

# Shared Fisheries public discussion paper – an interpretation and summary with comment.

1/12/06

## Foreword from the Minister

1 The *Minister's foreword* sets the scene for MFish's discussion paper.

1.1 *Fishing* is:

- a. *important* to New Zealand and New Zealanders;
- b. a *major component* of our *economy*; and
- c. a central part of our *heritage*, our *culture* and our *national identity*.

1.2 *Fishers* have a *common interest* to ensure the fishery is *managed well* whether to:

- a. earn a living from fishing; or
- b. put food on the table.

1.3 The discussion paper relates to *shared fisheries* used by *customary*, *amateur* and *commercial* fishers.

1.4 The *challenge* is to *manage* our shared fisheries *to ensure* that New Zealand and New Zealanders *get as much value as possible...* today (and) into the future.

1.5 The *ideas* in the discussion paper represent:

- a. *new proposals* to *unlock greater value* from our shared fisheries;
- b. for which *new approaches and decisive action* are required in the face of significant problems.

1.6 All New Zealanders *have* and *will continue to have* a *basic right* to catch fish, but *major changes* are *needed* to achieve:

- a. *greater certainty* in *allocation decisions*;
- b. building *management capacity*; and
- c. produce *more overall value* from the fisheries.

2 Extends an invitation to *fishers to get involved* with the process of getting the:

2.1 *policy*; and

2.2 *legal framework*,

right.

*Comment: The Minister:*

*i. introduces:*

- *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.*

*ii. points to **legislative change** by reference to getting 'the policy and legal framework right.' See also the Minister's letter to Cabinet dated December 2005 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**"*

## **Section One - Introduction**

### **3 Shaping the shared fishery**

3.1 People having their say on proposals *to improve the management* of New Zealand's *shared* – commercial, amateur and customary – *fisheries*:

- a. mainly onshore; but
- b. some offshore fisheries; and
- c. freshwater fisheries.

3.2 *Overall goal of changes* proposed:

- a. *increase* the *value* New Zealanders get from *use of the shared fisheries* in terms of:
  - *money* – commercial sector; but also
  - *food* from a cultural tradition, etc., for amateur and customary fishers;
- b. *Improved management systems* will aim to ensure that the use... *reflects the value placed...* by different groups.

*Comment: the 'overall goal of change' is to increase the value – see definition below*

### **4 Why change things?**

4.1 Shared fisheries under *increasing pressure*.

4.2 Effective *management* currently *undermined* by:

- a. *poor information* on *amateur* catch; and
- b. *uncertainty* surrounding the process for *allocating* available catch between commercial, customary and amateur fishers.

4.3 To secure the future of shared fisheries, *change is required*.

4.4 **Doing nothing** would:

- a. ignore the *environmental risk* of management decisions based on *poor information*;
- b. (result in) costs of ongoing *contention* and *litigation*;
- c. (results in) loss of value (*associated with inadequate incentives* to protect and improve shared fisheries).

[Comment:

i. *points to amateur fishers exercising their right to fish*;

ii. *says:*

- *'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*;

ii. *apart from the above, no discussion on the cause of the state of New Zealand’s fisheries*;

iii. *no explanation of the existing nature and extent of the right of all New Zealanders to catch fish for food 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*;

iv. *‘doing nothing’ -again expresses an intention of reform.]*

4.5 **Ultimate aim** of shared fisheries management is:

- a. to provide *opportunity* for New Zealanders to get the **best value** – financial and other values from the use of our fisheries;
- b. an **overriding need** to protect the **sustainability** of our fisheries’ resources.

[Comment: *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.*]

4.6 An **absence** of too little/good **information** makes it difficult to:

- *assess the value* of fisheries to **customary** and **amateur** – who is catching what, where and when;

[Comment: *that is, how much fish customary and amateur are taking, and assess economic and ‘non-market’ values to both of catching fish? compare this approach with ‘social, economic and cultural well-being’ in section 8 FA]*

- *manage the fisheries sustainably.*

[Comment:  
/ the most fish – **best value** - from our fisheries?]

4.7 A **main objective** is to **strengthen management** by:

- a. **better information** for use of the fisheries;
- b. **improving** how **value is distributed**.

[Comment: **strengthen management** – linked to obtaining the '**best value**'?]

4.8 **Lack of definition** of **rules** for **allocation** results in:

- a. fishers from **all sectors** being *concerned* over their *future access*;
- b. *discourages conservation and co-operation* because *one group* is worried its benefits will be lost to another group in the allocation;

[Comment:

i. repeats the “uncertainty surrounding...allocation.. ’ and concerns expressed about this from ‘all sectors’; but

ii. *directions on how recreation fishers consider the Minister must ‘allow for’ non-commercial fishing interests is hoped for from the Kahawai judicial review;*

ii. *signals a new approach by all sectors being in the ‘allocation’ process – see also Minister’s letter to Cabinet]*

4.9 **Main objective** – a **better allocation process** that takes into account differing fishing values.

[Comment: i. again refers to customary and recreational fishers as part of the ‘allocation’ process of quota for commercial fishers;

ii. 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)]

## About this paper

- 5 Contains **ideas** approved by Cabinet which *can be changed* in response to *public feedback*.

*Comment: already approved by Cabinet – see Minister’s letter to Cabinet dated December 2005*

- 6 Some **clear ideas** are put forward as **proposals**.

*[Comment: those ideas MFish sees as having a prospect of achieving reform for the ‘overall goal’ to maximise value’?]*

- 7 Others (ideas) as a *path* that could *usefully* be taken.

### 8 **Proposals and options are intended to:**

- 8.1 Section 2 – generate **better information** on **catch** and **value**.

*[Comment: directed mainly at recreational fishers]*

- 8.2 Section 3 – enable the **TAC** to be set at **levels** that will **raise the overall value** obtained from shared fisheries.

*[Comment: particularly of “commercial and amateur value, in both quantitative and qualitative terms” – see Minister’s Cabinet letter]*

- 8.3 Section 4 – provide **guidance and rules** for **allocating** the TAC.

