

INITIAL POSITION PAPER – MARINE RECREATIONAL FISHING CHARTER VESSEL REGISTRATION AND REPORTING

Executive Summary

- 1 The Ministry of Fisheries (MFish) proposes to introduce regulations that would require all marine recreational charter vessel operators to register their vessels with MFish and report monthly on their fishing activity. For some species in some areas, catch reporting will also be required. The reporting scheme may be phased in around the country over a number of years.
- 2 A lack of information on the activities and catch of marine amateur fishers is a serious impediment to better management of shared fisheries. Good information is required in the setting of sustainable total allowable catch limits, for allocation of uses between sectors, in spatial planning processes across government, and to enable the possibility of specific management action at a local level – by MFish or by stakeholders themselves.
- 3 Currently, there is very limited information available on the size and distribution of the marine recreational charter fishing fleet, the amount of fishing activity carried out, species taken or quantities of catch. However, it is evident that the number of charter vessels has increased significantly over the past decade and activities of the fleet have changed. MFish believes that a reporting programme for marine recreational charter vessels will significantly benefit the management of shared fisheries.
- 4 The proposed regulations would require charter vessel operators to do the following:
 - Register – Those meeting the definition of a charter vessel operator would be required to register their vessels annually with MFish, providing details of their vessel and business. A fee of \$150 per annum to assist with the administrative costs of the reporting scheme is proposed.
 - Activity Reporting – Activity would be reported by location (latitude and longitude data), and include the number of fishers, time fished, and main species caught. Information should be recorded at the fishing location on a log-book form provided by MFish.
 - Catch Reporting – Where catch includes fish of stocks nominated for catch reporting, the number of fish of that stock caught at each location will be required on the reporting form. Weights for large game-fish species could be required on a case by case basis.
 - Daily reporting forms would be returned to MFish monthly by the 15th of the month following the date of fishing. Nil returns will be required if no fishing takes place in a given month.
- 5 It is proposed that the registration and reporting system is introduced by regulations made under section 297 of the Fisheries Act 1996 (the Act). MFish expects that these

regulations will be in place by June 2009. The earliest the registration and reporting requirements will be applied is April 2010.

Regulatory Impact Analysis Requirements

- 6 This IPP has been deemed not significant¹ in terms of the Regulatory Impact Statement guidelines, and has been reviewed by MFish.
- 7 For more information on the Regulatory Impact Analysis Requirements and the meaning of the word 'significant' with reference to an IPP, please refer to the Ministry of Economic Development website www.med.govt.nz.

Purpose

- 8 The purpose of this paper is to consult interested parties on proposals to introduce regulations that would require all recreational charter vessel operators to register their vessels with MFish and report monthly on their fishing activity. For some species in some areas, catch reporting will also be required.

Background

- 9 The proposals contained in this IPP follow from consultation on "Shared Fisheries Proposals for Managing New Zealand's Shared Fisheries: A Public Discussion Paper," released by MFish in October 2006. Shared fisheries are those in which commercial, amateur and customary fishers all participate.
- 10 The ultimate aim of shared fisheries' management is to provide opportunities for New Zealanders to get the best value – the best mix of financial value and other values – from the use of our fisheries resources. Improved management systems will aim to ensure that the use of fisheries resources reflects the value placed on them by different groups. As with all fisheries management, there is an overriding need to protect the sustainability of fisheries resources.
- 11 At present it is difficult to assess the value of fisheries to the customary and amateur sectors because there is too little information available about who is catching what, where and when. Lack of good information on catch makes it difficult to manage fisheries sustainably.
- 12 Relatively good information is provided by commercial fishers through legislative reporting requirements. There is an obligation to report customary take under the customary fishing regulations, and efforts are being made to improve this reporting as provisions of these regulations are taken up by iwi.
- 13 For the amateur catch, information is currently collected mainly through surveys. So far, two major phone-and-diary surveys have randomly sampled the entire New Zealand population to find out who goes fishing and what they catch. These surveys are expensive and time consuming and have produced uncertain catch estimates that differ between the surveys by up to 300%. More accurate results are needed to ensure the effective management of fisheries where the amateur take represents a significant proportion of the total take. Better information is also essential if amateur interests are

¹ The RIS guidelines define a proposal as significant if it has a cost in excess of \$1 million or affect more than 1000 businesses.

to be properly recognised and taken into account in effective management of shared fisheries.

