

Critique and Analysis of -

## **Shared Fisheries**

# **Proposals for managing New Zealand's shared fisheries: A public discussion paper**

November 2006

## **Contents**

Please note that these page numbers apply to the original MFish document, not this analysis paper

Foreword from the Minister Page 3

**Section 1:** Introduction Page 4

**Section 2:** Getting better information on catch and value Page 9

**Section 3:** Setting the Total Allowable Catch Page 11

**Section 4:** Priorities for allocating the Total Allowable Catch Page 12

**Section 5:** Setting and adjusting amateur and commercial allocations Page 14

**Section 6:** Local area management Page 17

**Section 7:** Redress following adjustments in allocations Page 19

**Section 8:** Representing amateur fishers' interests Page 20

**Section 9:** Have your say Page 21

## **Foreword from the Minister**

Fishing has always been important to New Zealand and New Zealanders. It is a major component of our economy and a central part of our heritage, our culture and our national identity.

Those of us who go fishing have a lot in common. Whether we fish for fun off the beach, to earn a living, or to put food on the table, we all share the same resource and the same interests in ensuring it is managed well.

This paper focuses on "shared fisheries" – the fisheries where customary, amateur and commercial uses intersect. Here, the common interests of these users can be easily forgotten in the face of competing demands for access.

The challenge before us is to manage these important shared fisheries in a way that ensures New Zealand and New Zealanders get as much value as possible from them, not only today but into the future.

The ideas set out in this paper represent some new proposals to unlock greater value from our shared fisheries. We face significant problems in these fisheries, and new approaches and decisive action are required. [1]

All New Zealanders have and will continue to have a basic right to catch fish. [2] But that accepted, we need to make some major changes if we are to achieve greater certainty in allocation decisions, build management capacity and produce more overall value from the fisheries. [3]

It is important that we get the policy and legal framework right and this is where you, the fishers, come in. I encourage you to get involved with the process and play your part in moving the policy discussion ahead.

Please read this paper, think about the proposals and options raised, and send us your views. All submissions will be carefully read and considered as part of the policy development process. You can be sure that your voice will be heard.

I look forward to hearing your thoughts over the next few months.

Hon Jim Anderton  
Minister of Fisheries  
October 2006

#### **Footnote introduction**

The Minister refers to:

- the importance of New Zealand's fisheries for the economy, and New Zealand's culture;
- competing demands for access;
- challenge to manage to obtain as much possible value now and in the future faced with significant problems requiring new approaches and decisive action;
- New Zealanders having a basic right to catch fish, continuing to have that right, but major changes needed to achieve amongst other things greater certainty in allocation decisions, building management capacity and producing more overall value.

The Minister points to **legislative change** by reference to getting 'the policy and legal framework right.' [See also the Minister's letter to Cabinet dated '['] that "implementation of a new policy framework is expected to require **a few key amendments** to the FA which would be enacted by the **end of 2007**".]

[1] The Quota Management System (QMS) was introduced 20 years ago to rein in the commercial fishing industry.

During that time amateur bag limits have been severely cut. In some fisheries size limits have been increased. Gear restrictions have been imposed and the way the Ministry of Fisheries (MFish) has applied our fisheries laws have all combined to constrain and reduce overall amateur catch. The constraints imposed by all of the above has inarguably reduced amateur take.

The commercial sector on the other hand, had their total initial Total Allowable Commercial Catch (TACC) set at sustainable levels and/or levels that would allow rebuilding of depleted fisheries.

The Quota Appeals Authority (QAA), dumping, deeming, high grading and black marketing have all acted against these constraints. In some fisheries, the fisheries managers have elected to increase TACC as a way of resolving these issues. When we look at the TACC's that the commercial sector were issued at the outset of the QMS and compare that with today's figures, many have increased. This is not anecdote. Surely the fishers responsible for depleting a fish stock ought to take responsibility when a rebuild is required. We believe that the Shared Fisheries process should be addressing the cause of the problems to a far greater extent than it does in the document presented to the public.

