

**TO THE PRIMARY PRODUCTION
COMMITTEE:**

ON THE

FISHERIES AMENDMENT BILL

SUBMISSION BY:

TE PĀTI MĀORI

Tuesday 05 May, 2026

1. This submission is provided on behalf of Te Pāti Māori and as a part of our response to Select Committee on fisheries reform.
2. Te Pāti Māori **opposes the Bill** in its current form and thanks the committee for inviting the public make submissions.
3. This submission is set out in two parts; part one discusses and provides an overview of the bill along with opening commentary, while part two sets out our overall position and recommendations to the committee.

PART ONE – FISHERIES AMENDMENT BILL

Bill Overview

4. This Bill amends the Fisheries Act 1996 (the Act). The stated intention of the Bill is to grow the value of seafood sector exports while continuing to ensure sustainability. At its core, this bill is about lowering fisheries regulations and oversight in favour of commercial fishing interests.

Increasing flexibility in fisheries management system

5. The Bill introduces multi-year catch limits (up to 5 years), instead of reviewing them every year and allows in-season adjustments for certain fish stocks. Fish stocks will be managed differently depending on how much reliable information is available;
 - 5.1 High-information stocks = more precise management, while low-information stocks = a more cautious approach.
6. If commercial fishers take voluntary steps to protect fish stocks, the Minister can formally consider this when setting catch limits.
7. Fishers will be allowed to carry over more unused quota to the next year, while catch limits will mainly focus on managing fish numbers and not broader environmental impacts.
8. The Bill sets out new arrangements that only allows 20 working days to challenge fisheries decisions through judicial review.

Camera footage secrecy

9. On-board camera footage will become exempt from the Official Information Act. Instead, the Ministry for Primary Industries (MPI) can only share that footage in limited situations, like enforcement or research.
 - 9.1 The public can request written summaries only – not raw footage.

New rules for dumping fish

- 10.** Sets out new rules for commercial fishers for when fish managed under QMS must be landed and when they can be returned to sea (discarded);
 - 10.1** Fishers will be allowed to discard (return) certain fish if they are being monitored by on-board cameras or observers
- 11.** The Minister can approve the deliberate release if technology or gear is used that gives the fish a good chance of survival

Deemed value changes (quota penalties)

- 12.** Deemed values are fines paid by a commercial fisher if they catch more than their quota allows;
 - 12.1** The Bill allows different sets of value rates for the same species depending on the type of fishing operation. For example, fish caught by large deepwater freezer vessels may be charged based on their lower actual market value compared to smaller inshore fishers.
 - 12.2** A fishing permit can now be suspended for unpaid deemed values only once debt reaches \$2,000 (up from \$1,000).

Removal of minimum size limits for commercial fishing

- 13.** The original Bill explicitly provided that;
 - The commercial fishing industry will no longer be subject to minimum size limits for many popular fish.
 - Under current rules, commercial fishers who catch undersized fish cannot sell them.
 - Minimum commercial sizes for fish species such as kingfish, snapper, tarakihi, blue moki, butterfish, flatfishes and red cod will be removed from the regulations
 - This will stop commercial fishers from discarding undersized fish without penalty, meaning they can be landed and sold (unless an observer is present and there is evidence the fish will survive).

Species	Current size limit	New size limit
Blue cod	33cm	Species revoked from table
Blue moki	40cm	-
Butterfish	35cm	-
Flatfishes (except sand flounder)	25cm	-
Kingfish	65cm	-
Red cod	25cm	-
Red moki	40cm	40cm
Sand flounder	23cm	-
Snapper	25cm	-
Tarakihi	25cm	-
Trevally	25cm	-

- 14.** Te Pāti Māori notes and acknowledge recent commitments made by the Minister to rectify concerns regarding size-limits. While this commitment to change is welcome, Te Pāti Māori remains critical of the Minister and his government's initial approach to fisheries reform
- To succeed in reforming fisheries legislation, the Minister and officials needed to take a more diligent approach toward engaging those affected and to reflect their sentiments throughout the policy development and legislative processes.

PART ONE – OPENING COMMENTARY BY TE PĀTI MĀORI

Iwi Voices

15. Ngāti Manuhiri Settlement Trust chief executive Nicola MacDonald says the biggest worry that she has around the reforms is *“the challenge it’s going to create to bring companies to accountability”*
16. In 2024, Ngāti Hau and Ngāti Kaharau took Minister Stuart Nash to court regarding crayfish catch settings, which the high court deemed was unlawful. This resulted in a total ban on harvesting crayfish for at least five years being.
17. This reform will limit the ability to make these kinds of legal challenges.

