

## Summary of Submissions- Revised

### Consultation Paper on Management Options for Highly Migratory Species: December 2002

<i>Section/Question</i>	<i>Comment</i>	<i>Submissions Nos.</i>
<b>Consultation process</b>	Need more time; this has been rushed through.	2, 4, 14
	Meetings should be at better time for fishers and with more notice.	2
	Appreciate So. Island meeting and extension of submission deadline.	11
	Issues are complex and have far-reaching implications. Further discussion and analysis are required.	11, 16, 22, 24, 26, 27
	In meantime, include in legislation flexibility for range of options, including modified QMS.	11
	Govt should complete the Oceans Policy first, then make HMS decisions accordingly.	14
	Consultation document well prepared, but period has coincided with troll season making contact with many fishers impossible.	20
<b>Background and Scope</b>		
1.1 International Context	Must encourage development of fishery beyond EEZ to maximise NZ allocations.	1, 8, 13, 14, 16, 17
	Different stages of CCSBT and WCPFC suggest different NZ responses.	10
	National allocations unlikely to be determined by WCPFC within 5 years. Premature to place limits on species without national allocations.	11, 12, 13, 15, 16, 23, 24, 26, 27, 29
	Greater NZ allocation will also increase NZ influence in sustainability decisions.	11, 16, 22
	Industry needs to be directly involved in international negotiations.	11, 15, 26, 27
	If we do not utilise swordfish in our EEZ, we will get low national allocation and may have to allow foreign vessels in to fish for it here. Time to allow commercial fishing.	11, 12, 14, 23, 24, 25, 26, 27
	Sanford has expanded its Pacific operations by purchasing and re-flagging vessels that are already operating there, i.e. no increase in pressure on fish stocks.	13
	Obligation to “exercise reasonable restraint” is met by operation of FFA register.	13, 29
	Need to get SBT quota raised to 1000t; this would resolve many problems.	14, 16
	NZ should not be party to arrangement with a CCSBT member country that disregards catch limits and grants itself another 1500 MT of SBT, especially when they fail to endorse NZ’s application for an increase.	23, 24

	Significance of Forum Fisheries Agency Agreement and South Pacific Fisheries Commission Agreement for HMS management by NZ needs to be clarified.	26, 27
	Every nation in vicinity of NZ allows targeting of billfish; stupidity of NZ not allowing this cannot be overstated.	28
	'Reasonable restraint' not binding, and in any event it is addressed by Pilau Arrangement and FFA; NZ does not need to take further action.	29
1.2 NZ Context	Species should not be rushed into the QMS in order to provide 20% to Maori.	7, 14, 15, 16
	Do not agree that Fisheries Act requires 20% allocation to Maori for catches made outside the zone.	8, 13
	Should actively develop domestic tunas to maximise our position re WCPFC.	13, 14, 15, 16, 22, 24, 26, 27
	Should only introduce new management regime for a species when there are sound sustainability reasons for doing so.	13, 16, 22, 24
	Maori fishers tend to be small to medium sized operators depending upon access to a range of species and harvesting methods to maintain viability.	16
	Allocating 20% to Maori does not satisfy on-going requirement of Treaty partnership.	16
	Long term benefits for Maori come from operating their own businesses. Limiting HMS fleet to larger (albeit efficient) vessels will relegate Maori to being a source of cheap labour.	16
	HMS fishery is only remaining way for new independent fishers to enter the industry and begin a long-term business career.	16
	Some species have not been exploited to their potential because fishers have not been allowed to target them. This is not sustainable utilisation or maximising value to NZ.	18, 23, 24
1.4 Scope of consultation	Spiny dogfish should not be included in HMS project; SPD only occurs on 0.04% of returns (Table 1) and consists of 15 quite different species.	3
	All billfish should be opened to commercial fishing.	22, 23, 24, 25, 28
	Commercially-operated charter boats should be considered as commercial fishing.	22, 23, 24, 28

