increase levels of compliance with reporting requirements and deter false reporting across the whole fishing industry in 1990-92 included an emphasis on landing surveillance. As a result of this activity reporting offences involving scampi vessels were detected and compliance action was taken.
	144	Specific compliance activity directed at the scampi fishery included observer coverage, air surveillance patrols, landing surveillance, monitoring of fishing returns. As a result of this activity other offences involving scampi vessels were detected and compliance action was taken.

Observer Coverage

Purpose of observer coverage	145	Fisheries Observers are employed by the Ministry to monitor fishing activity, particularly in the deep-water fishing fleet.
	146	Observers collect biological information from catch sampling and record independent information on catch effort and on-board processing. This is used as an independent check on the accuracy of fishing industry reports. They also carry out tests on conversion factors and monitor approved discards of QMS species.

Observer coverage to gather information

- 147 Observer coverage was targeted to the developing scampi fishery from mid 1991 to gather independent scientific information on the fishery and to monitor discarding of small and damaged fish and unwanted by-catch.⁽²⁶⁾
- 148 Although legislation prohibited discarding of QMS species, effective enforcement of the prohibition requires at-sea surveillance or observer coverage.
-

Observers placed on 17 scampi trips in 1991 and 1992

- 149 Ministry scientific observers were placed on 17 scampi vessel trips during a period from May 1991 to the end of 1992.⁽²⁷⁾ Vessels operated by eight permit holders were subject to observer coverage during this period. A table summarising these trips is appended to this report as Appendix 1.
- 150 The Observers noted non-compliance issues mainly involving poor recording and discarding of QMS by-catch on eight trips.
-

Procedure when non-compliance observed

- 151 When specific instances of non-compliance were detected the standard procedure was for the observer to bring these to the attention of the vessel master.
- 152 If the vessel master took no corrective action the management of the company was to be advised. If no corrective action was taken by the management of the company the Manager Compliance would be notified.⁽²⁶⁾
- 153 Non-compliance involving domestic vessels was referred on the district office where the vessel was registered for follow up action.⁽²⁸⁾
-

Incidents reported by observers were acted on

- 154 In May 1992 the National Compliance Unit requested the District Compliance Manager Auckland to follow up four incidents involving three scampi vessels registered in the Auckland office.⁽²⁹⁾ Three of the incidents originated from observer trip reports.
- 155 Auckland Compliance staff acted on the incidents. These are included in the summary of incidents in Appendix 2.
-

Air Surveillance Patrols

Purpose of air surveillance patrols

- 156 The purpose of these air patrols was to identify fishing vessels and plot their position and activity. In this way prohibited fishing areas were enforced. If a vessel was observed fishing illegally infringement action could be taken to plot the vessel position to evidential standards.
-

	157	Information from each patrol provided to MAF Fisheries allowed vessels to be checked against registers and locations to be compared to reported noon position and catch effort position reports.
	158	The risk of observation by air patrols is intended to deter vessels falsely declaring the area in which they are fishing or fishing in prohibited areas.
Air surveillance patrols in scampi fishery	159	Between January 1990 and December 1992 there were a total of 122 Air Force fisheries patrol flights within the NZ EEZ. Of these flights 44 are assessed as having a medium to high likelihood of encountering scampi fishing. ⁽³⁰⁾
	160	No records were found of possible illegal fishing involving scampi vessels resulting from these air surveillance patrols.

Landing Surveillance

Landing surveillance	161	Landing surveillance was mainly focused on ensuring all fishing vessels, including those operating in the scampi fishery, were following reporting requirements prescribed in The Fisheries (Reporting) Regulations 1990.
	162	Catch landing returns were the crucial compliance documents within the QMS as they are records against which all other returns can be verified. ⁽⁹⁾ Catch landing returns recorded the number and estimated weight of containers of fish landed and their destination.
	163	Fishing gear may also be checked for compliance with regulations and permit conditions during landing surveillance.
Purpose of conducting landing surveillance	164	The requirement to complete catch landing returns immediately on landing meant that permit holders elected to enter true or false information. Random landing surveillance meant that there was a risk of false information being detected.
	165	One means of avoiding being detected making false statements was not to complete the landing return (or relevant parts of it) at the time of the landing. This allowed the correct information to be entered if inspected and challenged at the time. Conversely if no inspection occurred the permit holder could enter false information later. ⁽⁹⁾
	166	Landing surveillance was therefore focused on enforcing requirements relating to completion of returns and on checking the integrity of the information recorded in returns.

Incidents identified from landing surveillance were acted on	167	No records were kept of the number of scampi vessels subject to landing surveillance during 1990-92.
	168	Landing surveillance identified non-compliance with reporting requirements by several scampi vessels, resulting in compliance action and the issue of written warnings.
	169	Non-compliance by scampi vessels detected as a result of landing surveillance is included in the summary in Appendix 2.

Monitoring of Fishing Returns

Fishing returns monitored	170	Scampi permit holders were required to complete catch effort returns on a daily basis and catch landing information immediately on landing. Returns were to be submitted to MAF Fisheries after each trip. ⁽³¹⁾
	171	Catch information was entered in the MAF Fisheries QMS database allowing scampi catch limits and catch against by-catch quota species to be monitored.
	172	Fish receivers also provided monthly returns allowing for a cross-check of catch information reported by fishers. ⁽²⁾

Weekly then daily reporting of catch and position	173	Weekly reporting of position and catch by scampi vessels was imposed in November 1991 to assist MAF Fisheries to closely monitor catch limits in the fishery. ⁽³²⁾
	174	Daily reporting of position and catch by scampi vessels was imposed from 1 June 1992. The reports (“SCIREP”) were to be received by noon daily by the Fisheries Control Centre (FCC). ⁽³³⁾

Incidents identified from monitoring reports were acted on	175	Monitoring of daily position reports identified potential offences of by two scampi vessels fishing in a prohibited area.
	176	Both incidents were followed up by Auckland Compliance staff and are summarised in Appendix 2.

Offences and Investigations

Offending in scampi fishery	177	Potential offending in the scampi fishery during 1990-92 detected and acted on by compliance included:
	i.	Fishing returns not kept or completed as required
	ii.	Fishing in prohibited areas
	iii.	Use of illegal fishing gear
	iv.	False reporting of quota species by-catch
	v.	Discarding of quota species by-catch
	vi.	Taking quota species by-catch without the authority of quota

Summary of compliance follow up action on scampi incidents during 1990/92

- 178 The Auckland compliance office acted on 9 of the 11 incidents involving scampi vessels recorded from compliance activities during the period 1990/92. The Napier office acted on the other two. The list was compiled from files located in the Ministry's Auckland, Napier and National Compliance Unit offices and may not be complete as the Auckland office did not use MAF Fisheries' computer offences system.
- 179 The District Compliance Managers made the decisions to either discontinue the actions or issue warnings in each of these incidents.
- 180 Five incidents involved Simunovich Fisheries Ltd. Two resulted from observer reports (obstruction and a reporting offence), two from daily monitoring (fishing in a prohibited area) and one from landing surveillance (undersize net mesh).
- 181 Four incidents involved Barine Developments Ltd. Three resulted from routine landing surveillance (reporting offences) and one from an observer report (illegal trawl nets and discarding quota species).
- 182 Two incidents involved Sanford Ltd. One resulted from an observer report (fishing in a prohibited area) and one probably resulted from landing surveillance (undersize net mesh).
- 183 A table summarising the 11 incidents and the outcome of each is attached as Appendix 2.
- 184 In addition to the 11 incidents during 1990-92 resulting from compliance activities, Auckland Investigator, Peter Younger, conducted a preliminary investigation of informant allegations relating to Simunovich Fisheries Ltd. from 1991. Barry Nalder continued this investigation upon his arrival in the Auckland Office in 1993.
-

Appendices

Appendix 1: Table Summarising Observer Trips in the Scampi Fishery 1990-1992⁽²⁷⁾

Vessel	Company	Trip	Non-Compliance Issues
<i>Albatross II</i>	Simunovich	482 Aug 1991	None noted
<i>Amaltal Voyager</i>	Amaltal	570 Dec 1992	Incorrect conversion factor for scampi, unrecorded discarding of ITQ species
<i>Enemalay</i>	Simunovich	503 Dec 1991	None noted
<i>Bilyara</i>	Barine Developments	468 May 1991	Unrecorded discarding of ITQ species, illegal double cod-ends
<i>Bilyara</i>	Barine Developments	496 Jun 1991	Undersize net mesh, illegal double cod-ends and discarding reported and “action taken”
<i>Bilyara</i>	Barine Developments	519 Mar 1992	Poor recording of ITQ species in catch effort returns, unrecorded discarding of ITQ species
<i>Langoustine Explorer</i>	Petromont Holdings	491 Oct 1991	None noted
<i>Langoustine Explorer</i>	Petromont Holdings	566 Nov 1992	Carton weights incorrect, some species not labelled
<i>NR Francis</i>	Mount Fish Market	490 Sep 1991	None noted
<i>NR Francis</i>	Mount Fish Market	509 Mar 1992	None noted
<i>Petersen</i>	Simunovich	508 Mar 1992	Discrepancy between factory processing record and catch effort return (approx 3 tonnes by-catch allegedly under-declared).
<i>Petersen</i>	Sealord Group	576 Feb 1993	None noted
<i>Red Bluff</i>	Simunovich	564 Oct 92	None noted
<i>San Tangaroa</i>	Sanford	492 Sep 91	None noted
<i>San Tangaroa</i>	Sanford	500 Nov 91	None noted
<i>Venture K</i>	Vautier Shelf Co. No. 14	486 Aug 1991	Conversion factor error and species mis-labelling (both minor)
<i>Venture K</i>	Vautier Shelf Co. No. 14	510 Feb 1992	Minor discrepancies in processed weights between factory processing book and catch effort return