*[Comment:*

*i. Minister’s Cabinet letter refers to an ‘allocation approach for the **amateur** and commercial sectors;*

*ii basic level of amateur take]*

- 8.4 Section 5 – provide:

a. Mechanisms to **reset amateur and commercial allocations** of the TAC **key fisheries**; and

b. For **ongoing adjustments** to allocations **all** shared fisheries;

*[Comment:*

*i. reset ‘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;*

*ii. ongoing adjustments to all fisheries,*

*legislative change required.]*

8.5 Section 6 – allow for *focused management* of **specific local areas** of *shared fisheries*.

[Comment: Minister’s Cabinet letter refers to ‘new legislative tools’ for such areas,

8.6 Section 7 – possibility of **redress** for **commercial fishers** where *significant adjustment* costs associated with:

a. *allocation* decisions; or

b. *access* decisions.

8.7 Section 8 – **greater** *capacity* for **amateur** fishers to **participate in management** of shared fisheries.

## 9 **Key ideas**

[Comment: those put forward as proposals in the discussion paper]

9.1 All New Zealanders have a **basic right** to catch fish.

[Comment: 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.]

9.2 *Management* to produce **best value** – both *financial* and *other values*;

[Comment: or, “commercial and amateur value, in both quantitative and qualitative terms” – see Minister’s Cabinet letter]

9.3 **Better information** on the **amateur** catch needed for:

a. sound management decisions that will ensure *sustainability*;

b. recognize each sector’s *legitimate* interests;

c. more effective *research and monitoring*;

d. better information on **relative value** of *amateur* and *commercial* fishing will *strengthen allocation* decision making.

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

9.4 **Amateur** take - *protection of a basic level of amateur take* by a guaranteed *minimum tonnage*:

a. in each shared fishery;

b. having *priority* over commercial fishing

[Comment: 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?]

9.5 Maori **customary** (customary fishing regulations or regulation 27 or 27A of Amateur Fishing Regulations) **should** be provided for when setting allocations.

[Comment: i. Maori customary non-commercial fishing interests are already provided for under the Fisheries Act in that the Minister “shall allow for” such interests in setting the TACC :s21:

ii. ‘..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]

9.6 More **certainty** required in **allocating the TAC** among *commercial* and *amateur* fishers by:

- a. **resetting** baseline allocations;
- b. future **adjustments**; and
- c. to **gain maximum value**.

[Comment: ‘allocation approach’ proposed]

9.7 **Local area management** consider whether *exclusion of*:

- a. particular *fishing methods*; or
- b. *commercial fishing*.

would lead to an **increase in value**.

9.8 **Redress** for **significant** shifts in:

- a. *allocation*; or
- b. *access*.

9.9 **Amateur** fishers should have a *bigger role in management* through a **trust**.

10 **Proposals** in the discussion paper if adopted will:

10.1 require further *detailed development*.

10.2 take *several years* to put a management framework in place.

[Comment: but legislation to key sections of the FA proposed]

11 Discussion paper:

11.1 deals with:

- a. *customary*;
- b. *amateur*; and
- c. *commercial fishing*, and

how to **ensure the best use** of New Zealand’s fisheries from these three uses;

- 11.2 *does not include* aquaculture, international fisheries, allocation between fishers and other users of ocean resources, non-extractive use of fisheries, illegal fishing or measures primarily intended to ensure that fishing is environmentally sustainable.

### **Having your say**

- 12 MFish:
- 12.1 is seeking *thoughts* on the ***specific proposals***;
- 12.2 asks why people *support* or *do not support*?
- 12.3 asks option(s) favoured, why and any other possibility?
- 12.4 asks are *some* fisheries management *reforms* more *urgent* than others?  
*Priorities* for action?
- 12.5 *what* shared fisheries should have the *highest priority* for attention – section 5.1?
- 12.6 *Other approaches*** to address the issues raised?

*[Comment: opportunity to submit counter proposals]*

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

- 13 MFish will:
- a. *consider* the *submissions*;
  - b. carry out further *study*;
  - c. *develop recommendations* for the Government; and
  - d. work with *other government departments* to ensure a consistent and coherent approach.
- 14 Final decisions on ***reforms***, and nature and timing of implementation will be taken by Cabinet mid-2007.

*[Comment: intention is for key changes to the FA by end of 2007]*

## **Key terms used in the discussion paper**

### **15 Amateur fishing**

15.1 public, *non-commercial* fishing;

15.2 fishing under the *amateur regulations*, except regulations 27 and 27A, whether for:

- a. recreation;
- b. sustenance (food); or
- c. leisure;

*[Comment: Fisheries (Amateur Fishing) Regulations 1986, and other amateur fishing regulations]*

15.3 referred to as *recreational fishing* in the FA, some is more in the nature of *food gathering*;

15.4 *amateur* means fishing *not done for money*.

### **16 Customary fishing and customary take**

16.1 *non-commercial Maori customary* fishing by permits under customary fishing regulations 27 or 27A of the amateur fishing regulations;

16.2 *Fisheries Deed of Settlement*

1992 Agreement between the Crown and Maori *negotiators* to settle Treaty of Waitangi claims in relation to fisheries;

*[Comment: Deed of Settlement dated 23 September 1992; Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 – relates to claims by Maori in respect of commercial fishing with on-going obligations by the Crown to Maori in respect of non-commercial fishing ]*

- a. Crown provided funds to Maori to purchase half of Sealord transferring 20% of all new commercial quota to Maori;
- b. *developing regulations* to recognise and provide for *customary non-commercial* fishing;
- c. *interim 1989 Settlement* provided substantial redress through transfer of 10% of all commercial quota at that time.

### **17 Fisheries Plans**

17.1 plans *approved* by the Minister providing:

- a. what *MFish* and *stakeholders* want from a fishery;
- b. *how* these *objectives* should be *achieved*.
- c. *formal opportunity for stakeholders* to have *input* at an early stage before development by *MFish* staff;

- d. an approved Fisheries plan would establish arrangements to manage fishery in a particular way.

[Comment: application of s11A FA?]

## **18 Phone-and-diary surveys**

18.1 *amateur fishers*;

- a. identified through *random* national phone surveys;
- b. *some* asked to keep *diaries* of fishing *trips* and *catches*.
- c. information from surveys and diarists used to help assess *national amateur fishing patterns* and *catches*.