In many fisheries amateur fishers have already have accepted significant changes to bag limits and size limits for sustainability and environmental purposes.

[2] The right to fish is a common law right protected by statute not derived from it. This public right is clearly distinguishable from and superior to the "basic right" MFish wants to substitute in place of our public right.

[3] Increasing the management capacity of the amateur sector is of no consequence. The management of our fisheries by MFish in accordance with the purpose of the Fisheries Act 1996 (FA) is the key. The purpose is "to provide for the utilisation of fisheries resources while ensuring sustainability."

The FA is clear. Our fisheries are to be managed at or above a biomass that can produce MSY. MFish can already alter the TACC's and/or make non-proportional cuts or increases under the FA. MFish has never been successfully legally challenged for doing so and has not yet had to pay compensation for such decisions. Until our fisheries are managed as intended by the FA it is unnecessary to amend the FA in the way proposed by MFish.

# Section 1

## Introduction

### Shaping the shared fishery

This discussion paper has been produced by the Ministry of Fisheries (MFish), guided by decisions of the Minister of Fisheries and Cabinet, so people can have their say on proposals to improve the management of New Zealand's shared fisheries. Shared fisheries are those in which commercial, amateur and customary fishers all participate. Most shared fisheries are inshore fisheries (including snapper, blue cod, kahawai, rock lobster and paua) – but they also include offshore fisheries such as gamefish and freshwater fisheries such as eels. [4]

The overall goal of the changes being proposed is to increase the value New Zealanders get from the use of shared fisheries. [5] Value can be defined in terms of money, as it is by the commercial sector, but also in terms of the values that amateur and customary fishers seek – food, cultural tradition, or simply the pleasure of being outdoors and catching fish. Improved management systems will aim to ensure that the use of fisheries resources reflects the value placed on them by different groups. [6]

[4] A full list of all shared fisheries is required for the Peoples Submission - suggest going through Clements to identify all stocks.

[5] The 'overall goal of change' is to increase the value – see definition below.

[6] Will MFish weigh up all non-commercial values such as 'social and cultural' criteria which the Minister must under the FA?

### Why change things?

New Zealand's shared fisheries are under increasing pressure. [7] Effective management is currently undermined by poor information on amateur catch and uncertainty surrounding the process for allocating available catch between commercial, customary and amateur fishers. [8]

This situation needs to change to secure the future of shared fisheries in New Zealand. [9] Doing nothing would simply ignore the environmental risks associated with management decisions based on poor information, [10] the costs of ongoing contention and litigation, and the loss of value associated with inadequate incentives for all sectors to protect and improve shared fisheries. [11]

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. As with all fisheries management, there is an overriding need to protect the sustainability of fisheries resources.

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. One of the main objectives of the proposals and options in this paper is to produce better information about use of the fisheries and so strengthen management. [12]

Management of shared fisheries will also be strengthened by improving how value is distributed. Where rules for allocation processes are not well defined, fishers from all sectors become concerned over the future of their access to fisheries resources. This uncertainty discourages both conservation initiatives and cooperation between the different sectors that use shared fisheries, because each group is worried that the benefits of its work will be lost to others in the allocation process. [13]

So, another main objective of the proposals in this paper is to produce a better allocation process that is clear and takes into account different fishing values. [14]

### **Footnote introduction**

MFish points to:

- amateur fishers exercising their right to fish;
- ‘management undermined’ by poor information on the amateur catch;
- uncertainty - for MFish/commercial fishers/customary fishers /amateur fishers? – see reference to litigation - in the way in which MFish advises/the Minister “allows for” the non-commercial catch under section 21 FA;
- apart from the above, there is no discussion on the cause of the state of New Zealand’s fisheries;

[7] What is the source of this fishing pressure considering that the amateur sector has been heavily constrained over time? Why is the real cause of stressed fisheries, or fisheries that have failed to rebuild, not honestly put. Additional commercial quota issued by the Quota Appeals Authority (QAA) and catch above the TACC that is allowed to be taken if the fisher pays a deemed value to the crown (deeming) are two obvious omissions that have increased commercial shares in fisheries or stopped these fisheries from rebuilding

[8] On the contrary, the recreational catch has been reduced in almost every fishery through bag limit reductions, size limit increases, gear constraints and new interpretations of the regulations.