Descript'n of HMS fisheries		
Q1. Do you agree with the description of the fisheries provided in section 2?	Paper gives excellent overview of tuna fishery.	5
	Agree with description but NZ's involvement beyond the EEZ has been understated.	8, 11, 13
	Revenues from far seas fishing provide another \$50 million in export value, eg from 4 super-seiners catching 7000-8000 tonnes per year.	29
	NZ catch outside the EEZ might now exceed catch within EEZ.	11, 29
	FAO data suggest that for SW and West Central Pacific combined, NZ EEZ catches of ALB and SKJ are about 15% of the area total.	11
	Historic catch of SBT within NZ EEZ has been in excess of 1500t in some years (including foreign licensed vessels).	11
	Agree with description of albacore fishery, relatively under-utilised and no crowding.	4, 20
	West Coast trollers are catching high value fish.	2
	Albacore are extremely important component of longline fishery. For troll vessels, fishing for albacore is only a small part of their total operation. Trollers are catching smaller fish of lesser value.	12
	Albacore troll fishery is important component of annual fishing strategy for many independent fishers; helps keep families fed and crews off the dole.	17
	Ray's bream, oilfish, and rudderfish are no longer discards for a longline vessel.	12
	Lightsticks are used to target large tunas and some non-HMS species, not just SWO.	12, 28
	Disagree that survival of SBT returned to sea from longline vessels is low.	12
	2002 has been worst year for HMS in past 8-9 years, especially in terms of BIG and YFN. Many fishers have gone broke or tied up their vessels. Only way to combat this is to ensure that fish that come into the NZ zone can be fully utilised.	28
	Risky nature of HMS fishing cannot be overstated	28
	NZ fishers are world leaders in mitigating incidental bycatch of seabirds. Improvement is on-going. Research needed on interaction with sharks.	28
Recreational and customary fishing for HMS	Maori have a long history of fishing HMS; Hobson observed Maori catching SWO in 1829. (Application is being made to research Maori interaction with HMS.)	28
	Recreational fishing for SWO is relatively new, i.e. last ten years.	28

	SWO out to 100nm in FMAs 1&2 are not far from full use, but beyond this targeting should be allowed to determine scope for development.	28
	Comparing relative value between recreational and commercial fishing for HMS is not very useful, as values are hard to compare.	28
	Yellowfin and billfish are highly prized by customary and commercial fishers as well as by recreational fishers. Commercial and customary use allows full utilisation.	28
Can you provide any more information about the nature of existing problems?	Significant area of under-utilised ALB along East Coast of North Island.	9
	Some areas and some fisheries reporting no problems. Management response should only target areas with problems.	11
	Not clear that problems are due to over-capacity. May be more behavioural and safety issues.	11
	Albacore still recovering from driftnet fishing. Some management needed.	12
	Spatial competition more to do with inexperienced fishers not adhering to code of practice, MSA principles and rules in some cases.	12
	Inexperienced operators are producing low quality product, harming NZ reputation.	12
	Overcrowding is solely a longlining issue.	20
	Continued new entry has contributed to spreading of catch amongst more vessels, reducing profitability; a fleet with mostly small vessels with low capability (due to investment uncertainty); minimal exploration outside 100nm; compliance and training difficulties.	23
	Continued new entry has caused lower product quality, undercapitalised fishers using small, short range vessels with inexperienced skippers, little or no use of codes of practice, problems with seabird mitigation and enforcement, and lack of awareness of MFish reporting requirements.	24
	Agree with description of overcrowding in SBT, driven by race for fish and exacerbated by presence of charter vessels, and urgent need to alleviate it.	25, 28
	Race for SBT has caused other species to be neglected during season when they are most abundant.	28
Q2. For which species are there particular problems, eg over-	Hoki boats are raping inshore fisheries on West Coast, killing seals and damaging habitat.	2

crowding, race for catch etc?	The STA are not helping and it's all because of the bycatch trade-off stopping.	2
	On West Coast, problem is with SBT when limit is reached.	4
	SBT and BIG both suffer from overcrowding; spatial conflict arises from fishers setting on N-S longitudes 1.8nm apart for 60-120m.	5
	Race for fish is lowering value of SBT to fishers and NZ as a whole.	5
	Financial pressure has led 15% of fleet to exit industry. Has led others to target SWO illegally and sharks, and has increased other bycatch including seabirds.	5
	Overcrowding and race for catch should be less due to Minister's letter of 26 Nov.	8, 12, 24
	Huge increase in longline fleet, mainly speculators there to get catch history, have caused chaos in the most desired areas, especially in SBT and BIG fisheries.	9
	SBT fishery is poorly managed, but not just due to race for catch. Low prices are result of larger vessels targeting fish too early in the season.	10
	Apart from SBT, no particular overcrowding problems for other HMS.	10
	There would be no 'excess capacity' if charter vessels were not allowed.	23, 28
	Overcrowding is not significant in Bigeye fishery.	25
Q3. Any other problems that Govt should consider?	Don't want fishery to be controlled by a few big companies.	4
	Purse seining causes substantial mortality for juvenile BIG and YFN. If RFMOs use vessel controls on high seas, may need some input controls to limit this mortality.	5
	Should get MSA to enforce rules requires skippers to have master's ticket; this would get a lot of cowboys out of the fishery.	7
	Policy should consider those who have developed the tuna fishery over the years, not just vocal new entrants.	9
	Concerned about the use of FADs by purse seine vessels and the effects on stocks of BIG and YFN, and maybe SKJ as well. Declining fish size may indicate problems.	12, 28
	Fishing year of 1 October is also affecting SBT fishery adversely. Suggest 1 June.	25
	Only about 15% of NZ EEZ is fished by surface longline and there is no incentive to explore the rest.	28
	<b>See also 'Other issues' at end of this summary.</b>	

