



As of 8 August 2022

Fisheries Regulatory System

Fisheries are used by commercial, customary (tangata whenua - hapū and iwi) and recreational fishers and play an important role in the wellbeing of many communities. The Fisheries Regulatory System provides for the sustainable utilisation of fish stocks, by setting where, when, and how much fishing can be undertaken by all sectors. The system provides for measures to manage the effects of fishing on the wider marine environment, including mitigation measures and closures to protect vulnerable species.

Measures made in the Fisheries Regulatory System are underpinned by robust science to provide information about how many fish there are and what the impact of fishing is on the wider marine environment. Measures are also informed by iwi input and participation and public consultation.

The Fisheries Regulatory System also recognises and provides for the rights and interests of tangata whenua. This includes delivering fisheries and aquaculture settlement and enabling management of non-commercial customary fishing activities.

Objectives

The overarching objective of the Fisheries Regulatory System is to provide for sustainable utilisation of New Zealand's fisheries. The system also provides for the effective management of the effects of fishing on the wider marine environment and ensures the fisheries and aquaculture rights and interests of tangata whenua are recognised and provided for.

PORTFOLIO	Oceans and Fisheries
STATUTES	Fisheries Act 1996 (Sections 56 to 57J – Overseas Investment Office. The rest – MPI) Kaikoura (Te Tai o Marokura) Marine Management Act 2014 Māori Commercial Aquaculture Claims Settlement Act 2004 Māori Fisheries Act 2004 Marine Reserves Act 1971 (Department of Conservation) Resource Management Act 1991 (Ministry for the Environment) Treaty of Waitangi (Fisheries Claims) Settlement Act 1992
OTHER GOVERNMENT AGENCIES WITH SUBSTANTIAL ROLES	Department of Conservation Te Papa Atawhai Maritime New Zealand Nō Te Rere Moana Aotearoa Ministry for the Environment Manatū Mō Te Taiao Ministry of Foreign Affairs and Trade Manatū Aorere



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Planned regulatory amendments to legislation – 2022/2023

MATTER NAME	PURPOSE	PLANNED CONSULTATION	STATUS
Fisheries Amendment Bill <i>Matter type: Bills</i>	Amends policy settings to: <ul style="list-style-type: none"> • improve the commercial fishing rules that set out which fish must be landed and which can be returned to the sea; • introduce a new offences and penalties regime; and • streamline fisheries decision-making processes. 	Public consultation on a discussion document was completed in February 2019.	Under consideration by Parliament. Follow the Bill's progress here: Fisheries Amendment Bill (parliament.nz)
Fisheries Act Regulations <i>Matter type: Regulations</i>	The Fisheries Amendment Bill empowers the making of new regulations to support the operation of the new policy settings, including establishing a new infringement regime. The Fisheries Amendment Bill also requires consequential amendments to the various commercial fishing regulations to align with the new landings and discards provisions. The amendments will be implemented over the next four years, starting on enactment of the Bill.	Public consultation is planned for later in 2022.	Policy development underway.
Amendments to Part 6A of the Fisheries Act <i>Matter type: Bills</i>	Amendments to enable New Zealand to better meet its international fisheries management and compliance obligations, and clarify the compliance and decision making processes.	Public consultation on the proposed amendments was completed in November 2021.	Policy development underway.
Maori Fisheries Amendment Bill <i>Matter type: Bills</i>	Amendments to improve governance arrangements under the Maori Fisheries Act 2004, and the delivery of settlement assets to Māori.	Consultation on an exposure draft of the Bill with mandated iwi organisations and Settlement entities planned for 2022.	Cabinet approved



