

Fisheries Amendment Bill

Home » Parliamentary Business » Select committees » Make a submission

Metadata

Published date: 23 Apr 2026

> View related Documents and downloads

Public submissions are now being called for Fisheries Amendment Bill

The closing date for submissions is 11.59pm on Wednesday, 06 May 2026

***UPDATE: The Primary Production Committee has unanimously decided to extend the deadline for submissions on the Fisheries Amendment Bill by one week. The new closing time for submissions is 11.59pm on Wednesday, 6 May 2026.**

The Primary Production Committee is calling for submissions on the Fisheries Amendment Bill.

The bill would amend the Fisheries Act 1996 and seeks to grow the value of seafood sector exports while continuing to ensure sustainability. The key changes include:

Changes to catch limits

- Expanding the range of options for setting and adjusting sustainable catch limits.
- Amending decision-making processes under the Act related to catch limits and related fisheries management measures.

Use and protection of on-board camera footage

- Exempting on-board camera footage from requests under the Official Information Act 1982.
- Establishing specific disclosure provisions that allow the Ministry for Primary Industries to share footage in limited, prescribed circumstances.

Landing and discard rule changes

- Allowing commercial fishers to return quota management system (QMS) species to the sea when fishing activities are monitored by an on-board camera or an observer.
- Making additional amendments to support the effective operation and enforcement of landing and discard rules.

Catch size requirements for commercial fishing

- Removing minimum commercial fish size limits from the regulations for specified species.

Changes to deemed value settings

- Introducing new rules that allow specific deemed value rates to be set for inshore stocks when caught by deepwater freezer vessels.

At this stage the committee intends to hold oral submissions on the 7th and 14th May 2026.

- **Submissions are publicly released and published to the Parliament website.** Only your name or organisation's name is required on a submission. Please keep your contact details separate, as if they are included on the submission they will become publicly available when the submission is released.
- If you wish to include information of a private or personal nature in your submission you should discuss this with the clerk of the committee before submitting.
- If you wish to speak to your submission, please state this clearly.


Further guidance on making a submission can be found from the 'How to make a submission' link in the 'Related documents' panel.

If you have any questions about your submission or the submission process please contact the Committee Staff through the contact details provided on this page.

RELATED

 **Read the bill** (<https://www.legislation.govt.nz/bill/government/2026/265/en/latest/#LMS1580053>)

 **How to make a submission** (<https://www.parliament.nz/en/pb/sc/how-to-make-a-submission/>)

 **What's been said in Parliament?** (<https://hansard.parliament.nz/hansard-transcript/2026-03-31/fisheries-amendment-bill?sId=15b0bef47a2649b2a8dec0b1ceb2a253&lang=en>)



Bill **Current** Latest version Introduction 18 March 2026 | 2026 No 265—1

Fisheries Amendment Bill

Versions (1)

Download (PDF 458 KB)

Legislation contents

Search content

Fisheries Amendment Bill

Government Bill
265—1

Explanatory note

General policy statement

This Bill amends the Fisheries Act 1996 (the **Act**). The Bill is intended to deliver on Government priorities to grow the value of seafood sector exports while continuing to ensure sustainability. It will achieve this objective by improving the responsiveness, certainty, and efficiency of the fisheries management system.

The Bill addresses Government concerns that key processes, such as for setting catch limits, are overly rigid and resource-intensive, limiting opportunities for sustainable utilisation and the seafood sector’s ability to adapt to changing conditions.

Recent judicial consideration of catch limit decisions has highlighted uncertainty about the scope and legislative intent of those decisions in the fisheries management framework. The Bill responds by clarifying legislative intent to improve certainty, transparency, and efficiency in decision-making.

[Back to top](#)

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

the sea when monitored by on-board cameras or observers.

The Bill is designed to deliver on its objectives by—

- improving responsiveness and flexibility in the fisheries management system; and
- clarifying the role of catch limits within the fisheries management system, including the matters relevant to their setting; and
- providing greater certainty about time frames for judicial review; and
- enhancing protection of on-board camera footage; and
- implementing new rules for commercial fishers that set out when fish managed under the QMS must be landed and when they can be returned to the sea; and
- adding flexibility to how deemed value rates for QMS stocks can be set.

Improving responsiveness and flexibility in fisheries management system

The introduction of electronic monitoring in commercial fisheries, the provision of near-real-time catch and position reporting by fishers, and the verification of this data via on-board cameras all provide an opportunity to deliver more responsive and efficient fisheries management.

This Bill introduces amendments to allow for more responsive management to changes in fish abundance, including to address sustainability concerns when they emerge, and to improve the efficiency of catch limit decisions. It also includes amendments designed to improve certainty and support long-term business planning and investment decisions. Key changes include—

- multi-year catch decisions and management procedures to expand on the current catch limit setting options (in sections 13 to 14B of the Act); and
- amendments for managing low-, medium-, and high-information stocks (those changes are intended to better align statutory decision-making requirements with the quality and reliability of information available for each stock, while maintaining sustainability outcomes); and
- formally recognising voluntary commercial measures that support sustainability to enhance the ability of the Minister for Oceans and Fisheries (the **Minister**) to weigh up all the characteristics of each fishery and set catch limits under the expanded options; and
- amendments to allow for more unused catch entitlement to be carried over to the next fishing year to reduce the economic impact of one-off adverse events preventing harvest, such as extreme weather events; and
- clarifying how environmental considerations are reflected in catch limit decisions, while confirming that catch limits operate as tools for managing the abundance of quota management stocks at the management area level. This is designed to ensure that the sustainability effect is addressed using the tool that is best suited for management; and

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

provide certainty to fishers and other stakeholders that key fisheries management decisions will not be challenged after a certain time.

Enhancing protection of on-board camera footage

The Bill exempts on-board camera footage from being subject to requests under the Official Information Act 1982 (the **OIA**) and creates disclosure provisions that allow footage to be shared by the Ministry for Primary Industries (**MPI**) in limited circumstances, such as enforcement and research. Requests for written summaries of fisheries activity captured by cameras could still be made under the OIA to maintain public transparency, and MPI would continue to regularly report on protected species caught by commercial fishers.

The purpose of this change is to provide certainty that on-board camera footage, which poses significant privacy and commercial sensitivity concerns for fishers, is held securely and used only for limited, intended purposes.

Implementing new rules for commercial fishers that set out when fish managed under QMS must be landed and when they can be returned to sea (discarded)

This Bill provides for commercial fishers to return QMS species to the sea when monitored by on-board cameras or an observer. The Bill also includes other proposed amendments that will support effective operation of the landing and discard rules, including—

- amending the defence for commercial fishers so that a fishery officer can authorise and supervise the return or abandonment of QMS fish without being present when the fish was taken; and
- enabling the Minister to provide for a landing exception to permit commercial fishers to deliberately release QMS fish using fishing gear or technologies that have little to no impact on fish survival.

Those changes are designed to make the best use of verified information from on-board cameras and reduce operational costs for fishers and licensed fish receivers.

Adding flexibility to how deemed value rates for QMS stocks can be set

Deemed values are the payments that commercial fishers must make to the Crown when they do not have enough catching rights to cover the QMS species they catch. The Bill introduces new rules that allow the setting of specific deemed value rates for inshore stocks when caught by deepwater freezer vessels based on the actual value of the fish when caught by those vessels. This recognises the significant difference in landed value that some inshore species can have depending on operational differences of the fishers catching them.

Technical amendments

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- current cost of fishing, and
- empowering the Minister to set rules as to what constitutes a reliable estimate of the status of a stock relative to a level that can produce the maximum sustainable yield and trends in its abundance; and
- restricting annual catch entitlement carry-forward when a non-regulatory measure replaces a total allowable catch reduction, supporting sustainability.

Departmental disclosure statement

MPI is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at

<http://legislation.govt.nz/disclosure.aspx?>

[type=bill&subtype=government&year=2026&no=265](http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2026&no=265)

Regulatory impact statement

MPI produced regulatory impact statements on 23 July 2025 and 29 October 2025 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

Copies of these regulatory impact statements can be found at—

- <https://www.mpi.govt.nz/dmsdocument/70415-Appendix-4-Regulatory-Impact-Statement-Amendments-to-the-Fisheries-Act-1996>
- <https://www.mpi.govt.nz/dmsdocument/71090-Appendix-1-Regulatory-Impact-Statement-Fisheries-Act-Amendments-Alternative-deemed-value-rates>
- <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/>

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that most of the Bill comes into force on the day after Royal assent. The exception is the provisions relating to the return and abandonment of fish and other animals that are aquatic life, which come into force on 1 November 2026.

Clause 3 states that the Bill amends the Fisheries Act 1996 (the **principal Act**).

Part 1

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

total allowable catch and the total allowable commercial catch for stocks of fish, aquatic life, or seaweed that are subject to the QMS (**QMS stocks**).

Clause 4 amends section 2, which defines terms for the purposes of the principal Act, to provide for definitions relating to the setting of the total allowable catch and the total allowable commercial catch for QMS stocks.

Clause 5 inserts *new section 11AAA*, which sets out the purpose of Part 3.

The new section states that the purpose of Part 3 is to provide for sustainability measures. It further states that the purpose of the measures—

- set or varied under section 11 is to address the effects of fishing on the aquatic environment and abundance of fisheries resources:
- set under any of *new sections 13A and 13E*, sections 14 and 14B, and *new section 14L* is to manage the effect of fishing on the abundance of QMS stocks at the level of quota management area:
- taken under section 15 is to address the adverse effects of fishing on protected species:
- imposed under section 16 is to respond to fisheries-related emergencies.

Clause 5, together with *clauses 9 and 17*, also divides Part 3 into the following subparts:

- *new subpart 1*, which contains—
 - section 11, which relates to sustainability measures other than the setting of the total allowable catch for QMS stocks:
 - section 11A, which relates to fisheries plans:
 - section 12, which sets out consultation requirements that must be met before certain things are done under Part 3:
- *new subpart 2*, which contains *new sections 13 to 14T*. Those sections relate to the total allowable catch for QMS stocks:
- *new subpart 3*, which contains sections 15 and 16. Section 15 relates to the fishing-related mortality of marine mammals or other wildlife. Section 16 relates to emergency measures.

Clause 6 amends section 11, which empowers the making of sustainability measures and sets out preconditions for making them and other instruments relating to the regulation or control of fishing. The amendments mainly disapply the preconditions set out in that section from the setting of the total allowable catch for QMS stocks.

Clause 7 amends section 11A to expressly provide for fisheries plans to include strategies that include non-regulatory measures. Non-regulatory measures are measures adopted voluntarily by 1 or more owners of quota for a QMS stock to limit or manage the taking of the stock by commercial fishing.

Clause 8 makes amendments to section 12 that are consequential on other changes made by *Part 1* of the Bill.

Clause 9 inserts a *new subpart 2* heading into Part 3 as described in the description of *clauses 5, 9, and 17*.

[Back to top](#) ↑

Standard total allowable catch

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

stock (the **specified stock**). The standard factors are—

- the effects of the taking of the specified stock on other stocks that are likely to be taken at the same time as the specified stock; and
- the adverse effects (if any) of the taking of the specified stock on the stock's ability to fulfil its role as a predator or prey of other species, but only to the extent that the adverse effects are relevant to determining the appropriate abundance of the stock at the level of the quota management area; and
- the environmental conditions (including environmental conditions caused by the effects of climate change) that affect the specified stock; and
- the social, cultural, and economic factors that the Minister considers relevant; and
- the controls (if any) that are set under this Act or other legislation that apply to the specified stock or its quota management area and that the Minister considers relevant; and
- the relevant fisheries plans (if any) approved under section 11A.

New sections 13A to 13G provide for the setting of a total allowable catch for a QMS stock. Those new sections apply in the majority of cases.

New section 13A carries over the requirement in section 13(1) for the Minister to set a total allowable catch for each QMS stock (unless the Minister does not propose to set a total allowable commercial catch for the stock).

New sections 13B to 13D set out criteria that a total allowable catch must satisfy. Those criteria differ depending on whether the total allowable catch is being set for a high-, medium-, or low-information QMS stock. Broadly,—

- a high-information stock is a stock for which there is sufficient information to reliably estimate the status of the stock relative to a level that can produce the maximum sustainable yield:
- a medium-information stock is a stock for which there is insufficient information to reliably estimate the status of the stock relative to a level that can produce the maximum sustainable yield, but sufficient information to reliably estimate the trends in the abundance of the stock over time:
- a low-information stock is a stock for which there is insufficient information to reliably estimate the status of the stock relative to a level that can produce the maximum sustainable yield and insufficient information to reliably estimate the trends in the abundance of the stock over time.

New section 13E carries over the ability in section 13(7) for the Minister to increase the total allowable catch for a highly variable QMS stock during the course of a fishing year. However, the ability applies only if the highly variable stock is also a high-knowledge stock or a medium-information stock.

New section 13F provides that, in setting a total allowable catch for a stock under *new section 13A*, the Minister must take into account the adverse

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

must assess the reliability of information for the purposes of determining whether a QMS stock is a high-, medium-, or low-information stock.

Alternative total allowable catch

Clause 11 inserts a cross-heading above sections 14 to 14C, which provide for the ability to set an alternative total allowable catch for certain QMS stocks.

Clauses 12 to 15 amend sections 14 to 14C to account for other changes made by the Bill, including by aligning the provisions of section 14 that provide for in-season increases in total allowable catch with *new section 13E*.

General matters

Clause 16 inserts *new sections 14D to 14T*.

New sections 14D to 14K provide for general matters that relate to the setting, variation, or revocation of a total allowable catch for a QMS stock.

New section 14D requires the Minister to set a total allowable catch for a QMS stock for—

- the next fishing year for the stock; or
- the next fishing year and subsequent fishing years for the stock (up to a maximum of 5 fishing years after the current fishing year).

New section 14E applies if the Minister sets the total allowable catch for the stock only for the next fishing year. It provides for the total allowable catch to take effect at the beginning of that fishing year and to continue to apply in subsequent fishing years until the total allowable catch is varied or the stock's quota management area is altered.

