

Briefing to the incoming Oceans and Marine Ministers

February 2023

Minister for Oceans and Fisheries – Hon Stuart Nash

Minister for the Environment – Hon David Parker

Minister of Conservation – Hon Willow-Jean Prime

This slide pack provides you with supporting information for your role as an Oceans and Marine Ministers Group (OMMG) Minister. It is supplementary information to the wider *Briefing to the Incoming Minister* you will have received for your portfolio. It reflects the joint cross-agency approach to oceans as agreed by Cabinet in June 2021.

Briefing to the incoming Oceans and Marine Minister(s)

The following slides provide you with:

- An overview of the importance of our marine environment and the challenges it faces
- Relevant government goals and commitments
- An overview of the Oceans and Fisheries portfolio
 - Governance – the Oceans and Marine Ministers Group and the Oceans Secretariat
 - Status of the initial 8 work programmes
 - The next 6 months: key milestones and decisions
 - Summary of the report back to Cabinet in June 2022
- Wider relevant government reforms and initiatives
- Other relevant matters
- Appendices
 - Who's who – Oceans Secretariat agencies
 - Agency roles in the marine management system
 - Te Tiriti partners and key stakeholders
 - Key legislation
 - Jurisdiction of legislation
 - International regime

Oceans and coasts are central to our identity, wellbeing and prosperity, but are under pressure

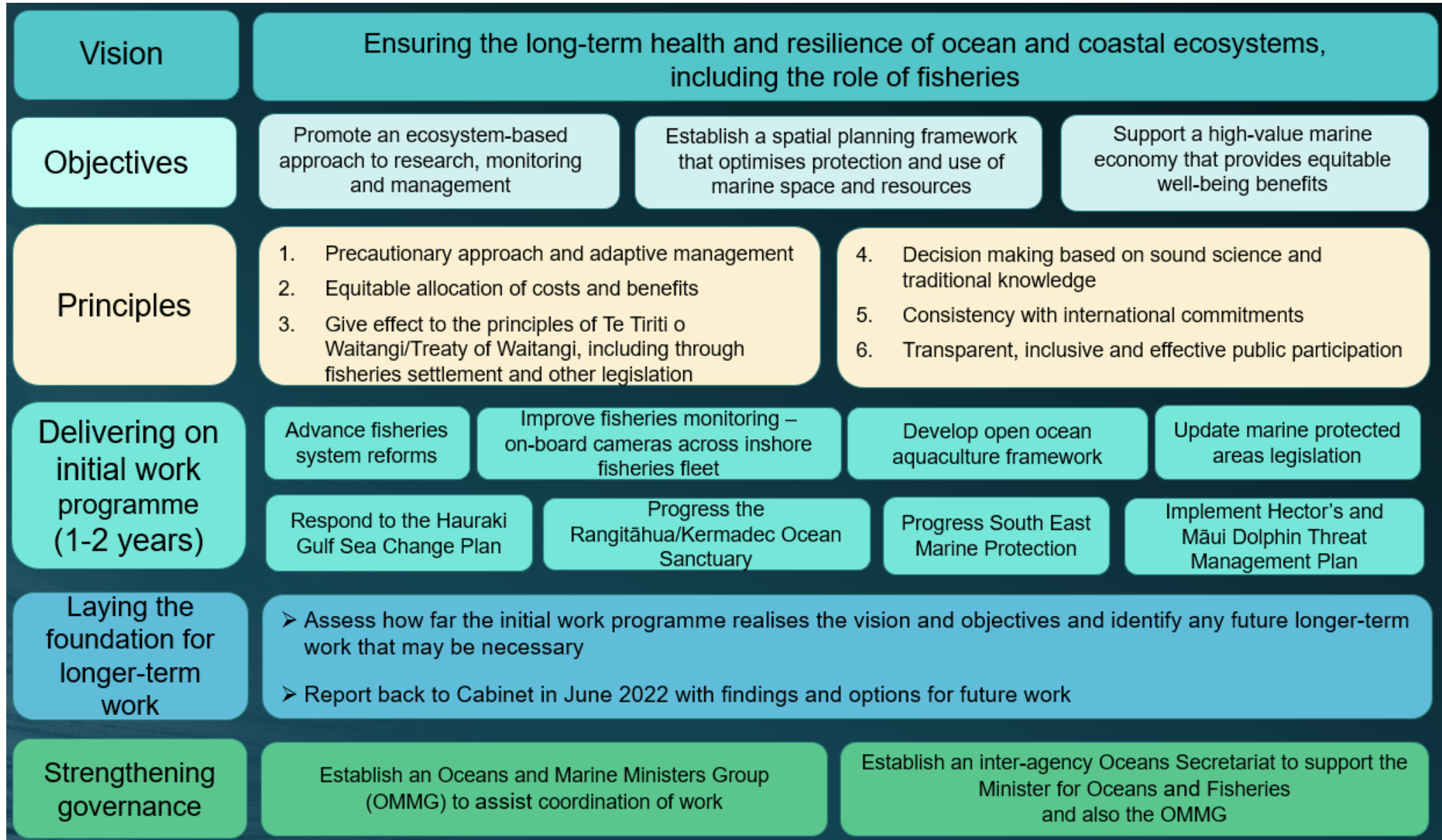
- Our oceans and coasts are taonga of natural, economic, recreational and cultural importance. They are central to New Zealanders' identity. Iwi/Māori have diverse rights and interests in the marine environment, including rights under fisheries and aquaculture settlements and other relevant legislation including the Marine and Coastal Area (Takutai Moana) Act 2011.
- Effectively recognising and balancing the range of values and participants in the marine environment is crucial to ensuring a healthy marine environment for all New Zealanders, now and in the future. Healthy marine ecosystems provide essential benefits and underpin our marine economy, including fisheries, aquaculture, shipping and marine tourism.
- However, our marine environment is facing new and increasing environmental challenges, both from activities at sea and on land. This has been documented in several reports, most recently *Our Marine Environment 2022*.
 - Climate change is warming and acidifying seas, with impacts on marine ecosystems that are expected to increase.
 - Many species and habitats are in trouble. Of the few marine species that are assessed, 22 percent of marine mammals, 90 percent of seabirds, and 82 percent of shorebirds are classified as threatened, or at risk of being threatened, with extinction.
- There are also many gaps in our knowledge of the marine environment, presenting challenges for informed decision-making. There are legislation overlaps which creates opportunities for a coordinated approach to marine management planning. The marine management system is complex, with difficulty responding to growing pressures in a holistic, timely manner. This has created uncertainty for stakeholders, hindered growth and innovation, limited progress on marine protection, and generally impeded the optimal use and protection of marine space and resources. There are emerging opportunities around the use of the marine environment, such as aquaculture, energy generation and carbon sequestration.
- The Oceans and Fisheries portfolio provides an opportunity to make stronger connections across related portfolios (Oceans and Marine Ministers). This will facilitate progress towards ecosystem-based management, i.e. a more integrated approach to managing the competing values and uses of marine resources while maintaining the ecosystems that support them.