[9] Constraint of the commercial sector to achieve the sustainable use is available to MFish under the FA.

[10] Consider a risk analysis that includes the reductions already placed on recreational fishers? If recreational fishers have been historically catching more than they have been allowed for there is no risk, the fishery is plainly more productive than previously thought. ‘Doing nothing’ - again expresses MFish’s intention on reform of the FA.

[11] The FA framework is sustainable use purpose, application of the environmental and information principles fisheries management tools and mechanisms which require both MFish and the Minister to provide for the social, cultural and economic well-being of New Zealanders whilst ensuring the health of our fisheries. The poor implementation of management decisions, that is, the level at which TACC’s are set

or varied plus deeming outside the TAC that poses a real risk to the environment and our fisheries.

[12] The Minister argues that assessment of value is difficult because there is insufficient information on the quantity of fish amateur and customary are catching and links strengthening management to obtain the 'best value'.

Does the Minister have only \$ or economic value of the commercial fishing industry in mind, and what weight does he place on the 'social, economic and cultural well-being' of New Zealanders in relation to non-commercial fishing as contained in the sustainable use purpose in section 8 FA.

Management is weak because adjustments to the TACC do not necessarily mean that the commercial catch or mortality will change. For example, SNA8 TACC cut last year, deeming above the TACC increased.

Deeming can be used to legitimately override management decisions and where deemed values are set too high, the fish caught are simply dumped or not reported. An internal Ministry document produced in the 1990s clearly identified corporate fraud as the biggest threat to the QMS.

On the other hand, bag limit cuts, size limit increases or gear restrictions placed on amateur fishers always reduces their catch. While some may resist complying with new regulations for a time, the overall effect is a catch reduction.

[13] Meaning? MFish repeats the "uncertainty surrounding...allocation.." and concerns expressed about this from 'all sectors'.

However, directions on how recreational fishers consider the Minister must 'allow for' non-commercial fishing interests is hoped for from the Kahawai Legal Challenge.

[14] Amateur fishers have had their public fishing right consistently eroded to the benefit of commercial fishers. Instead of MFish fairly and squarely addressing and making good previous decisions which did not properly allow for the public right to fish and made favorable allocation to the fishing industry MFish now introduce for consideration a 'value' assessment requiring amateur fishers to defend the new 'baseline allocation' proposed. Moreover, MFish says in the discussion paper that there are limitations on how many fisheries will be addressed in this proposal.

### **About this paper**

The ideas in this discussion paper have been approved for public consultation by Cabinet. However, they are not set in concrete. All can be changed or developed in response to public feedback. Where a clear view has been formed about the best way forward, ideas are presented as proposals for discussion. In other cases there may be more than one path that could usefully be taken. Here you will find two or more options to consider. [15]

Some of the ideas in this paper are new and different, but they have not been raised lightly. Debate will help produce better solutions and this will benefit all New Zealanders.

This paper gives a series of proposals and options intended to:

- Help generate better information on catch and value (Section 2). [16]
- Enable the Total Allowable Catch to be set at levels that will raise the overall value obtained from shared fisheries (Section 3). [17]
- Provide guidance and rules for allocating the Total Allowable Catch among the customary, amateur and commercial sectors (Section 4). [18]
- Provide mechanisms to reset amateur and commercial allocations of the Total Allowable Catch in key fisheries, and for ongoing adjustments to allocations in all shared fisheries (Section 5). [19]
- Allow for focused management of specific local areas of shared fisheries (Section 6). [20]
- Allow the possibility of redress for the commercial sector where there are significant adjustment costs associated with allocation or access decisions (Section 7).
- Create greater capacity for amateur fishers to participate in the management of shared fisheries (Section 8).