New section 14F applies if the Minister sets the total allowable catch for the stock for multiple fishing years. It enables the Minister to—

- set a different total allowable catch for each of the fishing years covered by the Minister's decision (the **specified period**):
- provide for the total allowable catch for the stock to revert to the previous total allowable catch at the end of the specified period (instead of the total allowable catch in effect at the end of the specified period continuing to apply).

New section 14G enables the Minister to vary the total allowable catch for a QMS stock.

New section 14H enables the Minister to revoke the total allowable catch that has been set for a QMS stock if—

- the Minister has set the total allowable catch for multiple fishing years; and
- before the beginning of the second or a subsequent fishing year in the specified period, information becomes available that indicates that the total allowable catch set for that fishing year might not meet the relevant requirements in the principal Act if it were set

If the Minister revokes the total allowable catch for that fishing year,—

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- the Minister must also revoke any total allowable catch set for each subsequent fishing year in the specified period.

New sections 14I to 14K relate to the Minister's consideration of non-regulatory measures in setting the total allowable catch for a QMS stock.

New section 14I provides for quota owners to apply to the Minister to have a non-regulatory measure considered.

New section 14J enables the Minister to give weight to a non-regulatory measure in setting a total allowable catch, after consulting on the measure and having regard to specified matters.

New section 14K applies if the Minister has given weight to a non-regulatory measure. It empowers the Minister to prescribe recording-keeping, reporting, and other standards related to the monitoring of, among other things, the effectiveness and implementation of the non-regulatory measure.

Management procedures

New sections 14L to 14T relate to management procedures that the Minister may make for QMS stocks. Management procedures enable the total allowable catch and total allowable commercial catch for a stock, which otherwise may be varied only by the Minister, to be varied by the chief executive of MPI (the **chief executive**).

A management procedure must contain objectives for the stock and operating rules that require the chief executive to vary the total allowable catch and total allowable commercial catch in certain circumstances. A management procedure may apply for up to 5 fishing years. The Minister may not make a management procedure for a stock to which section 14B applies or for which the Minister has set a total allowable catch for multiple years.

New section 14L empowers the Minister to make management procedures and sets out what they must contain. It also requires the objectives contained in a management procedure to be consistent with the requirements that apply to the setting of a total allowable catch for the stock.

New section 14M sets out requirements for the operating rules contained in a management procedure. The section requires the Minister to be satisfied that

- the rules are consistent with the objectives in the procedure; and
- if the variations or in-season increases in total allowable catch required by the rules were made by the Minister in the usual way, they would comply with the relevant requirements of the principal Act.

New section 14N sets out an additional requirement for operating rules for high-information stocks. In particular, it provides that the rules must require the chief executive to vary the total allowable catch to enable the stock to be restored to or above a level that can produce the maximum sustainable yield if the stock reduces to a level that is—

- below a level that can produce the maximum sustainable

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

sustainable yield.

However, that additional requirement does not apply if it is reasonable to expect that the reduction would be caused by something other than fishing and would be corrected over time under the settings in the management procedure.

New section 14O—

- requires the chief executive to comply with the operating rules in a management procedure; and
- provides for when variations in total allowable catch or total allowable commercial catch or in-season increases in total allowable catch take effect.

New section 14P provides for the total allowable catch that applies to a stock in the fishing year following a year in which the chief executive makes an in-season increase under a management procedure. Under the new section, the total allowable catch reverts to the one that applied at the beginning of the fishing year in which the chief executive made the in-season increase.

New section 14Q provides that a management procedure ceases to have effect if the level of the stock to which it applies falls below the lowest level at which the procedure requires the total allowable catch be varied.

New section 14R enables the Minister to revoke a management procedure if

- the Minister considers that the operating rules in the procedure are not meeting, or will not meet, the objectives in the procedure:
- information becomes available to the Minister that indicates that—
 - an operating rule in the procedure may no longer comply with the relevant section:
 - setting a total allowable catch for the stock in the usual way, and revoking the procedure, would better meet the relevant requirements under the principal Act for the setting of a total allowable catch:
- the procedure has ceased to have effect under *new section 14Q*.

New section 14S provides for the total allowable catch and total allowable commercial catch that apply in the last year of a management procedure to continue to apply until they are varied or the stock's quota management area is altered.

New section 14T requires the Minister to review the total allowable catch for a quota management stock if the stock's management procedure ceases to have effect or is revoked (unless it is revoked because the total allowable catch for the stock is to be set under *new section 13A*).

Other amendments relating to total allowable catch and total allowable commercial catch

Clause 17 inserts a *new subpart 3* heading into Part 3 as described in the description of *clauses 5, 9, and 17*.

Clauses 18 and 19 make consequential amendments to sections 16 and 17B.

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

Setting of total allowable commercial catch include requiring the Minister to

- set the total allowable commercial catch for a QMS stock for the same period for which the Minister has set the total allowable catch for the stock (*see new section 21A*);
- revoke the total allowable commercial catch for a QMS stock for every fishing year for which the total allowable catch is revoked in accordance with *new section 14H* (*see new section 21E*).

Clause 23 amends section 67A, which relates to the allocation of additional annual catch entitlement if a person does not fish their full annual catch entitlement for a QMS stock in a fishing year. The amendment provides that section 67A does not apply if the Minister gave weight to a non-regulatory measure in setting the total allowable catch for that fishing year.

Clauses 24 to 27 make consequential amendments to sections 68, 308, 368A, and 369F.

Part 2

Other amendments

Part 2 amends the principal Act, and regulations made under it, to make changes relating to—

- the allocation of additional annual catch entitlement (*see subpart 1*);
- the return and abandonment of fish and other animals that are aquatic life (*see subpart 2*);
- alternative deemed value rates (*see subpart 3*);
- the thresholds for non-payment of deemed values (*see subpart 4*);
- the confidentiality of camera recordings (*see subpart 5*);
- a time limit for applying for judicial review (*see subpart 6*);
- miscellaneous matters (*see subpart 7*).

Subpart 1—Amendment relating to allocation of additional annual catch entitlement

Amendment to principal Act

Clause 28 inserts *new sections 67C and 67D*, which provide for the allocation of additional annual catch entitlement in exceptional circumstances. Under the new sections, the chief executive may allocate a greater amount of additional annual catch entitlement than would be allocated in ordinary circumstances under section 67A.

New section 67C allows quota owners who together own at least 75% of the quota shares in the relevant QMS stock to apply for the chief executive to make an additional allocation of annual catch entitlement under *67D* instead of section 67A.

New section 67D enables the chief executive to allocate additional annual catch entitlement under that section if—

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

fishing year for the stock is the same as or more than the total allowable commercial catch applying at the close of the fishing year in which the exceptional circumstances occurred; and

- the Minister, in setting the total allowable catch that applies at the beginning of the next fishing year, did not give weight to a non-regulatory measure.

For the purposes of *new section 67D*, exceptional circumstances include—

- a natural disaster;
- a measure imposed under the principal Act or another Act that—
 - is for the purpose of responding to a naturally occurring event; and
 - has the effect of prohibiting or restricting fishing for the stock;
- a measure adopted voluntarily by owners of quota for the stock that the chief executive is satisfied—
 - is necessary to respond to a naturally occurring event; and
 - has the effect of prohibiting or restricting fishing for the stock;
- a significant change in market conditions for selling the stock that is not reasonably foreseeable.

Subpart 2—Amendments relating to returns and abandonment

Amendments to principal Act

Clause 29 amends section 72, which prohibits commercial fishers from returning or abandoning any fish or other animal that is aquatic life unless certain exceptions apply. The amendments create new exceptions for commercial fishers who—

- abandon fish or other animals that are aquatic life in accordance with an instrument that permits the fish or other animals to be abandoned by fishing gear or other technology that releases them before they are removed from the water; or
- return or abandon fish or other animals that are aquatic life while being monitored by an observer or electronic monitoring equipment in circumstances where other specified conditions or requirements are met, including those specified by the Minister for the purposes of the exception.

Clause 29 also amends section 72(4) so that a failure to comply with conditions or requirements specified by the Minister for the purposes of the exception is a strict liability offence.

Clause 30 amends section 72A to empower the Minister to make an instrument that permits all stocks and species of fish and other animals that are aquatic life to be abandoned if it is done using fishing gear or other technology that releases them before they are removed from the water. The Minister may make the instrument only if the Minister is satisfied there is evidence demonstrating that—

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

materially affected.

Clause 31 inserts *new section 72B*, which empowers the Minister to make an instrument that imposes conditions and requirements in connection with the return or abandonment of fish or other animals that are aquatic life while being monitored by an observer or electronic monitoring equipment.

Clauses 32 and 33 make consequential amendments to sections 252 and 257.

Clause 34 amends clauses 6 and 7 of Schedule 1AA.

Clause 6 of that schedule provides that the prohibition in section 72(1) on returning or abandoning fish does not apply to a fish listed in clause 6 if a person is prohibited from taking or possessing the fish by relevant legislation.

Clause 7(2) of that schedule empowers the Minister to make an instrument under section 72A to permit or require the stocks or species listed in that clause to be returned or abandoned.

That schedule provides that clause 6 of that schedule is repealed, and that clause 7(2) of that schedule ceases to have effect, on 30 September 2026.

Clause 34 extends that date to 30 September 2028.

Clause 34 also removes 7 stocks or species from the list of fish in clause 6 of that schedule.

Amendments to Fisheries (Commercial Fishing) Regulations 2001

Clause 35 states that *clause 36* amends the Fisheries (Commercial Fishing) Regulations 2001.

Clause 36 amends regulation 31, which includes prohibitions on the taking, possession, sale, and processing of undersized finfish. *Clause 36* amends regulation 31 so that it prohibits a person from selling, possessing for sale, or processing a finfish that is—

- taken in contravention of an instrument made under section 72A that requires the finfish to be returned or abandoned; and
- smaller than the length specified in the instrument.

Clause 36 also amends regulation 31 to remove the minimum length specified in that regulation for 10 stocks or species of finfish.

Amendments to Fisheries (Infringement Offences) Regulations 2001

Clause 37 states that *clause 38* amends the Fisheries (Infringement Offences) Regulations 2001.

Clause 38 amends those regulations—

- so that lower-level non-compliance with conditions or requirements specified by the Minister under *new section 72B* of the p... an infringement offence:
- to make consequential changes.

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

AMENDMENTS TO PRINCIPAL ACT

Subpart 3 of Part 2 amends the principal Act to provide for the setting and use of alternative annual deemed value rates for inshore QMS stocks that are taken by deepwater freezer vessels.

Clause 39 amends section 2 to insert definitions of the terms alternative deemed value rate and deepwater freezer vessel. An alternative deemed value rate is an annual deemed value rate set in reliance on *new subsection (5A)* of section 75 for an inshore stock that is taken by a deepwater freezer vessel. A deepwater freezer vessel is a vessel that freezes its catch while at sea and operates under a registered risk management programme under the Animal Products Act 1999 (or has an exemption from the requirement to do so).

Clause 40 amends section 75 to—

- empower the Minister to set alternative deemed values rates in accordance with *new section 75AA*;
- classify notices that set deemed value rates as secondary legislation.

Clause 41 inserts *new sections 75AA and 75AB*, which provide for the setting of alternative deemed value rates and when those rates have effect.

Under *new section 75AA*, the Minister may set an alternative deemed value rate for an inshore stock for up to 3 fishing years if the Minister is satisfied that—

- the average market value of the stock when taken by a deepwater freezer vessel is significantly less than the average market value of the stock; and
- the rate will not compromise—
 - the long-term sustainability of the stock; or
 - the long-term value of the quota for the stock; or
 - any other matter that would, if compromised, compromise the long-term integrity of the fisheries management system.

New section 75AB provides for when an alternative annual deemed value rate has effect. Even if an alternative annual deemed value rate is in effect, a commercial fisher must apply to use it in accordance with *new section 76C*.

Clause 42 makes consequential amendments to section 76.

Clause 43 inserts *new sections 76C to 76E*, which provide for applications by commercial fishers to use an alternative annual deemed value rate, and the effect of granting an application. Under *new section 76D*, the chief executive must grant an application if—

- the application complies with *new section 76C*; and
- the chief executive is satisfied that the reported catch for the stock taken by the applicant using 1 or more deepwater freezer vessels exceeded the applicant's annual catch entitlement for the stock for the relevant fishing year.

If the chief executive grants an application, *new section 76E* requires the chief executive to remit to the applicant the difference between the deemed value amount that the applicant paid on the basis of the annual deemed value rate and the annual deemed value amount payable by

Back to top ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

2001

Clause 44 states that *clause 45* amends the Fisheries (Commercial Fishing) Regulations 2001.

Clause 45 amends Schedule 2 of those regulations to prescribe the fee for an application to use an alternative annual deemed value rate.

Amendments to Fisheries (Deemed Value and Notification of Balances) Regulations 2001

Clause 46 states that *clauses 47 and 48* amend the Fisheries (Deemed Value and Notification of Balances) Regulations 2001.

Clauses 47 and 48 make amendments to those regulations that are consequential on notices for deemed value rates being classified as secondary legislation (*see clause 40*).

Clause 48 also amends those regulations to provide for the calculation of annual deemed value liability where the Minister has set different alternative annual deemed value rates in respect of the same stock.

Subpart 4—Amendments relating to thresholds for non-payment of deemed values

Amendments to principal Act

Clauses 49 and 50 amend sections 79 and 79A to increase from \$1,000 to \$2,000 the amount at which the non-payment of deemed values by a commercial fisher may result in the suspension of their fishing permit or the fishing permit of a closely connected person.

Clause 51 amends section 91 to increase from \$1,000 to \$2,000 the amount at which the non-payment of deemed values by a person will prevent them from obtaining a fishing permit.

Clause 52 amends section 113HB, which relates to the issue of international fishing permits. The amendment would require the chief executive to take into account that an operator may have unpaid and overdue deemed value amounts of more than \$2,000 (rather than the current \$1,000).

Clause 53 inserts *new section 299AAA*, which enables the amounts referred to above to be amended by Order in Council to reflect movement in the Consumers Price Index.

