

Wayne McNee
Chief Executive
Ministry of Fisheries
ASB House
PO Box 1020
Wellington
Wayne.McNee@fish.govt.nz

December 24, 2008

Clarification of statements made in MFish Briefing to the incoming Minister

Dear Wayne

We have some questions for you from non-commercial fishing perspectives after reading the Ministry of Fisheries' 'Briefing for incoming Minister of Fisheries,' dated November 2008.

Under the heading of Policy Review and Legislative Reform Project (page 11), MFish make the following statements:

"The policy review and legislative reform project's two related objectives are to:

- *Ensure that the Fisheries Act provides an appropriate legislative means to enable the long-term fisheries strategy; and*
- *Address deficiencies in the current Fisheries Act.*

"As fisheries management has progressed, deficiencies and gaps in the legislative framework have become evident. The Ministry seeks to create clear and consistent policies and processes that ensure sustainability and provide for maximisation of value.

"This project will support the achievement of the long-term vision and strategy for our fisheries, building on the results of that project over the next 12 months.

"The policy review and legislative reform project aims to have priority legislative amendments to the Fisheries Act passed into law by the beginning of 2011 (i.e. within one electoral cycle).

"Action: Decision on progress of the legislative reform project will be requested in December 2008."

To assist us with our understanding of your intentions, we would appreciate your explanation of the terms "long-term fisheries strategy," 'long-term vision and strategy for our fisheries,' 'ensure sustainability' and 'priority legislative amendments' to name the key phrases used.

In particular:

1. Do the terms "long-term fisheries strategy," 'long-term vision and strategy for our fisheries' have the same meaning and are therefore interchangeable?
2. What are the details of this 'project' and who has been working on it apart from MFish?

3. Does the phrase ‘ensure sustainability’ have the same meaning as in the Act or something else, and if something else what is intended?
4. What are the assumed shortcomings with the Fisheries Act 1996 (‘the Act’) that are preventing ‘utilisation whilst ensuring sustainability’?
5. What are the priority legislative amendments intended by you, and what particular outcomes are pursued?

As noted by MFish in the ‘Briefing’ issues relating to the purpose and scheme of the Act will be heard by the Supreme Court re Kahawai in February 2009.

We are anxious to be included in the ‘Legislative Reform Project,’ unlike the process adopted to the recent amendment to section 13 conducted by MFish, we understand, with Te Ohu Kaimoana (TOKM) and the Seafood Industry Council (SeaFIC).

We are grateful for your encouragement that non-commercial fishing representatives stay engaged with MFish in fisheries management processes prescribed by the Act and to that end we are keen to make our contribution meaningful, to ensure abundance for all New Zealanders particularly in these uncertain economic times.

Your earliest response would be appreciated as we note there is another process underway, MFish Fisheries Outcomes Framework.

Yours faithfully

Paul Haddon
Ngapuhi representative
On behalf of the Hokianga Accord
PO Box 263, Kaikohe, Northland

Richard Baker
President
On behalf of the New Zealand Big Game Fishing Council
PO Box 93, Whangarei, Northland

Paul Barnes
Project Leader
On behalf of the option4 team
PO Box 37951, Parnell, Auckland.