Appendix 2: Table Summarising the 11 Incidents in the Scampi Fishery 1990-1992

Offender	Detected	Alleged Offence	Outcome
Barine Development Ltd	12/6/90 Landing surveillance	<ul style="list-style-type: none"> - Failed to complete Trawl Catch Effort and Processing Return - Failed to keep Catch Landing Return on vessel and produce for inspection - Landed scampi to person not licensed to receive fish - Failed to keep unloading docket for landing 	Warning letter issued
Barine Development Ltd	28/3/91 Landing surveillance	<ul style="list-style-type: none"> - Failed to produce Catch Landing Return for inspection. 	Warning letter issued 11 April 1991
Sanford Ltd	10/4/91 Observer report	<ul style="list-style-type: none"> - Fished inside prohibited fishing area (territorial sea around Auckland Islands) - <i>San Tangaroa</i> 	Incident discontinued after enquiries made
Barine Development Ltd	10/6/91 Observer report	<ul style="list-style-type: none"> - Used undersize trawl net mesh - Used liners in trawl cod-end - Dumping ITQ species of fish - (Note: 5 U/S cod-ends with liners on board, used for fishing. Vessel seized 10/6/91, released back under bond 14/6/91, released from bond 26/7/91) 	Warning letter 26 July 1991
Simunovich Fisheries Ltd	10/6/91 Landing surveillance	<ul style="list-style-type: none"> - Possessed undersize trawl net mesh - (Note: 1 U/S cod-end on board <i>Mutual Enterprise</i>, not used for fishing, several legal sized cod-ends on board and used for fishing) 	Warning letter 7 August 1991
Sanford Ltd	? 10/6/91 ? Landing surveillance	<ul style="list-style-type: none"> - Possessed undersize trawl net mesh - (No other details on file) 	Warning letter 7 August 1991
Simunovich Fisheries Ltd	20/12/91 to 23/3/92 Observer report	<ul style="list-style-type: none"> - Made false statement in Trawl Catch Effort and Processing Return - Conclusion: "evidence available would not be sufficient to obtain a conviction" 	Incident discontinued after enquiries made
Simunovich Fisheries Ltd	20/1/92 Observer report	<ul style="list-style-type: none"> - Skipper of <i>Petersen</i> obstructed observer (S.67F(c) FA83) 	Incident discontinued after enquiries made
Simunovich Fisheries Ltd	26/02/92 Monitoring	<ul style="list-style-type: none"> - Fished inside prohibited fishing area (territorial sea around Auckland Islands) - <i>Petersen</i> 	Incident discontinued after enquiries made
Simunovich Fisheries Ltd	26/02/92 Monitoring	<ul style="list-style-type: none"> - Fished inside prohibited fishing area (territorial sea around Auckland Islands) - <i>Enemelay</i> 	Incident discontinued after enquiries made
Barine Development Ltd	30/9/92 Landing surveillance	<ul style="list-style-type: none"> - Failed to supply Catch Landing Return within required time - Failed to supply Quota Management Return within required time - Taking quota species for sale without authority of quota 	Warning letter 22 December 1992

Appendix 3: Summary of QMS Prosecutions 1990-94

No	Court Date	Court	Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
1	01/28/91	Dunedin	DC	Everitt												
				Greenhill K J	Purchasing fish from other than a LFR		s67A(2)	FA83	F	\$	300	\$125.00	\$65.00			
				Greenhill K J	Failing to keep records of fish purchased		R6(a)	RK			0		\$65.00			
2	01/31/91	Whangarei	DC	Paul												
				Harris J D	Poss u/s Paua				F	\$	200	\$65.00	\$75.00			
				Harris J D	Possn Paua for sale				F	\$	200	\$65.00	\$75.00			
				Searancke W H W	Possn Paua for sale		R19(1)	Am	F	\$	200	\$65.00	\$75.00			
				Searancke W H W	Possn u/s Paua	284			F	\$	200	\$65.00	\$75.00			
				Searancke W H W	Taking u/s Paua				F	\$	200	\$65.00	\$75.00			
				Searancke W H W	Taking x/s Paua	300	s67A(2)	FA83	F	\$	200	\$65.00	\$75.00			
				Taipari A	Poss u/s Paua				F	\$	200	\$65.00	\$75.00			
				Taipari A	Possn Paua for sale		s67A(2)	FA83	F	\$	200	\$65.00	\$75.00			
				Witehira H	Taking u/s Scallops				F	\$	400	\$75.00	\$65.00			
				Witehira H	Taking x/s Scallops				F	\$	400	\$75.00	\$65.00			
				Witehira J	Taking excess scallops				F	\$	400	\$75.00	\$65.00			
				Witehira J	Taking u/s Scallops				F	\$	400	\$75.00	\$65.00			
3	02/26/91	Papakura	DC	Simpson												
				Hare H	Fish failing to return to sea		R28	Am	F	\$	500	\$75.00	\$85.00			
				Hare H	Poss fish for sale		s67A(2)	FA83	F	\$	950	\$75.00	\$85.00			
				Hare H	Taking/possn Mussels 1731		R19(1)	Am	F	\$	250	\$75.00	\$85.00			
				Karanga D	Fish failing to return to sea		R28	Am	F	\$	500	\$75.00	\$85.00			
				Karanga D	Poss fish for sale		s67A(2)	FA83	F	\$	950	\$75.00	\$85.00			
				Karanga D	Taking/possn Mussels 1731		R19(1)	Am	F	\$	250	\$75.00	\$85.00			

No	Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
4	03/22/91	Invercargill	DC	Willy	Jenkins E W	Taking of flatfish without authority of quota		s28ZA			FA83	F	\$	150		\$65.00		
					Jenkins E W	Possessing flatfish in contravention of Act		s67A(2)		FA83	C&D		0		\$65.00			
5	04/26/91	Dunedin	DC	Willy	Fulter C J	Selling fish taken as an amateur(salmon)		s67A(2)			FA83	F	\$	500	\$150.00	\$65.00		
6	05/17/91	Dunedin	DC	Moran	Smith R A	Possessing unlabelled sacks containing fish						F	\$	250	\$75.00	\$65.00		
					Smith R A	Selling fish to a non-licensed fish receiver		s67A(2)		FA83			0					
					Smith R A	Taking kina without a permit							0	\$75.00	\$65.00		Discharged without conviction	
7	05/31/91	Nelson	DC	Patterson	Meikle H	Possessing fish for sale illegally		s67A(2)			FA83			0	\$250.00			Discharged without conviction
8	07/05/91	Whangarei	DC	Gilbert	Barnwell NS	Possn for sale RL	14	s67A(2)			FA83	F	\$	500	\$75.00	\$65.00		
					Barnwell NS	Possn u/s RL					F	\$	300	\$75.00	\$65.00			
					Barnwell NS	Selling RL					F	\$	200	\$75.00	\$65.00			
					Barnwell NS	Taking for sale RL					F	\$	500	\$75.00	\$65.00			
					Clendon R	Possn for sale RL					F	\$	500	\$75.00	\$65.00			
					Clendon R	Possn u/s RL					F	\$	300	\$75.00	\$65.00			
					Clendon R	Selling RL					F	\$	200	\$75.00	\$65.00			
9	07/17/91	Auckland	DC		Goodson GM	Possn fish from unlawful source		s67A(2)			FA83	Not Guilty	F	\$	5000	\$300.00		
					Goodson GM	Possn for sale u/s RL	44	R27(2)		Comm Not Guilty	F	\$	500		\$65.00			
					Goodson GM	Possn for sale RL in unmeasurable state	16	R29(3)		Comm Not Guilty	F	\$	500		\$65.00		Unemployed	
					Goodson GM	Possn of fish taken contra to Act		s97(1)		FA83	Not Guilty	F	\$	500		\$65.00		

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Masters KP	Possn fish from unlawful source	360	s67A(2)		FA83	F	\$	5000	\$300.00				
				Masters KP	Possn for sale u/s RL	44	R27(2)		Comm	F	\$	500	\$65.00				
				Masters KP	Possn for sale RL in unmeasurable state	16	R29(3)		Comm	F	\$	500	\$65.00			Mitsubishi ute forfeited. Did not appear	
				Masters KP	Possn of fish taken contra to Act	360	s97(1)		FA83	F	\$	500	\$65.00				
10	07/17/91	Blenheim	DC	Dalmer													
				Rowe S M	Using scuba to take Paua	208				Guilty	C&D	0				Vessel (\$4,000), vehicle (\$7,000) & dive gear \$1500	
				Rowe S M	x/s Paua	188	R19		Am	Guilty	F	\$	1500	\$65.00			
				Rowe S M	Shucked Paua	188				Guilty	F	\$	1000	\$65.00			
				Rowe S M	Fishing without a permit	208	s62		FA83	Not Guilty	F	\$	1000	\$65.00			Joint charge
				Morressey R M	x/s Paua	188	R19		Am	Guilty	F	\$	1500	\$65.00			
				Morressey R M	Using scuba to take Paua	208				Guilty	C&D	0					
				Morressey R M	Fishing without a permit	208	s62		FA83	Not Guilty	F	\$	1000	\$65.00			Joint charge
				Morressey R M	Shucked Paua	188				Guilty	F	\$	1000	\$65.00			
11	07/31/91	Hastings	DC	Hole													
				Doole P T	Possessing u/s RL for sale	262	s67A(2)		FA83	F	\$	3000	\$200.00	\$65.00		Car (\$2,000), boat (\$1,800) & gear forfeit	
				Doole P T	Taking x/s RL	219	R25		Am	F	\$	2000	\$65.00				Convicted & discharged on other charges
				Eyles T N	Possessing u/s RL for sale	262				F	\$	3000	\$200.00	\$65.00			
				Eyles T N	Taking x/s RL	219	R25		Am	F	\$	2000	\$65.00				
12	08/12/91	Wellington	DC	Frater													
				Merson J D	Possessing Paua for sale illegally	680kg	s67A(2)		FA83	F	\$	3500	\$100.00	\$65.00		Forfeiture of hired Hertz van (\$25,000).	
				Merson J D	Possessing Paua for sale taken with no quota	680kg	s28ZA		FA83	F	\$	3500	\$100.00	\$65.00		680 kg Paua (51 kg undersize) Forfeiture of hired Hertz van (\$25,000).	Previous conviction 1990
				Merson J D	Possessing u/s Paua	680kg	R22(1)		Comm	F	\$	3500	\$100.00	\$65.00		Forfeiture of hired Hertz van (\$25,000).	

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Morrissey M B	Possessing Paua for sale illegally	680kg	s67A(2)	FA83	F	\$	3000	\$100.00	\$65.00		Forfeiture of hired Hertz van (\$25,000).	
				Morrissey M B	Possessing Paua for sale taken with no quota	680kg	s28ZA	FA83	F	\$	3000	\$100.00	\$65.00		680 kg Paua (51 kg undersize) Forfeiture of hired Hertz van (\$25,000).	
				Morrissey M B	Possessing u/s Paua	680kg	R22(1)	Comm	F	\$	3000	\$100.00	\$65.00		Forfeiture of hired Hertz van (\$25,000).	
13 08/13/91	Nelson	DC	Ellis													
				Roach D G	4 x False statement in CELR		s66(1)(a)&(b)	FA83	F	\$	400	\$200.00	\$260.00		Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 4 charges
				Roach D G	5 x False statement in CELR		s66(1)(a)&(b)	FA83	F	\$	750	\$250.00	\$325.00		Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 5 charges
				Roach D G	5 x Taking fish other than under quota		s28ZA(1)(a)	FA83	F	\$	2500	\$250.00	\$325.00		Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 5 charges
				Roach D G	6 x Taking fish other than under quota		s28ZA(1)(a)	FA83	F	\$	2400	\$300.00	\$390.00		Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 6 charges
				Roach G P	1 x Company Director selling non quota fish		s28ZA(1)	FA83	F	\$	2000	\$50.00	\$65.00		Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Roach G P	12 x False statement in QMR	s66(1)(a)	FA83		F	\$		12000	\$600.00	\$780.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	Fines & Costs total of 12 charges
			Roach G P	6 x False Statement in CELR	s66(1)(a)&(b)	FA83		F	\$		6000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	Fines & Costs total of 6 charges
			Roach G P	6 x Selling fish not taken under quota	s28ZA(1)(a)	FA83		F	\$		9000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	Fines & Costs total of 6 charges
			Roach G P	8 x Taking fish excess 10% quota	s28V(1) & (4)	FA83		F	\$		16000	\$400.00	\$520.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	Fines & Costs total of 8 charges
			Roach M P	1 x Company Director selling non quota fish	s28ZA(1)	FA83		F	\$		500	\$50.00	\$65.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	
			Roach M P	12 x False statement in CELR	s66(1)(a)&(b)	FA83		F	\$		6000	\$600.00	\$780.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 12 charges
			Roach M P	4 x False statement in CELR	s66(1)(a)&(b)	FA83		F	\$		2000	\$200.00	\$260.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 4 charges