### **Footnote introduction**

There is no explanation of the existing nature and extent of the right of all New Zealanders to catch fish for not for sale recognised, preserved and protected in the Fisheries Act 1996 (FA), and the Minister's obligation to "allow for" that right, and contrasted with the 'allocation' of quota under the Quota Management System (QMS) for commercial fishing.

MFish signals a new approach by all sectors being in the 'allocation' process – see also Minister's letter to Cabinet.

MFish again refers to customary and recreational fishers as part of the 'allocation' process of quota for commercial fishers; -. c.f., the present FA framework - the TAC is 'set' (s13 et seq); the Minister 'shall allow for' non-commercial – customary and recreational – fishing interests (s21); the TACC is 'set' (s20); quota is allocated (s29A et seq)].

[15] Ideas – This Shared Fisheries public discussion document has been approved by

Cabinet. Those ideas MFish sees as having a prospect of achieving reform for the ‘overall goal’ to maximise value’?

[16] This is directed mainly at recreational fishers.

[17] The Minister’s Cabinet letter particularly makes mention of “commercial and amateur value, in both quantitative and qualitative terms”.

[18] The Minister’s Cabinet letter refers to an ‘allocation’ approach for the **amateur** and commercial sectors and a basic level of amateur take.

[19] Whilst not supporting the proposal, resetting of the so called amateur ‘baseline allocation’ and commercial allocations in only to “key” fisheries would unfairly treat the public - amateur fishers - who are entitled to a fair ‘baseline allocation’ in every fishery in which amateur fishers have an interest.

Resetting ‘baseline allocations’ in key fisheries – see section 5.1. Because of cost, initially restricted to six fish stocks, and over time establishing baseline allocations to all shared fisheries using the value-based system. MFish suggest measures to address ongoing adjustments in all fisheries,

[20] The Minister’s Cabinet letter refers to ‘new legislative tools’ for local management areas.

The key ideas in this paper are:

- All New Zealanders have a basic right to catch fish. [21]
- Shared fisheries should be managed in a way that produces the best value – including both financial and other values – for New Zealanders. This could be dangerous. The Ministry have already acknowledged that the values based system could go against recreational fishers in highly values commercial fisheries. At a public meeting the fishing industry said they were already working with the Ministry to better allow for their full range of values. This will increase their valuations. If they succeed it could be more than paua and crayfish that are given commercial priority. Recreational species like snapper, scallops and hapuku/bass could be lost as well.
- Better information about the amateur catch in shared fisheries is needed for sound management decisions that will ensure sustainability and recognise each sector’s legitimate interests. [22] This will require more effective research and monitoring. Allocation decision making could also be strengthened by getting better information on the relative value of amateur and commercial fishing. [23]
- A basic level of amateur take should be protected through a guaranteed minimum tonnage in each shared fishery, which would have priority over commercial fishing. [24]
- Maori customary take permitted under the customary fishing regulations or regulation 27 or 27A of the amateur fishing regulations should be provided for when setting allocations. [25]
- Amateur and customary values should be more explicitly recognised than they are now in setting the Total Allowable Catch for shared fisheries. [26] Allocating the Total Allowable Catch among the commercial and amateur sectors needs to be a more certain process than it is now. This means providing processes both for resetting baseline allocations [27] and for future adjustments that are aimed at gaining maximum value from shared fisheries. [28]
- Tools for local area management should consider whether exclusion of particular fishing methods or all commercial fishing would lead to an increase in value. [29]
- Redress should be considered for significant shifts in allocation or access. [30]
- Amateur fishers can and should have a bigger role to play in the management of shared fisheries. [31] This could be brought about through a trust that would work to ensure amateur fishers were involved in fisheries management.