- 14 One part of the problem of better information is a need to find out more about what fishers on recreational charter vessels are catching. Where charter catches are a significant proportion of total amateur catch for a stock good information on these catches could contribute to improved assessments of the sustainability of overall catch limits. At present, charter vessel operators are not subject to specific regulations, and it is not clear what effects charter fishing is having on the fisheries. However, charter operators are in a good position to provide accurate information about their activities and clients' catch.
- 15 Recent research has shown that the number of marine recreational fishing charter vessels has increased by at least 200 vessels (or 55%) in the last decade, with around 600 known to be operating in 2006.² Other studies over the last ten years provide some idea of the character of the fleet. Developments – such as the increasing popularity of the West Coast blue-fin tuna fishery – are known through the media and contact between fishers and MFish staff. Managers and stakeholders have expressed the concern that we need improved information on recreational charter activity. The limited information available is insufficient to adequately inform potential management measures.

Objectives

- 16 The proposals put forward in this position paper aim to address the basic information deficit for marine recreational charter fishing as a contribution to improving overall information on amateur fishing. The specific objectives are to generate and monitor information on:
 1. The size and distribution of the marine recreational fishing charter fleet
 2. The amount of fishing effort being applied by the fleet, by location and main target fish-stocks
 3. The number of fish of important stocks being caught by fishers on recreational charter vessels
- 17 Establishing the number of vessels involved and where they operate (objective 1) is basic to improving information on the sector. Regular updates of this type of information are required because the sector is changing and expanding over time. Without this information, any estimate of, or allowance for the impact that this fishing may be having on fish-stocks or on other interests can only be based on anecdotal evidence.
- 18 Knowing the number of vessels that operate at some time during the year is important but does not indicate how much fishing activity is occurring. Objective 2 is to monitor the effort being applied by the charter fleet to fishing particular stocks, and the distribution of that effort. This will provide the basis to assess trends in resource use by the sector that can be taken into account in management decisions.
- 19 In particular fisheries, knowing the actual number of fish being taken by amateur fishers from charter vessels (objective 3) would be even more useful to management.

² Anderson, J. 2006, *Indicators of Recreational Fishing Activity in New Zealand 1990 -2006*, Internal Report Prepared for the Ministry of Fisheries. Wellington.

However, the cost of collecting, processing and storing the information must be weighed up against the benefits.

- 20 Catch information could significantly contribute to stock assessment in some cases, which is important for sustainable management, but such information can also be very valuable for management across a range of planning and decision-making circumstances. Having clear factual information can often speed up discussions among MFish staff and stakeholders about the potential need for management changes. Collecting catch information needs to be considered on a case by case basis on its merits for the fish stock concerned. Particular stocks are considered for catch reporting later in this paper.

Summary of Options

Option 1– Status Quo

- 21 Under current management arrangements recreational charter vessel operators do not provide any information to MFish on their operations, activities or catch taken by their clients. This means that both the impacts of their activities and their needs as a sector are largely unknown and unable to be taken into account in management.
- 22 Currently, although operators are required to register passenger vessels with Maritime New Zealand, this register is focused on safe ship management and does not require operators to identify if they are fishing charters. Information on the sector currently available to MFish is very limited and derived from one-off surveys or studies.
- 23 Continuation of the status quo would mean that little new information on charter vessel activity and catch would become available to support management of shared fisheries in the foreseeable future.

