165. There is little information on the value added to CIF stocks by further processing by LFRs. Nor is there information on the value added by retailers, restaurants, fish shops, or food takeaway outlets.

**Recreational**

**Use**

166. Catches of recreational fishers are managed through daily bag limits. Each species within the CFP, apart from sea perch (see below), has a daily limit set which fishers are not permitted to exceed (Table 16). In addition, fishers are not allowed to take more than a combined limit of 30 finfish in any one day.

<table>
<thead>
<tr>
<th>Fishstock</th>
<th>Common name</th>
<th>Area</th>
<th>Maximum daily bag limit</th>
<th>Minimum size (Reef and finfish – cm Shellfish - mm)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reef &amp; Finfish</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BCO 4</td>
<td>Blue cod</td>
<td>All</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>MOK 4</td>
<td>Blue moki</td>
<td>All</td>
<td>15</td>
<td>40</td>
</tr>
<tr>
<td>BUT 4</td>
<td>Butterfish</td>
<td>All</td>
<td>15</td>
<td>35</td>
</tr>
<tr>
<td>HPB 4</td>
<td>Hapuku/Bass</td>
<td>All (limit includes up to 3 kingfish)</td>
<td>5</td>
<td>none</td>
</tr>
<tr>
<td>KAH 4</td>
<td>Kahawai</td>
<td>15</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>SCH 4</td>
<td>School shark</td>
<td>5</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>SPE 4</td>
<td>Sea perch</td>
<td>All</td>
<td>no limit</td>
<td>none</td>
</tr>
<tr>
<td>STA 4</td>
<td>Stargazer</td>
<td>All</td>
<td>30</td>
<td>none</td>
</tr>
<tr>
<td>TAR 4</td>
<td>Tarakihi</td>
<td>All</td>
<td>15</td>
<td>25</td>
</tr>
<tr>
<td>TRU 4</td>
<td>Trumpeter</td>
<td>All</td>
<td>15</td>
<td>35</td>
</tr>
<tr>
<td><strong>Shellfish</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COC 4</td>
<td>Cockles</td>
<td>All</td>
<td>150</td>
<td>none</td>
</tr>
<tr>
<td>OYS 4</td>
<td>Dredge oyster</td>
<td>All</td>
<td>50 *</td>
<td>none</td>
</tr>
<tr>
<td>SUR 4</td>
<td>Kina</td>
<td></td>
<td>50</td>
<td>none</td>
</tr>
<tr>
<td>PAU 4</td>
<td>Paua (ordinary)</td>
<td>All</td>
<td>10</td>
<td>125</td>
</tr>
<tr>
<td>PAU 4</td>
<td>Paua (yellow foot)</td>
<td>All</td>
<td>10</td>
<td>80</td>
</tr>
<tr>
<td>PPI 4</td>
<td>Pipi</td>
<td>All</td>
<td>150</td>
<td>none</td>
</tr>
<tr>
<td>CRA 6</td>
<td>Rock lobster</td>
<td></td>
<td>6</td>
<td>tail width: 54 (male) 60 (female)</td>
</tr>
<tr>
<td>SCA 4</td>
<td>Scallops</td>
<td>All</td>
<td>20 *</td>
<td>100</td>
</tr>
<tr>
<td>TUA 4</td>
<td>Tuatua</td>
<td>All</td>
<td>150</td>
<td>none</td>
</tr>
<tr>
<td>All other shellfish (combined) – (excludes paddle crab)</td>
<td></td>
<td>50</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
<td>---</td>
<td>----</td>
<td>------</td>
<td></td>
</tr>
</tbody>
</table>

**Freshwater**

<table>
<thead>
<tr>
<th>LFE 17</th>
<th>Longfinned eel</th>
<th>All</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>SFE</td>
<td>Shortfinned eel</td>
<td>All</td>
<td>6</td>
</tr>
</tbody>
</table>

*Limited provision allows a diver on a vessel to gather extra bag limits of oysters and scallops for up to 2 other people acting in a dive safety capacity

**Value indicators**

167. Factors that recreational fishers value from the fishery need to be discussed with the recreational sector, but are likely to include the following:

- favoured fish species
- good catch rates
- good sized fish
- available in good quantities in accessible places, particularly shellfish
- good condition fish (not affected by pollution)
- easy access
- good fishing for food
- outdoor experience
- low participation costs

**Customary**

**Use**

168. Customary information could include:

- authorised fishing – Reg 27A, customary regs, settlement legislation
- annual customary landings (tangata tiaki and other)
- summary of customary tools under the 1996 Fisheries Act.

