

OFFICE OF HON **Jim Anderton**

Minister of Agriculture, Minister for Biosecurity, Minister of Fisheries, Minister of Forestry,
Associate Minister of Health, Associate Minister for Tertiary Education, Minister responsible for Public Trust

04 SEP 2006

JA0442-OIA

John Harbord
Research Officer
Office of the Leader of the Opposition
3.103
PARLIAMENT HOUSE

Dear Mr Harbord

I refer to your letter dated 14 August 2006 requesting:

“a list of all Maori customary fishing organisations or groups (including Kaitiaki) who have the authority to issue customary fishing authorisations and who are required to submit quarterly or annual reports to the Minister or his Ministry, noting:

- which of those required to submit quarterly reports, submitted reports for each quarter since mid 2004 (i.e. from, and including, the third quarter of 2004), including any quarter in which a report was not submitted (if any)
- which of those required to submit annual reports, submitted reports for each year from 2004 (inclusive), including any year in which a report was not submitted (if any).”

Your request is made under the provisions of the Official Information Act 1982.

Please find enclosed a table that depicts the names of the entities that have been instrumental in having Tangata Kaitiaki and Tangata Tiaki appointed under the customary fishing regulations¹. The table also shows which entities have submitted quarterly reports² to the Ministry of Fisheries.

¹ Tangata Kaitiaki/Tiaki under the Fisheries (Kaimoana Customary Fishing) Regulations 1998 and Tangata Tiaki/Kaitiaki under the Fisheries (South Island Customary Fishing) Regulations 1999.

² Customary Food Gathering Catch Landing Reports.



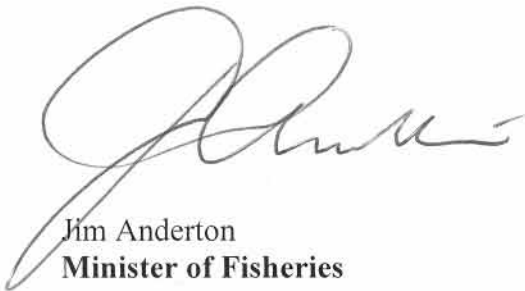
Please note:

- i) annual reports are not required to be submitted under the customary fishing regulations
- ii) no information has been withheld.

You have a right under section 28(3) of the Official Information Act to make a complaint to the Office of the Ombudsmen to seek an investigation or review of my response to your request for information.

Finally, as noted in an earlier response to Ceilidh MacDonald (Research Officer, National Party), the Ministry is working on collating information, supplied quarterly by the Tangata Kaitiaki and Tangata Tiaki, on a quota management area basis. I note this was confirmed in a recent letter to you by the Ombudsman.

Yours sincerely



Jim Anderton
Minister of Fisheries

Encl

Tangata Kaitiaki/Tiaki

Appointed Under the Fisheries (Kaimoana Customary Fishing) Regulations 1998

Entity	2004 3 rd Quarter	2004 4 th Quarter	2005 1 st Quarter	2005 2 nd Quarter	2005 3 rd Quarter	2005 4 th Quarter	2006 1 st Quarter	2006 2 nd Quarter
Kaiaia Hapu	no	no	no	no	no	no	no	no
Kairakau Lands Trust	√	√	√	no	no	no	no	√
Ngā Hapu o Aotea Moana including Okapu Marae (Ngāti Te Wehi)	no	no	√	√	√	√	√	√
Marokopa Marae (Ngāti Kinohaku, Ngāti Te Kanawa & Ngāti Peehi)	n/a	no	√	√	√	√	√	√
Ngā Hapu o Taiamai Ki Te Marangi	no	no	no	no	no	no	no	no
Ngā Hapu o Waimarama & Ngāti Hawea	n/a	n/a	n/a	n/a	n/a	no	no	√
Ngāti Kere	√	√	√	√	√	√	√	√