Option 2– Introduction of Activity and Limited Catch Reporting by Recreational Charter Vessels [MFish Preferred Option]

- 24 This option would introduce new regulations requiring recreational fishing charter vessel operators to provide reports of their fishing activity, and would include catch reporting for selected fish-stocks.
- 25 It should be clearly noted that the reporting scheme proposed here would not change or eliminate any other legal requirements relating to charter vessel operators or their clients. For example, all provisions of the Fisheries (Amateur Fishing) Regulations 1986 – including individual daily bag limits – would still apply.
- 26 A recreational fishing charter vessel operator is a person or company that provides a vessel and crew (eg a master) for hire and allows clients to fish from that vessel under the Amateur Fishing Regulations.
- 27 Under this proposal, operators would be required to register their vessels annually with MFish, providing details of their vessel and business. A fee of \$150 per annum to assist with the administrative costs of the reporting scheme is proposed.
- 28 Registered operators will be issued with log-books of reporting forms that need to be completed during fishing trips. Activity would be reported by location (latitude and longitude), and include the number of fishers, time fished, and main species caught.

Where catch includes fish of stocks nominated for catch reporting, the number of fish of that stock caught at each location will be required on the reporting form. Weights for large game-fish species could be required on a case by case basis.

- 29 Books of reporting forms will be provided. Forms will provide for multiple locations, and a new form will be used for each day.³ Forms will be submitted to MFish before the 15th of the month following fishing. A freepost facility will be provided and electronic data submission may be available. Nil returns will be required where no activity is carried out during the month. The appearance of the log book forms has not yet been determined. The forms will be developed by a small working group comprised of MFish staff, charter vessel operators and fisheries scientists. The development process will include having charter vessel operators test prototype forms.
- 30 MFish will monitor compliance with registration and reporting requirements through a programme of inspections, and through checking that all registered operators report each month. It would be an offence to operate without being registered with MFish, to report incorrect information or to fail to report within required timeframes. Penalties will apply for these offences.
- 31 MFish recognises that a number of charter operators use their vessels for ‘non-charter’ purposes (e.g. for family or personal recreational fishing). This proposal does not prevent this from continuing. If this proposal proceeds, however, our assumption would be that a registered amateur charter vessel was acting in that capacity when fishing. Given this, we are interested in your views on how we identify ‘non-charter’ uses of a registered amateur charter vessel. This might include a notification (eg a phone call to the local MFish office) to indicate a trip where a vessel was not operating as a charter vessel.
- 32 MFish has policies and procedures for dealing with commercially sensitive information that will be applied to all the information provided in the proposed reporting scheme. Latitude and longitude data would be aggregated to protect information on individuals’ specific fishing sites.

Other Potential Approaches

- 33 Other means of obtaining improved information on recreational fishing charter vessel activity and catch have been suggested. These include regular surveys of operators using voluntary log-books over a specific period, and survey and monitoring of catch through dockside sampling of vessel landings. Such voluntary survey methods are available now and can be applied through regular research programmes. This would not change under the regulatory proposals in this paper, and such methods may supplement and help to verify data provided through a reporting requirement. However, on their own, these methods are not able to provide sufficient information to meet the objectives for this proposal.

Rationale for Management Options

- 34 The proposals put forward address a small part of the greater challenge of improving information available for the management of shared fisheries. A key issue in obtaining reliable information from the amateur sector is the cost associated with

³ See proposed draft form attached as appendix 1.

accessing the large number of widely dispersed individuals participating in the fisheries. Reporting by recreational charter fishing operators provides a cost effective means to collect information on the activities of a significant sub-sector of resource users.