Commercial & Recreational Voices

18. Former commercial fisher Matt Watson says the system has lost its way. Watson says the system is focused on maximising profits rather than ensuring the long-term health of the stocks; *“We need a healthy, productive commercial fishery... but we need one that lasts, that lasts for everyone.”*
 - 18.1 On the issue of environmental and ecological sustainability he said; *“When you’re destroying the very food of the ocean it’s a cock up.”*
19. Spear fisherman, diving store owner, and ocean advocate Darren Shields has described the removal of commercial fishing size limits as *“total cynical response”* and challenges the assumption that there is not a significant market for smaller fish: *“I don’t know how you put it into words the destruction and the short-term thinking that’s going on here, but we used to kill whales with harpoons, and we used to cut down every kauri tree and rimu tree we could get. That’s all stopped, and the world hasn’t stopped.”*
20. Legasea program manager Sam Woolford says: *“The seafood sector cannot take baby fish out of the environment that have not had a chance to spawn and expect there to be a fish population in the future. That’s just naïve.”*
 - 20.1 On the issue of size limits, he said; *“The fact is, if you catch fish before they can reproduce, you are inextricably harming the overall population, and by virtue of that you’re limiting our ability to catch a legal fish.”*

PART TWO – TE PĀTI MĀORI OVERALL POSITION

21. Our view is that the primary objectives of any meaningful fisheries reform should be:

- To promote the sustainability and abundance of our moana and fishing stocks
- Uphold the customary fishing rights of tangata whenua, and the recreational fishing rights of all New Zealanders in a sustainable and abundant manner
- Balancing and evening-out the playing field between smaller commercial fishers and large corporate entities

22. This bill fails in all three of those regards, as the responsible Minister concedes on changes to size limits.

23. This Bill asks our people to trust a system that concentrates power into one Minister, reduces oversight, advantages multimillion dollar entities over commercial fishers, while completely sidelining and undermining Māori customary fishing rights.

24. This Bill introduces:

- Multi-year catch limits, instead of reviewing them each year.
- It also allows for fish stocks will be managed differently depending on how much reliable information is available.

25. That means, where there is less information and where we know less about the health of a species, this Bill allows for more flexible decision-making. This puts our most vulnerable fish stock at risk;

25.1 If one does not have enough information to protect a species, the answer is not to lower the bar – the answer is to strengthen it.

26. Fishers will be allowed to carry over more unused quota to the next year, and catch limits will mainly focus on managing fish numbers, not broader environmental impacts.

27. Te Pāti Māori considers that these changes do not place sustainability and abundance of tāonga and rohe moana at the heart of meaningful fisheries reform

The Bill Expands the Powers of the Minister

28. The Minister will have the power to:

- Set catch limits
- Weigh up social, cultural, and economic factors when setting catch limits

- Formally consider “voluntary measures” from the industry when setting catch limits.

29. These changes opens the door for decisions over fisheries management to be shaped by lobbyists and creates a system where industry voices can carry more weight than the ecosystems they depend on;

29.1 In this regard, the Bill will allow larger commercial enterprises to influence catch limits and shape the very rules that govern them.

Deemed Value Changes (quota penalties)

30. The Bill allows different value rates for the same species depending on the type of fishing operation and allows fishing permits to be suspended for unpaid deemed values once debt reaches \$2,000;

30.1 This means that those who can afford to overfish will continue to do so.

On-board Camera Footage Secrecy

31. The Bill exempts on-board camera footage from the Official Information Act;

31.1 These cameras were introduced to improve accountability and give us visibility of what is happening at sea

31.2 If cameras are there to ensure accountability, why is the Government hiding what is being captured?

Legal Rights

32. The Bill limits judicial review to just 20 working days – this is not a minor technical change;

32.1 For tangata whenua, 20 working days is not a meaningful window to challenge decisions that affect entire ecosystems and undermine our customary rights.

32.2 If this change was in place two years ago, there would be no crayfish left north of Auckland as Ngāti Hau and Ngāti Kaharau would have been denied the ability to protect our crayfish stocks in the courts.

Discarding fish

33. This Bill expands the ability for commercial fishers to return fish to the sea under monitoring and will allow mass dumping by large corporate entities, like Talley’s, who have the resource, technical capability and track-record to avoid accountability.