Our marine management system needs to respond to pressures in a holistic, timely way

The Oceans and Fisheries portfolio seeks a more holistic, integrated approach to managing oceans. In 2021, Cabinet agreed to:

- A vision and objectives for the new Oceans and Fisheries portfolio.
- An initial Oceans and Fisheries work programme, comprising 8 conservation and oceans and fisheries initiatives.
- An Oceans and Marine Ministers Group, to meet regularly and strengthen coordination across portfolios.
- An Oceans Secretariat, to strengthen coordination across agencies and to support Ministers and delivery of the work programme, hosted within the Department of Conservation and comprising officials from DOC, Ministry for Primary Industries / Fisheries New Zealand, and Ministry for the Environment.
- A June 2022 report-back to Cabinet on how the initial work programme has achieved the vision and objectives of the portfolio, and an assessment of future needs.

The Oceans and Fisheries portfolio



Wider government goals and commitments - International

Convention on Biological Diversity: Kunming-Montreal Global Biodiversity Framework (GBF)

In December 2022, New Zealand joined nearly 200 countries to agree a new historic deal to protect a third of the planet for nature by 2030 including the following (abbreviated):

- Target 1: Ensure that all areas are under participatory, integrated and biodiversity inclusive spatial planning and/or effective management processes addressing land and sea use change.
- Target 2: Ensure that by 2030 at least 30 per cent of areas of degraded terrestrial, inland water, and coastal and marine ecosystems are under effective restoration, in order to enhance biodiversity and ecosystem functions and services, ecological integrity and connectivity.
- Target 3: Ensure and enable that by 2030 at least 30 per cent of terrestrial, inland water, and of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem functions and services, are effectively conserved and managed, recognizing and respecting the rights of indigenous peoples and local communities.

Wider government goals and commitments - Domestic

Te Mana o te Taiao – the Aotearoa New Zealand Biodiversity Strategy 2020

Released by the Government in 2020, Te Mana o te Taiao sets a strategic direction for the protection, restoration and sustainable use of biodiversity, particularly indigenous biodiversity, in Aotearoa New Zealand. It includes several marine-related goals including:

- By 2050, an interconnected series of marine and coastal ecosystems have been protected and restored to a healthy functioning state and are connected to indigenous land, wetland and freshwater systems.

Aquaculture Strategy

In 2019, the Government released a strategy for developing aquaculture in New Zealand. It includes the goal for:

- The aquaculture industry to reach \$3 billion in annual sales by 2035 and to make the industry more sustainable, productive, resilient and inclusive.

