



Fisheries New Zealand

Tini a Tangaroa

Approval for the use of a Precision Seafood Harvesting Modular Harvest System Trawl Net under the Fisheries (Commercial Fishing) Regulations 2001

Regulation 71A Approval

24 May 2018

TITLE

Approval for the use of a Precision Seafood Harvesting Modular Harvest System trawl net under regulation 71A of the Fisheries (Commercial Fishing) Regulations 2001.

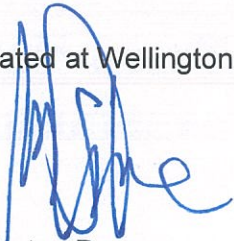
COMMENCEMENT

This Approval comes into force on 24 May 2018.

ISSUING AUTHORITY

This Approval is issued under regulation 71A of the Fisheries (Commercial Fishing) Regulations 2001.

Dated at Wellington this 24 day of May 2018.



Martyn Dunne
Director-General
Ministry for Primary Industries

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Introduction

This introduction is not part of the Approval, but is intended to indicate its general effect.

Purpose

This Approval authorises the use of a trawl net(s) otherwise restricted by regulation 71 of the Fisheries (Commercial Fishing) Regulations 2001 (the Regulations). This Approval also sets out the terms and conditions for the use of a trawl net(s) pursuant to regulation 71A(3)(b) of the Regulations.

Background

Under regulation 71A(1) of the Regulations, the chief executive may, on application by any person, approve the use of a trawl net (A) if the chief executive is satisfied that—

A performs at least as well as a specified net in providing for the utilisation of fisheries resources while ensuring sustainability; and

The use of A is consistent with the relevant fisheries plans approved under section 11A of the Fisheries Act 1996.

Who should read this Approval?

All persons involved in commercial fishing using an approved Precision Seafood Harvesting Modular Harvest System trawl net (**MHS trawl net**).

Why is this important?

Regulation 71 restricts the use of trawl nets by commercial fishers. Regulation 71A provides for approval of trawl nets that would otherwise be restricted by regulation 71.

It is an offence under the regulations to contravene or fail to comply with the regulation 71 restrictions.

Other relevant matters

This approval does not preclude responsibilities of operators to comply with existing regulations, codes of practice such as individual Vessel Management Plans (VMPs), Marine Mammal Operating Plans (MMOPs), including reporting to Fisheries New Zealand and the Deepwater Group if trigger points (as specified in the VMPs) are reached.

Other information

Copies of all approvals given under regulation 71A of the Regulations are on the Fisheries New Zealand website: <https://www.mpi.govt.nz/growing-and-harvesting/fisheries/operating-as-a-fisher/innovative-trawl-technology/>.

Part 1: Approval Details

1.1 Definitions

In this Approval:

Approved Tamperproof Unique Identifier Code means the identifier code required under clause 2.6(2) of this Approval that enables the trawl net to be identified and authenticated by Fisheries New Zealand.

Fisheries New Zealand-approved verifier means a verifier approved in writing by Fisheries New Zealand.

Fisheries New Zealand is the business unit within the Ministry for Primary Industries that is responsible for administering the Regulations.

MHS trawl net means a Precision Seafood Harvesting Modular Harvest System (US Patent number WO2014140702), which replaces the terminal sections of a traditional mesh trawl net, approved for use in accordance with this Approval.

Net module means cone module, retention module or liftbag module.

Precision Seafood Harvesting Modular Harvest System trawl net means a MHS trawl net approved for use in accordance with this Approval.

Targeting means the main species the vessel operator is trying to catch during a tow.

Terminal sections means the lengthener and cod end sections of a traditional mesh trawl net.

The Regulations means the Fisheries (Commercial Fishing) Regulations 2001.

In this Approval, unless the context otherwise requires, all terms used have the same meaning as in the Regulations.

1.2 The Approved Trawl Net

(1) This Approval authorises the use of a MHS trawl net in accordance with the terms and conditions in Part 2.

(2) Any modification to a MHS trawl net must have the prior approval of Fisheries New Zealand before being used for commercial fishing.

Part 2: Terms and Conditions

This Approval is subject to the following terms and conditions under regulation 71A(3)(b) of the Regulations.