## **19 Shared fisheries**

19.1 Fisheries where *amateur*, *Maori customary* and *commercial* fishers *all* have an *interest*;

19.2 *changes in management* will effect all these groups;

19.3 decisions have to be about finding the *best way to manage* the whole fishery stock, *not* just managing *one group of fishers*;

19.4 include *iconic* species such as snapper, blue cod, kahawai, rod lobster and paua.

## **20 Stock**

20.1 *fish stocks* defined under the FA for *management* purposes;

20.2 a *species* in a *particular area*.

## **21 Total Allowable Catch (TAC)**

21.1 *sustainable* limit on annual catch set for each fish stock;

21.2 all take by *customary*, *amateur* and *commercial* fishers must be accounted for within the TAC;

21.3 an *allowance* also for effects such as that from illegal fishing on the stock.

[Comment: see section 13 – TAC to maintain the stock at or above a level that can produce *msy*, or mechanisms to enable any stock below *msy* to be restored – referred to in the Minister’s Cabinet letter ]

## **22 Value**

22.1 *financial* or *commercial* value;

22.2 less obvious or *intangible* values held by *amateur* and *customary* fishers;

22.3 includes:

- a. **commercial profit and economic activity** associated with *harvest* from *commercial* and *amateur* sectors – employment, foreign exchange earnings (exports and international tourism revenue), and retail sales;
- b. **non-market value** associated with ability to *provide food*;
- c. **customary** practice and tradition;
- d. **pleasure** of a day out on the water;
- e. **sport**.

Refers to existing valuation techniques to assess *quantitative* or *qualitative* value of both commercial and amateur.

[Comment: **value** to amateur and customary fishers in **economic** as well as so called 'non-market' terms?]

## Section 2 – Getting better information on catch and value

23 *Any effective management system* depends on:

23.1 good *information*;

23.2 in fisheries, knowing *who* is catching *what*, *where* and *when*.

### 24 **Information**

24.1 *commercial* – legally required reporting.

24.2 *customary* – obligation to report under customary fishing regulations – efforts being made to improve as regulations taken up by iwi.

24.3 *amateur*:

a. mainly by *surveys*;

b. to date two major *phone-and-diary* surveys of *random* samples of New Zealand's population;

c. *expensive* and *time consuming* producing *uncertain* catch estimates – survey differential by up to 300%;

d. *more accurate* results *needed* for effective management where *amateur* take represents a *significant proportion* of total take.

e. *better information* essential to *properly recognise* *amateur* interests and take into account *effective management*.

### 25 **Charter boats**

25.1 need for *information* on recreational *charter boats* catch;

25.2 *iwi*, *commercial* and *some* amateur fishers have *concerns*;

25.3 charter fishing operators *not subject* to specific *regulations*;

25.4 *effects* of *charter fishing* on the resource not clear;

25.5 charter operators can provide *accurate information*.

### 26 **Value**

26.1 information on *value* to commercial and amateur fishers:

a. important to improve *overall value* from shared fisheries.

b. *vital* for *implementation* of *some* proposals in the discussion paper.

[*Comment: every fish accounted for and allocated approach? v 'social, economic and cultural well-being' s 8 FA – is there a difference? If so, why propose a change?]*

### 27 **Proposal A - more survey and monitoring work**

27.1 MFish concentrating on *new information-gathering methods*:

- a. flights over specific areas to count boats;
- b. boat-ramp surveys to count catch.

These methods are *limited to* relatively *small, high-use areas* of boat-based fishing.

27.2 MFish would:

- a. *develop* and *expand* ***over-flight*** and ***boat ramp*** surveys;
- b. *carry out* more *detailed analysis* of existing data;
- c. still carry out *phone-and-diary* surveys but with ***improved methodology*** and *supported* by other survey data.

27.3 *Supplement* these methods by:

- a. *seeking information* (e.g., through *fishing clubs*) on effort and take of *regular* fishers.
- b. *gain information* about *fishing effort* through increased use of *web-cams* at boat ramps and other places.
- c. *add fishing questions* to the *census* and *three-yearly household economic survey*.

## 28 **Proposal B - reporting for recreational charter operations:**

28.1 The elements of this proposal are:

- a. MFish will hold a ***register*** of all *charter boat operators*;
- b. charter boat operators to ***regularly report*** on the:
  - catch; and
  - effort,by amateur fishers on their boats;
- c. the ***information*** on catch and effort would be used to:
  - *monitor* fishing pressure on specific popular sites; and
  - if necessary, take *management action to protect* vulnerable species such as groper;
- d. *charter boat registration* would be likely to involve a *charge* to offset administration costs;
- e. MFish says there is *no intention* to bring charter fishing into the *QMS*.

## 29 **Proposal C - estimating relative values for commercial and amateur fishing**

- 29.1 *Aim of improved management of shared fisheries – to ensure that New Zealanders get the **greatest possible value**.*
- 29.2 Difficulty – different user groups *value* for shared fisheries *differently*:
- a. **commercial** users - *dollars and cents* measurement of *economic* activity.
  - b. **customary** and **amateur** – *values* such as *cultural* practice or enjoyment.
- [Comment: **customary** and **amateur** – *values* – *food* which include *being on the water etc*]
- 29.3 To determine greatest value:
- a. *assess and measure values* against each other;
  - b. *not an absolute science* – *economists* have developed *techniques*.
- [Comment: *value to amateur and customary fishers in economic terms?*]
- 29.4 This proposal - effort to:
- a. *develop and adapt methods* to produce useful **valuation** *information* about shared fisheries;
  - b. use these *methods* to *assess* **relative values** for commercial and amateur sectors in *specific fisheries*;
  - c. so *this information could be taken into account* in management decision making.