- 35 Charter operations can focus significant fishing effort on very specific locations, and this can pose a risk to local populations of fish, particularly for species that adopt a relatively confined territory. Information that is available to MFish on the charter sector indicates that the number of vessels providing charter fishing services is expanding significantly over time. Without further information on the activity of these vessels it is not possible to know the degree of impact this trend might be having on fisheries, or how other management measures in the marine environment might affect the interests of this sector.
- 36 Growth in vessel numbers and activity of the sector may be spread across locations and stocks so as to have little significant impact, but in some regions it may be focused on particular vulnerable stocks or localised populations of species such as hāpuku-bass. The proposed measures will provide the information to ensure that sustainability of stocks (and potentially of localised populations) can be better managed and the needs of the charter sector taken into account when catch limits are set.
- 37 Where spatial management measures such as marine reserves are being considered by government, MFish is currently not able to inform cross-departmental processes about the extent of existing use by amateur fishers and by charter operators in particular. The reporting proposed would provide up to date information on the nature and extent of existing use of the marine environment by this sub-sector.
- 38 The proposal focuses on a strategy to directly access the information required for these purposes. Registration of operators and vessels will provide a definitive list of stakeholders and the nature and distribution of the fleet. Activity reporting will allow assessment of the extent of current activity and of trends over time that may affect management. Catch reporting is proposed to be targeted only at stocks where it can make a significant direct contribution to management over and above activity reporting.
- 39 The proposal includes a requirement for reporting retained catch of five species in limited areas on introduction of the regulations. These are:
- hāpuku & bass (areas 1 & 2)
 - kingfish (areas 1 & 2)
 - blue cod (areas 3, 5 & 7)
 - Southern bluefin tuna
 - Pacific bluefin tuna
- 40 The first three of these species are vulnerable to depletion at a spatial scale of less than that of the quota management areas. For hāpuku-bass and kingfish, the charter sector is believed to take a large proportion of the catch taken by the whole amateur sector. Information on catch from charters would enable significant improvements in

the current ability to assess the sustainability of these stocks. Blue cod has been shown to be particularly vulnerable to local depletion, and where charters are targeting this species, improved information may be critical to ensuring sustainable management.

- 41 New Zealand has international obligations in relation to management of the bluefin tuna species. Southern bluefin tuna is subject to an international quota regime which needs to account for all take including the increasing amateur catch. A significant proportion of the amateur catch is being taken by a limited number of charter operators. Pacific bluefin tuna is a similar species caught in the same fishery. Catch reporting of this species in conjunction with Southern bluefin will allow comprehensive monitoring of the seemingly rapid development of this high value charter fishery.
- 42 Further stocks could be introduced for catch reporting at a future date where this could significantly assist management. However, such further reporting requirements would be subject to consultation on regulatory change in the same manner that the current proposals are being dealt with. Requirements for the addition of species could be determined through stakeholder involvement in the development of fisheries plans.

Assessment of Management Options

Option 1 – Status Quo

Impact

- 43 This option would maintain the current situation whereby there are no requirements on recreational charter vessel operators to provide information on their fishing-related activity and on the catch taken by their clients.
- 44 Fisheries managers will continue to have a very limited understanding of the number of charter vessels, their location and activities that could be used to assist fisheries management. Additionally, there would be no catch information from charter vessel operators to contribute to improved stock assessment or to help inform management decisions.

Costs

- 45 The costs of the status quo include risks to stock sustainability and lack of consideration of the needs of existing resource users when management decisions are made, particularly in the case of spatial allocation decisions. Other stakeholder groups and tangata whenua have expressed concern that recreational charter fishing is a significant fisheries sector whose impacts are not subject to monitoring and assessment. Lack of action on issues such as this has a cost in terms of the credibility of the Ministry and the entire management regime.

Benefits

- 46 There are no additional benefits associated with continuation of the status quo.

Option 2– Creation of new Recreational Charter Vessel regulations [MFish Preferred Option]

Impact

- 47 Under this option all charter vessel operators would be required to register their vessels and report information on their activity. For selected stocks, charter vessels operators would also be required to report their clients' catch. This will involve recording information on location, fisher numbers, time fished and species caught for each fishing location visited. Where catch recording is required for specific stocks, some cooperation of clients with vessel crew will be required to notify when fish of the nominated species are caught and retained. Every effort will be made to make log-books as simple and user friendly as possible.
- 48 MFish expects that these regulations will be in place by June 2009. The earliest the registration and reporting requirement will be applied is April 2010. Due to potential funding constraints MFish proposes that the regulations will empower the Chief Executive to phase the introduction of reporting over time. Before the date the regulations become effective MFish will attempt to ensure that all charter operators are made aware of the new regulations and provide information and assistance on the details of their obligations, including how to complete reports and submit information to MFish.

