

# Fisheries Amendment Bill

## Climate Justice Taranaki Submission

29th April 2026

1. Founded in 2010 and incorporated in 2015, Climate Justice Taranaki (CJT) is dedicated to environmental health, social justice and inter-generational equity. Our vision is founded on, and underpinned by, Te Tiriti o Waitangi, the founding document of government in Aotearoa New Zealand.
2. Composed of a broad range of people with varied expertise and life experiences, CJT has engaged with the government at all levels on numerous matters and submitted on many bills and policies. Our members are gravely concerned about the government's push for an increasingly utilitarian, neo-liberalism driven approach to exploiting our land, rivers and sea, at the expense of democracy, community wellbeing and long-term sustainability and resilience of Aotearoa as a nation.
3. The Fisheries Amendment Bill<sup>1</sup> is a case in point. If passed into law, it would further erode the ability of regulators to responsibly manage fisheries and restore over-exploited species and damaged marine ecosystems. It would also severely weaken the ability of the public and independent parties to assess fisheries. Fishing corporations would be able to continue and likely increase exploitation of marine ecosystems, including highly sensitive habitats, using destructive, unselective fishing methods, for shareholder profits.
4. New Zealand has ratified international treaties, notably the United Nations Convention on Biological Diversity (UNCBD), United Nations Convention on the Law Of the Sea (UNCLOS), and the United Nations Framework Convention on Climate Change (UNFCCC). These are being dishonoured. This Bill does not address these international commitments. Rather it ignores them while facilitating environmental destruction, biodiversity loss and climate disruption.
5. CJT is thus strongly opposed to the Fisheries Amendment Bill and requests that it be rejected in full and does not proceed into legislation. The following explains our rationale further.

### Ministerial over-reach

6. Fisheries science is complex and heavily reliant on robust, long-term data. While high-information stocks allow for relatively precise modelling to inform management, extra caution is needed when managing medium/low-information stocks because of inadequate data. It is imprudent, if expedient, for the Bill to enable the Minister to be able set rules to decide or choose one set of data or information over another as being 'reliable' (s13G). Such ministerial interference further opens the flood gate for industry lobbying and regulatory capture.
7. For a stock that is deemed 'low-information' by the Minister, the Bill states that the Minister must set a Total Allowable Catch (TAC) that is "*not inconsistent with the objective of management of the stock at or above a level that can produce the maximum sustainable yield*" (s13D(2)). A stock that has inadequate information could well be at risk or already in decline. The wording in the Bill is contrary to the precautionary principle as stipulated in the Information Principles of the Act (s10):  
(c) decision makers should be cautious when information is uncertain, unreliable, or inadequate

(d) the absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of this Act.

8. CJT also objects to the Minister's ability to set Total Allowable Catch for multiple years (s14D) and for quotas to roll over automatically (s14D). In a fast-changing world, especially in the context of increasing marine heat waves, ocean acidification and deoxygenation, and the growing evidence of ecological breakdown, fisheries management needs to be agile and adaptive, with the ability to provide 'rest and recuperation' to heavily targeted or sensitive species and/or areas when needed.

9. East Coast Tarakihi<sup>2</sup> and Orange Roughy on the East and South Chatham Rise<sup>3,4</sup> are just two examples. Even the common Hoki has experienced episodes of decline<sup>5</sup>, possibly related to rising sea temperatures which affect their spawning. But as NZ's largest fishery, earning some NZ\$230 million in export<sup>6</sup>, management must consider how long this might last and the implications if/when the stock plummets and, take appropriate precautionary actions to avoid collapse. At the local scale, iwi and hapū led rāhui such as the Western Taranaki Rāhui<sup>7</sup> on shellfish, recognised by the Fisheries Act as temporary fisheries closure, has a key role to play.

## **Environmental and climate impacts**

10. Along with some other nations, New Zealand is recognised internationally as a serial offender in over-exploiting fisheries while coincidentally destroying critical habitat<sup>8</sup>, both within our EEZ and on the high seas. Recovery times for such habitats, whether destroyed by destructive fishing or mining, are decades to centuries. Such habitats support high biodiversity including threatened and endangered species.