The proposals in this paper will require further detailed development if adopted. Putting the proposed shared fisheries management framework into action may take several years. [32]

This paper deals exclusively with the interactions between customary fishing, amateur fishing, and commercial fishing, and how to ensure the best use of New Zealand’s fisheries from these three types of uses. Consequently the proposals do not encompass aquaculture, international fisheries, allocation between fishers and others users of

ocean resources, non-extractive use of fisheries, illegal fishing, or measures primarily intended to ensure that fishing is environmentally sustainable. [33]

### **Footnote introduction**

- “commercial and amateur value, in both quantitative and qualitative terms” – see Minister’s Cabinet letter;

economic activity associated with the harvest from both commercial and amateur sectors...also includes non-market values...’ – see Minister’s Cabinet letter;

- suggests that the so-called “basic level” of amateur take would replace the existing right of New Zealanders to go fishing in the sea without a permit, subject only to regulation as recognised, protected and preserved in the FA?

- ‘..proposed that the revised allocation framework provide that where actual non-commercial customary take is regulated for, it is fully provided before allocation to the amateur and commercial sectors in order to confirm current practice...’ – see Minister’s Cabinet letter;

- allocation approach’ proposed,

but legislation to key sections of the FA proposed.

[21] The public right to fish is a common law right protected by statute not derived from it, it is more than just a basic right. Mfish does not explain the nature and extent of the existing right of all New Zealanders to catch fish for food as mentioned above compared with the “basic right” proposed in the discussion paper.

[22] The public’s ‘legitimate’ interests as amateur fishers have yet to be identified in all fisheries, and include a legitimate and fair process for setting initial allocations in all fisheries we have an interest in.

[23] Identifying amateur fishers’ current catch in a fishery is an attempt to convert amateur fishers’ legitimate interests into a tonnage limited by what amateur fishers catch in depleted fisheries and after those interests have been constrained by bag limit cuts, size limit increases and gear restrictions.

To do this against the background of the lack of constraints on commercial fishing since the introduction of the QMS is unfair. While commercial fishers have had their TACC increased on a number of fisheries, recreational catch has been reduced by bag, size and gear constraints.

[24] A fishery would have to collapse before the suggested ‘basic right’ of 20% of the ‘baseline allocation’ applies. This is not a real priority, and contrary to Moyle’s Promise of preference for the public right to fish.

[25] The FA is explicit by providing that the Minister shall “allow for” customary fishing interests. Not only must the Minister ‘allow for’ sufficient fish to meet the requirements and needs of customary fishing interests, the Minister must ensure there are sufficient fish in the water in the area to be caught.

[It also infers local management.] Allowing for only those fish taken prevents Maori conservation efforts, as conserved fish will be reallocated to commercial and recreational fishers under the proportional allocation model promoted later.

[26] Meaning? Having a proper allowance, or being able to conserve?

[27] Limited to six fish stocks? Why?

[28] What are the MFish's plans for the remaining fish stocks? Will amateur fishers need a multitude of bag limit reductions or size increases where amateur fishers have been under 'allocated'?

[29] Who pays for the research? What are the criteria? Non-tangibles, health benefits, getting kids away from computers, teaching skills, strengthening families and communities. How can these things be valued? MFish has already indicated such 'values' cannot and will not be 'valued' in the new system?

[30] Only commercial fishers will be compensated. The compensation bias will remain.

[31] What does this mean? How will it work? Has the MFish lined up any organisations to fill this role? How will the people be appointed to the trust? Ministerial appointments are a possible concern

[32] If done properly, this would be a far more difficult process than implementing the QMS. Amateur fishers need to ensure that 'allocations' in each fishery have been set by a fair process. Because of the expense of achieving this, full implementation may take decades.