Costs

- 49 Direct costs of this proposal to charter operators are limited. MFish consider that the annual administrative charge of \$150 will be of minor significance for a charter operator, and the indirect costs associated with reporting are low. Recording the data in log-books at the time of fishing should quickly become a routine part of fishing operations. For a limited number of operators with smaller open vessels, there may be some cost associated with ensuring log-books are protected from water damage.
- 50 This proposal will mean significant costs are incurred by MFish in establishing databases and compliance systems, and in ongoing costs of data entry and analysis. The estimated establishment capital costs and recurrent annual costs of option 2 are shown in Table 1.

Table 1 - Estimated costs of Option 2 (\$ '000)⁴

MFish Costs	2009/10	2010/11	Subsequent years
Capital cost (Initial cost of establishment)	\$140 – 280		
Operating Cost	\$176 – 263	\$176 – 228	\$161 – 213
Income from registration	\$24 – 30	\$72 – 90	\$72 – 90
Net operating costs	\$146 – 233	\$104 – 138	\$91 – 123

51 Estimated costs do not include the potential for implementation of electronic data transfer. This is likely to be considered for development within the first five years, but the decision to invest in such a system will be based on net savings over time through reduced data entry costs. Funding for this initiative has not yet been identified. As noted above, MFish proposes to provide for the phased introduction of reporting to align with funding decisions.

52 The proposal will result in necessary changes being made to compliance systems. Such changes incur an initial cost, and this has been included in the capital expenditure estimate shown in Table 1. Costs of compliance activities, such as inspections, issuing of infringement notices, and prosecutions will be incorporated into existing MFish priorities.

Benefits

53 Registration, activity reporting and targeted catch reporting would provide the following information to assist management:

- The size and distribution of the recreational fishing charter fleet
- The amount of fishing effort being applied by the fleet, by location and main species caught
- The number of fish of important stocks being caught by fishers on recreational charter vessels.

54 Establishing the number of vessels involved and where they operate is basic to improving information on the sector. In identifying all marine charter operators, registration will provide the basis for implementation of the reporting system. Registration information would, for the first time, allow fisheries managers and stakeholders to establish the extent and distribution of the charter fleet and how this is changing over time. By itself this would be a significant improvement on currently

⁴ Figures are in New Zealand dollars and exclude GST. These figures are sourced from current costs of equivalent services required in the management of commercial fisheries.

available information and allow better consideration of the sectors needs in management.

- 55 Other benefits of stakeholder identification include the ability to for MFish and the sector to communicate over issues of concern in management of the fishery. Operators may wish to participate in and contribute to fisheries management as individuals or express a collective interest as a group. Registration information could provide a basis for such collective action.
- 56 Effort information – comprising information in fisher hours by location and target stocks – would better inform estimates of, and allowances for the impact that fishing is having on fish-stocks or on other interests in the fishery. Effort information will be particularly valuable where the sector appears to be expanding and activities of the fleet are changing over time. Regular updates of this type of information will provide a time series of activity from which managers will be able to identify and monitor trends.
- 57 In particular fisheries, knowing the actual number of fish being caught by recreational fishers from charter vessels would be even more useful to management. In some cases this will be able to contribute directly to the ability of scientists to assess stocks. This will apply to species such as hāpuku-bass and kingfish, where a large proportion of the amateur catch is believed to be taken by charter vessels. The ultimate benefit in these cases will be more accurate estimates for sustainable catch limits and assisting management decisions such as setting of allowances for amateur fishing from the total allowable catch.
- 58 In other fisheries a broad range of management considerations will benefit from activity and catch reporting information. In spatial planning, for example, such as for marine reserves and other types of marine protected area, area closures, or method restrictions, consideration of the known extent of charter fishing activity could make a significant difference to outcomes. Some stocks are vulnerable to local population depletion due to their territorial habits. The information that would be collected under this proposal could provide warning signals of declining catches by location, and provide the ability for management to respond early – before an area becomes significantly depleted.
- 59 Some of the benefits from activity and catch reporting for particular stocks are discussed below in relation to those stocks suggested for initial implementation of catch reporting.
- 60 A specific benefit for the general effort to improve information on amateur catch from this reporting scheme would be from the use of the data collected as a calibration tool to better interpret existing survey data.