<b>Objectives for HMS mgmt</b>		
Q4. Do you agree with the proposed objectives for HMS management?	Agree with objectives.	8, 25
	Agree, but suggest some additions to highlight importance of maximising NZ's economic/trade interests within sustainability bounds.	11, 13, 29
	Objectives appear reasonable, provided domestic boats have first opportunity to catch NZ allocations.	5
	Embrace ecosystem approach to fisheries mgmt; balancing economics and sustainability is vital to ensure profitability and success of a fishery for the future.	20
	Agree with para 101 that should adopt measures that suit NZ best now, with view to minimising potential transition costs to RFMO measures in future.	25
If not, what would you change and why?	Don't want any charter boats – they are taking fish away from NZers and preventing maximum benefit to New Zealand.	2, 10, 12, 14, 23, 24, 28
	Emphasis placed on 'efficiency' seen as attempt by larger companies to further dominate the industry at the expense of Maori fishers and common NZers.	16
	Not enough emphasis on 'utilisation' to enable people to provide for their well-being, including contribution of small to medium enterprises to Maori and rural communities.	14, 16
<b>Options</b>	Get rid of the paper shufflers and put someone that knows about fishing in charge of the fishery.	2
Q5(i). Status quo	Would not solve current problems.	5, 6
	Need to avoid wherever possible the use of competitive catch limits for any species.	5
	Could be ok for short term, but not clear what status quo really means given the expiry of s.89(2A) on 1 Oct 2004.	11
	Status quo/CCL is not the preferred way to manage stocks with national allocations.	11
	Status quo might be fine for fishing beyond EEZ, though could be refined eg by more active participation in RFMOs. Don't need same measures inside and outside EEZ.	29
Q5(ii). Status quo then QMS	Suitable for albacore as there are no problems at present.	4, 15, 20
	Would not solve current problems.	5

	Better to set a TAC and then defend it in negotiations rather than waiting to see what crumbs we get left by regional organisations.	6
	Good option in conjunction with permit moratorium, provided it did not disadvantage any group of fishers or permit holders.	9
	Strong case to apply this for species without national allocations, but disadvantage to delay is that it creates more separation between catch history and current involvement.	11
	Simplest means of allowing fishery to develop, but means of providing access to Maori would need to be explored.	26, 27
Q5(iii). Permit moratorium	Would not solve current problems.	5, 6
	Limits participation but does not limit overall effort, unless additional rules are applied.	11
	Not an effective tool for HMS stocks.	13
	Suggest permit moratorium for surface longline fishery only.	19
	Moratorium for surface longlining should involve defining those active at 1.10.2002, minimum catch of 10 MT GWT from 1.10.02 to 10.3.03, and one permit per vessel.	23
Q5(iv). Standard QMS	May limit NZ in allocations from regional organisations (RFMOs).	5, 16
	Quota does not create wealth, just transfers fishers' income to large companies who buy quota and then pay low prices for fish. Makes owner-operator unprofitable.	7, 18
	Aggregation limits have been removed so quota system has become cash cow for big companies.	7
	Quota will be controlled by a few, and price of ACE will be high, leading to fish being dumped, eg when SBT are caught as bycatch in ALB fishery.	9
	Proposal says high TACC would be set for within EEZ, but this can be difficult to estimate and could still constrain catch. Could also attract criticism from other nations if we under-catch the TACC.	11, 13, 18
	MFish may reduce TAC if fish are absent one year, and is reluctant to raise it again.	18
	Despite drawbacks, this could work for other tuna sp (i.e. non-SBT) provided Minister had appropriate criteria to set TACC, via legislative change.	11
	Compliance and other financial costs of QMS could outweigh benefits for small to medium enterprises.	16

	QMS presents barrier to new entrants, due to price of quota or ACE.	16
	Works well for fish stocks resident in EEZ, but not so well for fishers once large companies get hold of the quota and then charge high lease prices.	18
	If used, any species introduced should be at no cost to fishers.	18
	For under-utilised fisheries like albacore, QMS would limit their potential for expansion and reduce economic benefits.	20, 28
	Strongly support QMS as basic framework for fisheries management but naïve to think that it is necessarily optimal in all situations.	22
	With ‘aspirational TACC’ would be practical way to provide access to Maori.	26, 27
	QMS theoretically allows continued entry, but 15 years experience shows quota owners have decreased by 70%.	28
	No reason to set TACC before abundance and distribution is known, or before other countries or RFMOs have set TACC.	28
Q5(v). Modified QMS	Preferred option. Provides investment certainty yet it leaves NZ well positioned for regional (RFMO) discussions and allocations.	5, 19, 25
	Not ideal; better to set a TAC and then defend it.	6
	Innovative option that should be explored further. Could be useful for species without national allocations.	11, 24
	Need to consider implications for cost recovery, tradeability of shares, how and whether access to fishery would be limited to those with shares.	11
	Has considerable appeal for non-tuna species, as would not limit catch in advance of national allocations.	13
	Treaty Tribes supports the exploration of other management options where necessary to secure optimal utilisation.	22
	Would be a way to provide access to Maori, practicality needs to be explored.	26, 27
	Provides ‘window’ for new entrants to help develop the fishery but with understanding that they have no permanent stake in the fishery.	25
	Would not support use of ‘modified QMS’ outside the EEZ.	29
Q6. Transferable effort entitlements or licenses	Don’t want more paperwork or excuses to tax us more.	2,
	Not interested in this option. Not an effective tool for HMS stocks.	4, 13