Subpart 5—Amendments relating to camera recordings

Amendments to principal Act

Clause 54 amends the heading to Part 12 to reflect the changes *clauses 55 and 56*.

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

Clause 57 inserts *new sections 227B to 227H* to provide for the confidentiality of camera recordings.

New section 227B defines key terms used in *new sections 227C to 227H*.

That includes defining the term camera recording as—

- meaning a video recording or still image recorded by equipment that is required to be installed on a vessel by regulations made under section 297(1)(ca); and
- including a video recording or still image of, or obtained from, a video recording recorded by equipment of that kind.

New section 227B also defines the term listed department or organisation as meaning a department or organisation that is named, or an organisation that belongs to a class of organisations that is described, in *new Schedule 8B*.

New section 227C prohibits the disclosure of camera recordings that are held by the chief executive, except in accordance with *new section 227D* or as required by an Act, a rule of law, or a court order. It is an offence for the chief executive or an employee of MPI to knowingly disclose a camera recording in breach of *new section 227C*.

New section 227D allows the chief executive to disclose a camera recording if 1 or more of the following apply:

- the disclosure is for the purpose of avoiding prejudice to the maintenance of law by a public service agency, including prejudice to the prevention, detection, investigation, prosecution, and punishment of offences:
- the disclosure is to a listed department or organisation for the purpose of enabling or assisting MPI or the listed department or organisation to perform its functions:
- the disclosure is to any person for the purpose of enabling or assisting MPI or a listed department or organisation to perform its functions:
- the disclosure is to enable or assist fisheries research commissioned or approved by the chief executive:
- the disclosure is to—
 - an owner or operator of the vessel to which the camera recording relates:
 - a person who, during the period of the recording, was the master of that vessel or was using it to fish in accordance with their fishing permit.

Among other things, the chief executive must, before disclosing a camera recording, have regard to whether withholding it is necessary to protect a person's privacy or to avoid prejudicing the commercial position of the person who supplied or is the subject of the recording.

New section 227E enables the chief executive to impose conditions on the use, storage, and destruction of a camera recording that the chief executive has disclosed. It is an offence to knowingly breach a condition.

New section 227F prohibits the further disclosure of a camera recording that has been disclosed by the chief executive, unless it is required by an Act, a

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

New section 227H states that nothing in the Official Information Act 1982 applies to camera recordings.

Clause 58 consequentially amends section 240.

Clause 59 amends section 252 so that a person who commits an offence against *new section 227C, 227E, or 227F* is liable to a maximum fine of \$50,000.

Clause 60 inserts *new section 299B* to enable the departments and organisations named or described in *new Schedule 8B* to be updated by Order in Council.

Clause 61 inserts *new Schedule 8B* into the principal Act.

Subpart 6—Amendments relating to judicial review

Amendments to principal Act

Clauses 62 to 64 make amendments that are consequential on the insertion of *new section 313A*.

Clause 65 inserts *new section 313A*. *New section 313A* establishes a time limit for seeking judicial review of any exercise, refusal to exercise, or purported exercise of a statutory power of decision under the principal Act. Under *new section 313A*, a person must file their application for judicial review within—

- 20 working days after the decision is notified or the relevant secondary legislation is published; or
- any further time allowed by the High Court on application filed before the expiry of that 20-working-day period.

Subpart 7—Miscellaneous amendments

Amendments to principal Act

Clauses 66, 68, 71 to 73, 75, 77, and 78 remove bespoke publication requirements for secondary legislation made under the principal Act. This promotes consistency with the scheme for publishing secondary legislation in accordance with the applicable requirements under the Legislation Act 2019.

Clauses 67, 69, 70, 74, and 76 make amendments to align language in various provisions of the principal Act with language used in the Bill.

Clause 79 inserts into Schedule 1AA of the principal Act the transitional, savings, and related provisions set out in *Schedule 2*.

Consequential amendment to Marine and Coastal Area (Moana) Act 2011

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

title groups when setting or varying sustainability measures.

Schedules

Schedule 1 contains *new Schedule 8B*, which names or describes departments and organisations to, or for the purposes of, which the chief executive may disclose camera recordings.

In summary, the transitional, savings, and related provisions in *Schedule 2*—

- provide for existing notices setting a total allowable catch, total allowable commercial catch, or deemed value rate to continue in force:
- provide that the amendments made by the Bill do not apply for the purposes of setting or varying a total allowable catch or total allowable commercial catch for a fishing year beginning on 1 October 2026:
- provide that the Minister may allocate additional annual catch entitlement in exceptional circumstances only for a fishing year that begins on or after 1 October 2027:
- empower the Minister to revoke certain permissions in instruments under section 72A to return or abandon stocks or species of fish:
- empower the Minister to make instruments under section 72A that require the return of certain stocks or species of fish and that have effect until no later than 30 September 2028:
- empower the Minister to create additional annual catch entitlement or increase the total allowable commercial catch for a QMS stock to reflect the removal, by or under the Bill, of a permission or requirement to return or abandon the stock.

Hon Shane Jones

Fisheries Amendment Bill

Government Bill

265—1

Contents

Show contents ▾

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Fisheries Amendment Act **2026**.

Back to top ↑

2 Commencement

[Bill](#) [Current](#) [Latest version](#) [Introduction 18 March 2026](#)

Fisheries Amendment Bill

subparts 1 to 3 and 5 of Part 5 of Schedule 1AA of the Fisheries Act 1996.

- (3) **Subpart 2 of Part 2** comes into force on **1 November 2026**.
- (4) **Section 79** comes into force on **1 November 2026**, but only for the purpose of giving effect to the insertion of **subpart 4 of Part 5** of Schedule 1AA of the Fisheries Act 1996.

3 Principal Act

This Act amends the Fisheries Act 1996.

Part 1

Amendments relating to total allowable catch and total allowable commercial catch

4 Section 2 amended (Interpretation)

- (1) In section 2(1), insert in their appropriate alphabetical order:

management procedure means a management procedure set out in a notice made under **section 14L**

non-regulatory measure has the meaning given to it in **section 13**

- (2) In section 2(1), replace the definition of **total allowable catch** with:

total allowable catch, in relation to any quota management stock, means a total allowable catch for the stock—

- (a) as set under section **13A**, 14(1), or 14B; or
- (b) increased under **section 13E or 14(4)**

- (3) In section 2(1), definition of **total allowable commercial catch**, delete “in the *Gazette*”.

5 New section 11AAA and subpart 1 heading in Part 3 inserted

Before section 11, insert:

11AAA Purpose of this Part

- (1) The purpose of this Part is to provide for sustainability measures.
- (2) In particular, the purpose of the measures—
 - (a) set or varied under section 11 is to avoid, remedy, or mitigate adverse effects of fishing on the aquatic environment and abundance of fisheries resources:
 - (b) set under any of sections **13A**, **13E**, 14, 14B, and 14C is to manage the effect of fishing on the abundance of quota management stocks at the level of quota management area:

[Back to top](#) ↑

Fisheries Amendment Bill

Subpart 1—Sustainability measures, fisheries plans, and consultation

6 Section 11 amended (Sustainability measures)

- (1) Replace the heading to section 11 with “**Sustainability measures other than total allowable catch**”.
- (2) In section 11(1), after “sustainability measure”, insert “(other than a total allowable catch)”.
- (3) In section 11(2A), after “under this Part”, insert “(other than a total allowable catch)”.
- (4) Replace section 11(3)(a) with:
 - (a) the catch limit (including a commercial catch limit) for any stock not within the quota management system:
- (5) In section 11(4)(a), delete “in the *Gazette*”.
- (6) Replace section 11(5) with:
 - (5) Without limiting subsection (4)(a), when setting or varying a catch limit (including a commercial catch limit) for any stock not within the quota management system, the Minister must have regard to the matters referred to in, as the case may require,—
 - (a) **section 13B, 13C, or 13D**; or
 - (b) section 21(1); or
 - (c) the relevant section specified in **paragraph (a)** and section 21(1).
- (7) Replace section 11(6) with:
 - (6) A notice under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

7 Section 11A amended (Fisheries plans)

- (1) In section 11A(3)(b)(i), replace “13” with “**13A**”.
- (2) After section 11A(3)(b)(i), insert:
 - (ia) non-regulatory measures to which the Minister has given weight, in accordance with **section 14J**, in setting a total allowable catch for a quota management stock:

8 Section 12 amended (Consultation)

- (1) In section 12(1), replace “sections 11(1), 11(4), 11A(1), 13(1), 13(4), 13(7), 14(1), 14(3), 14(6), 14B(1), 15(1), and 15(2) or regulations made under section 13(9)” with “sections 11(1), 11(4), 11A(1), **13A(1), 13E(2)**, 14(1), **14(4)**, 14B(1)

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

procedure.”.

(3) After section 12(2), insert:

(2A) The Minister may consult on a non-regulatory measure under this section only if the Minister decides to consult under **section 14I(4)**.

9 New subpart 2 heading in Part 3 inserted

In Part 3, after section 12, insert:

Subpart 2—Total allowable catch

10 Section 13 replaced (Total allowable catch)

Replace section 13 with:

13 Interpretation

In this subpart, unless the context otherwise requires,—

non-regulatory measure means a measure adopted voluntarily by 1 or more owners of quota for a quota management stock to limit or manage the taking of the stock by commercial fishing

relevant TAC-setting provision, in relation to setting a total allowable catch for a quota management stock, means whichever of section **13B(2) or (4), 13C(2), 13D(2)**, 14(1), or 14B(1) applies to the setting of the total allowable catch

specified period, in relation to the setting of a total allowable catch in accordance with **section 14D(b)**, has the meaning given to it in **section 14F(1)**

standard factors, in relation to setting a total allowable catch for a quota management stock (the **specified stock**), means the following:

- (a) if other quota management stocks are likely to be taken at the same time as the specified stock, the effects of the taking of the specified stock on those other stocks:
- (b) the adverse effects (if any) of the taking of the specified stock on the stock’s ability to fulfil its role as a predator or prey of other species, but only to the extent that the adverse effects are relevant to determining the appropriate abundance of the stock at the level of the quota management area:
- (c) the environmental conditions (including environmental conditions caused by the effects of climate change) that affect the specified stock:
- (d) the social, cultural, and economic factors that the Minister considers relevant:
- (e) the controls (if any) that are set under this Act or c
 - (i)

[Back to top](#) ↑

Fisheries Amendment Bill

11A.

Standard total allowable catch

13A Total allowable catch

- (1) The Minister must, by notice, set a total allowable catch for each quota management stock (but *see* **subsection (5)**).
- (2) The Minister must set the total allowable catch in accordance with—
 - (a) whichever of the following sections applies:
 - (i) **section 13B** (high-information stock):
 - (ii) **section 13C** (medium-information stock):
 - (iii) **section 13D** (low-information stock); and
 - (b) **sections 13F and 14D**.
- (3) Without limiting **subsection (2)**, the Minister may set the total allowable catch at zero.
- (4) This section is subject to sections 14 and 14B.
- (5) **Subsection (1)** does not require the Minister to set an initial total allowable catch for any quota management stock unless the Minister also proposes to set a total allowable commercial catch for that stock under **section 20**.
- (6) A notice made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1996 No 88 s 13(1), (4), (5), (10) as at 1 March 2026

13B Total allowable catch for high-information stock

- (1) This section applies if the Minister considers, in accordance with the rules (if any) made under **section 13G**, that the best available information about a quota management stock is sufficient to reliably estimate the status of the stock relative to a level that can produce the maximum sustainable yield.

Stock at or above level that can produce maximum sustainable yield

- (2) If the stock is at or above a level that can produce the maximum sustainable yield, the Minister must set a total allowable catch for the stock that—
 - (a) maintains the stock at its current level; or
 - (b) enables the level of the stock to move, in a way and at a rate that the Minister considers appropriate, towards a level that is—
 - (i) higher than its current level; or
 - (ii) lower than its current level but at or above a level that can produce the maximum sustainable yield.

[Back to top](#) ↑

Fisheries Amendment Bill

Stock below level that can produce maximum sustainable yield

- (4) If the stock is below a level that can produce the maximum sustainable yield, the Minister must set a total allowable catch for the stock that enables the stock to be restored to or above a level that can produce the maximum sustainable yield—
- (a) within a period that is appropriate to the stock; and
 - (b) in a way and at a rate that the Minister considers appropriate.
- (5) In complying with **subsection (4)(a)**, the Minister—
- (a) must have regard to—
 - (i) the standard factors; and
 - (ii) the biological characteristics of the stock; and
 - (b) if **section 14J** applies, may give weight to the relevant non-regulatory measure in accordance with that section.
- (6) In complying with **subsection (4)(b)**, the Minister must have regard to the social, cultural, and economic factors that the Minister considers relevant.

13C Total allowable catch for medium-information stock

- (1) This section applies if the Minister considers, in accordance with the rules (if any) made under **section 13G**, that the best available information about a quota management stock is—
- (a) insufficient to reliably estimate the status of the stock relative to a level that can produce the maximum sustainable yield; but
 - (b) sufficient to reliably estimate the trends in abundance of the stock over time.
- (2) The Minister must set a total allowable catch for the stock that is consistent with the objective of managing the stock at or above a level that can produce the maximum sustainable yield.
- (3) In complying with **subsection (2)**, the Minister—
- (a) must have regard to—
 - (i) the standard factors; and
 - (ii) the biological characteristics of the stock; and
 - (b) if **section 14J** applies, may give weight to the relevant non-regulatory measure in accordance with that section.

13D Total allowable catch for low-information stock

- (1) This section applies if the Minister considers, in accordance with the rules (if any) made under **section 13G**, that the best available information about a quota management stock is—
- (a)

[Back to top](#) ↑

Fisheries Amendment Bill

- (2) The Minister must set a total allowable catch for the stock that is not inconsistent with the objective of managing the stock at or above a level that can produce the maximum sustainable yield.
- (3) In complying with **subsection (2)**, the Minister—
 - (a) must take a cautious approach that favours the sustainability of the stock, having regard to—
 - (i) the standard factors; and
 - (ii) the biological characteristics of the stock; and
 - (iii) the characteristics of the fishing activity involved in taking the stock, including the methods used to take the stock, the scale and distribution of the effort involved in taking the stock, and the interaction of the activity with other quota management stocks; and
 - (b) if **section 14J** applies, may give weight to the relevant non-regulatory measure in accordance with that section.