Tiriti and Māori Customary

- 34.** The most glaring issue in this Bill is not what it changes, but what is missing - there is no recognition of rangatiratanga;
- 35.** No meaningful embedding of Te Tiriti o Waitangi in current fisheries reform and no role for iwi and hapū in decision-making.
- 36.** One cannot reform fisheries in Aotearoa while sidelining kaitiaki who are responsible for fisheries.
 - 36.1** This bill limits our right as kaitiaki to protect our moana and fishing stocks from overexploitation by sacrificing customary rights and ability to gather kaimoana in favour of profits to a privileged few.
 - 36.2** Te Pāti Māori considers that the proposed fisheries reforms are dangerously short-term and profit driven, while failing to strengthen sustainability and abundance of our tāonga

Te Pāti Māori position in the House

Mana Motuhake

- 37.** This bill limits iwi/Māori right as kaitiaki to protect our moana and fishing stock from overexploitation. It sacrifices our customary rights and ability to gather kaimoana by prioritising commercial profits over sustainable and abundant fishing practices.

Mana Ōrite

- 38.** This bill is entirely focussed on creating a more favourable fisheries management system for the commercial industry, over recreational at the expense of customary fishing; providing access to all fishers requires sustainable and abundant fisheries management.

Mana Mokopuna

- 39.** This bill will accelerate the extinction of many fish species that are already at risk. These reforms are short-term and profit driven. Current generations must preserve the rights of inheritance of our mokopuna to their tāonga by strengthening the fisheries system and legislation to focus on sustainability and abundance.

PART TWO – RECOMMENDATIONS

40. Te Pāti Māori urges the committee to consider the following recommendations. We recommend that;

Te Tiriti/Treaty Clause

- 1.)** The Bill does not proceed any further without the introduction of a dedicated (stand-alone) Treaty provision; or without strengthening the existing Treaty provision within the fisheries Act requiring consistency with the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992

Use of Existing Tools under the Principal Act

- 2.)** The Bill does not undermine the utilisation and quality of existing iwi/Māori fisheries arrangements, including iwi planning documents and other statutory tools under the principal Act. Rather, existing arrangements and tools should be brought forward to bare upon stated policy objectives.

Engagement with Te Tiriti Partners

- 3.)** Targeted identification of & engagement with communities that may be disproportionately affected by fisheries reform, including a specific plan for how marae, hapū & iwi as Te Tiriti partners will be given voice throughout fisheries reform

Further Policy Work

- 4.)** Further policy work is undertaken to clearly link and locate existing place of iwi and Maori fisheries plans and arrangements, including the way in which proposed fisheries reform will provide for (and carry-over) these mechanisms. Related to these, Te Pāti Māori urges the Minister and his officials to rectify, address and provide assurances on more bespoke arrangements such as customary fishing regulations, Taiāpure and Mātaitai Reserves.

Conclusion

41. We consider that the Bill does not adequately address the true nature and extent of iwi/Māori rights and interests across fisheries management and legislation. We consider that the Bill is in itself, a breach of Te Tiriti o Waitangi.
42. Te Pāti Māori rejects the usurping of the inherent rights and authority asserted by hapū and iwi over their tāonga and rohe moana. We believe that the Bill in its current form completely subordinates the mana of iwi and hapū in relation to their fisheries – this is unacceptable in our view.
43. In doing so, the Crown is attempting to assert authority over various parts of rohe moana and communities where hapū/iwi already exercise rangatiratanga; without Te Tiriti partnership on fisheries reform or resourcing of Te Tiriti partners who deal with real challenges on ground.
44. Te Pāti Māori calls for urgent improvements on the Bill that address matters raised in this submission. We consider that the Bill is not only inadequate in safeguarding rights of tangata whenua secured under Te Tiriti, but express grave concern over the durability and effectiveness of a future fisheries management system that sidelines hapū and iwi.
45. Te Pāti Māori urges the Minister and the Government to engage with marae, hapū and iwi directly as Te Tiriti partners, not as submitters to select committee.
46. Our support for the Bill is conditional on resolution of recommendations set out in this submission, unless advised otherwise by a substantive number of marae, hapū and iwi throughout the legislative process.
47. Where marae, hapū and iwi views differ, either partially or substantially from this written submission on fisheries reform; Te Pāti Māori supports the right of marae, hapū & iwi to speak for themselves on all matters, particularly where they relate to their own rights under Te Tiriti
48. **Te Pāti Māori opposes the Bill and does not wish to speak** orally to this submission.

Nā mātou,

Te Pāti Māori

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