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MATTER NAME	PURPOSE	PLANNED CONSULTATION	STATUS
Primary Industries Regulatory Systems Amendment Bill <i>Matter type: Bills</i>	To improve primary industry regulatory systems by ensuring they are effective, efficient and accord with best industry practice.	Public consultation will be through the Select Committee process.	In process of being drafted following Cabinet consideration.
South-East Marine Protection (Joint with Department of Conservation) <i>Matter type: Regulations</i>	To establish a network of marine protected areas on the South East coast of the South Island.	Consultation completed in August 2020.	Policy development is underway.
Hector's and Māui Dolphin Threat Management Plan <i>Matter type: Regulations</i>	<i>Hector's and Māui dolphin Threat Management Plan</i> : to implement further fishing controls to reduce fishing-related threats to Hector's dolphins in the South Island.	Consultation completed in December 2021.	Advice and recommendations under consideration by Minister.
Technical amendments to fisheries regulations <i>Matter type: Regulations</i>	To progress a package of proposed operational changes to various fisheries regulations that cover customary, amateur, and commercial fisheries.	Public consultation was completed in 2022.	Analysis of submissions underway.

Key service design and operational changes

2022	<p><i>Work with stakeholders to manage the effects of bottom trawling in the EEZ</i></p> <p>Fisheries New Zealand and the Department of Conservation have established a forum to discuss and make recommendations on approaches to managing the effects of trawling in the Exclusive Economic Zone (EEZ). The forum includes members from environmental NGOs, the fishing industry, and the National Iwi Chairs Forum. It is expected that the forum will provide recommendations on potential management measures later this year, and this will inform public consultation on measures to reduce the impacts of bottom trawling.</p>
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2022	<p><i>Approval of National Plan of Action – Sharks</i></p> <p>The National Plan of Action – Sharks (NPOA Sharks) sets out goals and objectives to ensure the conservation, management, and sustainable utilisation of sharks. The NPOA Sharks is currently being revised, with support from an advisory group with the Department of Conservation, Te Ohu Kaimoana, environmental NGOs and other stakeholders.</p> <p>The revised NPOA Sharks is planned to be approved, following consultation, by the Minister for Oceans and Fisheries and the Minister of Conservation later this year.</p>
2022-2024	<p><i>Wider rollout of cameras on commercial vessels</i></p> <p>Since November 2019, on-board cameras have been required on set net and trawl vessels on the West Coast of the North Island, that pose the greatest risk to the critically endangered Māui dolphin.</p> <p>Cabinet has now agreed to extend the requirement for on-board cameras on up to 300 inshore vessels which pose the greatest risk to vulnerable protected species and/or have significant bycatch levels. Regulations are in place now to require on-board cameras across these vessels, with cameras being introduced from late 2022 to 2024.</p>
2022-2023	<p><i>Industry Transformation Plan</i></p> <p>Cabinet has agreed to progress a Fisheries Industry Transformation Plan (ITP). The scope of the ITP is still to be developed and will focus on reducing the environmental impacts of fishing and increasing the value received from fisheries. The ITP will be prepared with a range of stakeholders.</p>
Ongoing	<p><i>Advice on Open Ocean Aquaculture framework</i></p> <p>Open ocean aquaculture is a key part of the Government’s 2019 Aquaculture Strategy growth pathway to reach \$3 billion in aquaculture revenue by 2035. The existing regulatory framework did not anticipate open ocean aquaculture. MPI is working alongside other agencies, and with iwi and stakeholders to develop advice on a future management framework.</p>
Ongoing	<p><i>Oceans and Fisheries work programme</i></p> <p>Cabinet agreed to a vision for the Oceans and Fisheries portfolio – <i>Ensuring the long-term health and resilience of ocean and coastal ecosystems, including the role of fisheries</i>. To support this vision, the initial work programme for the portfolio includes fisheries system reforms, the wider rollout of on-board cameras, the development of an open ocean aquaculture framework, and further measures to protect Hector’s dolphins through the Threat Management Plan.</p> <p>The initial work programme will be evaluated in 2022.</p>
Ongoing	<p><i>Continuous improvement of environmental and ecosystem performance</i></p> <p>New Zealand has committed to moving towards ecosystem-based management as one of its targets under the Convention on Biological Diversity. We manage the environmental effects of fishing and are progressing ecosystem-based approaches to fisheries management within current regulatory settings.</p>