eastern BOP

Wairarapa

Between Bay of Plenty & Kaitiaki

Te Kaiti

Northland

Wairarapa

Wairarapa

Ngai Tai Iwi	no	no	no	no	no	no	no	no	no	no	no	no	no	no	Kapiti?
Ngaiterangi, Ngāti Ranginui & Ngāti Pukenga	n/a	n/a	no	no	no	no	no	no	no	no	no	no	no	no	Tauranga
Ngai Te Ruruku o Te Rangi	√	√	√	√	√	√	√	√	√	√	√	√	√	no	Hawkes Bay
Paikea Whitiireia Trust (Ngāti Konohi)	no	√	√	√	√	√	√	√	√	√	√	√	√	no	Gisborne
Tapaeururangi Marae (Potaka Committee)	no	no	no	no	no	no	no	no	no	no	no	no	no	no	East Cape
Te Hika o Papauma	√	√	√	√	√	√	√	√	√	√	√	√	√	√	Waikarepo
Te Whanau-a-Hunaara (Matahi-o-te-Tau Marae)	no	no	no	no	no	no	no	no	no	no	no	no	no	no	East Cape
Te Whanau a Maruhaeremuri	no	no	no	no	no	no	no	no	no	no	no	no	no	no	Eastern BOP

N/a = not applicable; entity not yet appointed.

Tangata Tiaki/Kaitiaki

Appointed Under the Fisheries (South Island Customary Fishing) Regulations 1999

Entity	2004 3 rd Quarter	2004 4 th Quarter	2005 1 st Quarter	2005 2 nd Quarter	2005 3 rd Quarter	2005 4 th Quarter	2006 1 st Quarter	2006 2 nd Quarter
Te Runanga o Ngai Tahu ³	√	√	√	√	√	√	√	√

51

³ Includes Aparima/Oraka Runanga, Arowhenua Runanga, Ashwell Whanau, Awarua Runanga, Hokonui Runanga, Kaikoura Runanga, Korako Karetai Trust, Koukourarata Runanga, Makawhio Runanga, Moeraki Runanga, Onuku Runanga, Otakou Runanga, Puketeraki Runanga, Rakiura Runanga, Rapaki Runanga, Tauwhare Whanau, Te Taumutu Runanga, Topi Whanau, Tuatapere Whanau, Waihao Runanga, Waihopai Runanga, Wairewa Runanga and the Whaitiri Whanau.

CUSTOMARY ABUSES.

Philip Heatley

From: Jeff Weir
Sent: Wednesday, 13 September 2006 12:14
To: Philip Heatley
Subject: Parekura has been neglecting to ensure the quarterly filing of reports

Parekura has been neglecting to ensure the quarterly filing of reports by customary fishing organisations as required under the Fisheries (Kaimoana Customary Fishing) Regulations 1998. See below

From <http://www.fish.govt.nz/en-nz/Customary/Kaimoana/default.htm>

What are the main responsibilities of Tangata Kaitiaki/Tiaki?

Report to the Ministry of Fisheries every quarter providing a summary of information on the authorisations including:
species authorised for harvest, quantity of that species authorised for harvest, quantity of that species actually harvested, where the species was harvested (Quota or Fishery Management Area).

From FISHERIES (KAIMOANA CUSTOMARY FISHING) REGULATIONS 1998

15. Information provided-

(1) Within 1 month after the end of each quarter in each calendar year, a Tangata Kaitiaki/Tiaki, or such other person as agreed between the tangata whenua and the Ministry under regulation 39, must provide, on form 3, for the sole purpose of setting or varying sustainability measures or developing management controls, a summary of information collected under regulations 35 and 36.

(2) The information in subclause (1) must be provided to the office of the Ministry closest to the customary food gathering area/rohe moana for which the Tangata Kaitiaki/Tiaki or agreed person has been appointed.

(3) In making any decision under section 21 of the Fisheries Act 1996, the Minister must have regard to information provided under this regulation or provided by any Tangata Kaitiaki/Tiaki under regulation 14.