2.1 Authorised Fisheries

The MHS trawl net is authorised for use only when targeting the following species:

Common name	Scientific name	Species code
Hoki	(<i>Macruronus novaezelandiae</i>)	HOK
Hake	(<i>Merluccius australis</i>)	HAK
Ling	(<i>Genypterus blacodes</i>)	LIN

2.2 Authorised Quota Management Areas

The MHS trawl net is authorised for use only when fishing in the following quota management areas: –

HOK1

HAK1, HAK4 and HAK7

LIN3, LIN4, LIN5, LIN6 and LIN7

2.3 Authorised Fishing Methods

The MHS trawl net is authorised for use only when fishing using one or both of the following fishing methods: –

Bottom trawl

Midwater trawl

2.4 Authorised Depth

The MHS trawl net is authorised for use only when fishing at a water depth greater than 250 metres. When fishing in the following statistical areas, the vessel operator is exempt from this rule: –

Statistical Area 16

Statistical Area 17

Statistical Area 33

Statistical Area 34

2.5 Technical Specifications

The vessel operator must deploy the MHS trawl net in accordance with the specifications set out in the Precision Seafood Harvesting Modular Harvest System Trawl Net – Technical

Specifications document approved by the Director-General and held at Fisheries New Zealand.

2.6 Certification Requirements

Prior to first use, the vessel operator must ensure that each net module of the MHS trawl net is certified by a Fisheries New Zealand-approved verifier that it meets all of the specifications as set out in the Technical Specifications Document, in the following way: –

- (a) A MyTAG radio frequency identification (RFID) tag must be attached to each net module; and
- (b) An indelible, stencilled net module descriptor, describing the module's design characteristics, using the format NNNN.LL.NN is attached to each net module where:
 -
 - The first four numbers describe the diameter of the component (the narrow end diameter, in the case of a cone);
 - LL describes the component – CO for cone, RE for retention module, and LB for liftbag; and
 - NN is the model number.

2.7 Certification Reporting Requirements

(1) Before using a specific MHS trawl net component for the first time, the vessel operator must ensure that Fisheries New Zealand is provided the following information: –

- (a) The specifications of each net module including the nominal dimensions of escapement holes (diameter, or if not circular, the area), the total area of escapement holes, and the wide end diameter of the net module;
- (b) The indelible, stencilled net module descriptor;
- (c) The MyTAG RFID unique identifier code; and
- (e) The name of the vessel the MHS trawl net will be deployed from.

The above information shall be submitted to Fisheries New Zealand by email to RDM.SharedRDM@mpi.govt.nz on the attached Module Information form, at least one week before leaving port.

2.8 Vessel Reporting Requirements

(1) Unless reporting electronically, vessel operators using a MHS trawl net must complete the attached form (Schedule 1) and provide it by way of email to RDM.SharedRDM@mpi.govt.nz within one week of returning to port.

- (2) All vessel operators using the MHS trawl net must report using the following fishing method codes (or gear code or gear type for paper reporting): –

Precision bottom trawl (PRB)

Precision midwater trawl (PRM)

- (3) The vessel operator must complete the attached form (Schedule 2) for each configuration, and retain pursuant to regulation 7 of the Fisheries (Recordkeeping) Regulations 1990. Should the configuration of the MHS trawl gear change between tows a new form is required. This form must be produced upon request of a Fishery Officer or Fisheries New Zealand official.

2.9 Observer Requirements

- (1) A vessel must carry a minimum of one observer on the first trip on which it uses a MHS trawl net pursuant to this Approval, unless dispensation is given by Fisheries New Zealand.

2.10 General Conditions

- (1) A copy of this Approval must be retained on board any vessel carrying a MHS trawl net and must be produced immediately on the request of a Fishery Officer.
- (2) All persons using a MHS trawl net must read, understand and be fully conversant with all terms and conditions of this Approval.
- (3) The operator of any vessel intending to use a MSH trawl net must first notify FishServe that the details relating to the registration of the vessel have been changed to include the Precision Bottom Trawl (PRB) and Precision Midwater Trawl (PRM) fishing methods.
-

Schedule 1: Vulnerable Species Reporting form to be completed by those fishers not electronically reporting



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Vessel name	Vessel registration number

Notes:

Notes:

1. This form must be completed for each tow where vulnerable species were caught. A list of vulnerable species can be found in the Fisheries (Innovative Trawl Technologies) Notice 2017 Schedule 2 - list of vulnerable species.

<https://www.mpi.govt.nz/dmsdocument/28875-vulnerable-species-list>

2. Subject to condition 2.8(1) of this Approval, fishers must complete this form and provide it by way of email to RDW@mpi.govt.nz within one week of returning to port.

[illegible]

*Vulnerable species code

^aVulnerable species code
All other species or classes of fish not already specified in the eight species listed on the Trawl Catch Effort Return or the five species listed on the Trawl Catch Effort and Processing Return.

Schedule 2. Form to be Completed and Retained* by Skipper Noting MHS Trawl Gear Utilised for Each Configuration

.CO.



Midwater Cone module – box one is the diameter of the narrow end of the cone (away from the vessel); CO is the code for 'Cone'; box two is the model number.

Refer to the Module Information Form and record the cone swept area here (Note – the cone swept area is described by the circumference of the leading edge (wide end) of the MHS cone module:
A = __metres²

.RE.



