

Notice of Motion #1

Subject: Acceptance of Updated NZSFC Constitution in Compliance with the Incorporated Societies Act 2022

Proposer:

Heyden Johnston
NZSFC Board Member

Whakatane Sport Fishing Club

Seconder:

Kelvin Mowat
Whangaroa Sport Fishing Club

Motion:

That the New Zealand Sport Fishing Council (NZSFC) adopts the updated NZSFC Constitution, as presented to the 2025 Annual General Meeting (AGM), to comply with the requirements of the Incorporated Societies Act 2022.

Rationale:

The Incorporated Societies Act 2022 introduces significant changes affecting all registered incorporated societies in New Zealand. One of the critical requirements under this new legislation is that all societies must adopt an updated constitution that aligns with the new legal framework by April 2026.

To ensure legal compliance and continuity of NZSFC's incorporation status, the Council must revise and formally adopt its constitution in accordance with the 2022 Act. In alignment with the Council's own rules, this requires a formal resolution and approval by a special resolution at the AGM, which entails a 2/3rds majority vote of those present and eligible to vote.

The proposed motion seeks the AGM's endorsement of the updated NZSFC Constitution submitted with this notice.

Supporting Document:

The updated draft Constitution is attached to this notice and forms part of the official AGM documentation.

NZSFC Fisheries Management Policies

Notice of Motion #2 - Topic: Section 186A Closures

Year: 2025 AGM

Current policy: N/A

Position in document: '4. Area Management'

NEW policy

1. Section 186A Closure Policy, date, Kaikōura AGM

2. Policy:

- a. NZSFC recognises [section 186A closures](#) as a response to localised depletion, led by local hapū or iwi. A section 186A closure is put in place for two-years but can be renewed. When a renewal application is submitted, if Fisheries NZ and/or the Minister for Oceans and Fisheries, after three applications (6-years) have not intervened with adequate management to address the issue, the NZSFC will not support reapplications.

Rationale:

3. Problem definition:

- a. The management failures of Fisheries NZ and successive Ministers is driving the increase in rāhui and section 186A closures. Fisheries NZ's failure to intervene in cases of localised depletion has led to consecutive section 186A applications for localised areas that are showing a steady loss of available fish. Affected clubs and communities are feeling the strain of years of displacement and seeing no improvement in abundance.

4. Strategy:

- a. NZSFC will oppose s186A applications where successive applications have been made and Fisheries NZ or the Minister have not provided effective support or where affected clubs have stated preference for alternative management.
- b. NZSFC Fisheries Management Standing Committee will support affiliated clubs in developing club submissions on s186A applications, if required.
- c. NZSFC promotes transition plans for s186A closures that will lift the closure and/or replace the closure with alternative management.

5. Discussion:

- a. Section 186A of the Fisheries Act 1996 is a customary fishing tool that enables local hapū or iwi to apply to the Minister for Oceans and Fisheries (the Minister) to temporarily restrict fishing in areas traditionally important for food gathering for up to 2-years. This can include restricting or prohibiting certain fishing methods or the harvest of specific species. A hapū must have

their rohe moana boundaries established and approved before applying for a mātaihai.