Fit for a Better World

In July 2020, the Government released the food and fibre sector roadmap: Fit for a Better World – Accelerating our Economic Potential. The roadmap includes

- accelerating the implementation of the Government’s Aquaculture Strategy and
- fisheries sector transition - expanding the rollout of on-board cameras, implementing new landings and discards rules and progressing a fisheries industry transformation plan.

Oceans and Marine Ministers Group (OMMG)

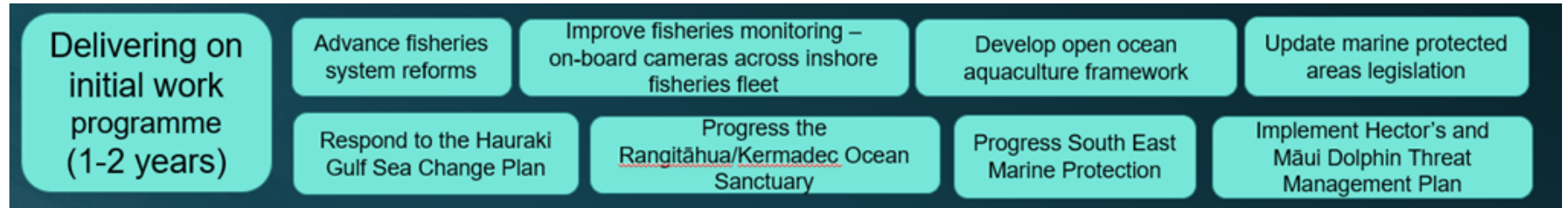
Vision	Ensuring the long-term health and resilience of ocean and coastal ecosystems, including the role of fisheries		
Objectives	Promote an evidence-based approach to fisheries management	Establish a spatial planning framework that addresses protection and use of marine resources	Support a high-value marine economy that provides economic benefits to coastal communities
Principles	1. Promote the health and resilience of marine ecosystems 2. Establish a system of marine reserves 3. Give effect to the principles of Te Tiriti o Waitangi Treaty of Waitangi, including through fisheries settlement and other legislation	4. Consistency with international commitments 5. Transparent, inclusive and effective public participation	
Delivering on initial work programme (1-2 years)	Advance fisheries system reforms Respond to the Hauraki Gulf Sea Change Plan	Improve fisheries monitoring on-board cameras across inshore fisheries fleet Progress for Rangitikei/Kimihani Ocean Sanctuary	Develop open ocean infrastructure framework Progress South East Marine Protection Update marine protected areas legislation Implement Marine 5 and Mau Dispersal Management Plan
Laying the foundation for longer-term work	<ul style="list-style-type: none"> Assess how far the initial work programme realises the vision and objectives and identify any future longer-term work that may be necessary Report back to Cabinet in June 2022 with findings and options for future work 		
Strengthening governance	Establish an Oceans and Marine Ministers Group (OMMG) to assist coordination of work	Establish an inter-agency Oceans Secretariat to support the Minister for Oceans and Fisheries and also the OMMG	



- The **Oceans and Marine Ministers Group (OMMG)** was established to strengthen coordination across relevant Ministerial portfolios and agencies for delivery of the oceans and fisheries work programme.
- OMMG meets every 4-5 weeks and comprises the Ministers for Oceans and Fisheries (Chair), Environment, and Conservation, and the Under-Secretary for Oceans and Fisheries. Other relevant portfolio Ministers are invited to attend OMMG meetings as appropriate.
- An inter-agency **Oceans Secretariat** was also established, to support the OMMG and provide strategic leadership along with coordination and ministerial services for the oceans and fisheries work programme.
- The Secretariat is hosted by the Department of Conservation (DOC) and comprises officials from DOC, the Ministry for Primary Industries, including Fisheries New Zealand (MPI/FNZ), and the Ministry for the Environment (MfE). Other agencies are involved when required, for instance Ministry of Foreign Affairs and Trade (MFAT).
- A secondee from DOC serves as Oceans Private Secretary to the Minister for Oceans and Fisheries.
- Prior to each OMMG meeting, the Oceans Secretariat provides an agenda, Oceans report card, and relevant advice. Outside of OMMG meetings the Oceans weekly report provides updates on oceans work across DOC, MPI, MfE and MFAT.