13E In-season increase in total allowable catch for highly variable stock

- (1) This section applies to a quota management stock—
 - (a) that is listed in Schedule 2; and
 - (b) to which **section 13B or 13C** applies (high- or medium-information stock).
- (2) The Minister may, by notice, increase the total allowable catch with effect from the date in the current fishing year that is specified in the notice.
- (3) For the purposes of **subsection (2)**, the Minister must—
 - (a) consider information about the abundance of the stock during the current fishing year for the stock before increasing the total allowable catch; and
 - (b) set the increased total allowable catch in accordance with **section 13B or 13C** (as applicable) and **section 13F** (which apply, with any necessary modifications, as if the Minister were setting a total allowable catch under **section 13A**).
- (4) At the beginning of the next fishing year, the total allowable catch for the stock—
 - (a) reverts to the total allowable catch that applied at the beginning of the current fishing year; or
 - (b) if the total allowable catch for the current fishing year was set in accordance with **section 14D(b)**, is the total allowable catch that has effect for the next fishing year under **section 14D(4)** (which applies as if the total allowable catch for the fishing year had not been increased under this section).

[Back to top](#) ↑

Bill [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

omit the name of any stock from Schedule 2 or add to that schedule the name of any stock whose abundance is highly variable from year to year.

- (7) The following are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements):
- (a) a notice made under **subsection (2)**;
 - (b) an Order in Council made under **subsection (6)**.

Compare: 1996 No 88 s 13(7)–(9), (11) as at 1 March 2026

13F Consideration of environmental matters in setting total allowable catch

In setting a total allowable catch for a quota management stock under **section 13A**, the Minister must take into account the following only to the extent that they are relevant to the standard factors:

- (a) adverse effects of fishing for the stock on the aquatic environment;
- (b) the environmental principles.

13G Rules for assessing information about stock status and trends in stock abundance

- (1) The Minister may make rules for the purposes of **sections 13B(1), 13C(1), and 13D(1)** that set out how the Minister must assess the reliability of information that is relevant to—
- (a) the status of a quota management stock relative to a level that can produce the maximum sustainable yield; and
 - (b) the trends in the abundance of the stock over time.
- (2) Without limiting **subsection (1)**, the rules may set out—
- (a) the classes or characteristics of information or analyses that may be used to assess the information available about the stock;
 - (b) how that information or analyses must be used in assessing the information about the stock;
 - (c) other matters relevant to assessing the reliability, quality, or relevance of information about the stock.
- (3) Rules made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

11 New cross-heading above section 14 inserted

After section 13, insert:

Alternative total allowable catch

[Back to top](#) ↑

Bill [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

- (a) SECTION 13 WITH **SECTION 13A**, AND
- (b) “by notice in the *Gazette*” with “by notice and in accordance with **section 14D**”.

(2) Replace section 14(2) to (7) with:

- (2) In complying with subsection (1), the Minister may, if **section 14J** applies, give weight to the relevant non-regulatory measure in accordance with that section.
- (3) Without limiting subsection (1), the Minister may set any total allowable catch at zero.

In-season increase in total allowable catch

- (4) The Minister may, by notice, increase the total allowable catch for any stock listed in Schedule 3 with effect from the date in the current fishing year that is specified in the notice.
- (5) For the purposes of **subsection (4)**, the Minister must—
 - (a) consider information about the abundance of the stock during the current fishing year for the stock before increasing the total allowable catch; and
 - (b) set the increased total allowable catch in accordance with subsection (1) (which applies, with any necessary modifications, as if the Minister were setting a total allowable catch under that subsection).
- (6) At the beginning of the next fishing year, the total allowable catch for the stock—
 - (a) reverts to the total allowable catch that applied at the beginning of the current fishing year; or
 - (b) if the total allowable catch for the current fishing year was set in accordance with **section 14D(b)**, is the total allowable catch that has effect for the next fishing year under **section 14F(3) or (4)** (which applies as if the total allowable catch for the current fishing year had not been increased under this section).
- (7) However, **subsection (6)** does not prevent the Minister from varying the total allowable catch that applies to the next fishing year in accordance with **section 14G**.

Order in Council to amend Schedule 3

- (3) Replace section 14(9) with:
 - (9) The following are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements):
 - (a) a notice made under subsection (1) or **(4)**;
 - (b) an Order in Council made under subsection (8).

[Back to top](#) ↑

13 Section 14A amended (Alternative total allowable catch for stocks specified by Order in Council)

Bill [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

for certain stocks)

- (1) In section 14B(1),—
 - (a) replace “section 13” with “**section 13A**”; and
 - (b) delete “in the *Gazette*”; and
 - (c) after “in accordance with this section”, insert “and **section 14D**”.
- (2) Replace section 14B(4) to (8) with:
 - (4) In complying with subsection (1), the Minister—
 - (a) must be satisfied that quota owners have taken, and will continue to take, all reasonable steps (including, but not limited to, modifying fishing methods, fishing areas, and times of fishing) to minimise take of the stock; and
 - (b) if **section 14J** applies, may give weight to the relevant non-regulatory measure in accordance with that section.
 - (5) Without limiting subsection (1), the Minister may set any total allowable catch at zero.
 - (6) A notice made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

15 Section 14C amended (Stock may be declared no longer subject to section 14B)

In section 14C(2), replace “section 13” with “**section 13A**”.

16 New sections 14D to 14T and cross-headings inserted

After section 14C, insert:

General matters

14D Period for which total allowable catch may be set

In setting a total allowable catch for a quota management stock under section **13A**, 14(1), or 14B, the Minister must set the total allowable catch for—

- (a) the next fishing year for the stock (*see* **section 14E**); or
- (b) the next fishing year and subsequent fishing years for the stock (up to a maximum of 5 fishing years after the current fishing year) (*see* **section 14F**).

14E Total allowable catch set for next fishing year: effect and continuation

- (1) This section applies if, in accordance with **section 14D**(a), the Minister sets a total allowable catch for only the next fishing year for the stock.

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- (a) the total allowable catch is varied in accordance with **section 14G**; or
 - (b) an alteration of the quota management area for the stock takes effect in accordance with sections 25 and 26.
- (4) This section is subject to **sections 13E and 14(4)**.
Compare: 1996 No 88 s 13(1), (6) as at 1 March 2026

14F Total allowable catch set for multiple fishing years: setting, effect, and continuation or reversion

- (1) This section applies if, in accordance with **section 14D(b)**, the Minister sets a total allowable catch for the next fishing year and subsequent fishing years for the stock (the **specified period**).
- (2) The Minister may—
- (a) set a different total allowable catch for each of the fishing years in the specified period:
 - (b) specify in the notice that sets the total allowable catch that, after the specified period, the total allowable catch reverts in accordance with **subsection (4)(b)**.
- (3) The total allowable catch that is set for a fishing year has effect on and from the first day of that fishing year.
- (4) The total allowable catch that has effect on and from the first day of the first fishing year after the specified period is—
- (a) the total allowable catch that applied at the beginning of the final year of the specified period; or
 - (b) if this paragraph applies, the total allowable catch that applied at the beginning of the fishing year immediately before the specified period.
- (5) The total allowable catch that has effect for the first fishing year after the specified period continues to apply in each subsequent fishing year until—
- (a) the total allowable catch is varied in accordance with **section 14G**; or
 - (b) an alteration of the quota management area for the stock takes effect in accordance with sections 25 and 26.
- (6) This section is subject to **sections 13E and 14(4)**.

14G Variation of total allowable catch

- (1) The Minister may vary the total allowable catch for a quota management stock under section **13A**, 14(1), or 14B (as applicable) by increasing or decreasing the total allowable catch for the
- (2) The Minister may vary the total allowable catch for a fish regardless of whether the total allowable catch that is being varied—

[Back to top](#) ↑

Fisheries Amendment Bill

allowable catch for a quota management stock.

Compare: 1996 No 88 ss 13(4), 14(3), 14B(6) as at 1 March 2026

14H Revocation of total allowable catch that is set for multiple fishing years

- (1) This section applies if—
 - (a) the total allowable catch is set for a quota management stock in accordance with **section 14D(b)**; and
 - (b) before the beginning of the second or a subsequent fishing year in the specified period, information becomes available to the Minister that indicates that the total allowable catch set for that fishing year might not comply with the relevant TAC-setting provision were it to be set after the information became available.
- (2) The Minister may revoke the total allowable catch for that fishing year under **section 13A** without setting a new total allowable catch.
- (3) If the Minister revokes the total allowable catch for that fishing year, the Minister must also revoke the total allowable catch (if any) set for every subsequent fishing year in the specified period.
- (4) Before making the revocation, the Minister must consult, to the extent that is reasonably practicable in the circumstances, such persons or organisations as the Minister considers are representative of those classes of persons having an interest in the stock, including Māori, environmental, commercial, and recreational interests.
- (5) Following the revocation, the total allowable catch that has effect on and from the first day of the fishing year referred to in **subsection (1)(b)** is—
 - (a) the total allowable catch that applied at the beginning of the immediately preceding fishing year; or
 - (b) if **section 14F(4)(b)** would have applied after the specified period, the total allowable catch that applied at the beginning of the fishing year immediately before the specified period.
- (6) The total allowable catch that has effect under **subsection (5)** continues to apply in each subsequent fishing year until—
 - (a) the total allowable catch is varied in accordance with **section 14G**; or
 - (b) an alteration of the quota management area for the stock takes effect in accordance with sections 25 and 26.
- (7) The notice that gives effect to a revocation for the purposes of this section must do either or both of the following:
 - (a) include a statement of the total allowable catch that is set under **subsection (5)**;
 - (b)

[Back to top](#) ↑

Fisheries Amendment Bill

- (9) **Subsection (6)** is subject to **sections 13E and 14(4)**.

14I Application to have non-regulatory measure considered

- (1) One or more quota owners may apply for the Minister to have regard to a non-regulatory measure in setting the total allowable catch for a quota management stock under section **13A**, 14(1), or 14B.
- (2) Every quota owner making the application must own quota for the stock to which the non-regulatory measure relates.
- (3) The application must—
- (a) be made to the Minister in accordance with any notice made under **subsection (6)**; and
 - (b) contain sufficient details to enable the Minister to decide the weight (if any) that the Minister should, in setting the total allowable catch, give to the non-regulatory measure in accordance with **section 14J**.
- (4) After considering the application, the Minister may,—
- (a) if the application complies with **subsection (3)**, consult on the non-regulatory measure; or
 - (b) for any reason, decide not to consult on the non-regulatory measure.
- (5) If the Minister decides not to consult on the non-regulatory measure, the Minister must notify that decision to every quota owner who made the application before the Minister starts consultation under section 12 on the total allowable catch to which the measure relates.
- (6) For the purposes of **subsection (3)(a)**, the chief executive may, by notice, specify all or any of the following:
- (a) the information that must be included in an application, including information relating to matters described in **section 14J(2)**;
 - (b) how an application must be made;
 - (c) when an application must be made.
- (7) In this section and **section 14J**, **consult**, in relation to a non-regulatory measure, means to consult under section 12 on the weight (if any) that the Minister should give to the measure in setting the relevant total allowable catch.
- (8) A notice made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

14J Consideration of non-regulatory measure

- (1) This section applies if the Minister has consulted on a non-regulatory measure.

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

- (a) the effectiveness of the measure in supporting the total allowable catch to comply with the relevant TAC-setting provision:
 - (b) the robustness of the measure:
 - (c) the ability of the stock's quota owners to monitor their implementation of and adherence to the measure:
 - (d) the sustainability of the stock:
 - (e) any other matters that the Minister considers relevant.
- (3) To avoid doubt, the Minister is not required to give weight to any non-regulatory measure, including—
- (a) a measure that is the same as or similar to a measure to which the Minister has previously given weight:
 - (b) a measure to which the matters described in **subsection (2)** apply favourably.
- (4) The Minister must publicly notify a non-regulatory measure to which the Minister has given weight under this section.

14K Monitoring standards for non-regulatory measures

- (1) This section applies if the Minister gives weight to a non-regulatory measure under **section 14J** in setting a total allowable catch for a quota management stock.
- (2) The Minister may prescribe standards for record-keeping, reporting, and other matters for the purpose of enabling the chief executive to monitor matters relating to the non-regulatory measure, including—
- (a) the effectiveness of the measure:
 - (b) the implementation of and adherence to the measure by the stock's quota owners:
 - (c) the effect of the measure on the sustainability of the stock.
- (3) Standards made under this section apply to each fishing year in which the total allowable catch referred to in **subsection (1)** applies.
- (4) However, if the total allowable catch is increased under **section 13E or 14(4)** during a fishing year, the standards do not apply for the period in which that increase has effect.
- (5) The Minister must publicly notify standards made under this section.