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Roach M P	6 x False statement in QMR	s66(1)(a)&(b)	FA83		F	\$		3000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	
			Roach M P	6 x Taking fish other than under quota	s28ZA(1)(a)	FA83		F	\$		6000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	
			Roach M P	6 x Taking fish other than under quota	s28ZA(1)(a)	FA83		F	\$		9000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	
			Roach M P	6 x Taking fish other than under quota	s28ZA(1)(a)	FA83		F	\$		9000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 6 charges
			Roach M P	6 x Taking fish other than under quota	s28ZA(1)(a)	FA83		F	\$		6000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 6 charges
			Roach M P	8 x Taking fish excess 10% quota	s28V(1)&(4)	FA83		F	\$		4000	\$400.00	\$520.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 8 charges

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Roach M P	8 x Taking fish excess 10% quota	s28V(1)&(4)	FA83		F	\$		4000	\$400.00	\$520.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 8 charges
			Roach P	1 x Company Director selling non quota fish	s28ZA(1)	FA83		F	\$		1500	\$50.00	\$65.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	
			Roach P	12 x False statement in CELR	s66(1)(a)&(b)	FA83		F	\$		12000	\$600.00	\$780.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	Fines & Costs total of 12 charges
			Roach P	6 x False statement in CELR	s66(1)(a)&(b)	FA83		F	\$		4500	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	
			Roach P	6 x Taking fish other than under quota	s28ZA(1)(a)	FA83		F	\$		12000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit	Fines & Costs total of 6 charges
			Roach T C	3 x Taking fish other than under quota	s28ZA(1)(a)	FA83		F	\$		1200	\$150.00	\$195.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 3 charges
			Roach T C	6 x False statement in CELR	s66(1)(a)&(b)	FA83		F	\$		900	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 6 charges

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Roach T C	6 x Taking fish other than under quota		s28ZA(1)(a)	FA83		F	\$	3000	\$300.00	\$390.00	Three Vessels (Seamist \$120,000, Unity \$150,000 & Joy Maree \$100,000) & Quota (\$320,000) forfeit Banning from industry on 2nd c	Fines & Costs total of 6 charges
			Shelwick Fisheries Limited	6 x False LFR Return		s66(1)(a)	FA83		F	\$	9000	\$300.00	\$390.00	Undeclared fish value at \$107,209 Exceeded quota rights by 45%	
			Shelwick Fisheries Limited	6 x Selling fish not taken under quota		s28ZA(1)(a)	FA83		F	\$	9000	\$300.00	\$390.00	Undeclared fish value at \$107,209 Exceeded quota rights by 45%	
14	11/01/91	Nelson	DC	McAloon											
				Deadman B R	Taking Scallops for sale	s67A(2)	FA83		F	\$	4000		\$85.00		
				Deadman B R	Possessing Scallops for sale				F	\$	4000		\$85.00		
				Deadman M G	Taking Scallops for sale	s67A(2)	FA83		F	\$	4000		\$85.00		Joint charge. 8,000 Scallops.
				Deadman M G	Possessing Scallops for sale				F	\$	4000		\$85.00	Vessel (\$650), vehicle (\$1,000) & dive gear \$1000 forfeit	
15	11/25/91	Dunedin	DC	Young											
				Hill R W	Taking fish without a permit	s62	FA83		C&D		0				
16	11/28/91	Christchurch	DC	Green											
				Kiely K	Failing to complete CELR immed on landing R25 Rep	R4(3)	Rep		F	\$	500		\$85.00	Quota (\$155,000) & fish (398 kg) forfeit	
17	11/28/91	Wanganui	DC	Watson											
				Boaler M W	7 x Failing to supply LFRR's	s66(2)	FA83				0	\$1,050.00	\$250.00		Discharged without conviction - costs total of 7 charges
				Boaler M W	6 x Failing to supply QMR's	s66(2)	FA83				0				Discharged without conviction
18	12/06/91	Invercargill	DC	Moran											
				Ramsay W C	Taking Paua without authority of quota	s28ZA	FA83				0	\$75.00	\$85.00		No fine. Retired.
				Ramsay W C	Taking u/s Paua	150					0				
				Ramsay W C	Taking x/s Paua	147	R19	Am			0	\$75.00	\$85.00		

No Court Date	Court	Court Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Smits N J	Taking Paua without authority of quota		s28ZA		FA83				0	\$75.00	\$85.00		
				Smits N J	Taking u/s Paua	150							0				
				Smits N J	Taking x/s Paua	147	R19		Am				0	\$75.00	\$85.00		
19	12/23/91	Invercargill	DC	Moran													
				Cosgrove M M	Possessing illegally taken Paua for sale		s67A(2)		FA83		C&D		0	\$75.00	\$85.00		
				Dobias D C	Possessing illegally taken Paua for sale		s67A(2)		FA83		C&D		0	\$75.00	\$85.00		
				Henderson G R	Possessing illegally taken Paua for sale		s67A(2)		FA83		F	\$	10000	\$75.00	\$85.00		
				Henderson G R	Possessing scuba while taking Paua						F	\$	2500	\$75.00	\$85.00		
				Henderson G R	Using unreg vessel for commercial fishing						C&D		0	\$75.00	\$85.00		
				Menadue R W	Possessing scuba while taking Paua						F	\$	2500	\$75.00	\$85.00		
				Saragossa Holdings Limited	Displayed misleading name on reg vessel		R13		Comm		C&D		0	\$75.00	\$85.00		
				Saragossa Holdings Limited	Failing to display figures & name on reg vessel		R14		Comm		C&D		0	\$75.00	\$85.00		
				Saragossa Holdings Limited	Selling Paua taken illegally	2513kg	s67A(2)		FA83		F	\$	50000	\$75.00	\$85.00		Vessels (\$40,000, \$5,000, \$300,000), gear & proceeds of sale of Paua (47,085) forfeit
				Saragossa Holdings Limited	Using unreg vessel for commercial fishing						F	\$	10000	\$75.00	\$85.00		
				Tree M N	Using scuba to take Paua						F	\$	500	\$75.00	\$85.00		
				Tree M N	Using unreg vessel for commercial fishing						C&D		0	\$75.00	\$85.00		
20	01/16/92	Nelson	DC	Bathgate													
				Atkinson K	Failing to comply with a FO		s79(1)(c)		FA83		F	\$	100		\$85.00		
				Atkinson K	Taking fish without a permit		s62(1)		FA83		F	\$	1000		\$85.00		Vessel (\$40,000), gear & Scallops (\$2,160) forfeit

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Climo G K	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	200			\$85.00		
			Climo G K	Taking fish without a permit	s62(1)	FA83		F	\$	5000			\$85.00	Special reasons re nonforfeiture of vessel & Scallops	Special reasons re nonforfeiture of vessel & Scallops
			Falconer D B	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	200			\$85.00		
			Falconer D B	Taking fish without a permit	s62(1)	FA83		F	\$	5000			\$85.00	Vessel (\$120,000), gear & Scallops (\$2,737) forfeit	
			Guard G P	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	200			\$85.00		
			Guard G P	Taking fish without a permit	s62(1)	FA83		F	\$	5000			\$85.00	Vessel (\$75,000), gear & Scallops (\$3,218) forfeit	
			Harvey N W	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	200			\$85.00		
			Harvey N W	Taking fish without a permit	s62(1)	FA83		F	\$	2000			\$85.00	Vessel (\$120,000), gear & Scallops (\$1,596) forfeit	
			Hosie B E	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	200			\$85.00		
			Hosie B E	Taking fish without a permit	s62(1)	FA83		F	\$	5000			\$85.00	Vessel (\$50,000), gear & Scallops (\$2,651) forfeit	
			Jordan H	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	200			\$85.00		
			Jordan H	Taking fish without a permit	s62(1)	FA83		F	\$	5000			\$85.00	Vessel (\$140,000), gear & Scallops (\$1,596) forfeit	
			Ledgerwood H S	Failing to comply with a FO	s79(1)(c)	FA83			\$	0			\$85.00		
			Ledgerwood H S	Taking fish without a permit	s62(1)	FA83		F	\$	1000			\$85.00	Vessel (\$70,000), gear & Scallops (\$1,809) forfeit	
			McCauley C P	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	200			\$85.00		
			McCauley C P	Taking fish without a permit	s62(1)	FA83		F	\$	5000			\$85.00	Vessel (\$100,000), gear & Scallops (\$2,707) forfeit	
			Phillipson R	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	200			\$85.00		
			Phillipson R	Taking fish without a permit	s62(1)	FA83		F	\$	5000			\$85.00	Vessel (\$60,000), gear & Scallops (\$2,252) forfeit	

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Roach D G	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	100			\$85.00		Banned from Southern Scallop Fishery for 3 years.
				Roach D G	Taking fish without a permit	s62(1)	FA83		F	\$	1000			\$85.00	Vessel (\$90,000), gear & Scallops (\$2,955) forfeit	
				Roach M P	Failing to comply with a FO	s79(1)(c)	FA83		F	\$	100			\$85.00		Banned from Southern Scallop Fishery for 3 years.
				Roach M P	Taking fish without a permit	s62(1)	FA83		F	\$	3000			\$85.00	Vessel (\$150,000), gear & Scallops (\$2,999) forfeit	
21	03/06/92	Henderson	DC	Brown												
				Bodle N G	Possessing fish for sale illegally (grey mullet)	s67A(2)	FA83		F	\$	250	\$75.00		\$65.00		
22	03/16/92	Hamilton	DC	Latham												
				Merson J D T	Fish rec w/o licence	R3(1)	LFR		F	\$	15000	\$150.00		\$85.00		Offenders had previous convictions
				Merson J D T	Furn false particulars	s95(1)(d)	FA83		F	\$	150			\$85.00		Offenders had previous convictions
				Merson J D T	Possn Paua illeg'lly acq'd	840kg	s67A(2)	FA83	F	\$	10000	\$150.00		\$85.00		
				Merson J D T	Possn fish taken in contra of Act	s97(1)	FA83		F	\$	15000	\$150.00		\$85.00	Order for forfeiture of vehicle \$3,003.	
				Morrissey B	Fish rec w/o licence	R3(1)	LFR		F	\$	15000	\$150.00		\$85.00		
				Morrissey B	Furn false particulars	s95(1)(d)	FA83		F	\$	150			\$85.00		
				Morrissey B	Possn Paua illeg'lly acq'd	840kg	s67A(2)	FA83	F	\$	10000	\$150.00		\$85.00		
				Morrissey B	Possn fish taken in contra of Act	s97(1)	FA83		F	\$	15000	\$150.00		\$85.00	Order for forfeiture of vehicle \$3,003.	
23	03/17/92	Auckland	DC	Hobbs												
				Rewi Wetini M	2 x failing to furnish QMR's R25 Rep	R4	Rep		F	\$	500	\$100.00		\$100.00		
				Rewi Wetini M	Failing to furnish CELR R25 Rep	R4(2)	Rep		F	\$	500	\$100.00		\$100.00	Special reasons for nonforf.	Special reasons for nonforf.
24	03/25/92	Timaru	DC	Hay												
				Tubb M L	54x False statements in CELR's R25 Rep	R4(1)	Rep		F	\$	27000	\$2,700.00		\$5,130.00		51 False CELR and 3 Failing to supply CELR - Fines & Costs total of 54 charges

