SEAFOOD NEW ZEALAND

Fisheries Act Amendments 2025: Part 1 – Catch Setting Tools

Outcome sought: Enhance the ability to deliver abundant/productive fisheries from a healthy marine environment by increasing the certainty, efficiency, and responsiveness of our processes to set catch limits.

Limitation: Catch limit setting is central to the QMS. The current process is generic, resource heavy and slow which is not efficient or effective in some circumstances.

Solution: Amend the Act to enable additional catch setting tools and make supporting improvements that increase agility and flexibility and decrease resource costs.

1. Multi-year Catch Decisions – both Phased and Temporary

These tools enable a TAC to be adjusted several times over different years from one Ministerial decision. This would reduce the resource burden of multiple decision-making processes and provide more certainty to fishers and other stakeholders. It is proposed that the Act is amended to provide for three "types" of multiyear TAC adjustment tools.

All multi-year Catch decisions would:

- Require the usual sustainability round consultation process in the first year;
- be made in advance for a period of up to five years;
- be set in secondary legislation; and
- could be amended if new information became available.

1A. Phased Catch Limit Adjustments

This tool would enable the Minister to stage an adjustment to a TAC. This means that one sustainability decision could set changes to a TAC for up to five years in advance.

Benefits of tool: Mitigates immediate economic impacts and enables for fishers to plan for large TAC decreases or increases. Reduces resource requirements of conducting several reviews to phase a TAC adjustment and provides certainty for industry.

Initial industry position: We support this proposal

1B. Temporary catch limit increase

This tool would enable the Minister to increase a TAC for a fixed period. This means the TAC would increase for a fixed amount of time and then automatically revert to its original level, unless information supported a new TAC (which would then require consultation).

Benefits of tool: Enables utilisation while obtaining data (proving up a fishery). Mitigates the negative economic impacts on industry from delayed management decisions and provides a lower sustainability risk than the current approach which sets a TACC in perpetuity (or until another TAC decision is made).

Initial industry Position: We support this proposal

1C. Management Procedures

This proposal would allow the Minister to approve management procedures. Proposed management procedures would undergo consultation then, if approved, would transparently set out when, why and how catch limits would be adjusted. While an approved management procedure is in place, consultation would not be required for the resulting catch limit changes.

Benefits of tool: Increased ability to respond to fisheries signals – reducing sustainability risks and allowing utilisation. Increased certainty for industry and others about catch limit adjustments. Reduced resource need for sustainability rounds for all involved.

Initial industry position: We support this proposal. We consider the maximum period of a rule should be based on biological characteristics rather than limited to five years.

2. Managing Low Information Stocks

The Act intends for the management of low information stocks through s132A and s14. However, meeting the requirements of these provisions has been a barrier to their application and as a result around half of our low information stocks have not had a catch limit change in >20 years. Failing to adjust TACs for these stocks poses issues with our ability to provide for utilisation and ensure sustainability.

Proposal: Create a new provision to set catch limits when:

- We cannot estimate stock status or an index of abundance;[1] and
- setting a catch limit under the new provision would better meet the purpose of the Act than setting a catch limit under s13.

Initial industry position: We support this proposal

Implementation Options: To define which stocks the new provision could apply to, MPI are proposing these are listed either on a Schedule (Cabinet approved) or Notice (Minister approved) or leave it open to the discretion of the Minister during consultation.

Initial industry position: We support the provision applying to stocks based on the Minister's discretion.

[1] And therefore, cannot be managed under s13 (2) or (2A)