



SUBMISSION IN OPPOSITION

Fisheries Amendment Bill 2026

Submitted by: Tāngaro Tuia te Ora — Endangered Species Foundation

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1. Submitter Details

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2. Summary of Opposition

Tāngaro Tuia te Ora opposes the Fisheries Amendment Bill in full and calls on the Primary Production Select Committee to recommend that it not proceed.

This Bill is presented as administrative modernisation. It is not. It is a systematic dismantling of the environmental safeguards that have protected our marine ecosystems for decades, engineered to benefit large quota-owning fishing companies at the expense of the marine environment, tangata whenua, recreational fishers, and future generations.

Our opposition rests on six grounds:

- Environmental protections are stripped from catch limit decisions, making it easier to set and maintain unsustainably high catch levels.
- Bottom trawling of seamounts will be further enabled, destroying ancient and irreplaceable ecosystems.
- Orange roughy and other depleted deep-water stocks face accelerated decline under a low-information stock framework that rewards ignorance.

- Māui and Hector's dolphin will face increased bycatch risk as commercial fishing pressure intensifies and accountability mechanisms weaken.
- Camera footage — the most significant tool for exposing commercial fishing non-compliance — will be hidden from the public.
- Judicial review rights will be curtailed to 20 working days, shutting out under-resourced communities and undermining Treaty obligations.

3. Background and Standing

Tāngaro Tuia te Ora, the Endangered Species Foundation, is a registered charitable organisation supporting high-priority biodiversity projects that protect the most vulnerable indigenous species and habitats of Aotearoa from extinction. Our work is Treaty-centred and mana whenua and community-led.

ESF works directly on the recovery of Māui and Hector's dolphin, tara iti, and a range of other critically endangered taonga species. The health of our marine environment is inseparable from the survival of these species. Legislation that weakens fisheries oversight and accelerates ecosystem degradation is therefore a direct threat to our kaupapa.

Over 27,000 people submitted on the proposals that form the basis of this Bill when they were released for consultation in February 2025. That opposition was ignored. The Bill introduced to Parliament in March 2026 by Minister Shane Jones proceeds substantially unchanged. We are submitting again because the risk posed, if this bill proceeds, are immense.

4. Removal of Environmental Safeguards from Catch Limit Decisions

The most consequential change in this Bill is the restructuring of how the Minister sets catch limits. The current Fisheries Act requires the Minister to consider the effects of fishing on the marine environment when setting any Total Allowable Catch. This Bill removes that requirement as a primary obligation.

Amended section 13 introduces six 'standard factors' the Minister must consider, replacing the current requirement to assess the effect of fishing on the aquatic environment more broadly. New section 13F then requires environmental matters to be considered only 'to the extent that they are relevant to the standard factors.' If an environmental effect falls outside those factors, it can be ignored.

This is a reversal of legal protections built over decades. The Minister will be able to set catch limits in isolation from marine spatial plans established under the Resource Management Act and Conservation Act. The requirement to consider the needs of future generations is removed. The obligation to consider effects on species outside the Quota Management System — species like Māui dolphin — is weakened.

New section 13D introduces a framework for 'low information stocks' that requires less data to justify setting and maintaining high catch limits. Most fish stocks in Aotearoa would qualify as low information due to historically inadequate data collection. Rather than requiring precautionary management when information is uncertain — which is international best practice — this Bill allows the Minister to proceed with minimal scrutiny. The risk falls on the environment. The benefit accrues to industry.

5. Bottom Trawling of Seamounts

Bottom trawling is one of the most destructive fishing methods on earth. A single trawl can obliterate cold-water coral gardens and deep-sea sponge ecosystems that have developed over thousands of years. Seamounts — underwater mountains that rise from the ocean floor — are biodiversity hotspots.

They support concentrations of species found nowhere else, and they are directly in the path of commercial trawl operations targeting deep-water species like orange roughy.

Critically, the coral brought up in trawl nets represents only a minute fraction of the destruction occurring on the seabed. For every piece of coral visible in the catch, vastly more is crushed, buried, or otherwise destroyed on the seafloor. The 112.7 tonnes of reported coral bycatch from orange roughy fishing only represents the tip of the iceberg of ecosystem destruction.