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Tubb M L	Processing fish taken unlawfully					F	\$	500	\$50.00	\$95.00		
			Tubb M L	Processing fish taken unlawfully		s28ZA	FA83		F	\$	5000		\$95.00		
			Tubb M L	Taking fish without quota		s28ZA	FA83		F	\$	5000	\$50.00	\$95.00	Special reasons for nonforf.	Special reasons re nonforfeiture
25 04/24/92	Auckland	DC Mitchell													
			Lee S M	Possessing fish for the purposes of sale		s67A(2)	FA83		F	\$	600	\$100.00	\$85.00		
			Lee S M	Possessing x/s Paua	240	R19(1)	Am		F	\$	300	\$100.00	\$85.00		
26 05/06/92	Wellington	DC Henwood													
			Wichman W D	Taking Paua for sale with no quota		s28ZA	FA83		F	\$	200			341 Paua (100 kg). Boat forfeit.(value\$14,500)	No special reasons found. At time of sentencing was on DPB 1 child
			Wichman W D	Taking Paua for sale without a permit		s67A(2)	FA83		F	\$	200			342 Paua (100 kg). Boat forfeit.(value\$14,500)	
			Wichman W D	Using unreg vessel for commercial fishing		s57	FA83		F	\$	200			343 Paua (100 kg). Boat forfeit.(value\$14,500)	
27 05/07/92	Otahuhu	DC													
			Tang K W	Poss e/x Paua	10	R19(1)	Am		F	\$	200	\$100.00	\$85.00		
			Tang K W	Purchasing from other than LFR		s67A(2)	FA83		F	\$	800		\$85.00		
28 05/07/92	Otahuhu	DC Bouchier													
			Leith G H	Failing to return illegal fish to the sea		R28	Am		F	\$	1000		\$85.00		
			Leith G H	Possessing fish for the purposes of sale Paua	670kg	s67A(2)	FA83		F	\$	1000	\$200.00	\$85.00		
			Leith G H	Possessing fish taken against the Act		s97(1)	FA83		F	\$	1000		\$85.00		
			Leith G H	Taking x/s Paua		R19(1)	Am		F	\$	1000		\$85.00		
29 05/25/92	Nelson	DC Kerr													
			Horlemann H E	Possessing eels illegally		R50	Comm				0				
			Horlemann H E	Taking fish without a permit		s62(1)	FA83				0				Convicted. To come up for sentence if called within 6 months

No	Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
30	06/26/92	Invercargill	DC	Moran	Scully HV	Possession RL for sale	14	s67A(2)		FA83	F	\$	500	\$75.00	\$85.00			
31	07/17/92	Whangarei	HC	Robertson	Bannister W R	8 x failing to furnish returns		s66(1)(b)		FA83		\$	0				Forfeiture of vessel, overturned special	Forfeiture of vessel, overturned special
32	07/20/92	Te Kuiti	DC	Latham	Lane M	Possessing fish taken against the Act		s97(1)		FA83	C&D		0	\$150.00	\$95.00			
					Lane M	Taking fish without a permit		s62(1)		FA83	F	\$	350	\$150.00	\$95.00		Special reasons re nonforfeiture	Special reasons re nonforfeiture
					Lane M	Taking fish without the authority of quota		s28ZA		FA83	C&D		0					
					Lane M	Using an unreg vessel for comm fishing		s57		FA83	F	\$	350					
33	09/14/92	Blenheim	DC	Patterson	Rocco P	Fishing without a permit		s62(1)		FA83	F	\$	1000		\$95.00		Vessel (\$4,500) & vehicle (\$9,000) forfeit	
					Rocco P	Possessing fish for sale		s62(1)		FA83	F	\$	1000		\$95.00			
34	09/14/92	Blenheim	DC	Patterson	Hymers T	1 x Taking fish without a permit		s62(1)		FA83			0		\$95.00			Joint charge with Clengan
					Hymers T	1 x Using unreg vessel for comm fishing							0		\$95.00			
					Hymers T	3 x Selling fish taken without a permit		s67A(2)		FA83			0		\$285.00			Costs total of 3 charges
					Hymers T	3 x Taking fish without a permit		s62(1)		FA83			0		\$285.00			Discharged without conviction. Costs total of 3 charges. J/Charge Clengan I
					Hymers T	3 x Using unreg vessel for comm fishing							0		\$285.00			Costs total of 3 charges
35	10/02/92	Christchurch	DC	Holderness	Hill C R	False statement in CELR's (1990) S66(1)		s96(b)		FA83	F	\$	2000	\$3,000.00	\$95.00		Vessel & quota forfeit	
					Hill C R	False statement in CELR's(1991) R25		R4		Rep	F	\$	10000		\$95.00			

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Hill C R	False statement in LFRR's (1990) s66(1) FA83	s96(b)			FA83		F	\$	2000		\$95.00		
				Hill C R	False statement in QMR's (1990) s66(1) FA83	s96(b)			FA83		F	\$	2000		\$95.00		
				Hill C R	Taking fish with no quota (1990)	s28ZA(1)			FA83		F	\$	4000		\$95.00		
				Hill C R	Taking more than 10% (1990)	s28V(1)&(4)			FA83		F	\$	4000		\$95.00		
				Hill G H	False statement in CELR's (1990) s66(1)	s66(1)			FA83		F	\$	1000	\$1,500.00	\$95.00		
				Hill G H	False statement in CELR's(1991) R25 Rep	R4			Rep		F	\$	5000		\$95.00		
				Hill G H	False statement in LFRR's as Company Director (1990) s66(1) FA83	s96(b)			FA83		F	\$	1000		\$95.00		
				Hill G H	False statement in QMR's (1990) s66(1) FA83	s96(b)			FA83		F	\$	1000		\$95.00		
				Hill G H	False statement in QMR's (1991) R25 Rep	R6			Rep		F	\$	5000		\$95.00		
				Hill G H	Taking fish with no quota (1990)	s28ZA(1)			FA83		F	\$	2000		\$95.00		
				Hill G H	Taking more than 10% (1991)	s28V(1)&(4)			FA83		F	\$	10000		\$95.00		
36	10/20/92	Invercargill	DC	Moran													
				Harvey G D	2 x False statements in CELR								0				Discharged without conviction
				Harvey G D	Disposing of fish to other than an LFR	s67A			FA83				0				Discharged without conviction
				Harvey G D	Disposing of fish to other than an LFR	s67A			FA83		F	\$	0		\$95.00		
				Harvey G D	False statement in CELR						F	\$	1000	\$226.00	\$95.00		Vessel (\$50,000) forfeit
37	12/10/92	Levin	DC	Ryan													
				Faumuina LK	possn Paua for sale	s67A(2)			FA83		F	\$	2500	\$250.00	\$95.00	Cooffender with Kwok. Rental van not forf.	Cooffender with Kwok.

No	Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
38	12/11/92	Invercargill	DC	Moran	McManaway C D	False entry on CELR						F	\$	2500		\$95.00	(0.679 tonnes), Wetfish quota (7.3 tonnes), & scuba gear \$7000 forfeit	
					McManaway C D	False statement on CELR						F	\$	4000		\$95.00	(0.679 tonnes), Wetfish quota (7.3 tonnes), & scuba gear \$7000 forfeit	
					McManaway C D	False statement on QMR						F	\$	1000		\$95.00	(0.679 tonnes), Wetfish quota (7.3 tonnes), & scuba gear \$7000 forfeit	
					McManaway C D	Possessing for sale Paua contrary to Act	2531kg	s67A(2)			FA83	F	\$	10000		\$95.00		
					McManaway C D	Possessing scuba gear on registered vessel		R51			Comm	F	\$	1500	\$75.00	\$95.00	Vessels (\$60,000 & \$4,500), Paua quota	
					McManaway C D	Possessing scuba with Paua						F	\$	2500	\$75.00	\$95.00		
					McManaway C D	Taking Paua without authority of quota	511kg					F	\$	7500	\$75.00	\$95.00		
					McManaway C D	Using unregistered vessel for comm fishing						F	\$	1000	\$75.00	\$95.00		
39	12/11/92	Invercargill	DC	Moran	Modesto Holdings Ltd	False entry on a CELR						F	\$	2000		\$95.00		
					Modesto Holdings Ltd	False entry on a QMR						F	\$	500		\$95.00		
					Modesto Holdings Ltd	False statement in a CELR		R25(4)			Rep	F	\$	0	\$1,000.00	\$95.00	Quota not forfeit (worth \$1.4m)	Vicarious liability
40	12/18/92	Wellington	DC	Gaskell	Saunders A J	1 x Take Fish other than under Quota		s28ZA(1)(a)			FA83	F	\$	250		\$95.00		
					Saunders A J	15 x False Statement in CELR		s66(1)(a)&(b)			FA83	F	\$	7500		\$1,425.00		Fines & Costs total of 15 charges
					Saunders A J	16 x False statement in QMR		s66(1)(a)&(b)			FA83	F	\$	8000		\$1,520.00		Fines & Costs total of 16 charges
					Saunders A J	2 x False Statement in CELR		s66(1)(a)&(b)			FA83	F	\$	500		\$190.00		Fines & Costs total of 2 charges