### **Section 3 – setting the total allowable catch (TAC)**

- 29.5 TAC:
- a. described in *tonnes*;
  - b. *controls harvest*;
  - c. main means of *affecting* fish stock *levels*.
- 29.6 *Each stock* has its own TAC from which **allocations** ... *for the customary, amateur and commercial sectors* are made.
- 29.7 **Setting the TAC**:
- a. influences the *size* of the *stock*; and
  - b. therefore the *yield, abundance* and *size* of fish available to be caught.
- 29.8 **Differing views** on what *fish stock levels* should be.
- 29.9 **Standard practice** (of MFish) to manage stocks at *Maximum Sustainable Yield (msy)*:
- [Comment: *Minister’s Cabinet letter* – ‘*managing stocks at higher levels is difficult*’]

*under the current provisions of the (FA) as this is not strictly necessary for sustainability reasons alone...and a significant disadvantage to the commercial sector’;*  
*refers to more fish above msy, and less below msy but higher yield]*

a. lets *fishers* catch *greatest amount* of fish in a *sustainable* way;

*[Comment: lets fishers – commercial or recreational or customary fishers....?]*

b. often suits *commercial* fishers well;

*[Comment: ‘often’ v ‘always’ suits commercial fishers ?]*

c. amateur and fishers *often regard* fish size and abundance as important.

*[Comment: ‘often’ v ‘always’ regard - amateur and customary fishers value size and abundance ?]*

*[Comment: section 13 requirements – ‘standard practice’ referred to in the discussion paper?]*

29.10 *Size and abundance* can be improved by:

a. letting the stock level *increase*;

b. this means *smaller amount* of fish can be taken *sustainably* each year.

*[Comment: query this statement – compare with fisheries management in accordance with the full and proper use of the FA purpose of sustainable use (reasonably foreseeable needs of future generations, and to enable people to provide for their social, economic and cultural well-being; FA environmental and information principles; FA management tools and mechanisms)]*

29.11 Two *proposals* to provide *greater flexibility*:

a. **setting** the **TAC** for **shared fisheries**.

b. **better recognise** the importance of *amateur and customary values*.

*Both proposals* could be implemented.

*[Comment: determination of so-called ‘values’ – see section 5, Proposal B]*

30 **Proposal A - setting the TAC for a stock level above that which achieves msy**

30.1 Set the TAC to increase stock level *above msy*.

30.2 Would mean *smaller quantity* of fish *could be taken* each year, but *more and larger* fish, and so *possibly* easier to catch.

*[Comment: ‘probably’ easier to catch for amateur fishers (and commercial fishers?)]*

30.3 This **proposal** would be taken **only** where:

a. managing **above msy** would lead to an **increase in overall value**.

- b. involve a *trade off* between:
  - *commercial* demand for *greater yield*; and
  - *amateur and customary values* for *bigger fish* and *higher catch rates*.
- c. Need to *forego* some of the total catch by all sectors *to rebuild and maintain* higher stock level.

[Comment: forgo – future catch or cuts?]

31 **Proposal B - Setting TAC and depleted fisheries to allow faster rebuild times**

31.1 Where stock levels are below *management targets*, a *stock rebuild strategy* is needed.

[Comment: management target levels?]

31.2 **Rebuild:**

- a. *generally requires cuts* in current catches to *take pressure off* stocks.
- b. *bigger* the cut the *faster* the likely rebuild.

[Comment: cuts by whom, and how?]

31.3 **Longer rebuild times favoured by commercial sector:**

- a. because *reduced catch* means *reduced incomes*;
- b. to *reduce* that *impact*.

31.4 In *shared fisheries* a *longer rebuild* time may mean:

- a. *value* available to *customary and amateur* is *lower* for longer;
- b. for *important* shared fisheries a *constraint* on target *rebuild times* may *help to increase overall value*.

[Comment: target rebuild times ?]

31.5 **This proposal** – setting the TAC to allow:

- a. *rebuild* of a *depleted* fishery *more quickly* to *target levels*;
- b. within a *specified maximum* number of *years*.

[Comment: target levels ?]

31.6 **Rebuild times:**

- a. would *vary* from *species* to *species*.
- b. *depend on the biology* of the *species*, and *state of* the fishery.

31.7 Note – above proposals applied on a *case by case basis* if *doing so* would produce an *increase in value* obtained.

*[Comment: 'value' assessment – what, how much and to whom?]*

## Section 4 – priorities for allocating the TAC

32 Present *allocations* approach in *shared fisheries lacks certainty*.

[Comment:

i. query how MFish presently applies section 21 to “allow for”(not ‘allocate’ as for quota under the quota management system – QMS) non commercial fishing interests - information on non-commercial catch, and pressure from commercial fishers;

ii. possible s21 directions from Kahawai judicial review.]

32.1 **Clarification** sought by MFish in:

a. **priorities** in the **allocation** process;

b. **criteria** for **changing allocations** between sectors.

[Comment: i. again, reference to section 21 FA – full and proper application of the purpose, principles and fisheries management tools of the FA:

ii. present ability to ‘change allocations’]

c. the **allocation proposals** and options intended to **increase certainty**:

d. **protect the basic right** of the public to go fishing;

[Comment:

i. does not explain the present right of all New Zealanders to catch fish for food not for sale without a permit as regulated by amateur fishing regulations as recognised, protected and preserved in the FA;

ii. intention to include amateur in the ‘allocation’ process the so-called ‘basic right,’ – see Minister’s Cabinet letter]]

e. **clarify** the provision for **Maori customary food** gathering to recognise (the Crown’s) obligations under the Fisheries Deed of Settlement.

33 **The ‘basic right’ to catch fish – section 4.1**

33.1 Refers to *many New Zealanders*:

a. **feel** that the **freedom to cast a line** to catch a fish is a **cultural tradition** to be maintained.

[Comment: as noted above, no explanation of the existing right of New Zealanders to fish for food not for sale without a permit as regulated by amateur fishing regulations, recognised, protected and preserved in the FA].

b. are **concerned** that **changes to the management of shared fisheries** might mean **restrictions or limitations** on this tradition.

[Comment: this statement:

i. again does not explain the existing ‘right’ of New Zealanders to fish, as above;

ii. refers to such 'right' as a 'tradition' rather than fishing for food being a 'public right' which is 'part of the New Zealand way of life';

iii. refers to concerns that fisheries management changes – those proposed in the discussion paper? – may threaten such 'right' – perhaps a reference back to 'increasing (unspecified, that is threatened by the effects of either commercial fishing or amateur fishing) pressure' in Section 1, Why change things? - from (unexplained) changes to the management of fisheries]

33.2 The discussion paper notes that '**this value**' (of the freedom to cast a line to catch a fish (as) a cultural tradition) is part of **New Zealand's national identity** and **should be protected**.