Delivering the Oceans & Fisheries work programme

Vision	Ensuring the long-term health and resilience of ocean and coastal ecosystems, including the role of fisheries			
Objectives	Provide an ecosystem-based approach to research, monitoring and management	Establish a spatial planning framework that optimises protection and use of marine space and resources	Support a high-value marine economy that provides equitable well-being benefits	
Principles	1. Precautionary approach and adaptive management 2. Equitable allocation of costs and benefits 3. Give effect to the principles of Te Tiriti o Waitangi / Treaty of Waitangi, including through resource management and other legislation	4. Decision making based on sound science and traditional knowledge 5. Consistency with international commitments 6. Transparent, inclusive and effective public participation		
Delivering on initial work programme (1-2 years)	Advance fisheries system reforms Respond to the Hauraki Gulf Sea Change Plan	Improve fisheries monitoring – on-board cameras across inshore fisheries fleet Progress the Rangitāhua/Kermadec Ocean Sanctuary	Develop open ocean aquaculture framework Progress South East Marine Protection	Update marine protected areas legislation Implement Hector's and Maui Dolphin Threat Management Plan
Laying the foundations for longer-term work	<ul style="list-style-type: none"> Assess how for the initial work programme realises the vision and objectives and identify any future long-term work that may be necessary Report back to Cabinet in June 2022 with findings and options for future work 			
Strengthening governance	Establish an Oceans and Marine Ministers Group (OMMG) to assist coordination of work		Establish an inter-agency Oceans Secretariat to support the Minister for Oceans and Fisheries and also the OMMG	



The initial work programme under the Oceans and Fisheries portfolio includes eight conservation, and oceans and fisheries initiatives that will significantly improve outcomes for oceans and our marine management system once fully implemented. A number of these initiatives have significant delivery milestones in the next 6-8 months. These include:

- New rules under **fisheries reform**, including changes to landings and discards, will be implemented over a four year period.
- Commence roll-out of on-board cameras on inshore fishing vessels.
- S9(2)(f)(iv) consultation on the Hauraki Gulf Fisheries Plan and proposed trawl corridors.
- S9(2)(f)(iv)
- S9(2)(f)(iv)
- S9(2)(f)(iv)

Oceans and Fisheries work programme - systems

SYSTEM WIDE INITIATIVES			
Work programme	Description	Status	Minister responsible
Fisheries system reform	Strengthens and modernises New Zealand's fisheries management system, in part to enable more sustainable fishing methods.	The Fisheries Amendment Act 2022 came into effect on 1 November 2022, establishing stricter landings and discards rules for the commercial sector, graduated offences and penalties and supporting the rollout of on-board cameras. Fisheries New Zealand is reviewing and will seek Ministerial decisions later this year on the first of exceptions to the landing and discard rules. Supporting regulations are proposed to be made to establish an infringement regime for certain low-level offences by commercial fishers, and to enable alternative methods for the on-land disposal of fish.	Minister for Oceans and Fisheries
Improved fisheries monitoring	Installs cameras on inshore fishing vessels.	Cabinet has approved funding and made all relevant policy decisions to enable the wider rollout. Go-live dates scheduled for March, June, and November 2023 with over half of the vessels receiving cameras to be covered by the end of 2023.	Minister for Oceans and Fisheries
Aquaculture management	Improves the management framework to facilitate the development of aquaculture. This work was previously focused on open ocean aquaculture, but now covers aquaculture generally.	Improvements to the aquaculture management regime have been made as part of resource management reform. Work is now turning to improving national direction, in the interim period and for the new resource management system.	Minister for Oceans and Fisheries
Marine Protected Areas reform	Creates a more strategic, nationally coordinated framework for marine protection, with modernised legislative tools and processes that improve integration with wider marine use.	S9(2)(j)	Minister of Conservation (joint decisions with Minister for Oceans and Fisheries)

Oceans and Fisheries work programme – at place

AT PLACE INITIATIVES

Work programme	Description	Status	Minister responsible
Revitalising the Gulf	Implements an integrated marine management strategy for the Gulf, including marine protection, restoration, and fisheries management measures.	S9(2)(f)(iv), S9(2)(g)(i) [Redacted] The Draft Hauraki Gulf Fisheries Plan is currently being consulted on. The consultation will run until 3 March 2023 before submissions are collected and advice is provided.	Minister for Oceans and Fisheries Minister of Conservation
Rangitāhua/Kermadec Ocean Sanctuary	Establishes an ocean sanctuary in the northeast of New Zealand's EEZ.	S9(2)(j) [Redacted]	Minister for the Environment
South East Marine Protection	Implements a proposed network of marine protected areas in the south-eastern South Island coastal marine area. The proposed network will comprise 6 marine reserves established under the Marine Reserves Act 1971 and additional marine protection established via regulations made under the Fisheries Act 1996.	Advice to the Minister of Conservation on six proposed marine reserves S9(2)(f)(iv), S9(2)(g)(i) [Redacted] We will aim to provide advice to the Minister for Oceans and Fisheries on the proposed measures under the Fisheries Act alongside the concurrence advice.	For proposed marine reserves: Minister of Conservation (with concurrence from the Minister for Oceans and Fisheries and Minister of Transport) For proposed Fisheries Act measures: Minister for Oceans and Fisheries
Hector's and Māui dolphin threat management plan	The Hector's and Maui dolphin threat management plan is intended to manage human-caused threats to Hector's and Māui dolphins. Its goal is that New Zealand's Hector's and Māui dolphin populations are resilient and thriving throughout their natural range.	Review of Threat Management Plan and associated measures completed. Revised measures implemented (Maui dolphin 2020, Hector's dolphin 2020 and 2022 (fisheries only)). Toxoplasmosis research underway to inform action on disease threat.	Minister for Oceans and Fisheries and Minister of Conservation

