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*"More fish in the water/Kia maha atu nga ika ki roto i te wai"*

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## **Review of Deemed Value Rates for 1 October Fishstocks**

### **Introduction**

1. This submission is made on behalf of option4, the Hokianga Accord and NZ Sport Fishing (NZSF). This submission is also made in the interests of assisting the Minister of Fisheries (the Minister) and Ministry of Fisheries (MFish) to achieve abundant fisheries that will enable all New Zealanders to provide for their social, economic and cultural well-being.
2. The joint submitters appreciate the opportunity to comment on the review of deemed value rates for 1 October 2010 fish stocks. The Initial Position Paper (IPP) was released for consultation on 21 June, with submissions due by 26 July 2010.
3. The joint submitters acknowledge and appreciate the input and guidance from a vast array of people who have an ongoing interest in achieving more fish in the water/kia maha atu nga ika ki roto i te wai for our mokopuna [descendants].

### **Submission**

4. The joint submitters reiterate our earlier concerns that the deemed value regime is failing to constrain commercial catch to the legal limits set by the Minister in many important fisheries. This is serious, particularly in fisheries such as Snapper 8 where two Ministerial decisions have been made with the intention of rebuilding depleted stocks.
5. The deemed value regime is flawed and can never deliver, on the water, the fine balance economists are able to describe in a model.

6. Trying to find a mythical dollar value that effectively limits commercial catch within the total allowable commercial catch (TACC) will never be achieved while the current regime is in place.
7. Commercial landings in excess of the total allowable commercial catch (TACC) should simply be proportionally deducted from the next year's ACE (Annual Catch Entitlement).
8. The matter of penalties or fees for over-catching is a civil matter best left to commercial quota shareholders to sort out amongst themselves, using a range of tools that could include contracts and penalties.
9. In most cases it is a small subset of fishers who cause the over-catch, but their excesses generate public disdain for commercial fishers in general. Any set of remedies is best left to the TACC shareholders in that particular fishery.
10. Externally designed and administered systems such as the Ministry's deemed value regime will never succeed as an arbiter to a fleet of commercial fishing vessels operating with poor ACE portfolios, a dysfunctional ACE trading market, vast quota management areas (QMAs), variable costs and margins, and changing markets.
11. Inviting discussion on various dollar values for deemed fish merely generates wishful advances for higher commercial catch limits, while diverting attention away from the real cause of ongoing depletion of important inshore fisheries.
12. The current and proposed deemed values rates will simply require fishers who catch fish without ACE to deplete the fishery and pay a small fee to the Crown. This makes the Crown complicit in the oppression of the public's rights – allowing unchecked deemed to deplete stocks and deprive the public and future generations of abundance.
13. The proceeds from deemed fish rightfully belong to those other interests and users who miss out on catch because one sector exceeds their allocation – there is no case for the Crown to profit from catches without ACE.
14. Non-commercial fishing and environmental interests expect MFish to stop trying to juggle numbers and implement practical controls to curb excessive commercial fishing, to enable our fish to be returned to the water.

### **Recommendations – a package solution**

- ⇒ That all mortality caused by commercial fishing is accounted for within the total allowable commercial catch (TACC);  
*and*
- ⇒ That all commercial landings are counted against the total allowable commercial catch (TACC), and there is no external sanction for exceeding the TACC;  
*and*
- ⇒ That Annual Catch Entitlement (ACE) generated the following year is proportionally reduced by the same proportion as the preceding year's TACC was exceeded i.e. A 110% catch one year is followed by a 90% ACE the following year.

The joint submitters of option4, the Hokianga Accord and NZ Sport Fishing appreciate the opportunity to submit on the review of deemed value rates for 1 October 2010 fish stocks. We look forward to MFish addressing our concerns. We would like to be kept informed of future developments.

Yours sincerely,

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