This Bill strengthens the hand of the deep-water commercial fishing sector through multiple mechanisms. Multi-year catch limit settings under new section 14F allow the Minister to lock in catch levels for up to five years with a single consultation round. Management procedures under new sections 14L to 14T automate catch decisions, removing annual Ministerial review and reducing public input to a single opportunity at the outset.

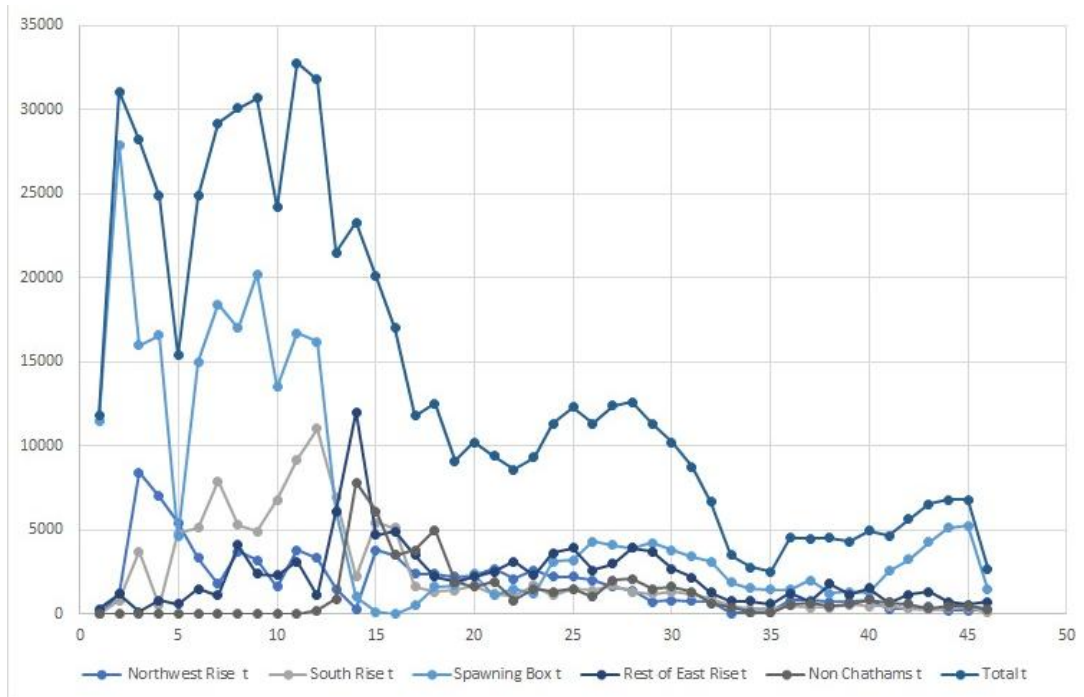
When environmental considerations can be side-stepped in catch limit decisions, and when catch settings can be automated for five years at a time, the scrutiny required to protect seamount ecosystems from bottom trawling is structurally impossible to maintain.

ESF calls on the Committee to recommend that bottom trawling of seamounts be prohibited in New Zealand waters. This Bill moves in precisely the opposite direction. The seamounts of the Kermadec Ridge, the Chatham Rise, the Louisville Ridge, and other deep-sea formations are taonga. Their destruction is permanent. No commercial return justifies it.

6. Orange Roughy and Depleted Deep-Water Stocks

Orange roughy is a deeply vulnerable species. They live for over 100 years and do not reach sexual maturity until they are 20 to 30 years old. Their populations recover from commercial fishing pressure over geological timescales, not human ones. New Zealand's orange roughy stocks were heavily depleted during the 1980s and 1990s and some have never recovered.

Chatham Rise Catch Since 1979-80 to 2023-24



Orange roughy aggregate in dense schools on seamounts during spawning — exactly the habitat that bottom trawling targets. A single trawl pass over a spawning aggregation can remove a significant proportion of the reproductive population in that area.