[Comment:

i. is 'the freedom to cast a line to catch a fish...' under threat?;

ii. MFish, in the discussion paper, is proposing ways to recognise and administer not the present right of New Zealanders to fish, but a **new** 'basic right'?

iii. Government's National Identity theme - Minister's Cabinet letter]

33.3 **Proposal** – intended in the **new regime** to reassure amateur fishers that '**the basic right**' to catch fish will be:

a. **retained**;

b. **protected**.

[Comment: This i. again does not explain the existing public right to fish, but instead uses the term 'the basic right' as described in the proposal;

ii. refers to the legislative reform – '**the new regime**' - which, as explained in the proposal would include 'the public right' to fish as part of the allocation of the TAC process]

#### **34 Proposal – priority for amateur fishing over commercial fishing**

34.1 The *Government* would:

34.2 **protect**; and

34.3 **maintain**,

'**a basic level**' of *amateur take* by establishing a *minimum tonnage* for the amateur sector in each shared fishery.

34.4 This **basic level/minimum tonnage** for amateur fishers would:

a. have **priority** over the *commercial take*;

b. be **reduced only** all commercial fishing *had already ceased* in the fishery, and a *further reduction* in take needed to ensure *sustainability*.

- 34.5 Suggests a minimum tonnage for each stock *at 20% of the baseline amateur allocation* in each fishery. Section 5.1 of the discussion paper is referred to.
- [Comment: i. this is the modification proposed by MFish to the existing right of New Zealanders to fish for food not for sale without a permit as regulated by amateur fishing regulations, recognised, protected and preserved in the FA;*
- ii. a 'key' part of the discussion paper]*
- 35 **Customary take – 4.2**
- 35.1 Under the FA:
- a. must be conducted *in accordance with permits* issued under **regulations**; and
  - b. *not for sale or trade.*
- 35.2 **Customary** take:
- a. is already **highly regulated**; and
  - b. represents a **small percentage** of the overall shared fisheries take.
- 35.3 The **permits** require:
- a. *quantity, area, method and species* to be specified;
  - b. either **reporting or recording** of take; and
  - c. can only be *issued* to **persons approved** by *tangata whenua* (known as *kaitiaki*), and notified to the Minister.
- 35.4 The Minister retains the *ability to constrain* customary take for **sustainability** purposes.
- [Comment: i. 'social, economic and cultural well-being' criteria in the definition of 'utilisation' in section 10 FA ?;*
- ii. present ability to constrain for recreational and commercial].*
- 35.5 MFish says that the FA does **not** provide **clear guidance** on how the Crown's **obligations** under the **1992 Deed of Settlement** need to be effected in the provision made for customary fishing when *allocating the TAC*.
- [Comment: i. reference to s21FA;*
- ii. does not say how the Minister must 'allow for' customary non-commercial fishing interests when 'setting or varying' TACC;*
- iii. consider the purpose – sustainable utilisation – and environmental and information principles contained in the FA which when combined with the other fisheries management tools and mechanisms contained in the FA provide the 'guidance' MFish refers to;*
- iv. refer also to the awaited outcome of the Kahawai judicial review].*

36 **Proposal – Clarify provision for Maori customary take**

36.1 *MFish's proposal* is that:

- a. *allocation rules* should *specify* that *actual customary take* authorised under the Customary Fishing Regulations (or regulation 27 or 27A of the Amateur Fishing Regulations):
  - is to be *provided for before allocation* to the amateur and commercial sectors;
  - in order to *align the FA* with the Crown's obligations created by the *1992 settlement*;

MFish says that this would be consistent with MFish practise.

[Comment:

i. language different from that used in the FA, namely, quota under the QMS is 'allocated', whereas non commercial fishing interests such as customary and recreational are 'allow(ed) for' when the Minister sets or varies the TACC;

ii. *intention to include 'recreational' and 'commercial' in allocation - Minister's Cabinet letter*].

36.2 When *reporting or records* suggests the *authorised* customary take *exceeds the allowance* made by MFish:

- a. the customary allowance would *increase*;
- b. *subject to overall sustainability* limits ultimately set by the Minister.

36.3 MFish says that there *could be some increases* in *customary* take where *inshore fisheries* that are *important* to Maori are *rebuilt* from *depleted* states.

[Comment:

i. *'could' be some increases.....*;

ii. *MFish's intention is to 'allow for' only for fish reported or recorded as part of the customary take, namely, actual take, possibly to eliminate the gap MFish sees between what the Minister presently 'allows for' for customary against reported or recorded take*;

ii. *consider – practice of kaitiakitanga may explain low reported/recorded take?*].

36.4 *Illegal take*:

- a. MFish:
  - i. sees illegal take as a *significant problem* in certain shared fisheries;
  - ii. says *specific initiatives* are underway to reduce (this problem);
  - iii. *estimates* of illegal take are allowed for before allocating the available catch.

*[Comment: does not explain whether commercial fishers, or recreational fishers, or customary fishers are considered by MFish to be illegally taking or catching fish?]*

36.5 *Managing customary* take:

- a. MFish says:
- i. a **record of take** is **needed**:
    - to ensure the **allowance** reflects **actual** take; and
    - so that a **response could be made** should reported customary take exceed the allowance.

*[Comment: response?]*

- b. **allocation** for customary take requires the *setting* of allowances within the TAC;
- c. concerning **reporting**, MFish says:
  - i. *some* reporting of actual take is *incomplete*;
  - ii. MFish makes *assessments* of *likely harvest* based on criteria and available information;
  - iii. *improved reporting* is *required* to ensure that *information* on total take is as *complete as possible* so that the sustainability of the resource can be protected.

*[Comment:  
no explanation of the Minister's obligation 'to provide for the input and participation' of tangata whenua on sustainability measures both under s12 FA (and regulation 14 of the customary regulations) and to have particular regard to 'kaitiakitanga']*.

