



Request for Exemption from Electronic Catch and Position Reporting

Checklist

To complete this exemption request, you will need to provide:

- ✓ Details about yourself and your fishing vessel (if you have one), and about your intended fishing activities during the exemption period.
- ✓ A clear reason for why you are unable to provide electronic catch and / or position reports.
- ✓ A start and end date for the requested exemption period.
- ✓ Evidence to support your request.

Please note

- You must comply with the relevant regulations until your exemption has been granted.
- Exemptions are granted for limited time periods, to cover your specific situation.
- If your exemption is granted, you will still need to provide the relevant information through an appropriate alternative method, which we will determine with you as part of the application process.
- Alternative methods of reporting may include recording the relevant information on paper, and later providing catch details through your online FishServe account or providing position information to us electronically in a spreadsheet.
- Provide clear reasoning for your exemption request, supported by good evidence, to help us make the best decision, as fast as possible. Evidence might include verified information such as statements from a technology provider, chartered accountant, medical doctor, Inland Revenue, and photos of your fishing vessel.
- We aim to process exemption requests within 20 working days. This is an estimated timeframe and some exemptions may take longer to process.

Q1 Information about you

Q1 (a) Please provide details about yourself, your vessel (if you have one), and how we can contact you.	
Permit number	
Full name	
Vessel's registered number	
Vessel's name	
Contact name (if different from above)	
Phone (mobile preferred)	
Email	
Permit numbers of any other permit holders who use the vessel (if known)	
Name of skipper(s) of the vessel (if known)	

Q1 (b) Please provide details about your intended fishing activities during the requested exemption period. List as many details as apply.	
Which species will you be targeting?	
Which fishing methods will you be using?	
Which areas will you be fishing?	

Q2 Type of exemption requested

Which type of electronic reporting are you requesting exemption from? Tick as many as apply.	
Electronic catch reporting	Electronic position reporting
<input type="checkbox"/>	<input type="checkbox"/>
<i>Go to question 3 below</i>	<i>Go to question 4 below</i>

Q3 Electronic catch reporting exemption

Exemptions for electronic catch reporting are made under regulation 46 of the Fisheries (Reporting) Regulations 2017 (see page 5). The full regulations can be found at legislation.govt.nz.

Q3(a) Which aspect of electronic catch reporting are you unable to comply with? Tick as many as apply.
<input type="checkbox"/> Time required to electronically <u>record</u> my event reports (such as fish catch reports, disposal reports, landing reports, etc).
<input type="checkbox"/> Time required to <u>provide / transmit</u> my event reports (such as fish catch reports, disposal reports, landing reports, etc).
<input type="checkbox"/> Other (please provide details): Click here to enter text.

Q3(b) Provide clear reasoning for your request, explaining how electronic catch reporting would either cause undue hardship or is unduly impracticable to carry out.

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Guidance notes

Examples of reasons for exemption from electronic catch reporting may include:

- "I use a dory boat for fishing which does not have a dry wheelhouse where I can use a laptop. A suitable e-logbook for my vessel will be available to purchase in two months' time. I have attached photos of my vessel and an email from the supplier indicating when the e-logbook will be available and confirming my order."
- "I have paid for an e-logbook and my supplier has now informed me that it will be delivered 3 weeks after I must start electronic reporting. It is impracticable for me to electronically report my catch until the e-logbook is delivered. I have attached an email from my supplier explaining the delay."
- "I hand-gather and this fishing method will not be supported by any e-logbooks for 3 months. It is impracticable for me to record and provide my catch reports electronically until the method is supported by an e-logbook. I have attached an email from my supplier explaining when my method will be available."
- "My partner has just been diagnosed with a serious illness which has caused severe stress at home. Needing to install and learn how to use an e-logbook at the same time as coping with everything else my family is dealing will cause me undue hardship. I attach a medical certificate from my GP to support my request for a short-term exemption."

Q3(c) What time period do you wish the exemption to cover? Include a start and end date.

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Q4 Electronic position reporting exemption

Exemptions for electronic position reporting are made under regulation 11 of the Fisheries (Geospatial Position Reporting) Regulations 2017 (see page 5). The full regulations can be found at legislation.govt.nz.

Q4(a) Which aspect of electronic position reporting are you unable to comply with? Tick as many as apply.

- Recording my geospatial position reports while fishing.
- Frequency for providing / transmitting my geospatial position reports (such as transmitting positions every 10 minutes).
- Other (please provide details): [Click here to enter text.](#)

Q4(b) Provide clear reasoning for your request, explaining how electronic position reporting is unreasonable or impracticable to carry out.

Guidance notes

Examples of reasons for exemption from electronic position reporting may include:

- "I have requested an exemption from electronic reporting because a suitable e-logbook for my vessel will only be available to purchase in two months' time and that e-logbook has a built in GPR device. It is unreasonable for me to purchase a separate GPR device for only a short period of time. I have attached a product brochure that shows that the GPR device is part of my e-logbook package."
- "I have paid for a GPR device and my supplier has now informed me that it will be delivered 3 weeks after I must start geospatial position reporting. It is impracticable for me to report until the GPR device is delivered. I have attached an email from my supplier explaining the delay."
- "I live in a remote location and need a technician to install my GPR device. I placed my order 4 weeks ago. The technician will not be visiting my port until two weeks after I must start geospatial position reporting. I have attached an email from my supplier explaining the delay."

Q4(c) What time period do you wish the exemption to cover? Include a start and end date.

Signed by:

Full name: _____ Signature: _____

Relevant Regulations

Fisheries (Reporting) Regulations 2017

Regulation 46: Exemptions

(1) The chief executive may exempt a person or class of persons from compliance with all or any of the requirements under these regulations if the chief executive is satisfied that—

- (a) compliance with any requirement of these regulations would cause undue hardship or would be unduly impracticable; and
- (b) the exemption is no broader than is reasonably necessary to address the matters giving rise to the exemption; and
- (c) the exemption would not unduly prejudice the management and conservation of any fishery resource.

(2) An exemption—

- (a) must be in writing; and
- (b) if it relates to a class of persons, may be published—
 - (i) on an Internet site maintained by or on behalf of the Ministry; or
 - (ii) in any New Zealand publication that relates primarily to commercial fishing; and
- (c) must specify a date on which it expires; and
- (d) may be granted subject to any conditions that the chief executive may reasonably impose; and
- (e) may be amended or revoked to reflect changed circumstances.

Fisheries (Geospatial Position Reporting) Regulations 2017

Regulation 11: Exemptions

(1) If the chief executive is satisfied that it is unreasonable or impracticable for any person or vessel to comply with any requirements prescribed by or under these regulations, the chief executive may exempt that person or vessel from compliance with all or any of those requirements.

(2) An exemption under subclause (1)—

- (a) must be in writing; and
- (b) may be granted subject to any conditions that the chief executive may reasonably impose and has effect according to its terms; and
- (c) may be amended or revoked to reflect changed circumstances.

How to submit your request

Please send your completed exemption request, along with any supporting evidence, either by email to: digitalmonitoring@mpi.govt.nz

Or by post to:

Digital Monitoring
Fisheries New Zealand
PO Box 2526
Wellington 6140