Under this Bill's low information stock framework (new section 13D), the Minister is able to set and maintain catch limits for orange roughy with reduced information requirements. The Bill makes it easier to lock in multi-year catch settings and harder to reduce them when signs of depletion emerge. New section 14F allows catch trajectories to be set in advance — including increasing trajectories — with no requirement for annual review.

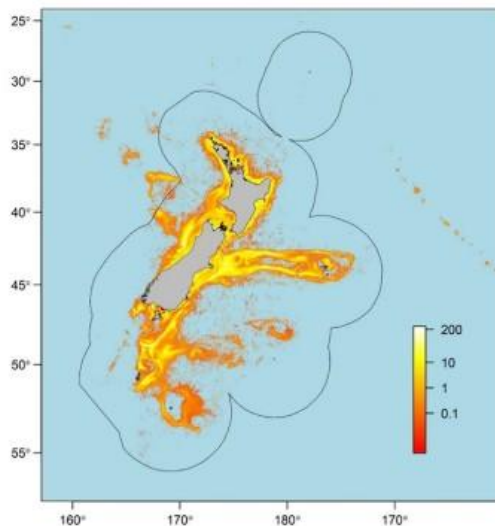
The in-season catch increase provisions of new section 13E compound this risk. The Minister can increase total allowable commercial catch during a fishing season based on data that LegaSea and others have identified as potentially incomplete and misleading. For a species as slow-recovering as orange roughy, a single season of overextraction can set a population back by decades.

ESF calls on the Committee to remove the provisions that weaken precautionary management of low information and depleted stocks, and to recommend explicit protections for orange roughy and other deep-water species with long recovery timescales.

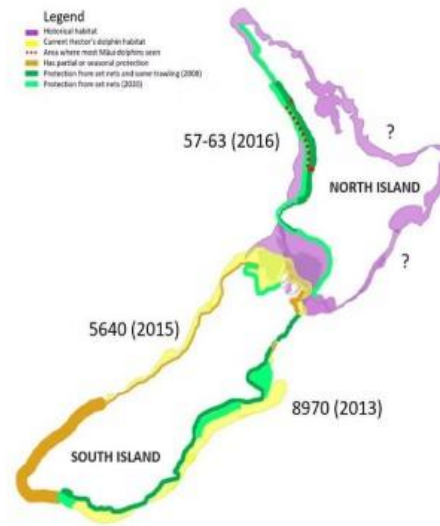
7. Māui and Hector's Dolphin

Māui dolphin is the world's rarest dolphin. There are approximately 54 individuals remaining. Hector's dolphin numbers fewer than 15,000 individuals and is found only in the coastal waters of Aotearoa. Both species are critically endangered. Both face their primary threat from commercial fishing, specifically gill-netting and trawling in inshore coastal waters.

Bottom Trawled Areas Around Aotearoa NZ



Hector's and Maui Dolphin Habitats (2016)



The threat these dolphins face is not from a single provision — it is from the cumulative effect of weakened oversight, increased commercial catch pressure, reduced public accountability, and the removal of environmental considerations from decision-making.

Before cameras were required on commercial vessels, the true scale of dolphin bycatch was unknown. A 2024 Ministry for Primary Industries report revealed that reported dolphin captures increased by 680 times after cameras were installed on a portion of commercial vessels — reflecting not an increase in actual captures, but an increase in accurate reporting. The cameras were working.

This Bill's new section 227H **removes public access to onboard camera footage**. The Official Information Act will no longer apply to camera recordings. Anyone who discloses footage faces a \$50,000 fine. The cameras that proved their worth in exposing the true scale of dolphin captures will now operate behind a wall of secrecy.

The weakening of deemed value penalties for deepwater freezer vessels under new section 75(5A) creates a two-tier system that incentivises bulk harvest, non-selective fishing methods. The removal of commercial minimum size limits for nine finfish species, including snapper, increases pressure on inshore ecosystems where Māui and Hector's dolphin forage and feed.

