

7 September 2012

File:

Inshore Fisheries Management
Ministry for Primary Industries
P.O. Box 2526
Wellington
e-mail: FMsubmissions@mpi.govt.nz

PROPOSED MINISTERIAL PURPOSE FOR ISSUING A SPECIAL PERMIT

Introduction

1. This submission is from Te Ohu Kaimoana Trustee Ltd (Te Ohu) in response to the Ministry for Primary Industries (MPI) consultation document dated 24 August 2012.
2. Te Ohu Kaimoana Trust was established under the Maori Fisheries Act 2004. The purpose of Te Ohu Kaimoana is to advance the interests of iwi individually and collectively, primarily in the development of fisheries, fishing and fisheries-related activities. Amongst other things, this purpose is intended to:
 - ultimately benefit the members of iwi and Maori generally
 - further the agreements made in the Deed of Settlement and to assist the Crown to discharge its obligations under the Deed of Settlement and the Treaty of Waitangi
 - contribute to the achievement of an enduring settlement of the claims and grievances referred to in the Deed of Settlement.
3. In carrying out our role, Te Ohu Kaimoana works actively with iwi organisations that have received or will receive fisheries assets under the Deed of Settlement. We also work actively with the wider fishing industry and participate in industry organisations to protect the interests of iwi and Maori as beneficiaries of the fisheries settlementⁱ.
4. It is timely that an Iwi Fisheries Forum Hui was held in Wanganui on the 29th of August where robust discussion regarding the proposed measures took place to inform this submission.

Submission

5. MPI is seeking submissions on a proposal to establish a new purpose for issuing special permits under section 97(1)(c) of the Fisheries Act 1996. The proposed purpose is:

“To mitigate the effects of interim set net measures to protect Maui’s dolphins, allow commercial fishers to return fish likely to survive... that are subject to the quota management system ... to the waters from which they were taken, without having to count that fish... against annual catch entitlement.”

6. The holder(s) of such a special permit would be able to return live fish to the sea (if they are managed within the quota management system (QMS)) and are likely to survive. This activity would be carried out under the watchful eye of a Ministry appointed observer. Any such fish returned to the sea would be recorded for fisheries management purposes but would not be counted against annual catch entitlement (ACE) as it would not be landed.
7. Te Ohu acknowledges that this proposal is intended to mitigate the effects on fishers of the interim set net ban because of temporary decisions taken to protect Maui dolphins. Te Ohu also notes that we did not agree with the imposition of an extended set net ban in the area concerned because there is no evidence to show that Maui dolphins frequent the area.
8. Given the current situation we support any measures which the fishing community considers will help to mitigate the adverse effects of the set net ban on their operations.
9. We look forward to further opportunities to discuss the plight of the Maui dolphin and an action plan to rebuild the population to a sustainable size. We are particularly keen to move into a more proactive management regime and to consider the efficacy of an assisted breeding programme involving Hector's dolphins from the South Island.
10. Thank you for the opportunity to submit on this issue. If you have any questions about this submission please contact the writer directly.

Tania McPherson
Senior Policy Analyst
Te Ohu Kaimoana Trustee Ltd
DDI: (04) 931 9533
Cell: (021) 667798
E-mail: tania.mcpherson@teohu.maori.nz

ⁱ The Deed of Settlement is given effect by the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and the Fisheries Act 1996.