Stocks proposed for the initial implementation of catch reporting

- 61 The following stocks have been proposed by MFish for initial implementation of catch reporting. A brief rationale is given for the need for catch information on each of the stocks. Comments are invited from stakeholders on the list.

Häpuku & Bass (HPB1, HPB2)

- 62 These large groper species are believed to be somewhat territorial. They live within specific local areas on deep rock reefs and many do not move around a great deal. This limits the local population of large fish to the carrying capacity of the reef, and makes them vulnerable to being “fished out.” These fish will eventually be replaced by smaller recruits, but areas may take some time to recover if they are fished too hard.
- 63 Significant tonnages of HPB are taken by commercial fishers around the country with commercial catch limits of 481 tonnes and 266 tonnes in areas 1 and 2 respectively. In 1998, the catch from recreational charter vessels was estimated at around 170 tonnes for these two stocks, and total amateur catch may be considerably higher. However, this is the only information currently available on volumes of fish taken by recreational charters in these fisheries.
- 64 The significance of the charter catch as a proportion of the total known catch makes this information important to stock assessment. Evidence that charter effort has markedly increased over the past decade suggests that regular collection of catch information from charter vessels will be useful to management at the stock level. At a local level, location specific data is likely to inform scientific understanding of the fishery and management decisions.

Kingfish (KIN1, KIN2)

- 65 Kingfish are large fast swimming species popular with recreational fishers. They exhibit some tendency to long-term local residency, which makes them vulnerable to being locally depleted. Very limited information is available on the stocks and charter vessels are believed to contribute significantly to the amateur catch.
- 66 Although no longer significantly targeted by commercial fishers, there is a significant bycatch of kingfish in some pelagic trawl fisheries. The kingfish caught in this way are of low net value to commercial fishers and are a loss to the amateur interest in the species. Catch information from recreational charter vessels for kingfish is the only potential means to generate an assessment of the relative state of the stocks.

Blue Cod (BCO3, BCO5)

- 67 Blue cod is the southern iconic species with significant commercial and recreational take. Throughout its distribution, it is considered that there are many, largely independent sub-stocks, and, therefore, this species is susceptible to localised depletion. While southland stocks seem to be more resilient to high levels of fishing effort, recent potting surveys have indicated decreases in relative abundance, especially in the northern part of the South Island.
- 68 Key fisheries (Kaikoura, Motunau, Banks Peninsula, North Otago, Foveaux Strait/Stewart Island & Fiordland) have seen a rapid and significant increase in charter fishing capacity. With the closure of the Marlborough Sounds and declining availability in Canterbury/North Canterbury, there is a growing transfer of effort southwards within the fishery. Much of this increased effort is provided by the charter industry as this eliminates the cost of towing boats over significant distances.

- 69 These changes occurring in the fishery are increasing pressure for management intervention to ensure the continued sustainability of the fishery. While MFish has data on the commercial catch and a developing time series of relative abundance from potting surveys, the addition of real time data from this rapidly developing sector would contribute significantly to the ability to make justifiable, enduring management decisions that will be accepted by all sectors.

Blue Cod (BCO7)

- 70 This iconic fishery has been under very heavy pressure from recreational fishers particularly within the Marlborough Sounds but also with a developing charter fishery near Haast and South Westland. Anecdotal information suggests that charter operators working out of both Havelock and Wellington are taking large numbers of recreational fishers into both Tory channel and the outer Marlborough Sounds. Over the next few years MFish will be developing a comprehensive management plan for the challenger mixed fishery. Having more detailed information would help inform the planning process and monitor the fishery.