Management procedures

14L Minister may make management procedure

- (1) The Minister may, by notice, set out a management procedure for a quota management stock unless—
- (a) section 14B applies to the stock:
 - (b)

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- (a) the fishing years to which the procedure applies (which must be 5 or fewer consecutive fishing years); and
 - (b) objectives for the stock that are set in accordance with **subsection (4)**; and
 - (c) operating rules that prescribe, in accordance with **section 14M** and (if applicable) **section 14N**,—
 - (i) the circumstances in which the chief executive must vary the total allowable catch for the stock; and
 - (ii) the manner in which the chief executive must determine whether those circumstances exist; and
 - (iii) the levels to which the chief executive must vary the total allowable catch and total allowable commercial catch for the stock or the manner in which the chief executive must determine those levels; and
 - (iv) for each level of total allowable commercial catch referred to in **subparagraph (iii)**, the allowances made for the purposes of section 21(1)(a) and (b) or the manner in which the chief executive must determine those allowances before varying the total allowable commercial catch.
- (3) The management procedure may also include operating rules that prescribe, in accordance with **section 14M** and (if applicable) **section 14N**,—
- (a) the circumstances in which the chief executive must make an in-season increase in the total allowable catch for the stock; and
 - (b) the manner in which the chief executive must determine whether those circumstances exist; and
 - (c) the level to which the chief executive must increase the total allowable catch.
- (4) The objectives for the stock must be consistent with the relevant TAC-setting provision that would apply if the Minister were setting the total allowable catch for the stock at the time when the Minister makes the notice under this section.
- (5) In this section and **sections 14M to 14P**, **in-season increase** means an increase in a total allowable catch that takes effect in the fishing year in which it is made.
- (6) A notice made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

14M Requirements for operating rules in management procedure

- (1) The Minister must be satisfied that the operating rules in management procedure are consistent with the objectives that are

[Back to top](#) ↑

Bill [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

- 14(1) if the variation were made by the Minister under section **13A** or 14(1); and
- (b) a variation to the total allowable commercial catch that is required by the operating rules would comply with sections **20(3)** and 21(1) if it were made by the Minister under **section 20**; and
- (c) if the operating rules require an in-season increase, the increase would comply with **section 13E(3) or 14(5)** if it were made by the Minister under **section 13E or 14(4)**.
- (3) For the purposes of **subsection (2)**,—
- (a) section **13B, 13C, 13D**, or 14 applies to a stock if that section applies to the stock when the notice setting out the management procedure is made; and
- (b) the Minister may have regard to a non-regulatory measure in accordance with **section 14J** if the Minister would be permitted to have regard to the measure for the purpose of setting the total allowable catch; and
- (c) sections **13B to 13F**, 14, **14I, 14J, 20**, and 21 apply with any other necessary modifications.
- (4) An operating rule must not require an in-season increase for a highly migratory species as a result of an agreement of the kind described in section 68(2A)(a) (which relates to agreements between New Zealand and another member of an international fisheries organisation).
- (5) **Subsections (1) and (2)** are subject to **subsection (4)** and **section 14N**.

14N Additional requirement for operating rules for high-information stock

- (1) This section applies if a management procedure is for a high-information stock that is at or above a level that can produce the maximum sustainable yield when the notice setting out the procedure is made.
- (2) The management procedure must include operating rules that—
- (a) apply if the stock reduces to a level that is—
- (i) below a level that can produce the maximum sustainable yield; but
- (ii) above the minimum level; and
- (b) require the chief executive to vary the total allowable catch so that it enables the stock to be restored to or above a level that can produce the maximum sustainable yield.
- (3) However, the management procedure does not need to include operating rules of that kind in respect of a reduction in the total allowable catch if the Minister is satisfied that it is reasonable to expect that—

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

restored to or above a level that can produce the maximum sustainable yield over time.

- (4) For the purposes of **subsection (2)(b)**, the Minister need not determine the period within which, way in which, or rate at which the stock is to be restored to or above a level that can produce the maximum sustainable yield.
- (5) In this section,—
- high-information stock** means a quota management stock to which **section 13B** applies when the notice setting out the management procedure for the stock is made
- minimum level** means the greater of the following:
- (a) 20% of the estimated biomass of the quota management stock if the stock were not fished:
- (b) 50% of a level of the stock that can produce the maximum sustainable yield.

140 Implementation of operating rules

- (1) The chief executive must comply with the operating rules in a management procedure.
- (2) If the operating rules require the chief executive to vary the total allowable catch or total allowable commercial catch for a quota management stock,—
- (a) the chief executive must do so by notice; and
- (b) the variation has effect on and from the first day of the next fishing year after the variation is made.
- (3) If the operating rules require the chief executive to make an in-season increase,—
- (a) the chief executive must do so by notice; and
- (b) the increase has effect from the date in the current fishing year that is determined by the chief executive and specified in the notice; and
- (c) section 68 applies, with any necessary modifications, as if—
- (i) the reference to the Minister in section 68(1) were a reference to the chief executive; and
- (ii) for the purposes of section 68(1)(b), the chief executive were able to increase the total allowable commercial catch for a stock under **section 20**.
- (4) The chief executive may comply with **subsection (2)(a)** by amending the notice by which the Minister set the total allowable catch that is being varied.
- (5) A notice made under this section is secondary legislation (the Legislation Act 2019 for publication requirements).

[Back to top](#) ↑

Fisheries Amendment Bill

- (2) At the beginning of the next fishing year, the total allowable catch for the quota management stock reverts to the total allowable catch that applied at the beginning of the fishing year in which the chief executive made the in-season increase.
- (3) However, **subsection (2)** does not prevent—
- the Minister from varying the total allowable catch that applies to the next fishing year in accordance with **section 14G**; or
 - the chief executive from varying the total allowable catch that applies to the next fishing year in accordance with **section 14O(2)**.

14Q When management procedure ceases to have effect

- (1) A management procedure ceases to have any effect if the level of the quota management stock to which it applies reduces below the lowest level at which the procedure's operating rules require the total allowable catch for the stock to be varied.
- (2) If a management procedure ceases to have effect under **subsection (1)**, it is not revived if the level of the stock is subsequently restored to a level at or above the lowest level referred to in that subsection.

14R Revocation of management procedure

- (1) The Minister may, under **section 14L**, revoke the notice setting out a management procedure if all or any of the following apply:
- the Minister considers that the operating rules in the procedure are not meeting, or will not meet, the objectives in the procedure;
 - information becomes available to the Minister that indicates that—
 - an operating rule in the procedure may no longer comply with the relevant section;
 - setting a total allowable catch for the stock under **section 13A**, and revoking the procedure, would better enable the requirements of the relevant section to be met;
 - the procedure has ceased to have effect under **section 14Q**.
- (2) In this section, **relevant section** means the section that the Minister was satisfied the operating rule would comply with for the purposes of **section 14M(2)**.

14S Total allowable catch and total allowable commercial catch after management procedure ends

The total allowable catch and total allowable commercial catch apply to a quota management stock at the beginning of the

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

management procedure:

- (b) in the case of the total allowable commercial catch, it is varied in accordance with **section 21D** or the operating rules in another management procedure:
- (c) in either case, an alteration of the quota management area for the stock takes effect in accordance with sections 25 and 26.

14T Review of total allowable catch if management procedure ceases to have effect or is revoked

The Minister must review the total allowable catch for a quota management stock as soon as practicable after—

- (a) the stock’s management procedure ceases to have effect under **section 14Q**; or
- (b) the notice setting out the stock’s management procedure is revoked in accordance with **section 14R(1)(a) or (b)(i)**.

17 New subpart 3 heading in Part 3 inserted

In Part 3, after **section 14T** (as inserted by **section 16** of this Act), insert:

Subpart 3—Other measures

18 Section 16 amended (Emergency measures)

In section 16(4), replace “section 13” with “**section 13A**”.

19 Section 17B amended (Determination that stock or species be subject to quota management system)

In section 17B(2), replace “section 13” with “**section 13A**”.

20 Section 20 replaced (Setting and variation of total allowable commercial catch)

Replace section 20 with:

20 Setting of total allowable commercial catch

- (1) The Minister must, by notice, set a total allowable commercial catch for each quota management stock in accordance with sections 21 and **21A**.
- (2) Without limiting **subsection (1)**, the Minister may set a total allowable commercial catch at zero.
- (3) A total allowable commercial catch for a quota management stock for a fishing year must not—
 - (a)

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- (4) A notice made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

21 Section 21 amended (Matters to be taken into account in setting or varying any total allowable commercial catch)

- (1) In the heading to section 21, delete “or varying”.
- (2) In section 21(1), (2), and (3), delete “or varying”.

22 New sections 21A to 21E inserted

After section 21, insert:

21A Period for which total allowable commercial catch must be set

In setting a total allowable commercial catch for a quota management stock under **section 20**, the Minister must set the total allowable commercial catch for—

- (a) the next fishing year, if the total allowable catch for the stock has been set in accordance with **section 14D(a)** (*see* **section 21B**);
- (b) the specified period for which the total allowable catch has been set, if the total allowable catch has been set in accordance with **section 14D(b)** (*see* **section 21C**).

21B Total allowable commercial catch set for next fishing year: effect and continuation

- (1) This section applies if, in accordance with **section 21A(a)**, the Minister sets a total allowable commercial catch for only the next fishing year for the stock.
- (2) The total allowable commercial catch set for the next fishing year has effect on and from the first day of that fishing year.
- (3) The total allowable commercial catch continues to apply in each subsequent fishing year until—
- (a) the total allowable commercial catch is varied in accordance with **section 21D**; or
- (b) an alteration of the quota management area for the stock takes effect in accordance with sections 25 and 26.

Compare: 1996 No 88 s 20(1), (4) as at 1 March 2026

21C Total allowable commercial catch set for multiple fishing years: setting, effect, and continuation and reversion

[Back to top](#) ↑

Fisheries Amendment Bill

- each of the fishing years in the specified period.
- (3) The total allowable commercial catch that is set for a fishing year has effect on and from the first day of that fishing year.
 - (4) The total allowable commercial catch that has effect on and from the first day of the first fishing year after the specified period is—
 - (a) the total allowable commercial catch that applied in the final year of the specified period; or
 - (b) if **section 14F(4)(b)** applies to the total allowable catch, the total allowable commercial catch that applied in the fishing year immediately before the specified period.
 - (5) The total allowable commercial catch that has effect for the first fishing year after the specified period continues to apply in each subsequent fishing year until—
 - (a) the total allowable commercial catch is varied in accordance with **section 21D**; or
 - (b) an alteration of the quota management area for the stock takes effect in accordance with sections 25 and 26.

21D Variation of total allowable commercial catch

- (1) The Minister may vary a total allowable commercial catch for a quota management stock under **section 20** by increasing or decreasing the total allowable commercial catch for the stock.
- (2) The Minister may vary the total allowable commercial catch for a fishing year regardless of whether the total allowable commercial catch that is being varied—
 - (a) has been set in accordance with **section 21A**; or
 - (b) would apply by operation of **section 21B(3) or 21C(4) or (5)**.
- (3) For the purposes of **subsection (1)**, this Act applies, with any necessary modifications, as if the Minister were setting a total allowable commercial catch for a quota management stock.

Compare: 1996 No 88 s 20(2) as at 1 March 2026

21E Revocation of total allowable commercial catch that is set for multiple fishing years

- (1) This section applies if the total allowable catch for a quota management stock is revoked for 1 or more fishing years in accordance with **section 14H**.
- (2) The Minister must revoke the total allowable commercial catch for the stock for those fishing years under **section 20** without setting a new total allowable commercial catch.
- (3) On and from the first day of the first fishing year for which the total allowable commercial catch is revoked, the total allowable commercial catch is—

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- immediately before the start of the specified period.
- (4) The total allowable commercial catch that has effect under **subsection (3)** continues to apply in each subsequent fishing year until—
- (a) the total allowable commercial catch is varied in accordance with **section 21D**; or
 - (b) an alteration of the quota management area for the stock takes effect in accordance with sections 25 and 26.
- (5) The notice that gives effect to a revocation for the purposes of this section must do either or both of the following:
- (a) include a statement of the total allowable commercial catch that applies under **subsection (3)**;
 - (b) amend another notice made under **section 20** so that it states the total allowable catch that applies under **subsection (3)**.

23 Section 67A amended (Allocation of additional annual catch entitlement in case of underfishing)

After section 67A(3)(b), insert:

- (c) a stock for which the Minister, in setting the total allowable catch applying at the close of the first fishing year, gave weight to a non-regulatory measure.

24 Section 68 amended (Minister to create additional annual catch entitlement if total allowable catch increased during fishing year)

- (1) In section 68(1)(a), replace “section 13(7) or section 14(6)” with “**section 13E or 14(4)**”.
- (2) In section 68(1)(b) and (3)(a), replace “section 20(4)” with “**section 21B(2) or 21C(3)**”.

25 Section 308 amended (Protection of the Crown, etc)

In section 308(2)(c), replace “13” with “**13A**”.

26 Section 368A amended (Foveaux Strait dredge oyster fishery subject to quota system)

In section 368A(6), replace “section 13” with “**section 13A**”.

27 Section 369F amended (Initial total allowable commercial catch and total allowable catch for southern blue whiting in quota management SBW6A, SBW6B, SBW6I, and SBW6R)

In section 369F(5)(b), replace “section 13” with “**section 13A**”.

[Back to top](#) ↑

Fisheries Amendment Bill

Subpart 1—Amendment relating to allocation of additional annual catch entitlement

*Amendment to principal Act***28 New sections 67C and 67D inserted**

After section 67B, insert:

67C Application for allocation of additional annual catch entitlement in exceptional circumstances

- (1) One or more quota owners may apply to the chief executive to have annual catch entitlement for a quota management stock allocated under **section 67D** instead of section 67A.
- (2) The application must—
 - (a) be made by quota owners who together own at least 75% of the quota shares in the stock; and
 - (b) be made at least 2 months before the end of the first fishing year; and
 - (c) specify the proposed maximum percentage of annual catch entitlement from the first fishing year that may be allocated to a person under **section 67D**; and
 - (d) explain—
 - (i) the circumstances that the applicants consider justify the making of an allocation under **section 67D**; and
 - (ii) why the proposed maximum percentage is appropriate; and
 - (e) be made in accordance with any notice made under **subsection (4)**.
- (3) The chief executive must not allocate annual catch entitlement for the stock for the second fishing year under section 67A if the chief executive decides to make an allocation for the stock for that year under **section 67D**.
- (4) For the purposes of **subsection (2)(e)**, the chief executive may, by notice, specify either or both of the following:
 - (a) the details that must be included in an application;
 - (b) how an application must be made.
- (5) In this section and **section 67D**,—

annual catch entitlement from the first fishing year means an annual catch entitlement of the kind described in section 67A(1)(a);

first fishing year has the meaning given to it in section 67A(1)(b);

second fishing year has the meaning given to it in section 67A(2)(b).

