



22 April 2008

Dear Stakeholder

REVIEW OF REGULATORY MEASURES FOR 1 OCTOBER 2008 – SEABIRD MITIGATION MEASURES FOR TRAWL AND LONGLINE VESSELS

The Ministry of Fisheries (MFish) is currently consulting on a proposal to amend the Fisheries (Commercial Fishing) Regulations 2001. If approved these changes would take effect on 1 October 2008. The Initial Position Paper (IPP) provides you with MFish's initial position on the issue being reviewed, the rationale to support the proposal, and a preliminary recommendation.

The purpose of this letter is to provide you with a short summary of the IPP, so that you can decide whether you would like to examine the issue further, and potentially provide comment. A full copy of the IPP is available to download in the Consultations section of the MFish website www.fish.govt.nz, or you can request a paper copy from Tracey Steel (contact details below).

The proposal is as follows.

The Ministry of Fisheries (MFish) proposes to amend Regulation 58 of the Fisheries (Commercial Fishing) Regulations 2001 to empower the Chief Executive of the Ministry of Fisheries (MFish) to promulgate seabird mitigation measures by circular. These measures would replace the mitigation measures that have been notified in the NZ *Gazette*.

The *Gazette* Notices may be found in Annex I of the IPP.

At the time the Minister's decisions were made known in February 2008, it was indicated that the *Gazette* notices would be superseded through changes to the Fisheries (Commercial Fishing) Regulations 2001 later in 2008. The regulations allow greater flexibility for least cost, finer scale measures to be implemented through the use of circulars issued by the MFish Chief Executive. This mechanism will also more easily allow changes in knowledge and understanding of effective mitigation measures to be translated into improvements in required mitigation measures.

The development of a flexible regulatory mechanism will also complement longer-term proposals for the management of incidental seabird mortality. This framework includes the development of a

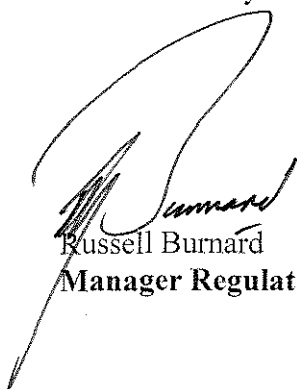
seabird standard and revisions to the existing National Plan of Action (NPOA) seabirds management framework.

The proposed regulations will empower the MFish Chief Executive to issue circulars in relation to a range of seabird mitigation measures and types of vessels. MFish will consult with stakeholders on the content of those circulars prior to their being issued.

MFish welcomes written submissions on the proposal contained in the IPP. Written submissions are due by 5 June 2008 and should be posted to Tracey Steel, Ministry of Fisheries, P O Box 1020, Wellington. Alternatively, electronic submissions can be emailed to tracey.steel@fish.govt.nz.

Finally, all submissions that are received for the purposes of the regulatory measures process are publicly available under the Official Information Act 1982. Should any person or organisation wish for any information contained in their submission to be withheld under the Official Information Act 1982, the grounds for withholding the information must be provided in the submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Russell Burnard', is written over a large, stylized, light-colored scribble that resembles a large letter 'B'.

Russell Burnard
Manager Regulatory and Information