	Some species will need catch limits anyway.	5
	Cumbersome. Effort would not be transferable between gear types.	5
	Too hard to monitor; will put extra costs on fishers.	6
	May be suitable outside EEZ; depends on WCPFC decisions.	8, 11
	Transferable license scheme is best option for tuna species, based on permits that were actively used in year ending 30 Sept 2002. Govt would buy 20% of licenses for Maori.	18
	Has advantage of avoiding incentives to high-grade, but has a number of difficulties, so not favoured option.	25
Q7. Cooperative company	So long as managers do not pay themselves huge salaries and individual fishers are able to make their own business decisions w/o standover tactics.	1
	Brainless idea.	2
	Not interested – why should one company control everything?	4
	Co-operation is important but should not be forced. Will occur where people have common interests.	5, 11, 29
	This is costly and disadvantages owner-operators.	6
	Not appropriate for HMS fisheries.	8, 13
	Would remove the ability to ‘have a go’ and put fishery in hands of bureaucrats	9
	Would be controlled by larger companies, so owner-operators might not get catching rights and could be forced to sell their vessels at a loss.	25
	Company could decide to catch all quota outside NZ EEZ, which would be detrimental to NZ coastal communities and to provisioners.	25
	Shares in company might be seen as a less tangible asset than quota, and could therefore be less useful as collateral for raising capital.	25
Other options	Quota should be nationalised and then issued temporarily to active fishers, who would pay royalties but still have a good income. If marketing companies did not control fish before it was caught they would have to lift their game and offer a better price.	7

	Suggest a new option: “Option 5 Rima version 7”. Take time to get it right; train fishers; do research; etc. Main thrust is to define who is in the fishery, starting with input controls, allowing development of national allocation, and moving to output controls only when required. Only allow those fishers with NZ registered vessels as at 14 October 2002, and must have fished during 12 months prior and submitted returns w recorded catch. Vessels allowed to develop catch history for two seasons, up to 30 Sept 2004. Change to bigger vessels not allowed until 1 October 2005.	28
Q8. Which option for different HMS species?	Crucial that management allows fishers to continue to catch current mix of species, within sustainability bounds.	11
	Need to identify who is going to be involved in the tuna fishery within EEZ, and what the shares are going to be, in order to provide some certainty. Minister’s letter was a step in the right direction.	12, 23, 24
	Suite of HMS fisheries must be considered as a whole and managed together, with exception of SBT because this already has national allocation.	23
(i) Tuna species: SBT	SBT should go into QMS (1 Oct 2004).	8, 11, 12, 13, 15, 19, 23, 25, 26, 27
	SBT should go into QMS on 1 Oct 2005. Until then, permit moratorium as of 14 October 2002 for NZ owned and operated vessels. Exclude charter vessels.	10, 28
	SBT should go into QMS, but preferably not until TAC is back to 1000t.	16
	Status quo is fine, with permit moratorium.	9
	Normal market forces will solve overcrowding.	9, 16
	Once there is no more open access, industry can train crews in fish handling, avoiding bird bycatch, and fishing codes of practice. Doesn’t work if there are constant newcomers who don’t know the rules or want to “do his own thing”.	12
	SBT should not go into QMS until global strategy is in place.	14
	Getting SBT into QMS will allow greater take of other species as fishers wait for SBT to be in prime condition, thus helping build national allocation for BIG, ALB, SWO.	23
	Limiting fishery to a ‘reasonable’ number of permits and instituting an ‘overs and under’ policy would be a simple and effective way to control the fishery.	24