[Back to top](#) ↑

Fisheries Amendment Bill

exceptional circumstances

- (1) After considering an application made under **section 67C**, the chief executive may allocate under this section annual catch entitlement for the stock for the second fishing year if—
 - (a) the chief executive is satisfied that there were exceptional circumstances in the first fishing year that adversely affected the ability for the stock to be fished or sold; and
 - (b) the total allowable commercial catch at the beginning of the second fishing year for the stock is the same as or more than the total allowable commercial catch applying at the close of the first fishing year; and
 - (c) the Minister, in setting the total allowable catch that applies at the beginning of the second fishing year, did not give weight to a non-regulatory measure.
- (2) If the chief executive intends to make the allocation, the chief executive must,—
 - (a) in accordance with **subsection (3)**, determine the maximum percentage of annual catch entitlement for the first fishing year that may be allocated to a person; and
 - (b) for each person who, as at the 15th day after the end of the first fishing year, owns annual catch entitlement for the first fishing year for that stock, compare—
 - (i) the annual catch entitlement for the first fishing year (other than annual catch entitlement created under section 68) that is owned by the person on that date; and
 - (ii) the reported catch (if any) for that stock, calculated in accordance with regulations made for that purpose under section 297, taken by that person during the first fishing year.
- (3) In determining the maximum percentage, the chief executive must—
 - (a) have regard to—
 - (i) the sustainability of the stock; and
 - (ii) the extent to which the exceptional circumstances adversely affected the ability for the stock to be fished or sold; and
 - (b) be satisfied that the maximum percentage is appropriate, having regard to the biological characteristics of the stock.
- (4) If the amount of annual catch entitlement referred to in **subsection (2)(b)(i)** is greater than the reported catch referred to in **subsection (2)(b)(ii)**, the chief executive must—
 - (a) calculate the difference between that annual catch and that reported catch; and
 - (b)

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

- (ii) the maximum percentage determined by the chief executive under **subsection (2)(a)**.
- (5) The chief executive must allocate annual catch entitlement under this section as soon as practicable after the 15th day after the end of the first fishing year.
- (6) The amount of annual catch entitlement allocated under this section must be rounded up or rounded down by the chief executive to the nearest kilogramme or, in the case of Foveaux Strait dredge oysters, to the nearest whole number of oysters.
- (7) Any annual catch entitlement allocated under this section—
 - (a) is in addition to any annual catch entitlement generated under section 66 or created under section 68; and
 - (b) has effect for all purposes under this Act on and from the date of the allocation.
- (8) The chief executive must, as soon as practicable after allocating any annual catch entitlement under this section,—
 - (a) notify every person to whom annual catch entitlement has been allocated of the amount of annual catch entitlement allocated to that person; and
 - (b) ensure that the amount of annual catch entitlement allocated is registered on the Annual Catch Entitlement Register.
- (9) In this section, **exceptional circumstances**, in relation to a quota management stock, includes—
 - (a) a natural disaster;
 - (b) a measure imposed under this Act or another Act that—
 - (i) is for the purpose of responding to a naturally occurring event; and
 - (ii) has the effect of prohibiting or restricting fishing for the stock;
 - (c) a measure adopted voluntarily by owners of quota for the stock that the chief executive is satisfied—
 - (i) is necessary to respond to a naturally occurring event; and
 - (ii) has the effect of prohibiting or restricting fishing for the stock;
 - (d) a significant change in market conditions for selling the stock that is not reasonably foreseeable.

Subpart 2—Amendments relating to returns and abandonment

[Back to top](#) ↑

Amendments to principal Act

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- (2) Replace section 72(2)(a) with:
- (a) the return or abandonment is permitted by an instrument made under section 72A(2)(a) or (b) or **(2A)**; and
- (3) After section 72(3), insert:
- (3A) A commercial fisher who takes any fish or other animal that is aquatic life subject to the quota management system may return it to, or abandon it in, the sea or waters from which it was taken if—
- (a) either or both of the following apply:
- (i) an observer—
- (A) was on board the relevant vessel when the fish or other animal that is aquatic life was taken; and
- (B) observes and verifies the return or abandonment:
- (ii) electronic monitoring equipment on the relevant vessel—
- (A) recorded the taking, sorting, and processing of the fish or other animal that is aquatic life; and
- (B) records the return or abandonment; and
- (b) the conditions or requirements (if any) specified in an instrument made under **section 72B** are complied with.
- (3B) Any fish or other animal that is aquatic life returned or abandoned in accordance with **subsection (3A)** must be included in the commercial fisher’s reported catch for the purposes of section 76.
- (4) Replace section 72(4)(c) and (d) with:
- (c) in contravention of subsection (2)(b), (3)(b), or **(3A)(b)**, fails to comply with conditions or requirements in respect of the return or abandonment of—
- (i) 50 or fewer fish or other animals that are aquatic life in any 1-day period; or
- (ii) more than 50 fish or other animals that are aquatic life in any 1-day period.
- (5) In section 72(5)(ba)(iii), replace “.” with “; or”.
- (6) Repeal section 72(5)(c)(i).
- (7) In section 72(5)(c)(ii), replace “the fishery officer or observer” with “a fishery officer”.
- (8) In section 72(5)(c)(iii), delete “or observer” in each place.
- (9) In section 72(7)(a) and (b), replace “subsection (2) or (3)” with “subsection (2), (3), or **(3A)**”.
- (10) After section 72(7), insert:
- (7A) In this section and **section 72B**,—
- electronic monitoring equipment** means cameras and other electronic equipment that are required to be installed and used on the relevant vessel by regulations made under section 297(1)(ca)

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

fish or other animal that is aquatic life to be returned or abandoned)

(1) After section 72A(2), insert:

- (2A) An instrument made under this section may permit all stocks and species to be abandoned in the sea or other waters from which they were taken if—
- (a) the abandonment is done using fishing gear or other technology specified in the instrument that abandons catch by releasing it before it is removed from the sea or other waters; and
 - (b) the Minister is satisfied that evidence relating to the design and use of the fishing gear or other technology demonstrates that—
 - (i) the fishing gear or other technology enables the deliberate and selective release of catch; and
 - (ii) for the majority of catch expected to be released using the fishing gear or other technology, being taken and released is unlikely to materially affect its likelihood of survival.

(2) After section 72A(3), insert:

- (3A) In considering whether to make an instrument under **subsection (2A)**, the Minister must have regard to the following characteristics of the fishing activity in which the fishing gear or other technology is used:
- (a) the depth at which the activity is carried out:
 - (b) the time that the activity takes:
 - (c) the types and amounts of stocks and species likely to be taken by the activity:
 - (d) any other characteristics of the activity the Minister considers relevant.

(3) In section 72A(4), replace “The instrument may also— ” with “An instrument made under subsection (2) may— ”.

(4) After section 72A(4), insert:

- (4A) An instrument made under **subsection (2A)** may—
- (a) provide that the instrument applies in relation to—
 - (i) the fishing methods, the use of fishing gear or other technology, or the circumstances specified in the instrument; or
 - (ii) the classes of fishing methods, fishing gear or other technology, or circumstances specified in the instrument:
 - (b) impose conditions and requirements that the Minister considers appropriate.

(5) Repeal section 72A(7).

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

After section 72A, insert:

72B Minister may specify conditions or requirements for return or abandonment of fish or other animal that is aquatic life

- (1) The Minister may make instruments for the purposes of **section 72(3A)** in accordance with this section.
- (2) An instrument made under this section may impose conditions and requirements that the Minister considers appropriate in connection with the return or abandonment under that section of any fish or other animal that is aquatic life.
- (3) Without limiting **subsection (2)**, the conditions and requirements may be for the purpose of ensuring that—
 - (a) an observer is able to verify the return or abandonment of any fish or other aquatic life under **section 72(3A)(a)(i)** in the way or to the extent that the Minister considers appropriate:
 - (b) a recording by electronic monitoring equipment is able to be used to verify the return or abandonment of any fish or other aquatic life under **section 72(3A)(a)(ii)** in the way or to the extent that the Minister considers appropriate.
- (4) An instrument made under this section may be amended, replaced, or revoked.
- (5) Before making, amending, replacing, or revoking an instrument under this section, the Minister must consult any persons or organisations that the Minister considers are representative of the classes of persons having an interest in the proposed action.
- (6) An instrument made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

32 Section 252 amended (Penalties)

- (1) In section 252(3A), replace “(c), or (d)” with “or **(c)**”.
- (2) In section 252(5)(ba), replace “(c)(ii), or (d)(ii)” with “or **(c)(ii)**”.
- (3) In section 252(5A), replace “(c)(i), or (d)(i)” with “or **(c)(i)**”.

33 Section 257 amended (Prohibition of fishing activity in case of reoffending)

In section 257(1A), replace “(c), or (d)” with “or **(c)**”.

34 Schedule 1AA amended

- (1) In Schedule 1AA, clause 6(1)(a), replace “2026” with “2020”.
- (2) In Schedule 1AA, clause 6(2), table, repeal the items relating to the following:
 - (a) blue moki (*Latridopsis ciliaris*):

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

Peltorhamphus novaezeelandiae):

- (d) red cod (*Pseudophycis bachus*):
 - (e) sand flounder (*Rhombosolea plebia*):
 - (f) tarakihi (*Nemadactylus macropterus*):
 - (g) trevally (*Pseudocaranx dentex*).
- (3) In Schedule 1AA, clause 7(2) and table 2 heading, replace “2026” with “2028”.

Amendments to Fisheries (Commercial Fishing) Regulations 2001

35 Principal regulations

Section 36 amends the Fisheries (Commercial Fishing) Regulations 2001.

36 Regulation 31 amended (Minimum finfish length and net mesh size)

- (1) Replace regulation 31(5) with:
- (5) A person must not sell, possess for sale, or process for sale finfish that are—

 - (a) smaller than the length specified for the species in the table in subclause (6); or
 - (b) taken in contravention of an instrument made under section 72A(2)(c) of the Act and smaller than the length specified for the stock or species in that instrument.
- (2) In regulation 31(6), table, revoke the item relating to blue cod.
- (3) In regulation 31(6), table, items relating to the following, replace the number in the third column with “-”:
- (a) blue moki:
 - (b) butterfish:
 - (c) flatfishes (except sand flounder):
 - (d) kingfish:
 - (e) red cod:
 - (f) sand flounder:
 - (g) snapper:
 - (h) tarakihi:
 - (i) trevally.

Amendments to Fisheries (Infringement Offences) Regulations 2001

[Back to top ↑](#)

Bill [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

38 Schedule 1 amended

- (1) In Schedule 1, items relating to sections 72(2)(b) and 72(3)(b) of the Fisheries Act 1996, replace “24-hour period” with “1-day period”.
- (2) In Schedule 1, after the item relating to section 72(3)(b) of the Fisheries Act 1996, insert:

s 72(3A)(b)	In any 1-day period, fails to comply with conditions or requirements specified in an instrument made under section 72B in respect of the return or abandonment of 50 or fewer fish or other animals that are aquatic life	400
--------------------	--	-----

Subpart 3—Amendments relating to alternative deemed value rates

Amendments to principal Act

39 Section 2 amended (Interpretation)

In section 2(1), insert in their appropriate alphabetical order:

alternative annual deemed value rate has the meaning given to it in **section 75(5A)**

deepwater freezer vessel means a fishing vessel that—

- (a) freezes its catch while at sea; and
- (b) either—
 - (i) operates under a registered risk management programme as defined in section 4(1) of the Animal Products Act 1999; or
 - (ii) has an exemption under section 9 or 14 of that Act from the requirement to operate under a registered risk management programme

40 Section 75 amended (Minister to set deemed value rates)

- (1) In section 75(1), delete “in the *Gazette*”.
- (2) After section 75(5), insert:

(5A) The Minister may, in accordance with **section 75AA**, set an annual deemed value rate (an **alternative annual deemed value rate**) in respect of an inshore stock that is taken by a deepwater freezer vessel that—

- (a) is different from the annual deemed value rate set in respect of the same stock taken other than by a deepwater freezer vessel; and
- (b) may be used by a commercial fisher (as defined in **section 76(1)**) in relation to a fishing year in accordance with **sections**

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- (9) A notice made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

41 New sections 75AA and 75AB inserted

After section 75, insert:

75AA Setting of alternative annual deemed value rates

- (1) The Minister may set an alternative deemed value rate for an inshore stock if the Minister is satisfied that—
- (a) the average market value of the stock when taken by a deepwater freezer vessel is significantly less than the average market value of the stock; and
 - (b) the rate will not compromise—
 - (i) the long-term sustainability of the stock; or
 - (ii) the long-term value of the quota for the stock; or
 - (iii) any other matter that would, if compromised, compromise the long-term integrity of the fisheries management system.
- (2) For the purposes of **subsection (1)(b)**, the long-term sustainability of the stock, value of the stock, or integrity of the fisheries management system is **compromised** if it is compromised in a way that cannot reasonably be expected to be corrected without further measures being taken under this Act.
- (3) In setting the alternative deemed value rate, the Minister—
- (a) must specify in the notice setting the rate the period for which the rate applies (which must be no longer than 3 fishing years and end on the close of a fishing year):
 - (b) may have regard to the matters described in section 75(2)(b):
 - (c) may set the alternative annual deemed value rate at a rate that is less than or greater than any interim deemed value rate set for the stock.
- (4) The Minister may vary or revoke the alternative annual deemed value rate in the same manner (but a variation does not affect the period for which the rate applies).
- (5) For the purposes of **section 75(5A)**, the Minister may set different alternative annual deemed value rates in respect of the same stock that apply on the basis of either or both of the following:
- (a) the levels of catch of the stock in excess of annual catch entitlement:
 - (b) the amounts of catch of the stock (in kilogrammes
- (6) The Minister must not set separate alternative annual deemed value rates in individual cases.

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

-
- (a) the first day of the next fishing year; or
 - (b) the first day of any month in a fishing year (including the current fishing year) specified by the Minister in the notice setting the rate.
- (2) An alternative annual deemed value rate ceases to have effect at the end of the period specified for the rate in accordance with **section 75AA(3)(a)**.
- (3) **Subsection (2)**—
- (a) applies despite section 75(1):
 - (b) does not prevent the Minister from setting a new alternative annual deemed value rate for the stock.

