



# CHARTERBOAT REPORTING – WILL IT DELIVER?

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**B**y the time you read this, the first of many amateur charter vessel – activity catch return forms should have been filled in and probably filed. As of November 1, recreational charter fishing vessels are required to report on their fishing activity and, in certain instances, their fishing catch.

There is a lack of information on the activities and catch of marine amateur fishers. This makes having confidence in setting sustainable allowable catch limits a little difficult. More information on amateur catch is required in order for the interests of amateur fishers to be taken into account and provided for in the management of shared fisheries resources. The reporting requirements now imposed on recreational fishing charter vessels are the first step towards bridging that information gap.

Under the Fisheries Act, the chief executive of the Ministry of Fisheries is allowed to require people who provide vessels for hire for the purpose of fishing ... to keep records and returns, and other information and provide such information to the chief executive.

A return is required to be completed and returned, even if there has been no charter fishing.

Those same requirements can also be imposed on “persons who take fish ... otherwise than for the purpose of sale”, in other words – on recreational fishers.

The reporting obligations on charter vessel operators are provided for in the recent amendments to the Fisheries (Amateur Fishing) Regulations 1986 (the regulations). The provisions are all a bit cryptic, with most of the detail actually defined by notice in the Gazette.

Under the regulations, an amateur-fishing charter vessel operator is a person who receives payment or benefit to provide a vessel and a fishing guide in order to take fishers who are not commercial fishers on fishing trips.

There is a bit of haziness around the definition. At first glance it would appear that bareboat charters are not covered as there is no guide as such. However, there is no definition of “fishing guide.”

The specific reference to commercial fishers is a bit odd and there is no definition for benefit or payment. No doubt these will all be tested in time.

There are three main obligations on operators so far – vessel registration, activity reporting and catch reporting. Vessels that ply for charter for amateur fishing need to be registered with the Ministry of Fisheries.

They can do this in writing or online (the cheaper option). However, in order to be able to register, on-line operators still need to send information in hard copy format before completing the registration process themselves on-line.

Trip returns contain both activity reporting and catch reporting. A separate trip return is required for every charter fishing vessel trip and they are to be submitted at the end of each calendar month. A return is required to be completed and returned, even if there has been no charter fishing.

Catch reporting, which records the number of fish of individual species caught and retained, is only required in certain areas and for certain species. Activity reporting requires the recording of location, number of fishers, time fished and main species caught from their vessel on every trip.


The declaration at the bottom of each page of the return must be completed and dated by, preferably, the operator, guide or skipper who is on board when the fishing covered in the return takes place.

Trip returns are required to be completed as the fishing is occurring and before fishers depart the vessel. This allows MFish staff to monitor compliance at the dock but may raise safety issues on the vessel.

In the beginning there may be some leeway in relation to timing but you can expect that after the initial honeymoon period, MFish will be strict about policing and enforcing the method of filling out the forms.

There are penalties for failing to complete the form and declaration before the end of each trip. There are also penalties for plying your vessel for hire with a fishing guide when you are not registered. The maximum fine for non-compliance with any of the reporting requirements is \$10,000.

Under the act, where the fine is less than \$10,000, any fish, the proceeds of sale of those fish and any illegal fishing gear (in the absence of special reasons) may be forfeited to the Crown.

It is said that the reporting requirements will assist with fisheries management overall. Proportionally, however, one would think charter vessel catches would not make up the majority of most recreationally caught fish. With that in mind, it hardly seems that monitoring charter vessels alone is going to give a realistic representation of the identity or quantity of fish being caught recreationally. It is likely to only be a matter of time before reporting requirements for amateur fishers are introduced. 

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