1/3 Retention Module – box one is the diameter of the retention module; RE is the code for 'Retention module'; box two is the model number. The escapement holes in the retention module must be a minimum of 48mm in diameter. Refer to Module Information Form and record the total escapement hole area here:
B = __metres²

.RE.



There may or may not be a second, 1/3 Retention Module. If there is, complete as above:
B = __metres²

.RE.



2/3 Retention Module – box one is the diameter of the retention module; RE is the code for 'Retention module'; box two is the model number. The escapement holes in the retention module must be a minimum of 43mm in diameter. Refer to Module Information Form and record the total escapement hole area here:
B = __metres²

.RE.



There may or may not be a second, 2/3 Retention Module. If there is, complete as above:
B = __metres²

.RE.



3/3 Retention Module – box one is the diameter of the retention module; RE is the code for 'Retention module'; box two is the model number. The escapement holes in the retention module must be a minimum of 36mm in diameter. Refer to Module Information Form and record the total escapement hole area here:
B = __metres²

.RE.



There may or may not be a second, 3/3 Retention Module. If there is, complete as above:
B = __metres²

.LB.



Liftbag module – box one is the diameter of the liftbag; LB is the code for 'Lift Bag'; box two is the model number.

Add all of the areas for B together to give total escapement area:

Divide ΣB by A to give the total escapement area: cone swept area ratio. For Bottom trawling the ratio should fall in the range 2.5 to 3.5; for midwater trawling the ratio should fall in the range 3.0 to 4.0. Record ratio here:
 $\Sigma B = \text{__metres}^2$
 $\Sigma B \div A = \text{__}$

* As required by clause 2.8(3) and specified in regulation 7 of the Fisheries (Recordkeeping) Regulations 1990.

Example of the form to be Completed and Retained by Skipper Noting MHS Trawl Gear Utilised for Each Configuration

2228.CO.15



Midwater Cone module – 2228 is the diameter of the narrow end of the cone (away from the vessel); CO is the code for 'Cone'; 15 is the model number.

Refer to the Module Information Form and record the cone swept area here (Note – the cone swept area is described by the circumference of the leading edge (wide end) of the MHS cone module:
 $A = \text{__ metres}^2$

2228.RE.87



1/3 Retention Module – 2228 is the diameter of the retention module; RE is the code for 'Retention module'; 87 is the model number. The escapement holes in the retention module must be a minimum of 48mm in diameter. Refer to Module Information Form and record the total escapement hole area here:
 $B = \text{__ metres}^2$

2228.RE.87



There may or may not be a second, 1/3 Retention Module. If there is, complete as above:
 $B = \text{__ metres}^2$

2228.RE.88



2/3 Retention Module – 2228 is the diameter of the retention module; RE is the code for 'Retention module'; 88 is the model number. The escapement holes in the retention module must be a minimum of 43mm in diameter. Refer to Module Information Form and record the total escapement hole area here:
 $B = \text{__ metres}^2$

2228.RE.88



There may or may not be a second, 2/3 Retention Module. If there is, complete as above:
 $B = \text{__ metres}^2$

2228.RE.90



3/3 Retention Module – 2228 is the diameter of the retention module; RE is the code for 'Retention module'; 90 is the model number. The escapement holes in the retention module must be a minimum of 36mm in diameter. Refer to Module Information Form and record the total escapement hole area here:
 $B = \text{__ metres}^2$

2228.RE.90



There may or may not be a second, 3/3 Retention Module. If there is, complete as above:
 $B = \text{__ metres}^2$

2228.LB.18



Liftbag module – 2228 is the diameter of the liftbag; LB is the code for 'Liftbag'; 18 is the model number.

Add all of the areas for B together to give total escapement area:

$\Sigma B = \text{__ metres}^2$

Divide ΣB by A to give the total escapement area: cone swept area ratio. For Bottom trawling the ratio should fall in the range 2.5 to 3.5; for midwater trawling the ratio should fall in the range 3.0 to 4.0. Record ratio here:
 $\Sigma B \div A = \text{__}$

Module Information Required under Condition 2.7 of Approval for Precision Seafood Harvesting Modular Harvesting System			
Vessel Name (Vessel module will be used on)		Vessel Registration Number	
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Please complete this section for each module to be used on the named vessel and submit to Fisheries New Zealand via email to RDM_SharedRDM@mpi.govt.nz at least one week before leaving port.			
Date			
A	Name of module type specified in this form (Cone/Retention Module/Lift Bag)		
B	Stencilled module descriptor (NNNN.LL.NN)		
C	MyTag identifier code		
D	Nominal diameter of escapement hole		
E	Area of one individual escapement hole		
F	Number of holes in module		
G	Total area of escapement holes		
H	Cone only: Cone swept area		