Guidance note

A commercial fisher (as defined in section 76(1)) must apply under **section 76C** if they wish to use an annual deemed value rate that has effect under this section.

42 Section 76 amended (Catch to be counted against annual catch entitlement)

- (1) In section 76(1), after “sections 76A,”, insert “**76C**,”.
- (2) In section 76(2C), after “section 75(4)”, insert “or **75AA(5)**”.

43 New sections 76C to 76E inserted

After section 76B, insert:

76C Application to use alternative annual deemed value rate

- (1) A commercial fisher may apply to the chief executive to use an alternative annual deemed value rate that has been set for a fishing year for an inshore stock.
- (2) The commercial fisher may apply only if the fisher has received written notice from the chief executive that, as at the close of registration, the fisher’s reported catch for the stock for the fishing year exceeded the fisher’s annual catch entitlement for the stock for the fishing year.
- (3) The application must be—
 - (a) made before the close of the 15th day of the third month after the end of the fishing year for which the applicant the alternative annual deemed value rate; and
 - (b) made in the approved form; and

[Back to top](#) ↑

Fisheries Amendment Bill

- (5) In this section and **section 76D, close of registration**, in relation to a stock, means the close of the 15th day after the end of the fishing year for the stock.

76D Decision on application to use alternative annual deemed value rate

- (1) The chief executive must grant an application made under **section 76C** to use an alternative annual deemed value that has been set for a fishing year for an inshore stock if—
- (a) the application complies with that section; and
 - (b) the chief executive is satisfied that the reported catch for the stock that was taken by the applicant using 1 or more deepwater freezer vessels exceeded the applicant's annual catch entitlement for the stock for the fishing year.
- (2) Before granting the application, the chief executive must—
- (a) determine the amount by which the reported catch for the stock taken by the applicant using the deepwater freezer vessels exceeded the applicant's annual catch entitlement for the stock for the fishing year as at the close of registration (the **eligible catch**); and
 - (b) recalculate the annual deemed value amount (if any) for which the applicant is liable by performing the calculation referred to in section 76(2A) using—
 - (i) the eligible catch as the amount by which the commercial fisher's reported catch for the fishing year exceeds the commercial fisher's annual catch entitlement; and
 - (ii) the alternative annual deemed value rate that the applicant has applied to use as the applicable annual deemed value rate.
- (3) The chief executive must give written notice to the applicant of the chief executive's decision to grant or refuse the application.
- (4) If the chief executive grants the application, the notice must include—
- (a) the eligible catch; and
 - (b) the recalculated annual deemed value amount for which the applicant is liable.
- (5) If the chief executive refuses the application, the notice must include the reasons why.

76E Effect of granting application to use alternative annual deemed value rate

- (1) If the chief executive grants an application under **section 76D**, the chief executive must remit to the applicant the difference between the

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- applicant that results from the recalculation under **section 76D(2)(b)** takes effect on the date that written notice of the recalculated amount is given under **section 76D(3)**; and
- (b) if a fishing permit ceases to be suspended because of the recalculation, the suspension ends no earlier than the date the written notice of the recalculated amount is given.

Amendment to Fisheries (Commercial Fishing) Regulations 2001

44 Principal regulations

Section 45 amends the Fisheries (Commercial Fishing) Regulations 2001.

45 Schedule 2 amended

In Schedule 2, after clause 20, insert:

20A Application to use alternative annual deemed value rate

The fee payable in respect of an application under **section 76C** of the Act to use an alternative deemed value rate is—

- (a) \$860 (excluding GST) for the first stock to which the application relates; plus
- (b) \$220 (excluding GST) for each additional stock to which the application relates.

Amendments to Fisheries (Deemed Value and Notification of Balances) Regulations 2001

46 Principal regulations

Sections 47 and 48 amend the Fisheries (Deemed Value and Notification of Balances) Regulations 2001.

47 Regulation 6 amended (Monthly calculation of interim deemed value liability)

In regulation 6(2), formula, item d, delete “in the *Gazette*”.

48 Regulation 8 amended (Calculation of annual deemed value liability)

- (1) In regulation 8(2), formula, item j, delete “in the *Gazette*”
- (2) After regulation 8(3), insert:
- (4) If the stock concerned is one for which the Minister, under **section 75AA(5)** of the Act, has set different alternative deemed value rates for

[Back to top](#) ↑

Bill [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

- (i) the amount of catch in excess of annual catch entitlement in each relevant band; or
 - (ii) the amount of catch (in kilogrammes) in each relevant band; and
- (b) adding the results together.

Subpart 4—Amendments relating to thresholds for non-payment of deemed values

Amendments to principal Act

49 Section 79 amended (Suspension of permit for non-payment of deemed value)

In section 79(1), replace “\$1,000” with “\$2,000” in each place.

50 Section 79A amended (Suspension of fishing permit of other persons)

In section 79A(7), replace “\$1,000” with “\$2,000”.

51 Section 91 amended (Issue of fishing permit)

In section 91(6)(a), replace “\$1,000” with “\$2,000”.

52 Section 113HB amended (Other considerations before international fishing permit is issued)

In section 113HB(1)(b)(ii), replace “\$1,000” with “\$2,000”.

53 New section 299AAA inserted (Amendments to adjust threshold for non-payment of deemed value)

After section 299, insert:

299AAA Amendments to adjust thresholds for non-payment of deemed value

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister, amend an amount specified in all or any of the following provisions to reflect movement in the CPI since the amount was last amended:
- (a) section 79(1):
 - (b) section 79A(7):
 - (c) section 91(6)(a):
 - (d) section 113HB(1)(b)(ii).

(2)

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

representative of the classes of persons who have an interest in the amendments.

- (4) In this section, **CPI** means the New Zealand Consumers Price Index (All Groups) published by Statistics New Zealand or, if that index ceases to be published, any measure certified by the Government Statistician as being equivalent to that index.
- (5) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Subpart 5—Amendments relating to camera recordings

Amendments to principal Act

54 Part 12 heading amended

In the Part 12 heading, after “**programme**”, insert “**and observation equipment**”.

55 New subpart 1 heading in Part 12 inserted

In Part 12, before section 223, insert:

Subpart 1—Observer programme

56 New subpart 2 heading in Part 12 and cross-heading inserted

In Part 12, after section 227, insert:

Subpart 2—Observation equipment

Installation and maintenance of equipment

57 New sections 227B to 227H and cross-heading inserted

After section 227A, insert:

Confidentiality of camera recordings

227B Interpretation

In **sections 227C to 227H**, unless the context otherwise requires,—**camera recording**—

- (a) means a video recording or still image recorded by that is required to be installed on a vessel by regul under section 297(1)(ca); and

[Back to top](#) ↑

Fisheries Amendment Bill

- (a) a department or an organisation named in **Schedule 8B**;
- (b) an organisation that is a member of a class of organisations described in that schedule.

227C Non-disclosure of camera recordings held by chief executive except in certain cases

- (1) A camera recording held by the chief executive must not be disclosed outside of the Ministry except—
 - (a) in accordance with **section 227D**; or
 - (b) if required by an Act, a rule of law, or a court order.
- (2) For the purposes of **subsection (1)**, a camera recording is **held by the chief executive** if it is held by—
 - (a) the chief executive in their capacity as chief executive; or
 - (b) another person in their capacity as an employee of the Ministry.
- (3) A person who is the chief executive or an employee of the Ministry commits an offence and is liable on conviction to the penalty set out in **section 252(5AA)** if the person knowingly contravenes **subsection (1)**.
- (4) *See* **section 227H**, which provides that nothing in the Official Information Act 1982 applies to camera recordings.

227D When chief executive may disclose camera recordings

- (1) The chief executive may disclose a camera recording outside of the Ministry if 1 or more of the following apply:
 - (a) the disclosure is for the purpose of avoiding prejudice to the maintenance of the law by a public service agency, including prejudice to the prevention, detection, investigation, prosecution, and punishment of offences;
 - (b) the disclosure is to a listed department or organisation for the purpose of enabling or assisting the Ministry or the listed department or organisation to perform its functions;
 - (c) the disclosure is to any person for the purpose of enabling or assisting the Ministry or a listed department or organisation to perform its functions (but *see* **subsection (3)**);
 - (d) the disclosure is to enable or assist fisheries research commissioned or approved by the chief executive;
 - (e) the disclosure is to—
 - (i) an owner or operator of the vessel to which the camera recording relates;
 - (ii) a person who, during the period of the recording, was the master of that vessel or was using it to fish with their fishing permit.

[Back to top](#) ↑

Fisheries Amendment Bill

- (i) protect the privacy of natural persons, including that of deceased natural persons:
 - (ii) avoid unreasonably prejudicing the commercial position of the person who supplied or who is the subject of the recording:
- (b) may have regard to any other matters the chief executive considers relevant.
- (3) Before disclosing a camera recording under **subsection (1)(c)**, the chief executive must also be satisfied that—
 - (a) the purpose for which the recording is proposed to be disclosed could not be achieved by disclosing other information (for example, a written summary of the recording); and
 - (b) having regard to any matters that the chief executive considers relevant, disclosing the camera recording is reasonable in the circumstances.
- (4) In this section,—

function, in relation to the Ministry or a listed department or organisation,—

 - (a) means a function that is imposed or conferred on the Ministry or listed department or organisation by legislation or by the policies of the Government; and
 - (b) includes a function that is incidental and related to, or consequential on, a function referred to in **paragraph (a)**

public service agency has the meaning given to it in section 2(1) of the Ombudsmen Act 1975.

227E Conditions on use, storage, and destruction of camera recordings disclosed by chief executive

- (1) The chief executive may impose conditions on the use, storage, and destruction of a camera recording disclosed under **section 227D**.
- (2) The chief executive must set out the conditions in writing to the person to whom the camera recording is disclosed.
- (3) If the camera recording is disclosed to the Crown,—
 - (a) the Crown must comply with the conditions; and
 - (b) the employees of the Crown who are responsible for the camera recording that has been disclosed must comply with the conditions.
- (4) In any other case, the person to whom the camera recording is disclosed must comply with the conditions.
- (5) A person commits an offence and is liable on conviction set out in **section 252(5AA)** if the person knowingly contravenes **subsection (3)(b) or (4)**.

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

- (a) if the camera recording is disclosed to the Crown,—
- (i) the Crown:
 - (ii) an employee of the Crown:
- (b) in any other case, the person to whom the camera recording is disclosed.
- (2) **Subsection (1)** does not prevent a person referred to in that section from disclosing the camera recording if that is required by an Act, a rule of law, or a court order.
- (3) A person commits an offence and is liable on conviction to the penalty set out in **section 252(5AA)** if the person knowingly contravenes **subsection (1)(a)(ii) or (b)**.

227G Protection against certain actions following disclosure of camera recordings by chief executive

If the chief executive discloses a camera recording under **section 227D** in good faith,—

- (a) no proceedings, civil or criminal, may be brought against the Crown or any other person in respect of the disclosure of the recording, or for any consequences that follow from the disclosure of the recording; and
- (b) no proceedings, civil or criminal, in respect of any publication involved in, or resulting from, the disclosure of the recording may be brought against any person by reason of that person having—
 - (i) owned or operated the equipment that made the recording; or
 - (ii) supplied the recording to the chief executive or the Ministry.

Compare: 1982 No 156 s 48(1)

227H Official Information Act 1982 does not apply to camera recordings

Nothing in the Official Information Act 1982 applies to camera recordings.

58 Section 240 amended (Strict liability)

In section 240, after “79A(8) and (9),”, insert “**227C(3), 227E(5), 227F(3),**”.

59 Section 252 amended (Penalties)

After section 252(5), insert:

(5AA)

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- (b) **section 227E(5)** (knowingly contravening condition on use, storage, or destruction of camera recording):
- (c) **section 227F(3)** (knowingly disclosing camera recording disclosed by chief executive).

60 New section 299B inserted (Amendments to list of departments and organisations in Schedule 8B)

After section 299A, insert:

299B Amendments to list of departments and organisations in Schedule 8B

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister, amend **Schedule 8B** to do all or any of the following:
 - (a) add—
 - (i) the name of a department named in Part 1 of Schedule 1 of the Ombudsmen Act 1975:
 - (ii) the name of an organisation named in Part 2 of Schedule 1 of that Act:
 - (iii) the description of a class of organisations described in Part 2 of Schedule 1 of that Act:
 - (b) remove—
 - (i) the name of a department or organisation named in **Schedule 8B**:
 - (ii) the description of a class of organisations described in that schedule.
- (2) Before making a recommendation under **subsection (1)(a)**, the Minister must be satisfied that the department, organisation, or members of the class of organisations to be added to **Schedule 8B** may, at any time, reasonably require a camera recording for the purpose of enabling or assisting the Ministry or the department or organisation to perform its functions.
- (3) In this section,—

camera recording has the meaning given to it in **section 227B**

function has the meaning given to it in **section 227D(4)**.
- (4) An Order in Council made under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

61 New Schedule 8B inserted

After Schedule 8A, insert the **Schedule 8B** set out **Sche**
Act.

[Back to top](#) ↑

Bill [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

AMENDMENTS TO PRINCIPAL ACT

62 Section 75B repealed (Limitation period for challenges to deemed values)

Repeal section 75B.

63 Section 186J amended (Judicial review of aquaculture decision)

Repeal section 186J(1).

64 Section 293 amended (Decision of Committee)

- (1) Repeal section 293(5).
- (2) In section 293(6), replace “subsections (4) and (5)” with “subsection (4) and **section 313A**”.