- b. The Minister may impose such a closure, restriction, or prohibition only if he or she is satisfied that it will recognise and make provision for the use and management practices of tangata whenua in the exercise of non-commercial fishing rights by -
 - i. Improving the availability or size (or both) of a species of fish, aquatic life, or seaweed in the area subject to the closure, restriction, or prohibition; or
 - ii. Recognising a customary fishing practice in that area.
- c. A temporary closure is sometimes requested to provide statutory support for a rāhui. Fishery Officers cannot enforce rāhui so closure under s186A enables enforcement for any breaches of the s186A closure.
- d. Public consultation on a s186A application is required. After consideration of a range of matters, the Minister may or may not approve the application for a s186A closure.
- e. A local hapū, whānau or iwi can propose a temporary closure or method restriction. However, before approving a proposal, the Minister must be satisfied that it will help tangata whenua exercise their customary fishing rights.
- f. There is no restriction on how many times a temporary closure can be established.
- g. A s186A closure application may follow a rāhui, which limits customary harvest. A s186A closure applies to commercial and recreational harvest. The s186A applicant may also choose to limit Māori customary harvest during the same period, by way of a rāhui.
- h. It has become clear that the increase in s186A applications have become a last-ditch effort to address localised depletion.
- i. The Minister is required to manage at the Quota Management Area (QMA) level which is not sufficient to address localised issues. Depletion in the wider QMA is often first felt at a local level by the community, which rarely raises a management response until a s186A application is made. This frustrates and often causes conflict in the local community until there is a management response.
- j. In response to an increase in s186A closure applications and successive applications to renewal closures, this Policy was developed to guide the NZSFC Fisheries Management Standing Committee when developing responses to these applications.
- k. The NZSFC has [maintained good support for rāhui and section 186A closures](#) over the years.

Notice of Motion #3 - Topic: National policy on rock lobster fisheries

Year: 2025 AGM

Current policy: Outdated policy [here](#) (see point 5.9(b)).

Position in document: '5. Management of specific fisheries and methods'

Reviewed policy

1. National policy on rock lobster fisheries, [date](#), Kaikōura AGM

2. Policy:

- a. The NZSFC will advocate for increased rock lobster abundance and size structure in New Zealand to restore their natural ecosystem function as predator and prey.

Rationale:

3. Discussion:

- a. This Policy is an update of the old 'National policy on rock lobster fisheries.' This new policy updates the NZSFC view on considering the effects of rock lobster fishing on the wider environment.
- b. This update is particularly important given the decline of rock lobster fisheries around New Zealand and the expansion of kina barrens on the east coast of the North Island.

4. Problem statement:

- a. The abundance of spiny red rock lobster (crayfish) on the North Island's east coast has collapsed, jeopardising future recruitment while creating trophic cascades, impacting other species within the food web. The abject failure of Fisheries New Zealand's stock assessments to defend fish stocks and ecosystems has been exposed by the High Court in CRA 1.

5. Objectives:

- a. Restore the vital ecosystem services provided by rock lobsters especially in areas where kelp forest ecosystems are under threat.
- b. The social, economic and cultural importance of non-commercial fisheries for rock lobster is widely recognised and allowed for.
- c. Rock lobster abundance and availability is being restored to provide for the foreseeable needs of current and future generations.
- d. Have the Minister for Oceans and Fisheries revoke the concessions applying in CRA 3, 7 and 8, allowing the commercial harvest of rock lobster below the recreational minimum legal size.
- e. The Minister revokes the regulations requiring recreational fishers to [clip the telson](#) fin unless the regulation is clearly recognised as effective.

6. Strategy:

- a. Advocate for management targets that will rebuild the size structure of rock lobster populations across the whole Quota Management Area (QMA).
 - b. Promote the collection and use of fisheries independent data and length-based information in management decisions.
 - c. Promote a range of spatial management tools that will ensure widespread ecosystem health.
 - d. Recognise that a combination of input and controls are required to manage commercial fishing. This includes setting an effective Total Allowable Commercial Catch that limits harvest and requiring pot limits to effectively control fishing effort.
 - e. Advocate for the use of [commercial fishing effort limits \(pot limits\)](#) to limit effort creep and overfishing when abundance is low.
 - f. Where sustainability concerns have been recognised
 - g. Advocate for the removal of the concession crayfish regulations allowing rock lobster below the recreational minimum legal size to be landed by commercial fishers.
 - h. Take an evidence-based approach to the effectiveness of management initiatives such as a maximum legal size and telson clipping.
 - i. Promote increases in the minimum legal size where this will increase sustainable yield for a stock (yield per recruit in some QMAs).
7. See outdated policy [here](#).