

- 7 DEC 2017

Ministry for Primary Industries
Manatū Ahu Matua



OIA17-0611

Graham Carter
c/- FYI website

Dear Graham Carter

OFFICIAL INFORMATION ACT REQUEST

I refer to your official information request on 11 October 2017 seeking information regarding the questions listed below.

Note that the Ministry for Primary Industries' (MPI) responses follow each of the questions listed below.

The following information is released to you under the Official Information Act 1982 (OIA):

In the last year, with regard to the Waikato Commercial Eel Fishing Industry, how many 0800 POACHER complaints have been laid with MPI regarding illegal net setting in the Waikato?

MPI's National Communication Centre (NCC) registered 56 calls to the 0800 POACHER line between 9 November 2016 and 9 November 2017 regarding set nets in the Waikato area. These calls are entered in a data base, however the target species such as "eel" nor the exact type of net being utilised such as "fyke net" which is primarily utilised in the eel fishery is not recorded. As such an exact number of complaints in regards to the Waikato Commercial Eel Fishing Industry is unknown.

How many 0800 POACHER complaints have been laid with MPI regarding illegal net setting nationwide?

Between 9 November 2016 and 9 November 2017 MPI registered 318 calls to the 0800 POACHER line regarding set nets nationwide.

MPI's NCC receives approximately 5000 fisheries related calls to the 0800 POACHER line per year nationally which are forwarded for compliance action. An additional 5000-6000 calls are addressed directly by NCC staff per year.

How many net placement prosecutions have been carried out in the Waikato and nationwide?

MPI has had no cause to conduct a prosecution for illegal net placement in the Waikato area or nationally between 9 November 2016 and 9 November 2017.

How many warnings have been given to eel fishers for illegal net placement?

MPI has had no cause to issue any warnings in regards to illegal net placement to the commercial eel fishers in the Waikato area between 9 November 2016 and 9 November 2017.

During a routine Fishery Patrol or on deploying on a 0800 POACHER line response warranted Fishery Officers may find set nets unattended and unnamed. If a net is unnamed or set illegally the Fishery Officer will remove the set net from the water, seize the set net, and take that set net back to be held by MPI for a period of 90 days. If after 90 days the set net has not been claimed by the owner the set net is destroyed.

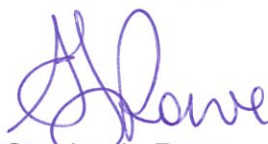
If warranted Fishery Officers on a routine Fishery Patrol or a 0800 POACHER line response find a set net attended they will identify any concerns and talk to the owner or the person(s) responsible for that net. Any enforcement action will be carried out on a case by case basis, in accordance with Fisheries Compliance service delivery methodologies and in line with relevant legislation.

Offences and Penalties

In accordance with the Fisheries (Amateur Fishing) Regulations 2013 and offences in regards to restrictions relating to set nets a person who contravenes or commits a specific offence(s) is liable on conviction to a fine not exceeding \$10,000.

In regards to commercial fishing and in accordance with the Fisheries Act 1996 – a commercial eel fisher who is in breach of or contravenes any condition placed on a fishing permit commits an offence and if convicted is liable to a fine not exceeding \$100,000; also within the Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986 - a person commits an offence and is liable on conviction to a fine not exceeding \$100,000 if the person sets a net in a defined prohibited area.

Yours sincerely



Stephanie Rowe
Director Compliance Services