**Mātaitai reserves**

169. There are no mātaitai reserves in the Chatham Islands.

**Taiāpure-local fisheries**

170. There are no taiāpure-local fisheries in the in the Chatham Islands.
Temporary closures

171. There are no temporary closures on the Chatham Islands.

Value indicators

172. Factors that customary fishers value from the fishery need to be discussed with the customary sector, but may include the following:

- healthy fishery
- good catch rates
- good size fish
- available in good quantities in accessible places, particularly shellfish.
- healthy environment
- providing for future generations
- upholding the mana of the marae
- manaakitanga (hospitality)
- kaitiakitanga (both the practice of environmental stewardship, and also the role of specific species as kaitiaki)
- Whanaungatanga
- Whanau sustenance
- Taonga species

173. These values will be determined in collaboration with tāngata whenua.
CREDIBLE FISHERIES MANAGEMENT

174. Credible fisheries management requires acting in accordance with Treaty of Waitangi principles and engagement with tāngata whenua and stakeholders to implement the Government’s policy of fisheries plans based on objectives-based management. This enables clear links between the strategies and services provided.

175. There is a Fisheries Officer stationed on the Chatham Islands. Members of MFish’s Fisheries Operations team also visit around 2-3 times per year, and are available to discuss concerns with local stakeholders.

Tāngata Whenua Input and Participation

Draft standard for tāngata whenua input and participation

176. MFish is working with Ngati Mutunga O Wharekauri Iwi Trust and Hokotehi Moriori Trust to establish a customary fisheries regional forum for Wharekauri /Rekohu (Pā Tangaroa). The forum is being set up to assist local iwi in the sustainable management of the marine environment in the rohe moana in accordance with the Treaty of Waitangi indigenous customary rights.

Stakeholder Engagement

Draft standard for stakeholder engagement

Recreational

177. MFish has recreational forums around New Zealand with whom MFish regularly meets to discuss current issues. There is no formal recreational fisheries forum in the Chatham Islands but, as above, MFish staff are available to recreational fishers.

Commercial

178. There are formal organisations through which MFish engages with commercial stakeholders, such as PauaMACs, CRAMACs, and other commercial stakeholder organisations. Fisheries Operations staff also meet with commercial stakeholders on their visits to the Chatham Islands, 2-3 times per year.

Environmental

179. Environmental input is available from the Department of Conservation and the local Chatham Islands Council and Chatham Islands Visitors Industry Group.

Protecting Value

180. To protect the value of fisheries, access by commercial, recreational, and customary fishers is subject to rules of sustainability and allocation. Fisheries management objectives are dependent upon high levels of compliance with the sustainability and allocation rules.
MFish’s compliance strategic goals are to maximise voluntary compliance and maintain an effective deterrent. MFish operational strategies are based on achieving high levels of compliance in the three fishing sectors. While there are some differences in the strategies applied to the different sectors, there is some overlap in the monitoring, compliance and enforcement activities that support these strategies.

Compliance Framework

181. The fisheries management regime is constructed around sustainable utilisation of our resources with regard for the continued health of our aquatic ecosystem, including mitigating the effect of fishing on other species. Access to the fisheries for commercial, recreational and customary fishing is subject to rules of sustainability and allocation. Fisheries management objectives are dependent upon high levels of compliance with the sustainability and allocation rules defined in legislation.

STRATEGIC COMPLIANCE GOALS

182. The MFish Compliance strategic goals are to maximise voluntary compliance and maintain an effective deterrent.

OPERATIONAL COMPLIANCE STRATEGIES

183. MFish operational compliance strategies are based on achieving high levels of compliance in the three fishing sectors. While there are some differences in the strategies applied to the different sectors, there is some overlap in the monitoring, compliance, and enforcement activities that support these strategies. The specific activities depend on the type of legislative requirement.

The Sectors

Commercial

184. The commercial fisheries management regime is founded on defined entities which are permitted and registered to allow access to the fishery and for them to operate within the QMS. Quota management, and balancing catch against ACE, are based on comprehensive reporting of fishing activity. In addition, records and returns are required to verify authorised fishing and fishing-related activity and transactions.

185. The above ensures a focus on all aspects of the supply chain from harvesting to on-board processing and storage, marine farming, transhipments, vessel discharges, fish receiving, transportation, onshore processing and export, and wholesale and retail sale.

186. Other legislative requirements govern at sea fishing operations, including those aimed at minimising the effect of large scale fishing operations on more localised populations, the habitat and other species.
187. MFish compliance and enforcement activities are based on low level monitoring, surveillance, audit, analysis, investigation and prosecution of offences. Fisheries legislation recognises the importance of accurate records and returns, as well as the difficulties in offence detection, in the substantial ‘economic’ based hierarchy of offences and penalties it provides.