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Saunders A J	94 x Take Fish other than under Quota		s28ZA(1)(a)	FA83		F	\$	47000	\$5,000.00	\$8,930.00	Vessel (\$400,000) & quota (\$149,000) forfeit	Fines & Costs total of 94 charges. Failed to declare 64 tonnes of fish at est. value of \$106,854
			Saunders A J	False statement in QMR s		s66(1)(a)&(b)	FA83		F	\$	250		\$95.00		
41 02/22/93	Auckland	DC	McElrea												
				Kwok R K C attempting to purchase Paua		s67A(2)	FA83		F	\$	15000	\$750.00	\$95.00	No forf as vehicle didn't belong to either party and was rented	
				Kwok R K C being in possn of Paua 495.1kg					C&D		0		\$95.00		
42 02/22/93	Nelson	DC	McAloon												
				Malwee L Fishing without a permit		s62(1)	FA83		F	\$	1500		\$95.00		
				Malwee L Taking oysters out of season	26				F	\$	250		\$95.00		
				Rzoska W Fishing without a permit Scallops	424	s62(1)	FA83		F	\$	1500		\$95.00	Joint charge Vessel (\$6,200) & gear forfeit 424 Scallops	
				Rzoska W Obstruction		s95	FA83		F	\$	750		\$95.00		
				Rzoska W Taking oysters out of season	26	R23	Am		F	\$	250		\$95.00		
43 05/06/93	Wellington	DC	Green												
				Bristol B Taking fish without a permit		s62	FA83	Guilty	F	\$	1500	\$95.00	\$95.00		
				Bristol B Taking u/s Paua				Guilty	F	\$	900	\$95.00	\$95.00		
				Byford J Taking fish without a permit		S62	FA83	Guilty	F	\$	1500	\$95.00	\$95.00	Dive gear (\$1000) forfeit	
				Byford J Taking u/s Paua	380			Guilty	F	\$	900	\$95.00	\$95.00		
				Haskell B Taking fish without a permit		s62	FA83	Guilty	F	\$	1500	\$95.00	\$95.00		
				Haskell B Taking u/s Paua	380			Guilty	F	\$	900	\$95.00	\$95.00		
44 06/17/93	Invercargill	DC	Moran												
				Mandalay Enterprises Ltd 16 xTaking SPD without authority of a fishing permit	1401kg	s62(1)	FA83		F	\$	1600	\$1,500.00	\$1,520.00		1400 kgs dogfish. Fine & Costs total of 16 charges
				Mandalay Enterprises Ltd 2 x Failing to complete CELR's on time		R25(1)(a)(ii)	Rep		F	\$	200		\$190.00		Fine & Costs total of 2 charges
				Mandalay Enterprises Ltd 5 x Failing to complete CELR's		R25(1)(a)(ii)	Rep		F	\$	500		\$475.00		Fine & Costs total of 5 charges

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Mandalay Enterprises Ltd	7 x Taking fish for sale without quota Rig	800kgs	s28ZA(1)(a)(l)	FA83		F	\$	7000		\$665.00		450-800 kgs rig. Fine & Costs total of 7 charges
45	06/17/93	Invercargill	DC	Moran												
				von Tunzelman B H	16 x Taking fish without a permit		s62(1)	FA83		C&D		0	\$1,500.00			
				von Tunzelman B H	2 x Failing to complete CELR's on time		R25(1)(a)(ii)	Rep		C&D		0				
				von Tunzelman B H	5 x Failing to complete CELR's		s28ZA(1)(a)(l)	FA83		C&D		0				
				von Tunzelman B H	7 x Taking fish for sale without quota		s28ZA(1)(a)(l)	FA83		C&D		0				
46	06/23/93	Auckland	DC	Johnson												
				Vodanovich I	acquiring fish for sale from an unlawful source		s67A(2)	FA83		F	\$	300		\$95.00		
				Vodanovich I	Failing to keep record of fish purchased		R6(b)	RK		F	\$	500	\$100.00	\$95.00		Guilty pleas
47	06/23/93	Nelson	DC	Lance												
				Montgomery A J	2 x Failing to furnish CELR's R25 Rep		R4(4)	Rep		F	\$	400	\$7,500.00	\$190.00	Vessel & quota forfeit	
				Montgomery A J	2 x Taking fish in excess of quota		s28V(l) & (4)	FA83		F	\$	1000		\$190.00		
				Montgomery A J	2 x Taking fish other than under quota		s28ZA(1)	FA83		F	\$	4000		\$190.00		Fine & Costs total of 2 charges
				Montgomery A J	3 x Taking fish other than under quota		s28ZA(1)(a)	FA83		F	\$	6000		\$285.00		Fine & Costs total of 3 charges
				Montgomery A J	6 x False statement in QMR		s66(1)(a) & (b)	FA83		F	\$	600		\$570.00		Fine & Costs total of 6 charges
				Montgomery A J	7 x Taking fish other than under quota		s28ZA(1)(a)	FA83		F	\$	7000		\$665.00		Fine & Costs total of 27charges
				Montgomery A J	Failing to furnish QMR R25 Rep		R6(3)	Rep		F	\$	200		\$95.00		
				Montgomery A J	Failing to supply CELR		s66(1)(a) & (b)	FA83		F	\$	100		\$95.00		

No	Court Date	Court	Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
48	06/30/93	Invercargill	DC	Neal												
				Parkhill N H	Fishing with out a permit		s62(1)	FA83	F	\$	1500					
				Parkhill N H	Possessing Paua illegally acquired		s67A(2)	FA83	F	\$	1500					Fines reduced because of means of offender
				Parkhill N H	Taking for sale Paua without quota	936	s28ZA	FA83	F	\$	1500					936 Paua (151.21 kg) worth \$13,636
				Parkhill N H	Taking x/s Paua		R19(1)	Am	F	\$	500					
49	07/09/93	Wellington	DC	Dalmer												
				Cuccurullo Partnership	1 x Party to sale of fish taken in NZ waters		s97(1)	FA83	F	\$	5000	\$1,000.00	\$95.00			
				Cuccurullo Partnership	5 x False statement in Sales Invoices		R28(1)(d)	Rep	F	\$	5000		\$475.00			Fine & Costs total of
				Muollo A M	1 x Failing to keep Purchase Invoice		R13	RK	C&D		0					
				Muollo A M	1 x False statement in LFRR		s96(b)	FA83	F	\$	5000		\$95.00			
				Muollo A M	11 x False statement in Sales Invoice		s96(b)	FA83	F	\$	55000		\$1,045.00			Fine & Costs total of 11 charges
				Muollo A M	2 x Party to sale of fish taken in NZ waters	83483kg	s97(1)	FA83	F	\$	10000	\$5,000.00	\$190.00			83,483 kg orange roughly. Fine & Costs total of 2 charges
				Muollo A M	9 x False statement in LFRR		R28(1)(d)	Rep	F	\$	9000		\$855.00			
				Muollo A M	9 x False statement in Purchase Invoice eggs		R28(1)(d)	Rep	F	\$	9000		\$855.00			Fine & Costs total of 9 charges
				Vanaccia Partnership	1 x Party to sale of fish taken in NZ waters		s97(1)	FA83	F	\$	5000	\$1,000.00	\$95.00			
				Vanaccia Partnership	5 x False statement in Sales Invoice		R28(1)(d)	Rep	F	\$	5000		\$475.00			Fine & Costs total of 5 charges
50	07/13/93	Greymouth	DC	Costigan												
				Breeze C H	Possessing fish for sale illegally		s67A	FA83	F	\$	250		\$95.00			
				Breeze C H	Taking Scallops with no permit		s62(1)	FA83	F	\$	750		\$95.00			2,450 Scallops selling at food fair. Joint charge with Stevens

No	Court Date	Court	Judge Type	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
51	07/30/93	Wellington	DC Unwin	Equal Enterprise Ltd	18 x False statement in CELR						F	\$	144000	\$1,800.00	\$1,710.00	Vessel, quota and 5 vehicles forfeit	455613 tonnes orange roughy (worth \$750,000 \$1,000,000 mis declared or not declared. Fine & Costs total of 18 charges
				Equal Enterprise Ltd	2 x Taking fish for sale with no quota	s28ZA			FA83		F	\$	2000	\$200.00	\$190.00	Vessel, quota and 5 vehicles forfeit	455613 tonnes orange roughy (worth \$750,000 \$1,000,000 mis declared or not declared. Fine & Costs total of 2 charges
				Equal Enterprise Ltd	5 x False statement in CELR						F	\$	5000	\$500.00	\$475.00	Vessel, quota and 5 vehicles forfeit	455613 tonnes orange roughy (worth \$750,000 \$1,000,000 mis declared or not declared. Fine & Costs total of 5 charges
				Equal Enterprise Ltd	5 x Taking fish for sale with no quota	s28ZA			FA83		F	\$	40000	\$500.00	\$475.00	Vessel, quota and 5 vehicles forfeit	
				McLean A	18 x False statement in CELR						F	\$	144000	\$1,800.00	\$1,710.00		Fine & Costs total of 18 charges
				McLean A	2 x Taking fish for sale with no quota	s28ZA			FA83		F	\$	2000	\$200.00	\$190.00		Fine & Costs total of 2 charges
				McLean A	5 x False statement in CELR						F	\$	5000	\$500.00	\$475.00		Fine & Costs total of 5 charges
				McLean A	5 x Taking fish for sale with no quota	s28ZA			FA83		F	\$	40000	\$500.00	\$475.00		Fine & Costs total of 5 charges
				Wiley R D	18 x False statement in CELR						F	\$	144000	\$1,800.00	\$1,710.00		Fine & Costs total of 18 charges
				Wiley R D	2 x Taking fish for sale with no quota	s28ZA			FA83		F	\$	2000	\$200.00	\$190.00		Fine & Costs total of 2 charges
				Wiley R D	5 x False statement in CELR						F	\$	5000	\$500.00	\$475.00		Fine & Costs total of 5 charges
				Wiley R D	5 x Taking fish for sale with no quota	s28ZA			FA83		F	\$	40000	\$500.00	\$475.00		
52	08/25/93	Wellington	DC Gaskell	Neal T L	Taking excess Paua	245	s62(1)		FA83		F	\$	825	\$100.00	\$95.00		
53	08/27/93	Tauranga	DC Thorp	McGregor D E	Provision of false statements as to catch effort		s96(b)		FA83				0	\$0.00	\$0.00		

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			McGregor D E	Taking fish without a fishing permit		s28ZA(3)	FA83				0	\$0.00	\$0.00		Penalty details unknown
54	09/03/93 Wellington	DC Unwin													
			Stephens R J	15 x false statement in CELR					F	\$	75000	\$1,500.00	\$1,425.00		Fine & Costs total of 15 charges
			Stephens R J	2 x taking fish without quota					F	\$	10000	\$200.00	\$190.00		Fine & Costs total of 2 charges
			Stephens R J	2x false statement in CELR					F	\$	2000	\$200.00	\$190.00		
			Stephens R J	5 x taking fish without quota		s28ZA	FA83		F	\$	5000	\$500.00	\$475.00		Fine & Costs total of 5 charges
			Stevenson J R	2 x taking fish without authority of quota		s28ZA	FA83		F	\$	10000	\$200.00	\$190.00		Fine & Costs total of 2 charges
			Stevenson J R	5 x false statement in CELR					F	\$	25000	\$500.00	\$475.00		Fine & Costs total of 5 charges
55	09/06/93 Christchurch	DC Bishpan													
			Warwick D H	Poss of fish for purposes of sale		s67A(2)	FA83		F	\$	250	\$75.00	\$95.00		
			Warwick D H	Taking fish other than under a permit		s62(1)	FA83		F	\$	250	\$75.00	\$95.00		
			Warwick D H	Taking fish other than with quota		s28ZA(1)	FA83		F	\$	250	\$75.00	\$95.00		
56	09/27/93 Dunedin	DC Everitt													
			Job A J	Failing to comply with lawful req of a FO	228.73kg s95		FA83		C&D		0				
			Job A J	Failure to keep records		R6(b)& (e)	RK		C&D		0				
			Job A J	Fish in possession for purposes of sale (minced & shelled Paua)		s67A(2)	FA83		F	\$	25000	\$200.00	\$95.00	Forfeiture of Paua & freezer	
57	10/01/93 Dunedin	DC Everitt													
			Kennedy I J	False statement in a record		R28(1)(d)	RK		F	\$	5000	\$4,000.00	\$95.00		
			Paua Supplies Ltd	False statement in a record		R28(1)(d)	RK		F	\$	1000	\$1,000.00	\$95.00		
58	10/01/93 Henderson	DC Shaw													
			Khamphang Pheng C	Acquiring Paua for sale	200kg	s67A(2)	FA83		F	\$	2000	\$200.00	\$95.00		Not guilty plea