The next 6 months: key milestones and decisions

Work programme	Key Cabinet and Ministerial milestones
Approx timing	S9(2)(f)(iv)
Fisheries system reform	
Improved fisheries monitoring (Cameras on boats)	
Aquaculture management	
Revitalising the Gulf <ul style="list-style-type: none"> - Marine protection - Fisheries plan 	

The next 6 months: key milestones and decisions cont..

Work programme	Key Cabinet and Ministerial milestones
Approx timing	S9(2)(f)(iv)
Rangitāhua/Kermadec Ocean Sanctuary	
South East Marine Protection	
Marine Protected Areas reform	

June 2022 report back to Cabinet

Vision	Ensuring the long-term health and resilience of ocean and ecosystems, including the role of fisheries		
Objectives	Promote an ecosystem-based approach to research, monitoring and management	Establish a spatial planning framework that optimises protection and use of marine space and resources	
Principles	1. Precautionary approach and adaptive management 2. Equitable allocation of costs and benefits 3. Give effect to the principles of Te Tiriti o Waitangi/Te Tiriti of Waitangi, including through fisheries settlement and other legislation	4. Decision making based on sound science and traditional knowledge 5. Consistency with international commitments 6. Transparent, inclusive and effective public participation	
Delivering on initial work programme (1-2 years)	Advance fisheries system reforms	Improve fisheries monitoring – on-board cameras across industry licence fleet	Develop open ocean aquaculture framework
Laying the foundation for longer-term work	Assess how far the initial work programme realises the vision and objectives and identify any future longer-term work that may be necessary	Report back to Cabinet in June 2022 with findings and options for future work	
Strengthening governance	Location of Oceans and Marine Ministers Group (OMMG) to assist coordination of work	Review of proposed Oceans Secretariat to support the Minister for Oceans and Fisheries and also the OMMG	



Laying the foundation for longer-term work

- Assess how far the initial work programme realises the vision and objectives and identify any future longer-term work that may be necessary
- Report back to Cabinet in June 2022 with findings and options for future work

- The Minister for Oceans and Fisheries was invited by Cabinet in 2021 to undertake an assessment of how far the initial work programme went in realising the vision and objectives of the portfolio, and report back to Cabinet in June 2022 with options for any future longer-term work that may be necessary. The Minister for Oceans and Fisheries did this in June 2022.
- The report back acknowledged the ambitious work programme advanced portfolio objectives by driving innovation and sustainable growth in the marine economy, and increasing marine protection. The focus remains on implementation.

- Marine protected areas (MPA) reform is the only one of the eight initiatives in the initial work programme that is not yet underway.
S9(2)(j)
- Developing a comprehensive marine spatial planning framework, better addressing land-based impacts on the marine environment, improving integration of tools and legislation, and more effective use of data in decision-making were areas identified by Oceans Secretariat officials as requiring further work.
- The areas identified above all relate to improving integration.
S9(2)(g)(i), S9(2)(j)

Wider oceans-related reforms and initiatives that Oceans Secretariat agencies are involved in

Minister responsible	Relevant wider government work programmes with significant implications for the marine environment
Minister for Oceans and Fisheries	<ul style="list-style-type: none"> Habitats of Particular Significance for Fisheries Management EEZ review of bottom trawling National Plan of Action — Sharks Māori Fisheries Act review Fisheries Industry Transformation Plan Implementation of Aquaculture Strategy Investment Roadmap, Delivery of Aquaculture Settlement
Minister for the Environment	<ul style="list-style-type: none"> Estuaries Resource Management Reform
Minister of Conservation	<ul style="list-style-type: none"> Coastal Plans (incl Northland) Hākaimangō-Matiatia Marine Reserve application Sea lion Threat Management Plan Conservation Law Reform incl the Wildlife Act review
Minister of Foreign Affairs*	<ul style="list-style-type: none"> Seabed mining negotiations Biodiversity Beyond National Jurisdiction negotiations Convention on Biological Diversity UN Convention on the Law of the Sea processes UN Treaty on Plastic Pollution
Minister for Energy and Resources*	<ul style="list-style-type: none"> Offshore renewables policy framework Strengthening national direction on renewable electricity generation and transmission
Minister of Climate Change*	<ul style="list-style-type: none"> Implementation of National Adaptation Plan and Emissions Reduction Plan
Minister of Transport*	<ul style="list-style-type: none"> Implementing the Cape Town Agreement (vessel standards) Amendments to Marine Protection Rules: Air pollution from Ships