188. A high level of responsibility and obligation is imposed on those authorised to access commercial fisheries.

189. MFish expects commercial fishing entities to be informed and to operate in compliance with their obligations. Compliance and enforcement strategies and activities reflect these expectations.

**Recreational**

190. Recreational fisheries management is based on open and unlicensed access. This is subject to regulatory restrictions which include species catch limits, area and seasonal closures, and fishing gear and method specifications. Some of these measures act to restrict conflict between sectors while others relate to sustainability.

191. While recreational fishers are expected to be aware of the fishing regulations, MFish compliance activities include raising awareness about the relevant rules among recreational users. In addition to this, operational compliance activities include land and sea patrols, inspections and prosecution of offences.

**Customary**

192. As stated in Section 186 of the Fisheries Act 1996, MFish recognises the provisions for customary food gathering by Maori and the special relationship between tangata whenua and places of importance for fishing (including tauranga ika and mahinga mātaitai), to the extent that such food gathering is neither commercial in any way nor for financial gain or trade.

193. Access to the fisheries for customary purposes is restricted by legislation and subject to authorisations. As Kaimoana Customary Fishing Regulations have not yet been implemented, a nominated tangata whenua representative can authorise customary fishing. An authorisation form, listing harvest conditions, must be carried while fishing and transporting fish and must be shown to a Fishery Officer on request. Over time these authorisations will be issued in accord with iwi based management plans for areas over which they hold mana moana.

194. MFish compliance activities include checking the validity of authorisations and ensuring that fishers are acting in accordance with the outlined conditions.

**OFFENCE TYPES**

195. An evaluation of the offence types that occur in the Chatham Islands fisheries is summarised in Table X.X.

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10 Regulation 27A applies.
Table X. Summary of Offences in the Chatham Island inshore fishery

<table>
<thead>
<tr>
<th>Risk</th>
<th>Opportunity</th>
<th>Prevalence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weight/Species/State/Quantity</td>
<td>Small amounts can be hidden amongst large volumes.</td>
<td>Common. Weight of green paua underreported on landing.</td>
</tr>
<tr>
<td>Misreporting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dumping</td>
<td>Difficult to detect. Limited enforcement resources and large patrol area.</td>
<td>Unknown but likely. High pressure on TACC of very low value fish provides a strong incentive to dump.</td>
</tr>
<tr>
<td>Black Market Sales</td>
<td>Many small localised communities with history of cash trades.</td>
<td>Unknown. Limited by the difficulties associated with transport off the islands.</td>
</tr>
<tr>
<td>Illegal Gear/Methods</td>
<td>Single fishery officer tasked with entire area. No boat permanently assigned to Chathams.</td>
<td>Widespread. Underwater Breathing Apparatus (UBA) often used for paua gathering.</td>
</tr>
<tr>
<td>Non-Harvesting Offending</td>
<td>Small number of individuals involved in fishery increases potential for collusion between LFR and fishers.</td>
<td>Unknown.</td>
</tr>
<tr>
<td>Recreational Offending</td>
<td>An extensive and irregular coastline that is very difficult to monitor given the limited resources available for surveillance. Recreational fishing is not subject to reporting requirements.</td>
<td>Occasional. Usually involves undersized catch or catch in excess of limit.</td>
</tr>
</tbody>
</table>

**Commercial Offences**

196. Commercial offences can present a significant threat to fisheries and the aquatic environment because of the high volumes involved and the type of gear used. The majority of the commercial offending involves unreported or misreported catch while the remainder includes non-harvesting offences, the use of illegal gear and methods, and violations to size and area restrictions. For the purpose of this plan, poaching fits within the description of a commercial offence.

**Misreported Catch**

197. Misreporting occurs when incorrect weights, quantities, species, areas or landed states are reported. The primary motive behind this type of offence comes from minimising the use of ACE and related deemed value charges. The incentives for this behaviour become greater as ACE availability is constrained.

a) Quantity misreporting allows fishers to directly sell on the black market. Small localised markets can be conducive to direct selling. Small but persistent misreporting that is done over a large scale will result in significant financial gains. Particular to the rock lobster fishery is the misreporting of mortality while held in holding pots.
b) Area misreporting involves ‘trucking’ species from one QMA to another for reporting. Fishers are likely to misreport their catch if the ACE in a neighbouring QMA is under less pressure and thus easier to obtain. Sea perch and ling are the two species in this plan that are most likely to fall victim to this type of offending.

c) Misreporting weight can be associated with reporting bin or carton weights as being lighter than they actually are. Paua greenweight is commonly underreported.

d) Misreporting of landed states results in the estimated greenweight of catch being different than what it would have been had the appropriate conversion factors been used. Ling is particularly prone to this because of its slender tapered shape that is more difficult to distinguish in a processed state.