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Khamphang Pheng C	Possessing Paua for sale	200kg	s67A(2)	FA83	F	\$	2000			\$95.00		
59	10/08/93	Wellington	DC	Jaine												
				Imlach G A	2 x false stmt in a LFRR		s66(1)	FA83	F	\$	1000			\$190.00		Fine & Costs total of 2 charges
				Imlach G A	2 x false stmt in a QMR		s66(1)	FA83	F	\$	2000			\$190.00		Fine & Costs total of 2 charges
				Imlach G A	5 x false stmt in purchase invoice		R28(1)(d)	RK	F	\$	2000			\$475.00		Fine & Costs total of 5 charges
				Imlach G A	5 x false stmts in CELR		R28(1)(d)	FA83	F	\$	2000			\$475.00		Fine & Costs total of 5 charges
				Imlach G A	5 x false stmts in Landing sheet		R28(1)(d)	RK	F	\$	2000			\$475.00		Fine & Costs total of 5 charges
				Imlach G A	5 x party to the sale of fish taken against Act		s28ZA(1)(a)	FA83	F	\$	2000			\$475.00		Fine & Costs total of 5 charges
				Imlach G A	5 x taking fish without quota		s28ZA(1)(a)	FA83	F	\$	2000	\$10,000.00	\$475.00			Vessel & quota (\$1,350,000) forf joint o/ship. Fish valued at \$4000. Fine & Costs total of 5 charges
				Imlach J N	2 x false stmt in a LFRR		s66(1)	FA83	F	\$	1000			\$190.00		Fine & Costs total of 2 charges
				Imlach J N	2 x false stmt in a QMR		s66(1)	FA83	F	\$	2000			\$190.00		Fine & Costs total of 2 charges
				Imlach J N	5 x false stmt in purchase invoice		R28(1)(d)	RK	F	\$	2000			\$475.00		Fine & Costs total of 5 charges
				Imlach J N	5 x false stmts in CELR		s96(b)	FA83	F	\$	2000			\$475.00		Fine & Costs total of 5 charges
				Imlach J N	5 x false stmts in Landing sheet		R28(1)(d)	RK	F	\$	2000			\$475.00		Fine & Costs total of 5 charges
				Imlach J N	5 x party to the sale of fish taken against Act		s28ZA(1)(a)	FA83	F	\$	2000			\$475.00		Fine & Costs total of 5 charges
				Imlach J N	5 x taking fish without quota		s28ZA(1)(a)	FA83	F	\$	2000	\$10,000.00	\$475.00			Vessel & quota (\$1,350,000) forf joint o/ship. Fish valued at \$4000. Fine & Costs total of 5 charges
60	10/19/93	Papakura	DC	Rushton												
				Reekers P	Failing to keep purchase invoice		R28(1)(d)	RK	F	\$	500			\$95.00		

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
61	10/20/93 Wellington	DC	Ongley	Reekers P	Possn gurnard	130kg	s67A(2)		FA83	F	\$	1000			\$95.00		
				Aston A P	10 x taking fish without quota		s28ZA(1)(a)		FA83	F	\$	80000	\$5,000.00	\$950.00		Vessel(\$195,000) and quota(\$36,000) forf. Plus \$160,000 worth of fish quota. Fine & Costs total of 10 charges	
				Aston A P	2 x failing to supply CELR		s66(1)		FA83	F	\$	16000		\$190.00		Fine & Costs total of 2 charges	
				Aston A P	2 x failing to supply CELR		s66(1)		FA83	F	\$	4000		\$190.00		Fine & Costs total of 2 charges	
				Aston A P	6 x false stmts in CELR's		s96(b)		FA83	F	\$	12000		\$570.00		Fine & Costs total of 6 charges	
				Aston A P	8 x taking fish without quota		s28ZA(1)(a)		FA83	F	\$	16000		\$760.00		Fine & Costs total of 8 charges	
				Aston A P	8 x false stmts in CELR		s96(b)		FA83	F	\$	64000		\$760.00		Fine & Costs total of 8 charges	
				Aston A P	HC Wgtn 30/3/94 Gallen							0	\$0.00	\$0.00		Total fines \$200,420 plus forft of \$283,000	Appeal by Aston on fines on basis of erred in failing to take into a/c forft. Dismissed; held that forft consequences of offend
62	10/27/93 North Shore	DC	Mitchell	Kim Y B	Possn of Paua for sale	183kg	s67A(2)		FA83	Guilty	F	\$	3000	\$200.00	\$95.00		Mazda m.v (\$8,000) + Paua (\$10,000) forfeited.
63	11/10/93 Auckland	DC	Clapham	Wu Q C	acquiring fish	141kg	s67A(2)		FA83		C&D		0				
				Wu Q C	False statement		R28(1)(a)		RK	F	\$	200	\$200.00	\$190.00			Fine & Costs total for 2 charges
				Wu Q C	Possn quota fish for sale	141kg	s67A(2)		FA83	F	\$	1500	\$150.00	\$95.00		Forfeit proceeds sale of fish.	Forfeit proceeds sale of fish.
64	11/12/93 Otahuhu	DC	Moore	Hallows I	possn snapper & kahawai		s67A(2)		FA83	F	\$	100	\$75.00	\$95.00			
				Hallows I	False statement		R28(1)(a)		RK	F	\$	100	\$75.00	\$95.00			
				Hallows R A	False statement		R28(1)(a)		RK	F	\$	250	\$75.00	\$95.00			
				Hallows R A	possn snapper & kahawai		s67A(2)		FA83	F	\$	250	\$75.00	\$95.00			8 and 1
65	11/16/93 Papakura	DC	Richardson	Murray J W	Possn Paua for sale	125kg	s67A(2)		FA83	Guilty	F	\$	500	\$175.00	\$95.00		

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Murray J W	taking Paua for sale without quota	125kg	s28ZA(1)(a)	FA83	Guilty	F	\$	500	\$175.00	\$95.00		Defendant undischarged bankrupt Fines limited by financial circumstances
66	11/19/93	Otahuhu DC Hall	Pears N T	Acquiring Paua from unlawful source	230kg	s67A(2)	FA83	Not Guilty	F	\$	100		\$95.00	1984 Telstar forfeited.	
			Pears N T	Engaging in fish receiving		R3	LFR	Not Guilty	F	\$	100		\$95.00		
			Pears N T	Permitting vehicle to be used		s98A	FA83	Not Guilty	F	\$	100		\$95.00		
			Pears N T	Possn fish taken contrary to Act		s97	FA83	Not Guilty	F	\$	100		\$95.00		
			Pears N T	Possn x/s Paua		R19(1)	Am	Not Guilty	F	\$	100		\$95.00		
67	11/24/93	Invercargill DC Moran	Ruddell C S	BCO without a licence	592kg	s67A(2)	FA83		F	\$	500	\$75.00	\$95.00		
			Ruddell S	BCO without a licence	1241kg	s67A(2)	FA83		F	\$	500	\$75.00	\$95.00		
68	12/09/93	Invercargill DC Anderson	Pennicott G A J	Joint possn x/s Paua	406	R19(1)	Am		F	\$	750	\$100.00	\$95.00		
			Sullivan S W	False name & DOB to FO		s95(1)(d)	FA83		F	\$	750	\$100.00	\$95.00		
			Sullivan S W	Joint possn x/s Paua	406				F	\$	750	\$100.00	\$95.00		
			Sullivan S W	Possn x/s Paua	284	R19(1)	Am		F	\$	750	\$100.00	\$95.00		
			Sullivan S W	Possn for sale Paua not acq'd from LFR or comm fisherman	850	s67A(2)	FA83		F	\$	2000	\$100.00	\$95.00		Meat and Holden forfeit (undecided)
			Sullivan S W	Possn for sale Paua not acq'd from LFR or comm fisherman	416	s67A(2)	FA83		F	\$	2000	\$100.00	\$95.00		Shell, meat, vehicle undecided.
			Sullivan S W	Possn for sale Paua not acq'd from LFR or comm fisherman	294	s67A(2)	FA83		F	\$	2000	\$100.00	\$95.00		Shells and falcon car forfeit (undecided)
			Sullivan S W	taking Paua, 100 in excess of daily limit	130	R19(1)	Am		F	\$	750	\$100.00	\$95.00		R29(2A) prev. convictions.
			Sullivan S W	Taking u/s Paua	21	R19(1)	Am		F	\$	750	\$100.00	\$95.00		

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
69	12/13/93	Nelson	DC	McAloon	Stevens K M	Possn fish for sale illegally	s67A(2)		FA83	F	\$	1000		\$95.00		Vessel forfeit	Joint charge with Breeze. 42.5 kg Scallops (2454)
					Stevens K M	Taking fish without a permit	s62(1)		FA83	F	\$	2000		\$95.00		Vessel forfeit	
70	01/25/94	Blenheim	DC	McAloon	Baker A J	Taking fish without a permit	s62(1)		FA83	Guilty	C&D		0				claim of Maori Fishing right not accepted by Court
					Baker A J	Taking u/s Paua	148	R19(1)	Am	Guilty	F	\$	250		\$95.00		
					Baker A J	Taking x/s Paua	153	R19(1)	Am	Guilty	F	\$	250		\$95.00		
					Richardson M	Taking u/s Paua	143	R19(1)	Am		F	\$	250		\$95.00		
					Richardson M	Taking x/s Paua	153	R19(1)	Am		C&D				0		
71	02/04/94	Whangarei.	DC	Beattie	Dyer R M	2 X failing to complete CELR immediately upon landing, R25 Rep	R4		Rep	F	\$	1500	\$190.00	\$190.00		Special reasons found re forf of quota	Special reasons found for not being banned from industry for 2nd conv. Fine & Costs total of 2 charges
72	02/16/94	Blenheim	DC	Unwin	Mathijssen M E	purchasing fish for sale illegally	s67A(2)		FA83	F	\$	2500		\$95.00			Purchased \$1,500 fish from fisher at wharf.
73	03/18/94	Auckland	DC	Kerr	Gibbs C W	selling snapper & tarakihi value \$228	54kg	s67(1)	FA83	F	\$	15000	\$1,000.00	\$95.00		SR's found so quota and vessel not forfeited.	Dfnd had previous convictions.
74	03/18/94	Otahuhu	DC	Moore	Leith G H	Possn of Paua	170kg	s67A(2)	FA83	F	\$	12500	\$400.00	\$95.00			Wholesale value \$13,600 (1 prev conv)
75	03/25/94	Wellington	DC	Unwin	D'Esposito A G	1 x false stmt in LFRR	s66(1)		FA83	F	\$	1000	\$500.00	\$95.00		\$3,855,535 quota forfeit.	Fine & Costs total of 10 charges Fine & Costs total of 10 charges Fine & Costs total of 18 charges
					D'Esposito A G	10 x false stmt in a LFRR	s66(1)		FA83	F	\$	26500	\$5,000.00	\$950.00			
					D'Esposito A G	10 x party to sale of fish taken against	s28ZA		FA83	F	\$	26500	\$5,000.00	\$950.00			
					D'Esposito A G	18 x False stmt in a QMR	s66(1)		FA83	F	\$	47700	\$9,000.00	\$1,710.00			