Other (non-SBT) tunas	Other tuna species except skipjack – modified QMS within EEZ only	8
	Modified QMS is preferred option for HMS.	19, 25
	Status quo is fine, with permit moratorium. Normal financial pressures will solve overcrowding. Could use QMS when national allocation is determined.	9
	Status quo for non-SBT tunas – can use CCL when national allocation is determined.	10
	No catch limits within or beyond EEZ until national allocations.	11, 13, 14
	Should explore modified QMS further.	11
	Limit to permit holders active on 1.10.02, use ICE if necessary prior to national allocations and work out management for when national allocation is determined.	23, 28
Specific comments re:		
Albacore	Albacore is not a problem for now and should be ‘status quo’.	4, 15, 20
Bigeye (BIG)	If BIG is introduced into QMS prior to national allocation, this could cause a reduction in NZ catch, which would adversely affect NZ allocation. QMS introduction of SBT could also reduce catch of BIG.	29
Pacific bluefin (TOR)	How can Ministry allocate quota to this species when it has been incorrectly reported as SBT in the past?	18
Bycatch species generally	Leave out of QMS unless some fair way is devised to allocate quota to tuna fishers.	11, 12, 14, 16, 17, 20, 23, 24, 25
	Leave out of QMS until national allocation is determined or there are other requirements to manage.	19, 23, 24, 25
	Could introduce to a modified QMS, but why bother?	8
	Support QMS introduction, maybe as modified QMS.	13
	Introducing bycatch limits now could constrain development of tuna fisheries.	23, 24
(ii) Swordfish	SWO needs to be addressed.	8, 9
	Some fishers have observed 1990 billfish MOU to the detriment of their own billfish catch history.	8

	Allow for rational commercial use and development of this species.	11, 12, 14, 23, 24, 25, 28
	Suggest TAC with a per-permit allocation based on size of vessel for established areas (northeast and east coasts of North Island, up to 60-100 nm offshore). Open access to other areas until national allocation.	19
	Current billfish moratorium is out of date and unenforceable.	23, 24, 28
	Once there are national allocations for billfish, should be daily bag limits for amateurs.	23, 24
	Suggest 3 management areas for SWO. Within 100nm SWO in FMAs 1,2,8&9 would remain bycatch. 100-200nm in same areas, including Kermadecs, would be area B, for exploratory fishing.	
	Decades ago the Japanese distant water fleet took 8000-9000t of SWO off east coast.	28
(iii) Sharks	No catch limits within or beyond EEZ until national allocations. Need a fair way to allocate quota.	11
(iv) Other fish bycatch with commercial value	Only moonfish has export value, and cannot be targeted <i>per se</i> ; limited local market for other bycatch species with little return.	8
	Bycatch situation self-regulates.	8
	Allow fishing for marlin outside of 25nm from North Island. Incidental bycatch should be able to be landed, or tagged and released.	28
(v) Fish bycatch with no current commercial value	Given reduction in number of hooks since 1980s, can be said that a precautionary approach is already in place.	8

<b>Management Issues</b>		
Q9. Delay implementation for beyond EEZ or other areas? (see also Q16)	Use this approach for bluefin.	4
	Delay QMS introduction beyond EEZ for all species except SBT	8, 11, 25
	Query whether there is any legal basis for QMS management beyond EEZ in absence of international agreement thru an RFMO.	11
	Application of QMS beyond EEZ needs to be explored further.	26, 27
Q10. For species with CCL, allow fishing in other EEZs against NZ allocation?	No.	4, 9, 25
	No, unless it is clear that the NZ domestic fishery would be unaffected.	8
	Could be approved if there were net benefits to NZ, but could entail some reporting and compliance problems.	11
	TAC developed in NZ EEZ should be fished here; do not want to see erosion of NZ allocation and accretion in other countries. Would spell the end of the domestic surface longline industry.	23, 24
	Only approve where that portion of NZ allocation was developed outside NZ EEZ.	28
	Much of section 5.2 – 5.4 in consultation paper is factually wrong. Under Fish Stocks Agreement, NZ must take responsibility for NZ vessels in other EEZs. But MFAT does not want to negotiate bilateral arrangements with every Pacific Island state; these are commercial matters to be left to companies. Ultimately, responsibility for catch in other EEZs must be determined by WCPFC – NZ cannot make prior decision.	29
Q11. Agree with using catch history for initial allocation?	Yes, agree.	4, 5, 8, 9, 10, 11, 16, 25
	No, it rewards those who caused the over-fishing and denies access to future fishers.	7
	Only those targeting a species should get quota, not those who get it as bycatch	2
	Should not reward more recent entrants (surface fishers) who are causing damage.	2
	Charter arrangements have prevented domestic operators from realising their full potential catch history, due to early closure of SBT fishery in recent years.	25, 28
	Fishers for bigeye might not have enough SBT quota. Suggest minimum allocation level of 600kg of SBT quota to ensure that fishers for BIG and YFN remain viable.	25