*Non-OMMG Minister



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Aotearoa - he whenua mana kura mō te tangata

Other relevant matters







Topic	Description
Environmental Law Initiative court case	<ul style="list-style-type: none"> Last year the Environmental Law Initiative (ELI) lodged judicial review proceedings against DOC and MPI, alleging breaches of the Wildlife Act 1953, Marine Mammals Protection Act 1978 and Fisheries Act 1996. Commercial fishing industry groups have also joined the proceeding. The ELI claim is that the particular requirements of the Wildlife and Marine Mammals Protection Acts are not strictly being met by commercial fishers. DOC and MPI are working to improve the provision of accurate and timely reporting to DOC. We consider this may to some extent address the reporting issue raised in the litigation by ELI, so we are assessing whether this work may partially resolve the proceedings against DOC. Even if this is achieved, the population management plan and lack of enforcement action claims may still proceed to court.
Seabed mining	<ul style="list-style-type: none"> Interest in seabed mining has been gaining momentum. This has been fuelled by negotiations at the Jamaica-based International Seabed Authority to develop rules for seabed mining in areas beyond national jurisdiction, Te Pāti Māori’s members bill to ban seabed mining, and ongoing court proceedings on Trans-Tasman Resources Limited seabed mining consent application. S9(2)(f)(iv)
Plantation forestry	<ul style="list-style-type: none"> In January 2023 ex-tropical Cyclone Hale mobilised large volumes of woody debris and silt in the Gisborne/Tairāwhiti district, causing significant damage to property, infrastructure and the environment, including discharge of sediment and debris into the coastal waters. Local community developed a petition that is supported by over 8,500 signatories, Environmental Defence Society (EDS), Eastland Forest Council, Rongowhakaata Iwi Trust, and Federated Farmers asking local and central government to undertake an inquiry. Minister Allan, members of the local community, iwi and industry supported by officials from MPI and Te Uru Rākau-New Zealand Forest Service agreed on the need for an independent review of land use on highly erodible soil in the region. No commitment has been made to any inquiry and/or review but there is a drive to focus on the long-term management of highly erodible land, including downstream effects on the coastal marine environment. Following the event EDS has filed legal proceedings challenging the lawfulness of national plantation forestry regulations as failing to protect the coastal marine environment.
Bid for NZ to host IMPAC6	<ul style="list-style-type: none"> We understand Blue Cradle (a small eNGO) and Te Rūnanganui o Te Āti Awa have submitted a bid for New Zealand to host the 6th International Marine Protected Area Congress (IMPAC6) in 2026. They sought formal government support for this however Oceans and Marine Ministers agreed there were no resources to put towards the event. The successful host will be announced at IMPAC5 in Canada 3 – 9 February 2023.

Appendices

- Who's who – Oceans Secretariat agencies
- Agency roles in the marine management system
- Te Tiriti partners and key stakeholders
- Key legislation
- Jurisdiction of legislation
- International regime

Who's who

Oceans Secretariat agencies – DGs and Deputy Directors-General for oceans

Ministry for Primary Industries	Department of Conservation	Ministry for the Environment
 <p>Ray Smith <i>Director-General</i></p>	 <p>Penny Nelson <i>Director-General</i></p>	 <p>Vicky Robertson <i>Secretary for the Environment and Chief Executive*</i></p>
 <p>Dan Bolger <i>Deputy Director-General Fisheries New Zealand</i></p>	 <p>Ruth Isaac <i>Deputy Director-General Strategy and Policy</i></p>  <p>Stephanie Rowe <i>Deputy Director-General Biodiversity, Heritage and Visitors</i></p>	 <p>Sam Buckle <i>Deputy Secretary Waste and Resource Efficiency, Water and Land Use Policy</i></p> <p>Note that Vicky Robertson finishes on 1 March 2023; James Palmer will replace her.</p>

Agency roles in the marine management system

Department and Minister of Conservation

- Hosts the Oceans Secretariat
- Prepares and monitors the New Zealand Coastal Policy Statement
- Approves Regional Coastal Plans
- Coastal planning for Subantarctic and Kermadec Islands
- Establishes and manages protected areas in the marine environment
- Undertakes and funds marine research
- Manages protected species and identifies threatened species
- Specific roles under the Marine and Coastal Area (Takutai Moana) Act

Ministry for Primary Industries

- Fisheries management and development
- Aquaculture management and development
- Undertakes and funds scientific research
- Compliance and monitoring activities across recreational, customary and commercial fisheries
- Biosecurity risk management, border controls, and pest and disease responses
- Developing digital monitoring of inshore fishing fleet
- Negotiates management frameworks for international fisheries
- Review and development of strategic policies related to fisheries and supporting ecosystems
- Managing effects of fishing