[33] Why is illegal fishing not addressed specifically in this document? The New Zealand taxpayer – the public - is spending possibly hundreds of millions of dollars over time to determine the actual tonnage caught by recreational fishers, yet except in the briefest terms in Section 4.2, illegal fishing is not addressed.

As previously mentioned, corporate fraud is the biggest threat to the QMS, illegal fishing is rife in some fisheries. Simple cost effective solutions are available to address these issues. Every tonne of reduction of illegal fishing leads to an extra tonne of fish that can be lawfully harvested. If New Zealand is to maximise the value of our fisheries then illegal fishing must be addressed as a priority. Similarly, other mortality must be properly quantified for both commercial and recreational interests.

The discussion paper seems to be more concerned with compensating commercial fishers, and capping the recreational catch rather than managing our fisheries as intended by the FA.

## **Having your say**

We are seeking your views on the proposals and options contained in this document. In particular, we would like to know:

- What do you think of the specific proposals raised in this document? Why do you support or not support them?
- Where there are options presented, which option do you favour? Why? Is there another possibility that should be on the list?
- Do you think some of these fisheries management reforms are more urgent than others? What do you think should be the priorities for action? [34]
- What shared fisheries should have the highest priority for attention – particularly under the proposals in section 5.1 of this document?
- What other approaches could be taken to address the issues raised?

You can find out more about the proposals by:

- Coming along to a public consultation meeting. These will be held around the country from November to mid-December. Details for these meetings will be advertised in major metropolitan and provincial newspapers and available on the MFish website.
- Checking the Shared Fisheries pages on the MFish website ([www.fish.govt.nz](http://www.fish.govt.nz)) for background information, questions and answers, and information on the consultation process.

Please let us know what you think before 28 February 2007. You can make your views known by:

- Sending a letter by email to [shared.fisheries@fish.govt.nz](mailto:shared.fisheries@fish.govt.nz) or by post to Shared Fisheries consultation, Ministry of Fisheries, PO Box 1020, Wellington.
- Filling out and returning a submission form available from the website, or from MFish staff at any of the consultation meetings or by calling 0800 666 675.
- Filling out the online submission form on the Shared Fisheries pages of the MFish website.

A summary of submissions will be carried out and made available on the MFish website. Please note that all submissions are subject to the Official Information Act and, if requested, MFish may need to release information in submissions. If you have any objection to releasing information in your submission, please indicate the parts you think should be withheld and the reasons. MFish may still have to release all or part of a submission.

MFish will be updating the Shared Fisheries pages on its website ([www.fish.govt.nz](http://www.fish.govt.nz)) regularly so you can stay up-to-date with the shared fisheries consultation and management reform process.

## **Footnote introduction**

Is there an opportunity to submit counter proposals?

[34] These options appear constrained by MFish's view of fisheries management which is not always aligned with the FA.

For example, it is probably unrealistic to expect that MFish will be able to obtain sufficiently reliable information on the catch of one million amateur fishers? Even if a snapshot of what amateur fishers catch in one year is possible, how does that relate to what they catch in the next year or the following years?

Weather patterns change, the size of fish stocks fluctuate, the movements of fish change from one year to another, recreational fishing is a random exercise that is undertaken without any cognisance of a collective quota or target which has to be achieved.

To an individual fisher it is irrelevant what others are catching in the fishery; the collective allowance is irrelevant to an individual fisher. An increased collective allowance will not make them fish more and a decreased overall allowance will not make them fish less. Amateur fishers fish where and when they want to. The discussion paper fails to recognise the nature and variability of amateur fishers and their activities, and seeks to control something which has not and possibly cannot be clearly defined.

How can submitters possibly be expected to understand the implications of ticking or crossing boxes in a document that fails to adequately explain the consequences of their approval or disapproval?

This discussion paper lulls amateur fishers into thinking that they have caused our depleted fisheries when in fact they have always acted in the interests of the fishery.