11. From studies of sea mounts on the Chatham Rise, Clark et al. (2022)<sup>9</sup> stated, *"...recolonisation and regrowth of deep sea corals on previously heavily trawled deep-sea features can... take place but... recovery is slow, with the first detectable signs of coral recruitment and regrowth occurring approximately two decades after the cessation of trawling. While such observations of the early stages of recovery of coral-dominated seamount communities are encouraging, full recovery to... pre-disturbance status is by no means certain and would still be likely to take centuries, rather than decades."*

12. *"Deep-sea corals – like trees on land – are keystone species in their habitats, providing crucial structure for other forms of life. ... How can we restore a baseline that we have never observed? ... The deep sea operates on a profoundly slower time scale than ecosystems on land, and there is no evidence that restoration would work"*, Orcutt et al. (2023)<sup>10</sup>.

13. Hence, the weakening of the Bill in terms of environmental principles (s13F), specifically ecosystem protection from destructive fishing practices, notably bottom trawling, is extremely concerning.

14. Bottom trawling, in addition to its direct and repeated habitat destruction (see documentary *Ocean* with David Attenborough), also releases large amounts of carbon from long-term storage in sediments<sup>11</sup>. Atwood et al. (2024)<sup>12</sup> stated, *"Using recent estimates of bottom trawling's impact on sedimentary carbon, we found that between 1996-2020 trawling could have released, at the global scale, up to 0.34-0.37 Pg CO<sub>2</sub> yr<sup>-1</sup> to the atmosphere, and locally altered water pH in some semi-enclosed and heavy trawled seas."*

15. A 2025 article in *The Lancet*<sup>13</sup> warned, “*this trawling-linked climate impact undermines the EU’s and other European countries’ net-zero goals, as oceans are critical carbon sinks, absorbing 25% of global CO2 emissions*”. Likewise, the continued enabling of bottom trawling by the New Zealand government ignores its obligations under the United Nations Convention on the Law Of the Sea (UNCLOS), and the United Nations Framework Convention on Climate Change (UNFCCC).

## **Undermining democracy**

16. The Bill will remove the already inadequate control and transparency needed to protect Aotearoa’s marine environment, fish stocks and ability to feed its people. The explicit exclusion of on-board camera footage from the Official Information Act 1982 (OIA) takes away the public, community organisations and other interested parties’ ability to hold commercial fishing operators to account. The OIA already offers withholding grounds to protect legitimate interests of commercial sensitivity. There is no justification to lock away on-board camera footage from the public through the Bill, especially when self-reporting by the fishing industry, like other extractive industries, is demonstrably far from trust-worthy<sup>14</sup>. Accurate reporting on the amount of fish and invertebrates that are caught and discarded by New Zealand’s commercial fishing industry is vital to effective management of these fisheries (NIWA website)<sup>15</sup>.

17. Bremner et al. (2009)<sup>16</sup> revealed, “*Trawl data from government-observed trawlers in the New Zealand hoki fishery were used to predict catches of unobserved vessels. These predictions were compared with the catches unobserved vessels reported. Unobserved vessels’ reported catches were significantly different to observed vessels’ catches. There was clear evidence of misreporting in the hoki fishery. Misreporting deprives stakeholders of rentals, distorts catch statistics, and threatens the integrity of ITQ systems. If reporting is similarly biased in other fisheries, the issue cannot be safely ignored.*”

18. To further undermine democratic rights, the Bill limits the period allowed for judicial review to within 20 days from when a decision was made (s313A). This duration is shorter than what is expected for an OIA response and far shorter than the three months period recommended by the Ministry for Primary Industry (MPI)’s own Regulatory Impact Statement<sup>17</sup>. In practice, the Bill would undermine anyone’s ability to challenge a fishery decision. The access to justice is severely impeded.

## **What would a responsible government do?**

19. Rather than weakening the Fisheries Act to facilitate over-exploitation and risk fishery and ecosystem collapse, a responsible government with foresight would strengthen it to enable the protection and recovery of heavily targeted species, habitats and ecosystems. It would ban all bottom trawling anywhere any time. It is the most indiscriminate and destructive fishing practice on the planet. It is a disgrace for New Zealand to be the only nation to continue bottom trawling on sea mounts in the high seas of the Southern Ocean<sup>18</sup>. New Zealanders do not want it<sup>19</sup>. It makes a mockery of our global commitment to protect 30 percent of land and ocean by 2030, since the UN Convention on Biological Diversity (UNCBD) Conference in 2022<sup>20</sup>.