Ministry for the Environment

- Environmental management system
- Monitors the EPA
- Administers the EEZ Act and Resource Management Act
- Environmental reporting
- Marine environmental policy

Ministry of Business, Innovation and Employment

- Allocates minerals resources within New Zealand waters
- Manages permits and licenses for oil, gas and minerals
- Offshore renewable development

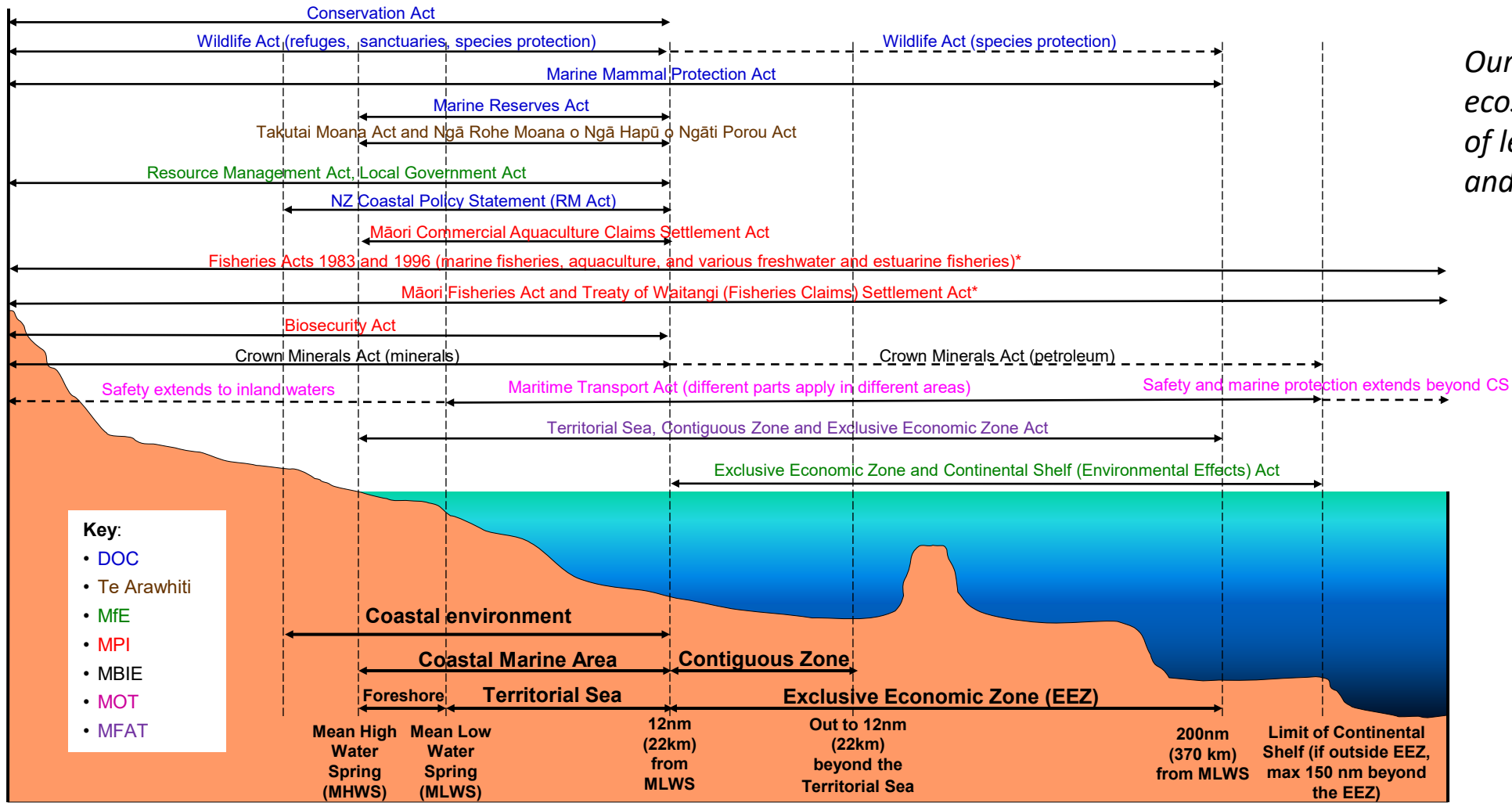
Ministry of Foreign Affairs and Trade

- Primary responsibility for international oceans work including representing New Zealand in global and regional fora and negotiations on law of the sea, ocean governance, Antarctic Treaty System, climate change and biological diversity

Ministry of Transport

- Leads transport system including shipping
- Oversees maritime transport and Maritime NZ

Jurisdiction in our ocean



Our management of marine ecosystems spans many pieces of legislation, public authorities, and maritime zones