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			D'Esposito A G	18 x taking fish without quota	s28ZA		FA83	F	\$		47700	\$9,000.00	\$1,710.00		Fine & Costs total of 18 charges
			D'Esposito A G	2 x false stmt in a QMR	s66(1)		FA83	F	\$		2000	\$1,000.00	\$190.00		Fine & Costs total of 2 charges
			D'Esposito A G	2 x false stmt in CELR	s66(a) & (b)		FA83	F	\$		2000	\$1,000.00	\$190.00		
			D'Esposito A G	2 x party to sale of fish taken against	s28ZA		FA83	F	\$		2000	\$1,000.00	\$190.00		
			D'Esposito A G	23 x false stmt in CELR	s66(a) & (b)		FA83	F	\$		60950	\$11,500.00	\$2,185.00		700 tonnes illegally received fish (various specie). Fine & Costs total of 23 charges
			D'Esposito A G	3 x false stmt in a purchase invoice	R28(1)(d)		RK	F	\$		7950	\$1,500.00	\$285.00		Fine & Costs total of 3 charges
			D'Esposito A G	3 x false stmt in an unloading sheet	R28(1)(d)		RK	F	\$		7950	\$1,500.00	\$285.00		
			D'Esposito A G	4 x failing to supply CELR	s66(1)(b)		FA83	F	\$		10600	\$2,000.00	\$380.00		Fine & Costs total of 4 charges
			D'Esposito G H	1 x false stmt in LFRR	s66(1)		FA83	F	\$		1000	\$500.00	\$95.00	\$3,855,535	quota forfeit.
			D'Esposito G H	10 x false stmt in a LFRR	s66(1)		FA83	F	\$		26500	\$5,000.00	\$950.00		Fine & Costs total of 10 charges
			D'Esposito G H	10 x party to sale of fish taken against	s28ZA		FA83	F	\$		26500	\$5,000.00	\$950.00		Fine & Costs total of 10 charges
			D'Esposito G H	18 x False stmt in a QMR	s66(1)		FA83	F	\$		47700	\$9,000.00	\$1,710.00		Fine & Costs total of 18 charges
			D'Esposito G H	18 x taking fish without quota	s28ZA		FA83	F	\$		47700	\$9,000.00	\$1,710.00		Fine & Costs total of 18 charges
			D'Esposito G H	2 x false stmt in a QMR	s66(1)		FA83	F	\$		2000	\$1,000.00	\$190.00		
			D'Esposito G H	2 x false stmt in CELR	s66(a) & (b)		FA83	F	\$		2000	\$1,000.00	\$190.00		
			D'Esposito G H	2 x party to sale of fish taken against	s28ZA		FA83	F	\$		2000	\$1,000.00	\$190.00		Fine & Costs total of 2 charges
			D'Esposito G H	23 x false stmt in CELR	s66(a) & (b)		FA83	F	\$		60950	\$11,500.00	\$2,185.00		700 tonnes illegally received fish (various specie). Fine & Costs total of 23 charges
			D'Esposito G H	3 x false stmt in a purchase invoice	R28(1)(d)		RK	F	\$		7950	\$1,500.00	\$285.00		

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			D'Esposito G H	3 x false stmt in an unloading sheet		R28(1)(d)	RK	F	\$	7950	\$1,500.00	\$285.00			Fine & Costs total of 3 charges
			D'Esposito G H	4 x failing to supply CELR		s66(1)(b)	FA83	F	\$	10600	\$2,000.00	\$380.00			Fine & Costs total of 4 charges
			Harbour City	2 x false stmt in a Seafood Ltd QMR		s66(1)	FA83	F	\$	4000		\$190.00			Fine & Costs total of 2 charges
			Harbour City	1 x false stmt in LFRR Seafood Ltd		s66(1)	FA83	F	\$	2000		\$95.00			
			Harbour City	1 x possessing fish Seafood Ltd obtained unlawfully L1138		s67(1)	FA83	F	\$	2000		\$95.00			
			Harbour City	10 x false stmt in a Seafood Ltd LFRR		s66(1)	FA83	F	\$	20000		\$950.00			
			Harbour City	10 x party to sale of Seafood Ltd fish taken against		s28ZA	FA83	F	\$	20000		\$950.00			Fine & Costs total of 10 charges
			Harbour City	18 x False stmt in a Seafood Ltd QMR		s66(1)	FA83	F	\$	36000		\$1,710.00			Fine & Costs total of 18 charges
			Harbour City	18 x taking fish without Seafood Ltd quota		s28ZA	FA83	F	\$	36000		\$1,710.00			Fine & Costs total of 18 charges
			Harbour City	2 x false stmt in CELR Seafood Ltd		s66(a) & (b)	FA83	F	\$	4000		\$190.00			Fine & Costs total of 2 charges
			Harbour City	2 x party to sale of fish Seafood Ltd taken against		s28ZA	FA83	F	\$	4000		\$190.00			Fine & Costs total of 2 charges
			Harbour City	23 x false stmt in Seafood Ltd CELR		s66(a) & (b)	FA83	F	\$	46000		\$2,185.00			Fine & Costs total of 23 charges
			Harbour City	3 x false stmt in a Seafood Ltd purchase invoice		R28(1)(d)	RK	F	\$	3000		\$285.00			
			Harbour City	3 x false stmt in an Seafood Ltd unloading sheet		R28(1)(d)	RK	F	\$	3000		\$285.00			Fine & Costs total of 3 charges
			Harbour City	4 x failing to supply Seafood Ltd CELR		s66(1)(b)	FA83	F	\$	8000		\$380.00			Fine & Costs total of 4 charges
			Harbour Inn Seafood Export Ltd	1 x false stmt in LFRR		s66(1)	FA83	F	\$	1000		\$95.00			
			Harbour Inn Seafood Export Ltd	1 x possessing fish obtained unlawfully		s67(1)	FA83	F	\$	2000		\$95.00			

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Harbour Inn Seafood Export Ltd	10 x false stmt in a LFRR	s66(1)		FA83	F	\$		20000		\$950.00		Fine & Costs total of 10 charges
				Harbour Inn Seafood Export Ltd	10 x party to sale of fish taken against	s28ZA		FA83	F	\$		20000		\$950.00		
				Harbour Inn Seafood Export Ltd	18 x False stmt in a QMR	s66(1)		FA83	F	\$		36000		\$1,710.00		
				Harbour Inn Seafood Export Ltd	18 x taking fish without quota	s28ZA		FA83	F	\$		36000		\$1,710.00		Fine & Costs total of 18 charges
				Harbour Inn Seafood Export Ltd	2 x false stmt in a QMR	s66(1)		FA83	F	\$		2000		\$190.00		
				Harbour Inn Seafood Export Ltd	2 x false stmt in CELR	s66(a) & (b)		FA83	F	\$		2000		\$190.00		Fine & Costs total of 2 charges
				Harbour Inn Seafood Export Ltd	2 x party to sale of fish taken against	s28ZA		FA83	F	\$		2000		\$190.00		Fine & Costs total of 2 charges
				Harbour Inn Seafood Export Ltd	23 x false stmt in CELR	s66(a) & (b)		FA83	F	\$		46000		\$2,185.00		Fine & Costs total of 23 charges
				Harbour Inn Seafood Export Ltd	3 x false stmt in a purchase invoice	R28(1)(d)		RK	F	\$		6000		\$285.00		
				Harbour Inn Seafood Export Ltd	3 x false stmt in an unloading sheet	R28(1)(d)		RK	F	\$		6000		\$285.00		Fine & Costs total of 3 charges
				Harbour Inn Seafood Export Ltd	4 x failing to supply CELR	s66(1)(b)		FA83	F	\$		8000		\$380.00		Fine & Costs total of 4 charges
76 04/19/94	Auckland	DC	Morris	Simpson J	F Possn 26 RL for sale	26				C&D		0				
				Simpson J	F possn RL for purposes of sale (qty unknown) on 6892		s67A(2)	FA83	F	\$		480	\$600.00	\$95.00		Value of fish approx \$300 Guilty pleas
				Simpson J	F possn u/s RL	1	R25(1)(b)	Am		C&D		0				

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
77	04/24/94	Wellington	HC	Neazor	Rapana A P	Possn of fish	s28ZA(1)	FA83	F	\$	750	\$100.00	\$100.00			Successful appeal by deftd, fines reduced from \$5000 on each charge
					Rapana A P	Possn of fish for sale	s67A(2)	FA83	F	\$	750	\$100.00	\$100.00			
78	05/13/94	Auckland	DC	Satyanand	Hughes N D	10 x making false entry in CELR	R19(1)	Am	F	\$	7500	\$1,250.00	\$950.00			Fine & Cost total of 10 charges
					Hughes N D	12 x selling to nonlicensed person	s67(1)	FA83	F	\$	15000	\$1,500.00	\$1,140.00			Boat, equipment, truck and fish & quota not forfeit Worth \$320,000. Fine & Cost total of 12 charges
					Hughes N D	Failing to complete CELR			F	\$	750	\$125.00	\$95.00			Boat, equipment, truck and fish & quota not forfeit Worth \$320,001
					Hughes N D	HC Akld 7/10/94 Temm					0	\$0.00	\$0.00			Appeal by MAF re forfeiture and SR's. Held: DC decision upheld, Schofield case cited. DC Judge reasoning not irrelevant.
79	06/03/94	Timaru	DC		De Lacey S J	s67A(2) Unlawful possession for sale RL	s67A(2)	FA83	Guilty	F	\$	800	\$200.00	\$95.00		
					De Lacey S J	U/S male RL tails and 8 U/S female RL tails	R25(1)(b)	Am	F	\$	800	\$200.00	\$95.00			
80	06/23/94	Thames	DC	Neal	Clark H A	Possess of fish from unauthorised source	s67A(2)	FA83				0				Auckland MAF unable to obtain further details.
					Clark H A	Taking (unknown species and amount)			F	\$	500		\$95.00			
81	06/29/94	Tauranga	DC	Unknown	Kurzeja M	Possess of fish from unauthorised source	s67A(2)	FA83	F	\$	500					
					Kurzeja M	sale of RL	s62(1)	FA83	F	\$	250					Restaurateur
82	07/07/94	Otahuhu	DC	Simpson	Andrews K W	6 x sale of fish taken other than by quota	s28ZA	FA83	F	\$	6000	\$450.00	\$570.00			Researcher. 38 kg Paua meat. Value \$8 11,000. Fine & Costs total of 6 charges

