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**Critical issue covered by a veil of secrecy**

A far-reaching change to the way our fisheries are managed has been proposed yet only a handful of people know what has been tabled or had any input. The Ministry of Fisheries and industry representatives, SeaFIC and Te Ohu Kaimoana, have collaborated to rewrite the most fundamental part of the Fisheries Act, section 13. Non-commercial fishing representatives have been excluded from that process. If passed into law, the Fisheries Minister will be compelled to set maximum justifiable total catch limits with, if necessary, little or no meaningful information. Knife-edge fisheries management leading to the inevitable: less fish for non-commercial fishers.

Under the guise of urgency the Fisheries Act 1996 Amendment Bill (No.2) has been presented to Parliament and sent to the Primary Production Committee for consideration. Their report is due by August 25th so changes can be made by September 11th, allowing the Minister to make management decisions for Orange Roughy and Bluenose stocks by October.

Both MFish and industry are down-playing the amendment as a mere "technical" change whereas our legal advice is completely the opposite. It is likely to weaken the sustainable approach to fisheries management and thus undermine the purpose and principles of the Act.

It could also add complexity, and therefore legal uncertainty, into how the Minister sets the total allowable catch (TAC) limits under s13.

If the proposed changes are so innocuous why the secrecy?

Only twelve parties were "invited" to submit and appear before the Select Committee hearing earlier this month, including option4, the NZ Big Game Fishing Council and the NZ Recreational Fishing Council. option4 and the NZBGFC submitted in conjunction with the Hokianga Accord, the mid north iwi fisheries forum. Five representatives went to Wellington to talk with the Committee and discuss the joint submission.

It came as no surprise to hear unconditional support for the amendment from SeaFIC and TOKM during the two-hour hearing. What did surprise was the conditional support, with caveats, offered by the NZRFC and three environmental organisations.

However, the biggest irony of the day was discovering that Anton's Seafoods Limited had not even been invited to submit or talk to the Committee. A quick re-arrangement of the timetable, on the eve of the hearing, allowed their input. They too were opposed to the amendment.

It was Anton's who originally challenged the Minister's Orange Roughy decisions in the High Court and won. That judgment has sparked this knee-jerk reaction from the Minister and MFish and is now being used as an excuse to amend the legislation under urgency.

It is unthinkable such a major change would be made to our primary sustainability measure without all interested New Zealanders being given the opportunity to have a say.

At the very least more non-commercial fishing and environmental interests need and deserve time to learn, consider and comment on the proposed changes. Meantime the Minister can make interim

decisions for the deepwater species and thus allow time for an inclusive review process before October 2009. There is no need to rush legislative change.

If there are any flaws associated with section 13 it is the ongoing, inadequate application of the twelve sections that precede it. This process lacks credibility. There is no urgency.

Visit http://option4.co.nz/Fisheries_Mgmt/section13.htm.