**Unreported Catch**

198. Non-reporting offences, on the other hand, attempt to completely circumvent the QMS reporting requirements. These offences allow fishers to increase their income by either avoiding QMS related expenses or maximising the value of their landed catch through ‘high-grading’.

   a) Dumping of QMS species is prohibited under s 72 of the Fisheries Act 1996. Dumping can also be a form of ‘high-grading’ used to increase the value of the landed catch. The species most at risk in this plan are ling and sea perch. Ling as a medium value is susceptible to high grading where small or juvenile fish are discarded while sea perch is considered low value at any size and has historically been overcaught.

   b) Poaching is the unauthorised taking of fish or shellfish for illegitimate commercial purposes and usually involves high value species or closed areas. There is the potential for poaching to occur since two of the species covered in this plan are extremely high value.

   c) Another concern for unreported catch is the use of blue cod as bait in the rock lobster fishery. Fish used in this matter is often not declared against ACE.

**Illegal Gear/Methods/Size/Area**

199. The use of illegal gear and methods, and violations to size and area restrictions can raise the productivity of fishers, increasing their catch. These restrictions are put in place for sustainability reasons, to protect the habitat and other species, and to reduce conflict with other sectors.

   a) Many QMS species have minimum length restrictions limiting the fish available for catching. Female rock lobsters can sometimes be “scrubbed” to conceal their illegal state.

   b) The most significant compliance concern in the area is the use of UBA in the collection of paua. The Chatham Islands are also unique since both potting and diving for rock lobster exists in the commercial sector. This has been a source of tension although the number of permits for rock lobster diving is relatively low.
Non-Harvesting Offences

200. Non-harvesting offences occur further down the supply chain and attempt to conceal information from the fisheries management framework’s reporting requirements. LFRs and DIFs have the potential to obscure the true quantity of fish involved during the landing and processing of catch and distribution of fish through to the final point of sale.

201. There is also a range of administrative requirements that commercial fishers have to comply with. These include having a valid fishing permit and vessel registration, and being able to produce these documents when required to. Also, vessels are required to be marked in a particular way to allow quick identification by compliance staff. In some cases vessels must continuously operate a correctly installed automatic location communicator (ALC) that is compatible with the Fisheries (Satellite Vessel Monitoring) Regulations 1993.

202. Besides aiding monitoring and enforcement activities, these requirements allow and clarify access to the fishery. For this reason, violations to these administrative provisions are considered to be serious offences.

Recreational Offences

203. These types of offences relate to recreational fishers contravening the regulations associated with their prescribed allocations. Common offences of this nature include catching:

   a) in excess of bag limits,
   b) below the MLS,
   c) in a closed area,
   d) using illegal methods and gear.

204. Although the quantity involved in a single recreational offence is typically much smaller than its commercial counterpart, the potential to negatively impact the fishery remains.

205. Incentives for recreational offending include socioeconomic drivers and strong opposing personal views on fishing regulations. These intangible factors make it difficult to forecast with any certainty the level of compliance for this region.

206. In addition to rock lobster and paua, inshore species such as blue cod, kina, trumpeter, and hapuku are sometimes illegally caught by the recreational sector.

Customary Offences

207. These offences occur when the taking of species contravenes the conditions of an authorisation, or are taken using an invalid authorisation. Species with high value, existing black markets and accessibility are all factors that may increase potential risks for offending.
The extensive coastline and limited knowledge of authorisations issued combined with the limited capability of MFish compliance staff to check the validity of authorisation conditions against catch makes detecting offending difficult.

MFish compliance staff can only ensure compliance with the specific regulations if they come across people actively fishing for customary purposes, for example, on a beach. The limited contact and knowledge of when and where people will be fishing under these authorisations adds to the complexity of this task.

INFORMATION AND EDUCATION

MFish undertakes a number of activities aimed at increasing and improving the knowledge of fishing legislation, the reasons for the legislations, and the consequences of breaching them. MFish strongly believes better knowledge and understanding by fishers will help maximise voluntary compliance across the sectors.

The key means with which to maximise compliance is to ensure stakeholders are, wherever possible involved in the development or at least aware of the purpose for the specific legislative requirements and the associated implications. Knowledge of how the legislation or any voluntary arrangements support stock sustainability and their access to stocks is essential. MFish places emphasis on providing information and involving stakeholders in the development of management measures and decision making.

General activities

a) On site signage at as many main fishing and landing areas as possible
b) Ministry of Fisheries website
c) Fishery Officer interactions with fishers
d) Stakeholder consultation and meetings
e) Honorary Fisheries Officers (none currently present)
f) Media Releases
g) Community Meetings
h) School programmes

Commercial activities

a) Trade shows
b) Supporting industry bodies (i.e. SeaFIC)
c) Liaise with FishServe