36.6 *Managing amateur* take:

- a. MFish says:
- i. amateur take will continue to be managed *using*:
    - bag limits;
    - minimum legal sizes; and
    - gear restrictions.
  - b. as information is improved **changes** may be necessary to these *settings* to ensure the total amateur take for a stock does not exceed the amateur allocation.

*[Comment:  
consider – having modified the present right of all New Zealanders to catch fish for food recognised, preserved and protected in the FA – by the proposal referred to in*

*section 4.1 of the discussion paper – MFish would also use these measures – bag limits etc - to manage the public’s right to fish at the new modified and lower level?]*

36.7 *Managing commercial* take:

- a. under the *QMS*, all commercial catch must be:
  - i. *reported*; and
  - ii. *counted* against the Annual Catch Entitlement (*ACE*) held or a deemed value.
- b. MFish expresses *two concerns* in some shared fisheries:
  - i. *commercial operators* have *regularly exceeded* the TACC – management changes to the deemed value regime are under discussion and have good potential to bring commercial over-catch more strictly under control;
  - ii. accountability for *fishing mortality* which could be improved by changes such as removing minimum legal sizes so all catch is counted against the commercial ‘allocation’, changes in fishing practises to avoid unwanted catch.
- c. MFish says this *could promote faster stock rebuilds* and so *reduce the severity of any cuts* to the TAC.
- d. MFish refers to:
  - i. various *controls* already possible under the *current management framework*; and
  - ii. *fisheries plans* would provide a good context to evaluate further controls.

*[Comment:  
does not explain whether ‘current management framework’ means the purpose, principles and fisheries management tools under the FA, or MFish policy to administer the FA].*

## Section 5 – Setting and adjusting amateur and commercial allocations

37 *Allocating* available catch *between* amateur and commercial sectors difficult because of the difference in perspectives.

38 *Some* amateur fishers have said:

38.1 *Amateur* fishers should have *priority* over commercial fishing.

38.2 *Their key concern* is *past allocation decisions*:

- a. based on *catch* in *depleted stocks*;
- b. which have *significantly disadvantaged amateur* fishers.

[*Comment: some?.....*]

38.3 *Commercial fishers* argue:

- a. commercial fishers have *legitimate existing rights* to a proportion of the TAC;
- b. *any reallocation* to amateurs should be *fully compensated*;
- c. argue for a *proportional* approach restricting amateur and commercial fishers to *fixed shares* of the TAC.

39 *Neither* – amateur or commercial – *approach*, if applied rigidly, *would likely create* the *most value* for shared fisheries.

40 The paper says it is important that *initial allocations* in *key fisheries* *could be reset* because of:

40.1 *different interests* at stake;

40.2 perceptions that *current allocations* are *not reasonable*.

[*Comment: ‘initial allocations in key fisheries could be reset’*]

41 *Resetting* and *adjusting* shared fisheries *allocations* to commercial and amateur sectors are set out in this part.

[*Comment: does not explain or compare with the present approach of “allowing for” non-commercial interests in setting or varying TACC, and “allocating” quota to commercial fishers*]

42 **Baseline allocations – Section 5.1**

42.1 *Some* fishers challenge the *fairness* of *current shares* in the TAC.

[*Comment: “some”? – reference to amateur fishers and the way in which the Ministry has/has not been ‘allowing for’ non-commercial interests*].

- 42.2 Moving to a ***more effective management system*** for amateur and commercial fishers, the ***baseline (or starting point) allocations*** for *important* shared fisheries may need ***adjustment***.
- 42.3 Suggested *options* for a process to determine ***base line allocations*** between amateur and commercial fishers:
- a. are likely to be *costly*;
  - b. need to be ***constrained*** to a *nominated list* of ***'key'*** fisheries.
- 42.4 For *other* shared fisheries [*presumably not 'key' fisheries*] *base line allocations* could be based on:
- a. ***existing allowances***; or
  - b. a set of *rules agreed* as part of a ***fisheries plan***.
- 42.5 *Subsequent changes* to allocations would be made in accordance with the approach chosen for ***ongoing adjustments*** under options described in Section 5.2.

#### 43 **Options for resetting amateur and commercial allocations in 'key' fisheries**

##### 43.1 ***Option A – reset allocations following an independent assessment***

- a. ***Independent*** panel or person to assess:
  - *historical* evidence;
  - *submissions* in a *particular shared fishery* to *determine* whether *current allocations* were *reasonable*.
- b. An *assessment*, and *potential subsequent adjustments* that *took account of* past management decisions on *current shares*:
  - could *increase value*;
  - may *assist to generate greater legitimacy*.

[*Comment: meaning of term 'to generate greater legitimacy'?*]

- c. *Recommendations* would be made to the Minister on:
  - a *baseline allocation*;
  - *process and time frame* to achieve that.

##### 43.2 ***Option B – reset allocations following a study in the commercial and amateur sectors***

- a. A ***valuation study*** considering:
  - ***commercial*** fishing *values*;
  - ***non-commercial*** fishing *values*;

- to estimate *highest value allocation* for *particular fisheries*.
- b. *Adjustments* – might be needed if a discrepancy between:
- *existing* allocation; and
  - allocation *expected*,
- to *maximise value*.

#### 43.3 *Option C – reset initial allocations following a negotiation process*

- a. *Agreements on allocations* would be:
- *negotiated* by representatives of *amateur* and *commercial* sectors.
  - need to be *properly ratified*.
- b. Agreements might include:
- *TAC*;
  - *rebuilding periods*;
  - *criteria* or *rules* for future adjustments;
  - *area management* issues.
- c. *Negotiations*
- would: allow parties to *air their concerns*;
  - would: offer scope for a wide range of *trade-offs*,
- that should lead to an *increase* in the *overall value* of shared fisheries;
- might set the stage for *future direct negotiation on adjustments*.
- d. A fall back Government position if negotiations failed - ought to involve *resetting allocations based on valuations as an option B*.