Q12. What catch history years should be used for tuna?	Invested in fishery in 2001, not told that tuna were to be introduced into QMS. Want a management system that is fair to all fishers, regardless of how long they have been in the fishery.	1
	Should be years when tuna was only \$1/kg because only the real fishers that rely on the tuna were fishing those years.	2
	1989-2002	4, 21
	Should be fair to as many fishers as possible.	5
	New entrants in longline fleet in 2001 & 2002 impacted on ability of existing vessels to maintain their catches. Using more recent years is unfair to established fishers.	5, 21
	Should not restrict fishers to same history years for STN and BIG. Race to catch STN meant that fishers could not target BIG, especially in years ending Sept 01 and Sept 02.	5
	For STN, any 12 mos in period starting 1 Oct 2000 and ending 30 Sept 2002.	5
	Only in 2001 & 02 was TOR able to be distinguished from STN.	5
	For TOR, use same period as SBT but no TAC, to allow further exploration.	5
	For other tunas, any 12 mos in the 3 years ending 30 Sept 2002, which would generate a marginally higher total catch history.	5
	Best consecutive 12 mos over most recent 5 years.	8, 25
	Use the years when a fishery became fully developed, eg for SBT 1995-1998.	9
	Should be based on 2 seasons from 1 Oct 2002 to 30 Sept 2004, because past catch history is unfair.	10
	Having a choice of years is important with variable stocks such as HMS. Variation in catch is due to economic factors as well as geographic distribution of fish.	11, 16, 20
	Suggest average of best 2 years over 12-year period, 1990-2002.	12
	Focus on today's fishers, those who have a stake in the fishery.	16
	Last year only (2001-02); allowing best years will cause catch history to exceed TAC.	19
	Rolling ten-year average or choice of three best years.	20
	Handline and troll fishers have been cut out of SBT by longliners; CCL is caught before they can fish for SBT. Not fair to use only recent catch history.	21
	Limit to permit holders active on 1.10.2002; use average of last 3 years.	23
Should weight catch history to recognise those with longer involvement, eg 5% increase in PCH for each year active in tuna fishery, up to max of 50% increase.	25	

	Closure date should apply to all tuna species; any exceptions would cause another 'race for quota'.	25
	Minister has no legal basis to make statements about catch history for catch beyond EEZ. Decisions should be taken in RFMOs – that is why they exist.	29
	Limited data on out-of-zone catch history, except for FFC data. NZ returns only since May 2001.	29
Allocation to Maori	20% for Maori should be purchased at market rates.	10, 18, 28
	Allocation to Maori should come out of charter boats' catch history.	12, 14, 23, 24
	20% reduction in allocations could render fishing businesses uneconomic.	23, 24
	Allocation to Maori is solving one injustice but creating another.	18
	Many tuna fishers are of Maori descent. Should not take 20% away from them to 'benefit Maori'.	23, 24
	Need to explore alternative ways to provide access to Maori.	14, 15, 28
	With transferable licenses, Govt could purchase 20% of licenses for Maori.	18
	Any alternative to 20% allocation to Maori must provide equivalent benefit in terms of economic value (size, certainty and tradeability of property right) and opportunities for iwi input and participation in management.	22, 26, 27
	20% allocation to Maori applies to out-of-zone quota as well.	26, 27, 28
	With permit moratorium, Govt could purchase 20% of permits for Maori.	28
	Deed of Settlement was full and final – 20% allocation does not extend beyond EEZ. UNCLOS has no provision for aboriginal rights, and prohibits discrimination based on character of fishing. Sought advice from Mfish before investing in vessels and could not get an answer. Issue must be resolved or fishers will consider re-flagging.	29
	Under Pilau arrangement, effort entitlements are already in place via vessel register. This has implications for any allocation to Maori, because even if they got quota they would not be able to fish it unless they purchased a vessel permit.	29
Q13. Agree with allocation procedure and eligibility criteria for catch history?	Yes, agree.	4, 8, 9, 25
	Not if surface boats that came in recently get quota.	2
	Agree provided do not exclude those whom the Ministry prosecuted for late returns.	5
	Boats with unqualified skippers should not get catch history as it was gained illegally.	7

	Quota is a license to take fish so should only be owned by those fishing.	7
	Agree with criteria but should not include the date until this is formally gazetted.	11
	Need more discussion of catch history for catch beyond NZ EEZ; companies operating beyond EEZ may have had unfair advantage (eg less stringent reporting etc).	25
Q14. How should excess quota for tuna be allocated?	Should not be tendered – small companies could not compete.	4
	Would not be an issue if Modified QMS is used.	5, 8, 11
	If managed correctly, no reason why Crown should end up with significant quota.	11
	If Crown does get some quota, it should be offered to those with catch history.	9, 11
	Offered to those with catch history, at fixed price.	25
	If Crown does get some quota, it should be offered to those with catch history via preferential tender.	8
	Surplus quota should be allocated to new entrants who meet certain criteria.	16
Q15. How should excess quota for bycatch be allocated?	Small fishers will go out of business if forced to compete with bigger operators for bycatch quota or ACE.	1, 14, 17, 25
	Change criteria years for bycatch species; give history to those who have developed the fishery over past 10 yrs. Use same years as for tuna species.	1, 14, 16, 24
	Should be sold based on catch per boat and at a price that makes it worth fishing.	2
	Should be sold at fixed price to fishers based on catch history during 3 years ending 30 Sept 2002. Remaining quota could be open to anyone eg using clearing price tender.	5
	Could be subject to tender to establish a price, then offered first to tuna quota holders proportional to their tuna catch history.	6
	No need to introduce to QMS, but if so, then excess quota should be offered to those with catch history via preferential tender.	8
	Allocate by catch history.	9
	Offered to those with catch history, at fixed price.	25
	First allocate to 1991-92 catch history, then do secondary allocation to fishers with catch history for the tuna years (whatever they happen to be), either at no cost or with payment over 5 years as was done for deep water species.	17