No Court Date	Court	Court Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Andrews K W	Possn of Paua for sale acq'd unlawfully		s67A(2)		FA83		F	\$	3000	\$175.00	\$95.00		Researcher. 38 kg Paua meat.Value \$8 11,000
83	08/03/94	Blenheim	DC	McAloon													
				Edwardson L T	Taking u/s Paua	15	R19(1)		Am		F	\$	250		\$95.00		
				Edwardson L T	Taking Paua for sale other than under the authority of quota		s28ZA		FA83		F	\$	650		\$95.00		
				Edwardson L T	Taking x/s Paua	158	R19(1)		Am		F	\$	750		\$95.00		
84	08/31/94	Invercargill	DC	Moran													
				Nicholson R W	possn u/s Paua	61	R19(1)		Am		C&D		0				
				Nicholson R W	Possn of Paua for purposes of sale		s67A(2)		FA83		F	\$	2000				Approp. fine would have been \$3,000 5,000 if dfdt had means to pay. Unemployed , but starting work in December. \$10 per week i
				Nicholson R W	possn x/s Paua	551	R19(1)		Am		C&D		0				
85	09/23/94	Nelson	DC	Paterson													
				Huataki Holdings Ltd					FA83		C&D		0				
				Huataki Holdings Ltd	3 x Rep failing to furnish CELR;s		R25(1)(b)		Rep		F	\$	1000	\$100.00	\$95.00		
				Huataki Holdings Ltd	Sale of fish to unlicensed persons		s67(1)		FA83		F	\$	3000	\$250.00	\$95.00	Quota forfeited worth \$10,200.	
86	09/23/94	Nelson	DC	Paterson													
				Bradley M D K					FA83		C&D		0				
				Bradley M D K	Failing to furnish CELR's		R25(1)(b)		Rep				0				
				Bradley M D K	Failing to furnish CELR's		R25(1)(b)		Rep		F	\$	500	\$100.00	\$95.00		
				Bradley M D K	Sale of fish to unlicensed persons		s67(1)		FA83		F	\$	2000	\$100.00	\$95.00		
87	09/28/94	Dunedin	DC	McDonald													
				Pacifica Fishing (Dunedin) Ltd	1 x false entry in QMR		R6		Rep		F	\$	250		\$95.00		

No Court Date	Court	Court Judge Type	Judge	Offender Name	Offence	Offence Number	Section	Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
				Pacifica Fishing (Dunedin) Ltd	5 x false entry in CLR		R5		Rep		F	\$	4000	\$500.00	\$95.00	Fish worth \$13,000 forfeit.	Fine 1 x \$1000 & 4 x \$750
88	10/06/94	Waihi	DC	Neal													
				Clarke H A	s67A(2) Unlawful possession for sale RL	8	s67A(2)		FA83		F	\$	3000	\$150.00	\$95.00		Lobsters found in restaurant without documentation. Two charges withdrawn.
89	10/14/94	Napier	DC	Hole													
				Basile V S	1 x failing to declare fish on QMR						F	\$	3000	\$100.00	\$95.00		
				Basile V S	2 x failing to declare fish taken on CELR's						F	\$	6000	\$200.00	\$190.00		Fine & Costs total of 2 charges
				Basile V S	5 x being a director of a company which took fish without quota		s28ZA		FA83		F	\$	5000	\$500.00	\$475.00		\$5000 worth of fish - order for no forfeiture. Fine & Costs total of 2 charges
90	10/31/94	Christchurch	DC	Mahon													
				Kwang K	Possessing Paua for sale	1371	s67A(2)		FA83	Guilty	F	\$	3000	\$150.00	\$95.00		Restaurant owner 601 u/sized
91	11/11/94	Whangarei	DC	Beattie													
				McLIVER H F	3 x failing to furnish QMR's R25 (Rep)		R6		Rep		F	\$	750		\$95.00		Fine total of 3 charges
				McLIVER H F	4 x failing to complete CELR R25 Rep		R4(3)		Rep		F	\$	1000	\$400.00	\$95.00		Commercial fisherman. Special reasons found. Fine total of 4 charges
				McLIVER H F	4 x failing to furnish CELR's R25 Rep		R4(4)		Rep		C&D		0				
92	11/22/94	Thames	DC	Thomas													
				Lang N P	11 x failing to furnish CELR		R5(1)(a)		Rep	Guilty	F	\$	2750		\$95.00		No SR's found. Fine total of 11 charges
				Lang N P	4 x failing to furnish CELR		R5(1)(a)		Rep	Guilty	C&D		0				No SR's found.
				Lang N P	4 x failing to furnish QMR's		R6(1)(a)		Rep		F	\$	800		\$95.00		Fine total of 4 charges
93	11/23/94	Invercargill	DC	Anderson													
				Austin K N	Excess Paua	551	R19(1)		Am		F	\$	250	\$100.00	\$95.00		
				Austin K N	Possession for sale Paua		s67A(2)		FA83		F	\$	5000	\$200.00	\$95.00		

No Court Date	Court	Court Judge Type	Offender Name	Offence	Offence Number	Section Reg.	Leg	Plea	Penalty Type	Penalty Unit	Fine	Solicitor Costs	Court Costs	Forfeiture	Comments
			Austin K N	U/sized Paua	61				F	\$	250	\$100.00	\$95.00		
			Nicholas R K	Excess Paua	551	R19(1)	Am		F	\$	500	\$200.00	\$95.00		
			Nicholas R K	Permitting vehicle to be used in the commission of an offence		s98A	FA83		F	\$	1000	\$100.00	\$95.00		
			Nicholas R K	Possession for sale Paua		s67A(2)	FA83		F	\$	8000	\$400.00	\$95.00		
			Nicholas R K	Undersized Paua	61				F	\$	500	\$200.00	\$95.00		
94 12/13/94	Auckland	DC Paterson	Savage S T	Making a misleading entry CELR, R25(4) Rep		R4(1)(a)	Rep		F	\$	3500	\$1,750.00	\$665.00		Fine & Costs total of 7 charges
			Savage S T	Taking for sale other than authority of quota		s28ZA(1)(a)	FA83		F	\$	7000	\$2,100.00	\$665.00	Boat forfeit	No special reasons found. 27 year old fisher. Fine & Costs total of 7 charges
95 12/15/94	Gisborne	DC MacLean	Wills M N	Possn of RL in soft shell stage					F	\$	300		\$95.00		Unemployed 31 years old.
			Wills M N	Possn for sale RL	115	s67A(2)	FA83		F	\$	1800	\$200.00	\$95.00		

Appendix 4: Sources of Information Referred to in Submission

1. *Fisheries Compliance in New Zealand Fisheries*, Anon. (GT Crothers) September 1991
2. *Fisheries Administration & the Quota Management System*, Fishery Officer Induction Course lesson note.
3. *New Zealand Management Profile*, BD Shallard paper to Australian & New Zealand Southern Trawl Fisheries Conference, 1989
4. *1986/87 Fisheries Enforcement Policy - Fishery Officers goals, objectives and priorities*, GT Crothers, Chief Fishery Officer, 1986
5. *Restructured Compliance after 12 months – where to from here?*, Paper for strategic planning session to MAFFish Board, BD Shallard, 9 October 1989
6. *MAF Sitrep No.40*, Week ending 19th October 1990
7. *Briefing on Fisheries Law Enforcement*, for MAF Fisheries Establishment Advisory Group, GT Crothers, November 1993
8. *Two Fisheries Enforcement Paradigms: New Zealand before and after ITQs*, T McClurg, Manager, MAF Policy, 1994
9. *Brief of Evidence*, (Roundup prosecutions), Frederick Thomas Baird, 26 April 1992
10. *1988 MAFFish Strategic Compliance Plan*, MAFFish, July 1988
11. *The Development and Implementation of New Zealand's ITQ Management System*, Paper prepared for an advanced research workshop on the scientific foundations of rights based Fishing, Reykjavick, Iceland, Ian N. Clark & Philip J. Major, June 1988
12. *Memorandum from Crown Solicitor – Operation Buster*, Letter to D-G from Acting National Director Enforcement (D. Wood), 2 February 1995.
13. *Compliance Clustering Exercise*, List of compliance staff by position and location, prepared for remuneration performance pay system proposal, undated (mid-1991).
14. *Aerial Fisheries Surveillance*, draft briefing paper to Minister of Fisheries, Undated, 1990.
15. *Notes for Meeting on Aerial Surveillance*, DJ Wood, 23 February 1990.
16. *Satellite and Aerial Surveillance in New Zealand Fisheries*, DJ Wood, presentation notes for meeting or briefing, undated (1990).
17. *1991/92 Fisheries Enforcement Operational Priorities*, MAF Fisheries Compliance Policy Statement, Undated (early 1991).
18. *Ocean Knives – Gall at Sea*, Mark McLauchlan, North and South, September 1994.

19. *Enforcement of the QMS*, letter to Group Director, MAF Fisheries from MS Sullivan, Regional Solicitor, MAF Fisheries Central, 22 May 1992 (page 17)
20. Position description for District Compliance Manager, MAF Fisheries, 1988.
21. Position description for Manager (Fisheries Compliance), MAF Fisheries, 1988.
22. *Assessment of the net benefits of a marginal change to enforcement in Central Region Fisheries*, Brian A. Bell, Agrico New Zealand Ltd., May 1991 (page 3 of Appendix 3)
23. Scampi Area 6, letter to Acting Deputy Group Director, MAF Fisheries, from DJ Wood, Acting Manager Fisheries Compliance, 20 August 1992.
24. *Prosecution Decision-Making*, MAF Fisheries Compliance Policy Statement, 26 September 1990.
25. *The New Zealand Seafood Industry Economic Review 1983*, The New Zealand Fishing Industry Board, Wellington, May 1994.
26. *Scientific Observer Programme – Draft for Discussion*, BD Shallard, (Director, Operations), 4 December 1991. Attachment to submission to Fisheries task Force from MW Craig, Group Director, MAF Fisheries, 20 December 1991.
27. *Trip Reports*, MAF Fisheries Scientific Observer Programme, various dates and trips as listed in Appendix 1.
28. *Scampi Vessels*, Letter from Bedford (Intel Officer, NCU) to Chadwick (DCM Auckland) 10 April 1992 (from (3) above)
29. National Compliance Unit file 8/8/7/1 (contains details of the 4 investigations summarised in this submission)
30. RNZ Air Force fisheries surveillance patrol flights 1990-1992, summary and assessment prepared by Chris Keightley, National Compliance Unit, Ministry of Fisheries, November 2002.
31. *Fishing Industry Reporting*, Fishery Officer Induction Course lesson note.
32. *Specifications for the weekly position report for vessels trawling for scampi (SPOSREP)*, Director Operations, 7 November 1991.
33. *Specifications for the daily catch and position report for vessels bottom trawling for scampi (SCIREP)*, Director Operations, 27 May 1992.