Southern Bluefin Tuna and Pacific Bluefin Tuna (STN1, TOR1)

- 71 The large size and sporting qualities of these species have captured considerable interest from big game fishers mainly fishing from charter vessels on the West Coast of the South Island. New Zealand has international obligations in relation to management of the bluefin tuna species. Southern bluefin tuna is subject to an international quota regime which needs to account for all take including the increasing amateur catch. A majority of the amateur catch is being taken by a limited number of charter operators. Reporting of catch from these operators will enable more accurate management of New Zealand's allocation of this species.
- 72 Pacific bluefin tuna is a similar species caught in the same fishery. It is not subject to an international quota regime, but New Zealand has obligations to ensure sustainable management of this species under international agreements. Catch reporting of this species in conjunction with Southern bluefin will allow comprehensive monitoring of the seemingly rapid development of this high value charter fishery.

Statutory Considerations

- 73 In considering the proposed amendments, the Minister is required to follow relevant statutory criteria contained in the Act. These criteria are set out below.
- 74 **Section 5 (a) and (b):** There is a wide range of international obligations relating to fishing (including sustainability and utilisation of fish stocks and maintaining biodiversity). MFish considers that the proposal is consistent with issues arising under international obligations and the provisions of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992.
- 75 **Section 10** states that the best available information should be taken into account when making decisions that affect utilisation or sustainability of fishery resources. Best available information means the best information that, in the particular circumstances, is available without unreasonable cost, effort, or time. The information that would be made available through reporting under this proposal would

be the best available information on recreational catch from charter vessels if the costs are considered reasonable.

- 76 **Section 189** enables the chief executive to require persons providing vessels for hire for the purpose of enabling persons to take fish, aquatic life or seaweed to keep and provide accounts and records, and provide to the chief executive such returns and information, as may be required by or under regulations made under the Act.
- 77 **Section 297(1)(h)** prescribes the power to make regulations outlining the form in which these returns are to be kept and provided, including timing of completion.

Appendix I – Indicative example of a log book form

Recreational Charter Fishing Activity Reporting Form

Date		Vessel Name	
Client #		Master	
FMA #			

Activity Report

Location Number	Location Lat/Long	Number of Fishers	Hours Fished	Main Species Caught
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Catch Report: Number of fish retained by location and stock code

Species Code	Location Number (from activity report)									
	1	2	3	4	5	6	7	8	9	10
HPB										
KIN										
BCO										

Operator Name	
Operator Signature	

MARINE RECREATIONAL FISHING CHARTER VESSEL REGISTRATION AND REPORTING – REGULATORY IMPACT STATEMENT

Executive Summary

1. The Ministry of Fisheries (MFish) proposes to introduce regulations that would require all marine recreational charter vessel operators to register their vessels with MFish and report monthly on their fishing activity. For some species in some areas, catch reporting will also be required. A lack of information on the activities and catch of amateur fishers is a serious impediment to better management of shared fisheries. Specifically, there is very limited information available on the size and distribution of the recreational charter fishing fleet, the amount of fishing activity carried out, species taken or quantities of catch. MFish believes that a reporting programme for marine recreational charter vessels will significantly benefit the management of shared fisheries.

Adequacy Statement

2. This RIS has been reviewed internally by MFish's Steering committee and found to be adequate according to the criteria agreed on by Cabinet.

Status Quo and Problem

3. Currently, operators are not required to register with MFish however they are required to register as passenger vessels with Maritime New Zealand. This register is focussed on safe ship management and does not require operators to identify if they are fishing charters. Therefore information on the sector currently available to MFish is very limited and derived from one-off surveys or studies.
4. Recent research has shown that the number of recreational charter vessels has increased by a minimum of 200 vessels (or 55%) in the last decade.⁵ This research reinforced the view held by some stakeholders that there should be some management focus on fishing from charter vessels as this may be causing localised depletion of fish populations in some areas.
5. It is difficult to make management decisions to address these concerns with the limited information available. Retaining the status quo would mean that MFish would continue to have no means of knowing the size and distribution of the charter vessel fleet. Consequently, MFish would continue to have limited ability to estimate the impact fishing from charter vessels is having on fisheries resources.

Objectives

6. The proposal will contribute to the achievement of all three Fisheries outcomes: sustainable utilisation of the resource; value of the resources is maximised; and credible fisheries management. The key management objectives of the proposal are to generate and monitor information on:
 - The size and distribution of the marine recreational fishing charter fleet

⁵ Anderson, J. 2006, *Indicators of Recreational Fishing Activity in New Zealand 1990 -2006*, Internal Report Prepared for the Ministry of Fisheries. Wellington.