	If fishers put out of business over bycatch quota, then NZ catch of some tuna sp will go down, thus reducing NZ's claim to national allocation from WCPFC. Look at Ribaldo 1, where catches are down to 5% of TACC, and Pilchard 1.	17
	Various methods available, including secondary allocation based on tuna catch history years. All options have some drawbacks. Further discussion required.	11
	Govt should allocate all quota; should never have 'excess quota' to sell.	28
	Absurdity of mismatch would be avoided by Option (5) Rima because catch history years for all species would still be in the future.	28
Allocation for Swordfish	May not be fair to use catch history as basis for offering swordfish quota for sale to existing fishers, as that would reward those who targeted swordfish.	7, 8
	Use a "share" basis, i.e. fixed amount of SWO for every kilo of tuna: SBT, BIG, etc	12
Q16. What criteria should be used to decide number of QMAs and QMA boundaries?	Could use management zones to ensure that SBT is taken in prime condition.	1
	Most small fishers would support separate QMAs for in-zone and out-of-zone fishing (as per para 132 of consultation paper); majority do not have resources to go beyond EEZ.	1, 9, 16
	Albacore doesn't require management intervention.	4
	Should be just two QMAs – inside EEZ and outside EEZ. Multiple QMAs increase management and enforcement costs, and interfere with fisher's ability to adjust to location of fish. Tuna fleet is highly mobile; needs to have flexibility.	5, 11, 12
	For SBT, one QMA covering both inside and beyond the EEZ.	8
	For non-SBT, one QMA inside EEZ and one outside.	8
	Could perhaps have voluntary closed areas for billfish.	12
	All tunas and associated species should remain as 1 area because of migratory nature.	24, 25
	Use sub FMAs for species with risk of local depletion until proven otherwise.	28
Q17. Agree that, for species in the QMS, all catch reported against NZ quota unless fisher has a valid foreign permit?	Yes, agree.	4, 9
	Should not be done in a way that discourages exploratory fishing outside the EEZ, as this helps take pressure off of fishery inside the EEZ.	5
	Question not clear. Before RFMO allocation, NZ should register all catch to build its catch history. After NZ has an allocation, then fish are best off NZ balance sheet.	8

	If national allocation is determined, then fish should be reported against NZ quota.	11
	Catches should be allocated against zone of country in which fishing occurs.	13
	Agree, but only if consistent with practice of other countries.	25
Q18. Agree that Fisheries Act 1996 should be amended to clarify foreign licensed access?	Opposed to foreign vessels fishing in NZ waters. NZers are capable of catching our own fish.	1, 2, 4, 23, 24
	Devil is in the detail; needs to be worked thru carefully.	8
	Yes, agree.	9
	Seems reasonable, but social acceptability will depend on prior actions to secure maximum opportunities for NZ fishers to have access to HMS stocks, eg SWO.	11
	May be necessary after national allocation if NZ is clearly not able to catch its own allocation. Would need full industry support as an interim measure.	24, 25
	Difficulty of targeting one HMS could result in over-catch of other species if foreign vessels allowed in to target one.	23
	Expansion by NZ companies into distant water fishing should not be a prime focus for NZ Government, and should not take precedence over development within NZ EEZ by NZ companies. 'Cross-subsidisation' of fisheries is not acceptable, ie 'you can fish surplus SBT if NZ can fish your hoki.'	28
	Agree that it is appropriate to remove need to set foreign allowable catch for species without a New Zealand catch limit.	28
	Fish caught outside NZ EEZ must not be 'trucked' into EEZ for purpose of getting higher allocation of ITQ.	28
<b>Other issues</b>		
Uncertainty	Cannot plan for the future because we do not know what the management regime will be or whether we will get quota.	1
	Fleet must develop in order to utilise the entire EEZ, but development requires a degree of management and financial certainty, especially re continued access to the fishery.	23, 25
	Ministry' move to shape management plan for tuna is welcome; will give some direction and stability to NZ tuna fleet.	5