This is both 'unfair play' and unreasonable for all amateur fishers, who for 20 years have suffered catch reductions by regulation

This discussion paper fails to recognise the cause of the problems in coastal fisheries by not distinguishing between the customary and amateur fishers on the one hand who have conserved, and commercial fishers who have exceeded their entitlement.

The MFish needs to set TACC's that are capable of constraining commercial catch and then take management action to ensure that those TACC's do in fact constrain commercial catch. Had MFish done as promised there would be sufficient fish in the water for all New Zealanders.

#### **How will final decisions be made?**

MFish will consider the submissions made on this discussion paper, carry out further study and develop recommendations for the Government. This process will involve working with other government departments to ensure that a consistent and coherent approach is taken. Final decisions on reforms, and the nature and timing of implementation, will be taken by the Cabinet in mid-2007. [35]

#### **Footnote introduction**

The intention is for key changes to the FA by end of 2007

[35] Comment on this process

- What certainty does the process give that the views of the majority will be taken into account?
- What prevents the Ministry from choosing what it wishes for the Cabinet paper?

**Key terms used in this paper**

**Amateur fishing:** Public, non-commercial fishing. It includes any fishing under the amateur fishing regulations (except regulation 27 and 27A), whether the purpose of fishing is for recreation, subsistence or leisure. Although the current legislation refers to this as “recreational fishing,” some of it is more in the nature of food gathering. Amateur just means this fishing is not done for money.

**Customary fishing and customary take:** Non-commercial Maori customary fishing recognized and provided for by permits issued under the customary fishing regulations or under regulations 27 or 27A of the amateur fishing regulations.

**Fisheries Deed of Settlement:** The 1992 agreement between Crown and Maori negotiators to settle Treaty of Waitangi claims in relation to fisheries. It resulted in the Crown providing funds to purchase half of New Zealand’s biggest fishing company, Sealord (and is often called the “Sealord Deal”), transferring 20% of all new commercial quota to Maori, and developing regulations to recognise and provide for customary non-commercial fishing. The interim Settlement agreed in 1989 also provided substantial redress through transfer of 10% of all commercial quota existing at that time.

**Fisheries Plans:** Plans approved by the Minister of Fisheries that set out what MFish and stakeholders want from a fishery, and how these objectives should be achieved. The process provides a formal opportunity for stakeholders to have an input at the earliest stage rather than after they are developed by MFish staff. Once approved, a Fisheries Plan will formally establish arrangements to manage the fishery in a particular way.

**Phone-and-diary surveys:** Amateur fishers identified through random national phone surveys. Some are asked to keep diaries of their fishing trips and catches. Information from these surveys and the diarists is used to help assess national amateur fishing patterns and catches.

**Shared Fisheries:** Fisheries where amateur, Maori customary and commercial fishers all have an interest. Changes in management will affect all of these groups. Decisions have to be about finding the best way to manage the whole fishery or stock, not just about managing one group of fishers. Shared fisheries include iconic species such as snapper, blue cod, kahawai, rock lobster and paua.

**Stock:** Fish stocks are defined under the Fisheries Act 1996 for management purposes. A stock is a species in a particular area.

**Total Allowable Catch:** The sustainable limit on annual catch, set for each fish stock. All take by customary, amateur and commercial fishers must be accounted for within this total. An allowance is also made for effects such as that from illegal fishing on the stock.

**Value:** Not just financial or commercial value, but also less obvious or intangible values held by amateur, and customary fishers. Value includes commercial profit and economic activity associated with harvest from the commercial and amateur sectors

such as employment, foreign exchange earnings (exports and international tourism revenue) and retail sales. Value also includes non-market values associated with the ability to provide food for the table, values for customary practice and tradition, the pleasure of a day out on the water, or the sport of testing skills in the hunt. Valuation techniques exist to assess in quantitative or qualitative terms both commercial and amateur value. [36]

[36] Yet MFish stated at a recent public meeting held in Auckland that MFish would have difficulty 'valuing' the intangibles of recreational fishing.