* Beyond the exclusive economic zone, New Zealand does not have an exclusive right to the management of fisheries resources

Key legislation

A range of Acts and regulations administered by multiple agencies governs our marine management system

Legislation	Description	Responsible Minister	Lead Agency
Conservation Act 1987	Created to promote the conservation of New Zealand's natural and historic resources, extending to edge of the territorial sea	Conservation	DOC
Marine Mammals Protection Act 1978	Provides protection to marine mammals, and makes provision for population management plans and marine mammal sanctuaries		
Marine Reserves Act 1971	Provides for marine reserves in the territorial sea that preserve areas in their natural state for scientific study		
Wildlife Act 1953	Identifies protected species (including marine) and makes provision for wildlife sanctuaries, refuges and management areas		
Fisheries Act 1996	Gives commercial, recreational, and customary fishers access to resources while ensuring our fish stocks are managed sustainably	Oceans and Fisheries	MPI
Māori Fisheries Act 2004	Provides a framework for allocating and managing Māori fisheries assets from previous fisheries settlements		
Treaty of Waitangi (Fisheries Claims) Settlement Act 1992	Gives effect to the settlement of claims relating to Māori fishing rights, provisions for Māori non-commercial and customary fishing rights, and provisions for Māori participation in the management and conservation of New Zealand's fisheries		
Māori Commercial Aquaculture Claims Settlement Act 2004	Provides for a full and final settlement of Māori commercial aquaculture claims since 21 September 1992		
Biosecurity Act 1993	Provides the legal framework to help keep harmful organisms out of New Zealand	Biosecurity	MPI
Resource Management Act 1991 (RMA)	Promotes sustainable management of the environment, and manages air, soil, fresh water, and coastal marine area out to 12nm	Environment	MfE
Exclusive Economic Zone and Continental Shelf Act 2012	Aims to protect our oceans from the potential environmental risks of activities like petroleum exploration activities, seabed mining, marine energy generation, and carbon capture developments in the Exclusive Economic Zone and extended Continental Shelf		

Key legislation – continued

Legislation	Description	Responsible Minister	Lead Agency
Crown Minerals Act 1991	Sets out the broad legislative framework for the issuing of permits to prospect, explore and mine Crown-owned minerals within New Zealand	Energy and Resources	MBIE
Takutai Moana Act 2011 and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	Provides for the recognition of customary marine title and protected customary rights of iwi, hapū, and whānau groups in the common marine and coastal area	Māori Crown Relations	Te Arawhiti
Historical settlement legislation across multiple iwi	Settles historical (pre-1992) claims of Crown Treaty breaches and provides redress to the claimant group. Some redress applies in the coastal marine area, for example, coastal statutory acknowledgments and co-governance arrangements. There are also a number of commitments to negotiate redress over harbours and certain parts of the coast	Treaty of Waitangi Negotiations	
Maritime Transport Act 1994	Regulates ship safety, maritime liability, and marine environmental protection	Transport	MOT (MNZ)
Territorial Sea, Contiguous Zone and Exclusive Economic Zone Act 1977	Sets out the definitions of New Zealand's maritime zones	Foreign Affairs	MFAT
Continental Shelf Act 1964	Sets out New Zealand's rights on the Continental Shelf and vests rights and interests in the Crown		
Tokelau (Territorial Sea and Exclusive Economic Zone) Act 1977	Sets out Tokelau's territorial sea and exclusive economic zone for which New Zealand has responsibility under international law		

The international legal regime for the ocean

New Zealand's rights and responsibilities in the ocean are derived from international law.

International legal regime	Description	Lead agency
United Nations Convention on the Law of the Sea	The United Nations Convention on the Law of the Sea (UNCLOS) is the international legal framework for all activities in the ocean, including setting of maritime zones, protection of the marine environment, conservation and sustainable use of resources, rights of navigation, and marine scientific research	MFAT
Fisheries	The regime for international fisheries is also governed by the UNCLOS system, particularly through the 1995 United Nations Fish Stock's Agreement. New Zealand is a member of a number of international fisheries management organisations including the Western and Central Pacific Fisheries Commission, the South Pacific Regional Fisheries Management Organisation, the Commission for the Conservation of Southern Bluefin Tuna	MPI with support from MFAT and DOC
International Maritime Organisation	The United Nations specialised agency with responsibility for the safety and security of shipping and the prevention of marine and atmospheric pollution by ships	MOT (MNZ)
Antarctica and the Southern Ocean	Antarctica and the Southern Ocean are governed by the Antarctic Treaty System. This regime deals with a number of related issues including conservation, environmental protection and marine living resources and shipping	MFAT



Department of
Conservation
Te Papa Atāwhai

Ministry for Primary Industries
Manatū Ahu Matua



Ministry for the
Environment
Manatū Mō Te Taiao



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