[Comment:

i. *all of these options contemplate a different – ‘allocation’ approach from the requirement on the Minister to ‘allow for’ non-commercial interests in setting the TACC by effectively allocating a share of the TAC to amateur fishers but without quota;*

ii. *notwithstanding the sustainable use purpose (including providing for the social, economic, and cultural wellbeing of New Zealanders), environmental and information principles, and the wide range of fisheries management tools in the FA, MFish:*

- *is expressing the view, in both Options A and B, that the FA (including judicial comment on the FA) does not contain enough detail how to manage New Zealand’s fisheries according to the purpose and principles, and*
- *wants that re-assessed which will lead to fixed shares in the fisheries for commercial and amateur fishers respectively].*

- 44 **Costs** – because of costs of these *processes* MFish:
- 44.1 says that they would need to be *restricted* to a *limited number* of fish stocks – perhaps *six*;
- 44.2 seeks *views* on the *highest priority* stocks;
- 44.3 says *significant changes* to *allocations* would:
- a. likely require an *adjustment period* from present allocation; and
  - b. need to be *provided for* in the decisions or agreements on *allocations*.
- 44.4 Whichever option is chosen – establishing *baseline allocations* over *all shared fisheries* would *take time* but would *start as soon as approved* by the Government.

45 **Ongoing adjustments – section 5.2**

The discussion paper contemplates possible *changes* to *commercial* and *amateur allocations*.

- 45.1 *Clear rules* on *adjustments* under the new framework would:
- a. increase *certainty*;
  - b. strengthen *incentive to conserve* stocks and for sectors to *co-operate* in management;
- 45.2 *Adjustments* might be *considered*:
- a. when there were *changes to the TAC*;
  - b. to account for *changes in allowances for customary fishers*;
  - c. when *significant changes* were detected and *relative value* between commercial and amateur sectors;
- 45.3 An *approved fisheries plan* – might include *rules* for *ongoing adjustment* between commercial and amateur sectors.
- 45.4 Options suggested by MFish for *ongoing adjustment* where there is **no**:
- a. such *Fisheries plan*;
  - b. *approved set of rules* to *reset* allocations as described in section 5.1.

46 **Option A - Proportional adjustments**

- 46.1 *Changes* would be *spread* between *commercial* and *recreational* sectors in *proportion* to their *existing* allocations.

MFish says this would:

- a. produce *predictable outcomes*;
- b. give *increased certainty*;

- c. be relatively *inexpensive* to put in place.
- 46.2 **A variation** – proportional adjustments subject to *agreed rules* on apportioning *changes*.
- for example: one sector – say, commercial – may *offer* not to fish a *portion of its allocation* to rebuild fishery, and an agreed rule that – say, commercial – receive *all*, or most (not just a proportion), of the corresponding *future gain*.
- 46.3 **Without agreed rules** proportionality may discourage one sector to:
- a. conserve; or
  - b. build up the fishery, **but**
- 46.4 **A proportional scheme** may encourage parties to:
- a. establish rules; or
  - b. work together to conserve.
- 46.5 **Proportional adjustments** - unlikely to be *acceptable* where *perceptions* that *baseline allocations* not set by *reasonable process*;
- 47 **Option B – Value Based Adjustments**
- 47.1 Government decisions to *adjust allocations* could be based on *estimates* of the **marginal value** of fish – value of next fish caught;
- 47.2 **Estimates** would take into account *commercial* and *non-commercial values*;
- 47.3 **Adjustment** to allocations – made where assessments indicated that **overall value** would be increased.
- 47.4 **Value based approach**:
- a. might encourage *consideration and development* of *transaction-based* (sale and purchase) allocation arrangements;
  - b. to *ensure values* accurately represented;
  - c. stakeholders would *probably see* sale and purchase arrangements:
    - as a *truer test* of value;
    - than [*as opposed to*] allocations based on *research estimates* of value.
- 48 **Option C - Combination Model**
- 48.1 **Option A - proportional adjustments** – would be the **default position**.
- 48.2 **Valuation information** where available would be used to *shift allocations* where the *greatest overall value* created.

49 MFish favours **direct negotiation** between amateur and commercial sectors over *allocation changes* in shared fisheries for which:

49.1 **negotiations** would need to be governed by *strict conditions*;

49.2 **decisions** would:

- a. be made by *representative bodies*;
- b. need *good information* on *amateur* catch;
- c. *customary* sector *isolated* from the effects of transactions.

MFish notes the *unlikelihood* of these conditions being met in the near future.

*[Comment: unless a value based approach, then proportional adjustments would take place]*

## Section 6 – Local area management

- 50 *Existing tools* for management of particular areas:
- 50.1 *customary* fishing regulations – mataitai reserves;
- 50.2 *commercial* fishers can make *collective decisions* to combine or subdivide quota management areas (QMA);
- 50.3 *section 311 FA* – provides for areas to be *closed to commercial fishing* to favour amateur fishing – *only where* commercial fishing causes low amateur catches, and adversely affects the ability of amateurs to catch their overall *allowance*.
- 51 Management at *scales smaller than QMAs* may help *increase the value* of shared fisheries for customary and amateur fishers in inshore areas. e.g., Kaipara Harbour – a depleted high use area – given as an example for improvement by specific controls.
- 52 Three proposals for management of specific areas – one or more could be implemented.
- 53 ***Proposal A – provide for a coastal zone or areas where key species are managed with priority for non-commercial fishing***
- 53.1 *Many commercial bulk-fishing exclusion zones* for particular methods:
- a. already *exist* around the coast;
- b. could be *extended* to cover the whole coast;
- 53.2 Such measures [*presumably a commercial bulk-fishing exclusion zone*]:
- a. would establish a *coastal zone of uniform width* (eg, two kilometres)
- b. *complete* commercial ban would *not* be *practical* because of commercial fishing of paua and rock lobster to close inshore areas;
- c. could involve *significant dislocation* of *commercial* fishing and *redress* would need to be considered.
- 54 ***Proposal B – provide for sector-initiated proposals to protect or strengthen specific interests***
- 54.1 Would involve providing for *sector representatives* to nominate *special management areas* to *enhance the value* of particular fisheries.
- 54.2 The [*presumably this*] option could involve:
- a. nominating *small areas* as *single “amateur fishing havens”*:
- closed to some or all commercial fishing methods; or
  - seasonal closure to commercial fishing; or
- b. ***multi-party agreement*** to:

- i. *exclude bulk fishing methods* from an area (eg, bans on commercial and amateur set netting, dredging, long lining or trawling etc); or
  - ii. provide for *rotational harvesting* or *restricted seasons* for commercial or *all* fishing.
- 54.3 The discussion paper appoints to the agreement of affected commercial interests being necessary, or a process to assess proposals would be required.
- 54.4 This [*presumably both alternatives*] – would need to consider *redress* for commercial interests.