- The amount of fishing effort being applied by the fleet, by location and main target fish stocks
- The number of fish of selected stocks being caught by fishers on recreational charter vessels

Preferred Option - Recreational fishing charter vessel registration and reporting

7. This option proposes new regulations requiring recreational fishing charter vessel operators to register their vessel(s), provide reports of their fishing activity, and would include catch reporting for selected fish stocks.
8. This option would require charter vessel operators to do the following:
 - Register - Those meeting the definition of a charter vessel operator would be required to register their vessel(s) annually with MFish, providing details of their vessel and business. A fee of \$150 per annum to assist with the administrative costs of the reporting scheme is proposed.
 - Activity reporting – Activity would be reported by location (latitude and longitude data), and include the number of fishers, time fished, and main species caught. Information should be recorded at the fishing location in a log-book provided by MFish.
 - Catch Reporting – Where catch includes fish of stocks nominated for catch reporting, the number of fish of that stock caught at each location will be required on the reporting form. Weights for large game-fish species could be required on a case by case basis.
 - Daily reporting forms would be returned to MFish monthly by the 15th of the month following the date of fishing. Nil returns will be required if no fishing takes place in a given month.
9. This is the preferred option because it would provide information on the number of charter vessels, their location, activity and catch to inform management decision making and assist with stock assessment. This information is currently unavailable.
10. This option will incur significant costs to MFish and some costs to charter vessel operators. The estimated costs to MFish of this proposal are shown on Table 1:

Table 1 - Estimated costs to MFish of preferred option (\$ '000)

MFish Costs	2009/10	2010/11	Subsequent years
Capital cost (Initial cost of establishment)	\$140 – 280		
Operating Cost	\$176 – 263	\$176 – 228	\$161 – 213
Income from registration	\$24 – 30	\$72 – 90	\$72 – 90
Net operating costs	\$152 – 233	\$104 – 138	\$91 – 121

Figures are in New Zealand dollars and exclude GST. These figures are sourced from current costs of equivalent services required in the management of commercial fisheries.

11. **Funding for this initiative has not yet been identified. MFish proposes to allow a phased introduction of these requirements to align with funding decisions.**
12. MFish would face costs educating charter vessel operators of the new requirements; these costs have been included in the estimates above. Compliance costs are incorporated into figures shown in Table 1 above.
13. Charter operators would be required to pay an annual fee of \$150 upon registration to assist with the administrative costs of registration and reporting. Charter operators would also have to spend time familiarising themselves with the new regulations and reporting systems and processes.
14. A key risk to this proposal is non-compliance of charter vessel operators. MFish will inform charter vessel operators on what will be required from them and the management benefits of the proposal to mitigate this risk.
15. The development and implementation of the proposed regulations will be consistent with the Fisheries Act 1996 and the Amateur Fishing Regulations. It is not anticipated that this proposal will have any negative effects or render redundant any other Acts or regulations.

Implementation and Review

16. MFish expect that these regulations will be in place by June 2009. The earliest the registration and reporting requirement will be applied is April 2010.
17. MFish will monitor compliance with registration and reporting requirements through a programme of inspections and checking that all registered operators report each month. It would be an offence to operate without being registered by MFish, to report wrongful information or to fail to report on a monthly basis. Penalties will apply for these offences. MFish believes the potential benefits to management that stem from requiring charter vessel operators to register their vessels and report information justify these penalties for infringement.
18. Charter vessel operators would need to familiarise themselves with the reporting processes needed to fulfil the requirements. MFish will inform charter vessel operators on how to fulfil the requirements to ensure that this occurs.

Consultation

19. The IPP was consulted on from 1 September 2008 for six weeks. Stakeholders' views will be incorporated as appropriate in the final advice to the Minister in December 2008. The IPP was informed by the views of charter vessel operators gathered during a series of pre-consultation meetings around the country during February and March 2008.