Regards

Jeff Weir
Researcher
Office of the Leader of the Opposition
Direct Dial +64 4 471 9308
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Mobile + 64 27 292 1895



Ministry of
Fisheries
Te Tautiaki i nga tini a Tangaroa

Annual Report 2005/2006

Presented to the House of Representatives pursuant to section 39 of the Public Finance Act 1989



The value New Zealanders obtain through the sustainable use of fisheries resources and protection of the aquatic environment is maximised

■ New Zealand Fisheries at a Glance

NZ Marine Fisheries Waters (EEZ and Territorial Sea)	4.4 million km ²
NZ coastline	15,000 km
Marine species described ¹	8,000
Species commercially fished	130
Productivity of the fishery	Medium
Ecosystems	Diverse
Climate	Sub-tropical to sub-Antarctic

Quota Management System Stocks

Number of species/species complexes in the QMS	94
Individual stocks in the QMS	619
Information available on stock status ²	60-70%
Stocks at or near target level ³	82%

Commercial Fisheries and Aquaculture

Total export value 2005 (FOB)	\$1.2 billion
Capture fisheries	\$1.0 billion
Aquaculture	\$200 million
Direct subsidies	Nil
Total quota value ⁴	\$3.5 billion
Persons with quota holding	2,432
Commercial fishing vessels	1,365
Processors and Licensed Fish Receivers	227
Direct employment (full time equivalents) ⁵	10,500
Direct and indirect employment (full time equivalents)	26,000
Annual take (in NZ EEZ)	505,000 tonnes

Customary Fisheries

Tangata Tiaki appointed (South Island)	134
Tangata Kaitiaki appointed (North Island)	148
Temporary closures	6
Taiapure-local fisheries	7
Mātaaitai reserves	5
Estimated annual take	not known

Recreational Fisheries⁶

Estimated participation (as a % of the total NZ population)	20%
Estimated annual take	25,000 tonnes

Ministry of Fisheries

Budget 2006/07 (excl GST)	\$89.4 million
Net assets	\$12.8 million
Staff as at 30 June 2006 (FTEs)	408
Honorary Fishery Officers	149

1 New Zealand Biodiversity Strategy, 2000.

2 Percentage of stocks calculated by weight and value.

3 Of the 93 stocks for which we have information for current stock size, 76 (82%) are at or near target levels. For the remainder of those stocks, rebuild strategies are in place. These represent the main commercial stocks.

4 Statistics New Zealand. Fish monetary stock accounts. Calculated on basis of average quota trade price x TACC.

5 McDermott Fairgray Group, 2000, Economic impact assessment for NZ regions. Prepared for the NZ Seafood Industry Council.

6 1999/00 Survey of Recreational Fishing.

Office of the Ombudsmen

Nga Kaitiaki Mana Tangata

Our Ref: W55744
Contact: Leanne Stewart

29 June 2006

Mr John Harbord
Research and Advisory Unit
Office of the Leader of the Opposition
Parliament Buildings
Wellington

Dear Mr Harbord

OFFICIAL INFORMATION ACT COMPLAINT: MINISTER OF FISHERIES

I refer to my letter of 20 April 2006.

I have received reports from the Minister and the Ministry outlining their concerns with release of the last two quarterly reports provided by Tangata Tiaki and Tangata Kaitiaki.

The Ministry has also provided me with (Kaimoana Customary Fishing) Regulations reporting information provided under r.1 aggregated to a quota management Ministry has explained that:

They initially refused due to this

or the Fisheries that customary ic without being ent area. The

...this point was extensively de hapu throughout the development regulations. ...Maori throughout the country were concerned that locations of customary importance could be disclosed to other interested parties in the fishing sector if such localised information was publicly available – thereby creating a real risk that their customary resources could be exploited to the detriment of their customary non-commercial fishing rights. Accordingly, agreement was reached that such information would not be publicly available and, at a macro level, would only be used for the sole purpose of setting or varying sustainability measures. ...Hence the Ministry's concerns over releasing information that could be attributed to an individual or a hapu/iwi. Again I point out the issue of confidence also applies to the release of information supplied by commercial fishers. Such information is collated and only released by statistical or fisheries/quota management area – the information is not released in a way that could identify individual fishers or companies. ...The

iwi and fishing

Ministry relies on Kaitiaki complying with the requirement to provide reports of authorisation and harvest information. Given the absence of any offence if Kaitiaki fail to provide reports, you can appreciate the degree of reliance by the Ministry. If reports were to be released, there is a real risk compliance would decrease, and timeliness and accuracy of the information provided reduce. Without the information the Ministry's ability to discharge its obligations imposed by the Fisheries Act 1996 would be compromised. ..."

The Ministry has also advised me that it is developing a database for entering and storing catch landed information supplied by Kaitiaki which will capture the species, fisheries management area and period. Information supplied by individual Kaitiaki or hapu/iwi will not be able to be identified. It seemed to me that this advice provided the possibility of a way forward that might satisfy both parties and I therefore asked the Ministry whether it was prepared to provide you with similar information for the periods you have requested.

The Ministry responded:

"The Ministry can collate the information at issue into a spreadsheet format so that the information relates only to QMA/FMA areas. We would remove any reference to the particular tangata kaitiaki/tiaki, iwi/hapu, rohe moana/location that would enable identification of the location where fish were taken. As you note, this is exactly what the database being developed by the Ministry intends to do.

However, ...while the Ministry is happy to assist, the collation of the last two quarterly reports provided by tangata kaitiaki/tiaki would take some time and require a not insignificant amount of resourcing. If you consider proposing such an option to the requester, the Ministry is happy to liaise with the requester/your office to agree on an appropriate time frame. Otherwise, the information is likely to be available when the database itself is up and running in the not too distant future."

I am therefore writing to establish whether your complaint may be resolved by the Ministry's proposal. If so, I would suggest that you contact Tristan Meo on (04 819 4628) to discuss the way forward. If not, please contact Leanne Stewart on (04 494 1671) and I will continue with my investigation and review.

Yours sincerely



Beverley A Wakem
Ombudsman

cc: Hon Jim Anderton (Minister of Fisheries)
Tristan Meo (Ministry of Fisheries)

The New Zealand Herald

New Zealand Herald — news — general — Feb 12 2004 5:00AM

MP checks Maori seafood abuse fears

By RENEE KIRIONA

Maori MP Dover Samuels is outraged that some Maori leaders might be abusing their authority to issue permits to take kaimoana (seafood).

As a result, the Tai Tokerau MP will meet Fisheries Minister Pete Hodgson and Maori Affairs Minister Parekura Horomia today to determine if the abuse of the Customary Fisheries Regulations is an issue.

Under the regulations some Maori leaders (or kaitiaki) have the power to issue permits, but only for customary functions such as tangihanga (funerals) and marae events.

Mr Samuels said he had been engulfed with concerns from whanau and hapu, not only in his electorate but others as well, that there had been issues of non-compliance.

"These are Maori coastal whanau and hapu who are trying to protect the resource, but who also see it being taken outside of their area," he said.

"It is a wake-up call for us all, especially with the whole issue of adhering to customary fishing rights being at the forefront of people's minds and the foreshore and seabed issue being so topical."

It would be extremely disappointing if some Maori had abused the right, given that they had fought long and hard for it from the Government, Mr Samuels said.

"The protection and sustainable management of kaimoana is at the very heart of tikanga [Maori values] and Maori custom, but if we keep abusing and depleting our fisheries there will be nothing left for Maori to have customary rights over."

Mr Samuels said he did not believe any kaimoana taken from non-complying permits was being sold on the black market, but it was too early to give a definite answer.

The Ministry of Fisheries' compliance department was to brief the meeting on whether or not there had been any reported abuses of the regulations.

SubjectDetail: none (Ref: 3548805)

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