65 New section 313A and cross-heading inserted

After section 313, insert:

Provision relating to judicial review

313A Time limit on making judicial review application

- (1) An application for review under the Judicial Review Procedure Act 2016 that relates to the exercise, refusal to exercise, or purported exercise of a statutory power of decision under this Act must be filed with the High Court—
 - (a) no later than 20 working days after,—
 - (i) if the decision is a decision to make secondary legislation, the secondary legislation is published in accordance with Part 3 of the Legislation Act 2019; or
 - (ii) in any other case, the decision is notified; or
 - (b) within any further time allowed by the High Court on application filed before the expiry of that 20-working-day period.
- (2) For the purposes of **subsection (1)(a)(ii)**, a decision is **notified** when the earliest of the following occurs:
 - (a) the decision is publicly notified (whether or not the decision is required to be publicly notified);
 - (b) the decision is notified generally in accordance with the applicable requirement under this Act (for example, a requirement to notify in the *Gazette*);
 - (c) notice of the decision is given, served, or furnished to the person who is applying for review (whether or not the notice is required to be given, served, or furnished on the person).

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

- (b) if notice of the decision is sent by post or registered post, it must be treated as being given, served, or furnished 5 working days after the date on which it is posted, unless the person to whom it is posted proves that, otherwise than through that person's fault, the notice was not received.
- (4) In this section,—
- application for review under the Judicial Review Procedure Act 2016** includes any proceedings required by that Act to be treated and disposed of as if it were an application for judicial review
- decision**, for the purposes of **subsection (1)(a)(ii), (2), and (3)**, includes a refusal to exercise the statutory power of decision
- electronic transmission**—
- (a) means any transmission of information sent electronically; and
- (b) includes any transmission sent by facsimile, electronic mail, or electronic data transfer
- statutory power** has the meaning given to it in section 5 of the Judicial Review Procedure Act 2016.

Subpart 7—Miscellaneous amendments

Amendments to principal Act

66 Section 2 amended (Interpretation)

In section 2(1), definition of **ornamental fish**, delete “in the *Gazette*”.

67 Section 14A amended (Alternative total allowable catch for stocks specified by Order in Council)

In section 14(2), replace “quota owners (**proposers**) who hold in the aggregate at least 95 000 000 quota shares” with “quota owners (**proposers**) who together own at least 95% of the quota shares”.

68 Section 21 amended (Matters to be taken into account in setting or varying any total allowable commercial catch)

In section 21(4)(b), delete “in the *Gazette*”.

69 Section 25 amended (Alteration of quota management areas)

In section 25(2)(a), replace “quota owners who hold in the aggregate not fewer than 75 000 000 quota shares” with “quota owners who together own at least 75% of the quota shares”.

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

together own at least 75% of the quota shares”.

71 Section 29A amended (Basis for allocation of quota)

In section 29A(2)(a), delete “*Gazette*”.

72 Section 44 amended (Te Ohu Kai Moana Trustee Limited entitled to 20% of total new quota)

In section 44(1), delete “in the *Gazette*”.

73 Section 45 amended (Criteria of eligibility to receive quota)

In section 45(1), delete “in the *Gazette*”.

74 Section 74 amended (Minimum holdings of annual catch entitlement)

In section 74(9A)(b), replace “quota owners who hold in the aggregate at least 75 000 000 quota shares” with “quota owners who together own at least 75% of the quota shares”.

75 Section 228 amended (Breach of conditions or requirements)

In section 228(1)(a), delete “in the *Gazette*”.

76 Section 306 amended (Giving of notices, etc)

In section 306(2), replace “7 days” with “5 working days”.

77 Section 369I amended (South Island freshwater eel subject to quota management system)

In section 369I(3), delete “in the *Gazette*”.

78 Section 369R amended (Application of certain provisions to scampi)

In section 369R(3), delete “in the *Gazette*”.

79 Schedule 1AA amended

In Schedule 1AA,—

- (a) insert the Part set out in **Schedule 2** of this Act as the last Part; and
- (b) make all necessary consequential amendments.

Consequential amendment to Marine and Coastal Area (Te Ohu Kai Moana) Act 2011

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

81 Section 91 amended (Obligation on Minister of Fisheries)

In section 91(1), replace “setting or varying sustainability measures under section 11(1)” with “setting, varying, or making sustainability measures under section 11(1), **13A**, **13E**, 14(1), **14(4)**, 14B, or **14L**”.

Schedule 1

New Schedule 8B inserted

s 61

Schedule 8B

Confidentiality of camera recordings: listed departments and organisations

ss 227B, 299B

Crown Law Office
Crown Research Institutes
Department of Conservation
Environmental Protection Authority
Fire and Emergency New Zealand
Inspector-General of Defence
Maritime New Zealand
Ministry of Business, Innovation, and Employment
Ministry of Defence
Ministry of Foreign Affairs and Trade
Ministry of Justice
Ministry of Transport
New Zealand Defence Force
New Zealand Police
Privacy Commissioner
Transport Accident Investigation Commission
WorkSafe New Zealand

Schedule 2

New Part 5 inserted into Schedule

[Back to top](#) ↑

Fisheries Amendment Bill

2026

14 Interpretation

In this Part, unless the context otherwise requires,—

amendment Act means the Fisheries Amendment Act **2026**

commencement, except in **subpart 4**, means the date on which this clause comes into force

old section means the specified section as in force immediately before commencement

revoke, in relation to a permission or requirement to return or abandon a stock or species, includes—

- (a) an implied revocation;
- (b) a change that removes the effect of the permission or requirement;
- (c) a change that disapplies the permission or requirement to any person, subject matter, or circumstance.

Subpart 1—Sustainability measures other than total allowable catch**15 Sustainability measure notices continued**

- (1) This clause applies to a notice that is—
 - (a) made under old section 11; and
 - (b) in force immediately before commencement.
- (2) The notice continues in force as if it were made under section 11 as amended by the amendment Act.
- (3) This clause is subject to **clause 16**.

Subpart 2—Total allowable catch and total allowable commercial catch**16 Total allowable catch notices continued**

- (1) This clause applies to a notice that is—
 - (a) made under or for the purposes of old section 13, 14, or 14B; and
 - (b) in force immediately before commencement.
- (2) The notice, if made under or for the purposes of—
 - (a) old section 13(1) or (4), continues in force as if it were made under **section 13A**;

[Back to top](#) ↑

[Bill](#) [Current](#) [Latest version](#) Introduction 18 March 2026

Fisheries Amendment Bill

- (d) old section 14(6), continues in force as if it were made under **section 14(4)** as replaced by the amendment Act:
 - (e) old section 14B, continues in force as if it were made under that section as amended by the amendment Act.
- (3) Nothing in **section 13A**, or in section 14 or 14B as amended by the amendment Act, requires the Minister to set a total allowable catch for a quota management stock if a total allowable catch is already set for the stock by a notice that is continued by **subclause (2)**.

17 Total allowable commercial catch notices continued

- (1) This clause applies to a notice that is—
- (a) made under old section 20; and
 - (b) in force immediately before commencement.
- (2) The notice continues in force as if it were made under **section 20** as replaced by the amendment Act.
- (3) Nothing in **section 20** as replaced by the amendment Act requires the Minister to set a total allowable commercial catch for a quota management stock if a total allowable commercial catch is already set for the stock by a notice that is continued by **subclause (2)**.

18 Total allowable catch and total allowable commercial catch for October 2026–27 fishing year

- (1) This Act as in force immediately before commencement applies to a setting or variation of a total allowable catch or total allowable commercial catch that has effect on and from 1 October 2026.
- (2) This Act as amended by the amendment Act applies to a setting or variation of a total allowable catch or total allowable commercial catch that has effect on and from any date after 1 October 2026.

Subpart 3—Allocation of additional annual catch entitlement

19 When allocation of additional annual catch entitlement in exceptional circumstances may first occur

- (1) The chief executive may allocate annual catch entitlement under **section 67D** only for a fishing year that begins on or after 1 October 2027.
- (2) A quota owner who wishes to have annual catch entitlement allocated under that section for a fishing year that begins on 1 October 2027 may not apply under **section 67C** before 1 May 2027.

[Back to top](#) ↑

Subpart 4—Returns and abandonment

Fisheries Amendment Bill

in **subclause (2)**.

- (2) The Minister may revoke the permission to the extent that the permission relates to the fishing methods listed for the stock or species in the following table:

Stock or species	Fishing methods
Blue shark (<i>Prionace glauca</i>)	Trawling, Danish seining, and set netting
Mako shark (<i>Isurus oxyrinchus</i>)	Trawling, Danish seining, and set netting
Patagonian toothfish (<i>Dissostichus eleginoides</i>)	All fishing methods
Porbeagle shark (<i>Lamna nasus</i>)	Trawling, Danish seining, and set netting
Rig (<i>Mustelus lenticulatus</i>)	Trawling, Danish seining, and set netting
Rough skate (<i>Dipturus nasutus</i>)	Trawling, Danish seining, and set netting
School shark (<i>Galeorhinus galeus</i>)	Trawling, Danish seining, and set netting
Smooth skate (<i>Dipturus innominatus</i>)	Trawling, Danish seining, and set netting
Swordfish (<i>Xiphias gladius</i>)	Trawling, Danish seining, and set netting

- (3) The Minister may revoke the permission without further authority than **subclause (2)** and as if the statutory prerequisites for making the instrument of revocation under section 72A had been complied with.
- (4) **Subclause (2)** ceases to apply to a listed stock or species on the commencement of an instrument made under section 72A that revokes a permission to return or abandon the stock or species.
- (5) If a subsequent instrument made under section 72A gives permission to return or abandon the stock or species,—
- the authority conferred by **subclause (2)** is not revived; and
 - the Minister must comply with the statutory prerequisites before revoking the permission.

21 Stocks or species deemed to meet criteria in section 72A

- (1) The Minister may make an instrument under section 72A for any stock or species listed in the following table if the instrument—
- has effect until a date no later than 30 September 2028; and
 - includes a requirement for the return of the stock or species that has the effect described in the following table:

Stock or species	Requirement
Blue cod (<i>Parapercis colias</i>)	A commercial fisher must return any blue cod to the waters from which it was taken if the blue cod is— <ol style="list-style-type: none"> less than 33 cm in length; and taken by a fishing method other than trawling, Danish seining, or set netting.
Snapper (<i>Pagrus auratus</i>)	A commercial fisher must return any snapper to the waters from which it was taken if the snapper is— <ol style="list-style-type: none"> less than 25 cm in length; and taken by a fishing method other than trawling, Danish seining, or set netting.

[Back to top](#) ↑

Bill **Current** Latest version Introduction 18 March 2026

Fisheries Amendment Bill

subclause (1) and as if the statutory prerequisites for making the instrument had been complied with.

- (3) **Subclause (1)** ceases to apply to a listed stock or species on the commencement of an instrument made under section 72A that applies to the stock or species.
- (4) If the stock or species ceases to be subject to an instrument made under section 72A,—
 - (a) the authority conferred by **subclause (1)** is not revived; and
 - (b) the Minister must comply with the statutory prerequisites before including the stock or species in a subsequent instrument under that section.

22 Creation of additional annual catch entitlement to reflect return or abandonment changes

- (1) The Minister may create an additional amount of annual catch entitlement during the fishing year for a quota management stock to reflect the removal of a permission or requirement to return or abandon the stock.
- (2) The additional amount of annual catch entitlement must be equal to the highest total reported return or abandonment of the stock under that permission or requirement in a single fishing year during the reference period.
- (3) Section 68(2) and (3) to (6) applies, with any necessary modifications, to additional annual catch entitlement that is created under this clause as if—
 - (a) the additional annual catch entitlement were created under section 68(1); and
 - (b) section 68(3) referred to the amount described in **subclause (2)** instead of the amount of the increase that would have been made to the total allowable commercial catch but for **section 21B(2) or 21C(3)**.
- (4) **Subclause (1)** ceases to apply to the stock when the additional amount of annual catch entitlement is created.
- (5) If a permission or requirement to return or abandon the stock is granted and later revoked by regulations made under section 297 or an instrument made under section 72A,—
 - (a) the authority conferred by **subclause (1)** is not revived; and
 - (b) the Minister may create additional annual catch entitlement for the stock only under section 68(1).
- (6) In this clause and **clause 23**,—

reference period means the period starting on 1 October ending on 30 September 2024

[Back to top](#) ↑

Fisheries Amendment Bill

Act to clause 6(2) of this schedule and regulation 31(6) of the Fisheries (Commercial Fishing) Regulations 2001:

- (b) the revocation, in reliance on **clause 20** of this schedule, of a permission in an instrument made under section 72A to return or abandon a stock or species:
- (c) the revocation before 30 September 2028 of a requirement to return a stock or species that is imposed by an instrument made in reliance on **clause 21** of this schedule.

23 Increase in total allowable commercial catch to reflect return or abandonment changes

- (1) The Minister may increase the total allowable commercial catch for a quota management stock for its next fishing year under **section 20** to reflect the removal of a permission or requirement to return or abandon the stock.
- (2) The amount of the increase must be equal to the highest total reported return or abandonment of the stock under that permission or requirement in a single fishing year during the reference period.
- (3) The Minister may increase the total allowable commercial catch without further authority than **subclause (1)** and as if the statutory prerequisites for making the instrument had been complied with.
- (4) If the Minister increases the total allowable commercial catch in reliance on **subclause (1)**, section 23 applies as if no persons hold or are entitled to preferential allocation rights in the stock.
- (5) **Subclause (1)** ceases to apply to the stock on the commencement of the increase in the total allowable commercial catch.
- (6) If a permission or requirement to return or abandon the stock is granted and later revoked by regulations made under section 297 or an instrument made under section 72A,—
 - (a) the authority conferred by **subclause (1)** is not revived; and
 - (b) the Minister must comply with the statutory prerequisites before increasing the total allowable commercial catch.

Subpart 5—Deemed value rates

24 Deemed value rates notices continued

- (1) This clause applies to a notice that is—
 - (a) made under old section 75; and
 - (b) in force immediately before commencement.
- (2) The notice continues in force as if it were made under section 75 as amended by the amendment Act.

[Back to top](#) ↑

Mō

About this website

Te āheinga kia uru atu

Accessibility

Ngā tikanga whakamahi

Terms of use

He manatārua

Copyright

He tauākī matatapu

Privacy statement

Whakapā mai

Contact us

Whakahoki kōrero

Feedback

[Back to top ↑](#)