55 ***Proposal C– create area-based fisheries plans appropriate to shared fisheries issues***

- 55.1 ***Fisheries plans*** could be developed under *current processes* [*presumably the FA*] to cover ***all*** shared fisheries within nominated areas such as:

Hauraki Gulf  
Bay of Islands  
Kaipara Harbour.

The discussion paper refers to *significant time and commitment* from all involved including MFish, *but* would allow for:

- a. more *comprehensive management*:
- b. including *negotiated trade offs*.

that could *increase the value* obtained from the fishery.

## Section 7 – Redress following adjustments in allocations or access

- 56 Applies only to the *commercial* sector.
- 57 If the **Government proposed** changes [presumably contained in, but not necessarily restricted to the discussion paper] to allocations or access, any **significant costs** that would be imposed on the *commercial* sector:
- 57.1 could be assessed; and
- 57.2 the need for redress considered;
- 58 Option A – leave redress with the Courts**
- 58.1 represents the status quo;
- 58.2 potential for redress for the effects of allocation decisions would remain with the Courts if and when claims were made;
- 58.3 if there was a need for significant adjustments involving reallocation from the *commercial* to the *amateur* sector:
- a. claims for redress would be likely;
- b. associated costs and antagonism.
- [Comment: see Kahawai submissions for discussion on compensation – both commercial fishers and amateur fishers perspectives.]
- 59 Option B – provide a specific process for consideration of redress to the commercial sector**
- 59.1 Develop a process to consider redress for significant costs faced by commercial fishers for particular classes of adjustments such as [not exclusive]:
- a. transitional adjustments associated with **resetting** baseline allocations for the amateur and commercial sectors;
- b. steps to recognise the interests of the *amateur* sector such as setting:
- revised stock targets with higher availability but lower yield of fish; or
  - the TAC to achieve faster rebuild of depleted stocks.
- c. future adjustments to redistribute take or access between amateur and commercial sectors such as:
- value based changes to the TAC; or
  - geographical exclusions.
- 59.2 The process under this option would:
- a. assess the costs and benefits of changes in allocations;

- b. *consider whether the costs were significant and warranted redress by the Government.*

This analysis would be included in *advice to decision-makers* on allocations.

59.3 *Subsequent allocations decisions* would take these issues into account.

59.4 *Decision options* might include:

- a. payment of *redress*; or
- b. leaving this to the *Courts to consider.*

## Section 8 - Representing amateur fishers' interests

- 59.5 The discussion paper recognises *amateur fishers* having an important *role* in fisheries *management* by *feeding their views*:
- a. into the *decision making* process; and
  - b. in areas such as the *development of fisheries plans*.
- 59.6 Greater *involvement by amateur* fishers would mean:
- a. *more and better information* on their *views and objectives* would be available to decision makers;
  - b. ensure that *users* were *part of* the development of *long-term management* strategies;
  - c. help in the *creation of ideas and policies acceptable* to a *large number of* people.
- 59.7 An *obvious problem* with greater involvement by amateur fishers is that most participate:
- a. on a *voluntary* basis; and
  - b. *not* through any *professional* role;
- 59.8 *Current organisations* find it *difficult* to:
- a. generate *funding*; and
  - b. *represent all* amateur interests.
- 59.9 *Representing* the *broad public interest* in amateur fishing will *always be difficult*.
- 59.10 Assessing and *taking into account* such *dispersed interests* is often left to the **Government**.
- 59.11 Strengthening the *voice of amateur fishers* in the management of *shared fisheries* could be achieved through *professional representatives*:
- a. would enable *more effective input* by the amateur sector:
    - i. on the development of *fisheries plans*;
    - ii. in *discussions* with the *commercial* sector on *allocation*;
    - iii. *access* to particular areas;
    - iv. *improvement* of shares fisheries generally.
  - b. ultimately, *such staff* would be *employed* by a *fully representative amateur fishing organisation*.
- 59.12 This proposal would be *an intermediate step* towards that goal.

- 60     ***Proposal – creation of an amateur fishing trust***
- 60.1   The ***trust*** would *work with* existing fishing organisations to:
- a.       provide *professional input* into fisheries management;
  - b.       *fund projects* in line for the purpose of the trust;
  - c.       *promote the development* of representative, accountable and funded structure for the amateur fishing sector.
- 60.2   The *Minister* would *appoint trustees*.
- 60.3   ***Establishment Trust Fund*** would come from the *Government* and possibly other sources.
- 60.4   The ***Trust Deed*** would:
- a.       require *accountability* to amateur fishers;
  - b.       include *public reporting* obligations.
- 60.5   The *Trust staff* could carry out roles including:
- a.       *co-ordinating* the *views* of amateur fishing organisations;
  - b.       *communicate* these views to MFish and the Government;
  - c.       *working with* amateur fishing organisations on ***fisheries plans***;
  - d.       helping those organisations to *become more representative, accountable* and *self funding*.
- 60.6   The discussion paper sees the *trust* as a *step on the way* to formation of a ***new national representative governance structure*** developed by the amateur sector for itself.
- 60.7   This *new* national representative governance structure might:
- a.       *build on existing organisations*; or
  - b.       possibly *subsume* some; and
  - c.       *eventually represent all* amateur fishers.

**Section 9 – Have your say**

- 60.8 MFish requests view of *as many people as possible* on the *proposals for change* put forward.
- 60.9 All *submissions* will be:
- a. *considered*; and
  - b. *taken into account*,
- in *final advice* and *decision making*.
- 60.10 MFish says:
- a. it is just as important to let MFish know of *your support* for proposals;
  - b. as to say *why you think they may not work*; or
  - c. to offer *an alternative idea*.
- 60.11 Submissions are requested *before* 28 February 2007.