	If species are to be introduced into QMS, this should proceed as quickly as possible to minimise gap between catch history years and quota allocation, and to remove uncertainty.	6, 8
	Would be very negative for fishery if one species were introduced without fishers knowing how the other species are to be managed and what their share will be.	12
	Management regime should minimise business risks thru continued access to fish stocks, simple rules and reasonable costs.	16
	Because of uncertainty, most growth in capacity in tuna fishery has come from migration of vessels from other fisheries, not from expansion by existing participants.	25
Setting TACs	Albacore is lightly exploited, should be able to add 20% on top of catch history in order to accommodate Maori without reducing	
	Need a proper 'overs and unders' policy for SBT	14
	Because of variability, high TAC is required to avoid fishers being short of quota when fish are present in high numbers.	5
Fishing year	Maintain 1 October fishing year, or if change, then to 1 March.	8
	Consider 1 April year is more appropriate for SBT.	13
	1 June fishing year better for SBT; allows fish to be targeted in prime condition, then any quota not caught can be "mopped up" in East Coast aggregation following May.	25
Deemed values	A deemed value regime needs to be established.	28
Cost recovery	If Modified QMS is used, levies could be based on fish landed instead of on quota, then change to quota when a TAC is set.	12
	Within EEZ, cost recovery should take into account the variability in catch of HMS.	13
	Cost recovery should continue as is, i.e. based on tonnage landed.	24
	Levies should be refunded if observers have not done scheduled days at sea, e.g. 98% of levy should be refunded to "northern fleet" as observation has not occurred.	28
	Outside NZ EEZ should be subject to cost recovery. Currently getting free ride.	28
	Catches outside NZ EEZ should not be subject to cost recovery. Would encourage vessels to re-flag to other jurisdictions to avoid the costs.	13

Codes of practice	Propose the development of codes of practice regarding release of incidental bycatch, tagging procedure, minimum fish sizes for STN and other species, interaction in known recreational game fishing areas.	28
Social impacts	Proposals could be counter-productive for Maori and for rural communities.	16
Charter vessels (see also comments under 'Objectives' and 'Allocation to Maori')	Charter vessels initially allowed in 1988 based on wide consultation with industry, to be reviewed annually taking account of domestic harvesting capacity. In 1990, arrangements were changed without consultation. There is no benefit to NZ from these vessels as fish are sent directly to Japan.	23, 24
	Ministry has repeatedly ignored industry requests to phase out charters; suggests grave disrespect towards the industry.	24
s.89(2A) and s.241	s.241 is a nonsense and not suited to HMS fishery; need something like 89(2A) to be able to function. Otherwise fishery could close for extended periods.	24
	Implications of s.241 need to be further explored.	26, 27
Overs and unders	Crucial that 'overs and unders' policy be established, eg 10% for domestic fleet.	24
	'Overs and unders' regime needs to be established for STN.	28

### ***Submissions by number***

<b>No.</b>	<b>Names</b>	<b>Company</b>	<b>City</b>
1	Geoffrey David Price		Masterton
2	G Crook		Greymouth
3	Bob Butts	Motupipi Fishing Ltd	Takaka
4	Paul Adams		Westport
5	B Turner, J Dyer, C Collecutt, & J Mason		Auckland & Whangarei
6	Graham and Jan Webb	Marpax Fishing Ltd	Picton
7	Jim McGlone	Tora Fishing Co Limited	Martinborough
8	Charles Hufflett	Solander Bluefin Partnership	Port Nelson
9	John A Norman		Tairua
10	Stuart Morrison & Ian Rodley	Tasman Tuna Fishing Limited	Upper Hutt
11	Bruce Chapman	NZ Seafood Industry Council	Wellington
12	Mike & Soo Wells	Equinox Fishing Ltd	Nelson
13	Andrew Bond	Sanford Ltd	Auckland
14	Dale Connor	Waikawa Fishing Co Limited	Tauranga
15	Doug Loder	Golden Bay/Motueka Fisherman's Association	Motueka
16	Antoni Bunt	Totaranui Limited	Blenheim
17	Peter Jones	NZ Fed'n of Commercial Fisherman	Wellington
18	Colin Kerr	Caroline Fishing 2001 Limited	Gisborne
19	Karl J Bennett		Gisborne
20	Mitch Campell	NZ Tuna Trollers Assoc	Nelson
21	Alan MacLeod		Dunedin
22	Harry Mikaere	Treaty Tribes Coalition	Christchurch
23	Daren Coulston	Tamatea Management Services Limited	Gisborne
24	John Gallagher	Tuna NZ	
25	Steve Coles	EcoFresh Tuna Ltd	Bay of Islands
26	H F Toia	Te Runanga o Ngati Whatua	Whangarei
27	Tom Norris	Fisheries Operations Te Ohu Kai Moana	Wellington
28	Option 5 Rima Group, Representing several	Gisborne Longline Permit Holders	Gisborne
29	Vaughn Wilkinson (oral submission)	Far Seas Tuna Association	Auckland