

RUBYFISH (RBY 8)

Executive Summary

- 1 The purpose of this paper is to propose a technical alteration to the total allowable catch (TAC) and total allowable commercial catch (TACC) for ruby fish in area 8 (RBY 8) from 55 tonnes to 6 tonnes, to correct an administrative error.

Management Option

- 2 MFish proposes that the TAC and TACC for RBY8 be amended from 55 tonnes to 6 tonnes so that it reflects the original proposal in the final advice paper approved by the Minister in September 2006.
- 3 MFish considers this correction to the TAC and TACC is permitted under section 13 of the Interpretation Act 1999. Section 13 of the Interpretation Act allows the authority which was used to approve the mistaken TACC of 55 tonnes in the first place, to be used again to correct that error.

Rationale for Management Option

- 4 As part of the October 2006 sustainability round a number of stocks, classed as low knowledge stocks, had their TACs, TACCs and their deemed value rates adjusted. The new TACs and TACCs were set using an average of landings over the past seven years. In the initial position paper (IPP) the proposed TACC for RBY8 was set at 5 tonnes.
- 5 Following receipt of submissions, the Minister was provided with an option of setting TACs and TACCs with an additional 10% to take account of the fact that the previous seven years landing data varied in the early years as fishers got used to the species being part of the QMS. This meant the TAC and TACC for RBY8 would become 5.5 tonnes, which should have been rounded up to 6 tonnes. However, an error in the analysis table listed the new TAC and TACC as 55 tonnes and this error was transferred to the Final Advice Paper (FAP) and was subsequently gazetted.

Assessment of Management option

- 6 The correction to the TAC and TACC may have implications for commercial quota owners who own RBY8 quota shares particularly if they invested in these quota shares on the basis of the incorrect TACC increase. However an assessment of quota trades for the period August 2006 to April 2007 indicates that no quota shares have been traded during this period.
- 7 An analysis of landings of RBY8 against the TACC indicates that between 1 October 2006 and 30 April 2007 only 201 kg of RBY8 has been harvested. This is in comparison to 7,881 kg reported for the same period last year. This suggests that fishers have not deliberately set out to harvest the higher RBY8 TACC.

Statutory considerations

- 8 As discussed in paragraph 5 above, MFish considers this correction is permitted under section 13 of the Interpretation Act 1999.