20. A responsible government would also apply the precautionary and restorative principles to managing and restoring our fisheries and marine ecosystems, especially concerning species that are

already declining, at risk or threatened nationally or internationally. Fisheries bycatch<sup>21</sup>, notably marine mammals, sharks, seabirds, turtles and corals must be strictly avoided. Research by the Environmental Law Initiative (ELI) revealed that commercial fishing operations like set-netting and trawling killed over 146 dolphins and seals inside NZ's marine mammal sanctuaries in the last two years<sup>22</sup>. Many of these species are globally threatened (e.g. the Māui dolphin is Critically Endangered on the IUCN Red List) and NZ has the obligation to protect and support their recovery under the UNCBD. Indeed, the health of our oceans depends on a full complement of marine species, each with its role in the ecosystem. The loss of kelp forests following kina irruption resulting from overexploiting of crayfish in Northland<sup>23</sup> is just one example of chronic mismanagement.

## Conclusion

21. Crucially, te taiao encompassing all of nature, ecosystems, biodiversity and the climate, is under extreme, rapidly increasing stress, as are people who rely on it for livelihoods, wellbeing and resilience. Literally, fishing corporations are 'eating the future', eroding the potential for recovery of habitat and dependent fish stocks, and the opportunities of future generations for responsible harvesting. Rather than further exploiting and extracting from it for corporate profits, it is the government's duty to make sure that it is protected, and its life-supporting capacity restored for all, including future generations.

22. We are therefore strongly opposed to the Fisheries Amendment Bill and request that it be rejected in full and does not proceed into legislation.

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<sup>1</sup> <https://www.legislation.govt.nz/bill/government/2026/265/en/latest/#LMS1580053>

<sup>2</sup> <https://www.mpi.govt.nz/fishing-aquaculture/fisheries-management/fish-stock-status/tarakihi-a-stock-under-a-rebuilding-plan>

<sup>3</sup> <https://newsroom.co.nz/2025/07/08/study-finds-nzs-largest-orange-roughy-fishery-facing-collapse/>

<sup>4</sup> <https://eds.org.nz/wp-content/uploads/2026/03/orange-roughy-3B-spawning-closure-26-March-2026-Final.pdf>

<sup>5</sup> <https://www.mpi.govt.nz/fishing-aquaculture/fisheries-management/fish-stock-status/hoki-new-zealands-largest-fishery>

<sup>6</sup> <https://www.msc.org/en-au/what-we-are-doing/msc-theory-of-change/sustainable-fishing/sustainable-fishery-examples/new-zealand-hoki>

<sup>7</sup> <https://www.mpi.govt.nz/consultations/proposed-temporary-fisheries-closure-in-western-taranaki>

<sup>8</sup> <https://www.endangeredspecies.org.nz/post/calls-to-ban-bottom-trawling-grow-louder-as-massive-coral-destruction-exposed>

<sup>9</sup> <https://www.mpi.govt.nz/dmsdocument/53307/direct>

<sup>10</sup> <https://www.nature.com/articles/d41586-023-02369-z>

<sup>11</sup> <https://besjournals.onlinelibrary.wiley.com/doi/10.1111/1365-2664.70346>

<sup>12</sup> <https://www.frontiersin.org/journals/marine-science/articles/10.3389/fmars.2023.1125137/full>

<sup>13</sup> <https://www.thelancet.com/journals/lanplh/article/PIIS2542-5196%2825%2900134-2/fulltext>

<sup>14</sup> <https://www.forestandbird.org.nz/resources/fishing-industry-breaking-law-bycatch>

<sup>15</sup> <https://niwa.co.nz/fisheries/rawl-fisheries-bycatch>

<sup>16</sup> <https://www.sciencedirect.com/science/article/abs/pii/S0308597X08001590?via%3Dihub>

<sup>17</sup> <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/regulatory-impact-statement-amendments-to-the-fisheries-act-1996/>

<sup>18</sup> <https://wwf.org.nz/stop-destructive-bottom-trawling>

<sup>19</sup> <https://www.rnz.co.nz/news/pacific/587141/minister-defends-bottom-trawling-despite-poll-showing-majority-of-nzers-want-it-banned>

<sup>20</sup> <https://www.doc.govt.nz/news/media-releases/2022-media-releases/new-zealand-welcomes-new-global-deal-for-nature/>

<sup>21</sup> <https://www.greenpeace.org/aotearoa/story/sold-to-the-highest-trawler-shane-jones-hands-nz-oceans-over-to-big-fish-national-silent/>

<sup>22</sup> <https://www.eli.org.nz/updates/marine-mammals-146>

<sup>23</sup> <https://www.eli.org.nz/cases/crayfish1>