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## Submission: Commercial landing exception for pāua 2025

1. **PROPOSAL:** Fisheries New Zealand is seeking feedback on whether pāua across all Quota Management Areas above the minimum legal size ought to be exempt from the land-all catch policy. The proposal in [Discussion Paper No. 2025/02](#) was received on 15 January 2025, with submissions due by 12 February 2025.
2. **SUBMISSION: The submitters support** the proposed landing exception that would allow commercial fishers to return pāua above the minimum legal size limit to the sea if they are likely to survive.
3. **RECOMMENDATIONS: Fisheries New Zealand and the Pāua Industry Council** set conditions that need to be met for the exception to apply:
  - a. Ensure comprehensive training and education are provided to assist commercial pāua divers in minimising the number of pāua removed from the substrate that are smaller than the **Minimum Harvest Size**.
  - b. All pāua larger than **Minimum Legal Size** that are bleeding or have a damaged shell must be retained.
  - c. **The Pāua Industry Council** sets the commercial **Minimum Harvest Size** at twice the shell length at first maturity to maintain the local spawning stock biomass and sustainable pāua stocks.
4. **THE SUBMITTERS:** The New Zealand Sport Fishing Council (**NZSFC**), LegaSea, The New Zealand Angling and Casting Association (**NZACA**) and the New Zealand Underwater Association (**NZUA**). As joint submitters we are committed to ensuring that sustainability measures and environmental management controls are designed and implemented to achieve the Purpose and Principles of the Fisheries Act 1996, including “maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations...” [s8(2)(a) Fisheries Act 1996].
5. **CONTACT:** Helen Pastor, [secretary@nzsportfishing.org.nz](mailto:secretary@nzsportfishing.org.nz).

## Background

6. In 2022, the NZSFC, LegaSea, NZACA and NZUA [jointly submitted a comprehensive response](#) to the Fisheries Amendment Bill. In our submission we supported land-all catch and reiterated our concerns that the Quota Management System (**QMS**) rules and regulations have not sufficiently incentivised fishers to reduce unwanted or undersize catch by improving fishing practices.
7. Amendments to the Fisheries Act in 2022 now require all QMS species caught by commercial fishers to be landed unless exempted by the Minister for Oceans and Fisheries. Over 20 species are already exempted and more will be reviewed by September 2026.
8. Previously we have supported exemptions from the land-all commercial catch provisions for predated highly migratory species, kingfish, southern bluefin tuna, Pacific bluefin tuna, and swordfish.

## Discussion

9. The Minimum Harvest Size (**MHS**) for pāua is set above the Minimum Legal Size Limit (**MLS**), encouraging commercial divers to harvest larger pāua which are preferred in export markets. This reduces the number of pāua required to catch the available Annual Catch Entitlement (**ACE**).
10. MHS is a voluntary programme introduced by the Pāua Industry Council under a Fisheries Plan approved by the Minister for Oceans and Fisheries under section 11A of the Act. The MHS scheme is entirely voluntary so it differs from the MLS, which is a legal requirement.
11. Length based management systems have been used overseas to ensure the sustainability of fish stocks such as pāua, that lack a reliable index of abundance. Catch per unit effort (**CPUE**) in abalone fisheries is often hyper-stable and stock assessments without fisheries independent data are problematic.
12. The Fisheries NZ discussion document advises one of the reasonings for the landing exception is based on the claimed difficulties associated with accurately measuring pāua above the MHS.
13. To minimise potential mortality risk to pāua above the MLS, **we recommend that the pāua Industry Council** provides indepth training and education to assist commercial pāua divers in accurately measuring pāua. This includes;
  - a. Encouraging selective fishing and to take care when removing pāua off the substrate and;
  - b. Issuing new measuring devices that make it easy for divers while underwater to accurately measure pāua to the MHS.
14. **We also recommend that the Pāua Industry Council** increases the MHS as this will contribute towards;
  - a. Allowing 50% of the pāua spawning stock to be below the MHS, in most cases; and
  - b. Account for any potential increases in pāua mortality that may arise from the landing exception.