Every measure in this Bill that increases commercial fishing pressure, reduces scrutiny, or weakens accountability is a measure that increases the extinction risk for Māui dolphin. ESF calls on the Committee to reject this Bill in its entirety, and to direct the Minister to develop a genuine Māui dolphin recovery plan grounded in precautionary management and meaningful bycatch reduction.

8. Suppression of Onboard Camera Footage

The introduction of cameras on commercial fishing vessels was a hard-won transparency measure. The results were extraordinary and deeply concerning. A 2024 MPI report found that once cameras were installed on a portion of vessels:

- Reported discards of kingfish **increased by 950 percent** compared to previous self-reporting.
- Reported discards of snapper **increased by over 1,000 percent**.
- Reported dolphin captures were **680 times higher** than previously reported.
- Reported albatross interactions **increased by 350 percent**.

These figures show that self-reporting had catastrophically understated the true impact of commercial fishing for years. The cameras were working.

This Bill's response to that evidence is to remove public access to the footage. New section 227H exempts camera recordings from the Official Information Act. New section 252(5AA) imposes a \$50,000 fine on anyone who knowingly discloses footage. The public paid for these cameras. The public is now being locked out of what they show.

Without independent verification, management of the commercial fishing sector reverts to the self-reporting regime that the camera evidence has already demonstrated to be unreliable. ESF calls on the Committee to retain and strengthen public access to onboard camera footage, and to reject any provisions that shield commercial fishing activity from scrutiny.

9. Curtailment of Judicial Review Rights

New section 313A introduces a 20-working-day deadline for judicial review of any decision made under the Fisheries Act. This is one of the shortest such timeframes in New Zealand law and significantly less than the three to six months recommended by MPI officials themselves.

The 20-working-day limit applies regardless of the complexity of the decision being challenged. A multi-year catch setting affecting an entire regional fishery, involving hundreds of pages of technical assessment and multiple affected parties, would be subject to the same deadline as a routine administrative matter.

This provision systematically disadvantages under-resourced groups, community organisations, recreational fishers, and tangata whenua. Tikanga processes for collective decision-making and consultation are fundamentally incompatible with an arbitrary 20-working-day deadline. This is a direct undermining of the Crown's Treaty obligations.

MPI officials advised against this timeframe. International practice is three to six months. The government has proceeded regardless. ESF calls on the Committee to remove section 313A from the Bill entirely.

10. Public Opposition Has Been Ignored

When the proposals underlying this Bill were released for consultation in February 2025, over 27,000 people submitted — overwhelmingly in opposition. A 2019 Horizon Research study found 58 percent of New Zealanders believed bottom trawling that destroys fish habitats and targets small fish should be banned¹. Seventy percent believed fisheries needed to be reformed

¹ <https://www.mz.co.nz/news/pacific/587141/minister-defends-bottom-trawling-despite-poll-showing-majority-of-nz-ers-want-it-banned>

toward greater abundance, not further deregulated. A more recent Greenpeace survey (2026) found 78% of New Zealanders want bottom trawling².

The communities who depend on healthy fisheries — recreational fishers, iwi and hapū, eco-tourism operators, coastal communities — have no significant representation in the quota ownership structures that stand to benefit from this Bill. The commercial fishing sector has lobbied for these changes for years. They are now in the Bill.

The Fisheries Act governs a shared, finite, public resource. The fish in our waters belong to all of us and to future generations. This Bill treats them as the exclusive interest of a small number of large quota-owning companies. It is not reform. It is privatisation.

11. Recommendation

Tāngaro Tuia te Ora requests that the Primary Production Select Committee:

- Recommend that the Fisheries Amendment Bill 2026 not proceed.
- Recommend that Parliament prohibit bottom trawling on seamounts in New Zealand's Exclusive Economic Zone.
- Strengthen rather than weaken independent oversight of commercial fishing activity, including public access to onboard camera footage.

This Bill serves private interests at the expense of the marine environment, tangata whenua, and the public. This Committee has an opportunity to stop it.

We urge the Committee to recommend that this Bill not proceed.

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² <https://www.greenpeace.org/aotearoa/story/78-of-nz-ers-want-bottom-trawling-banned-as-qovt-pushes-to-catch-more-coral-in-south-pacific/>