

Ministry for Primary Industries
Manatū Ahu Matua



Growing and Protecting New Zealand

TERMS OF REFERENCE FOR

Integrated Electronic Monitoring and Reporting System (IEMRS) Technical Working Group

Ministry for Primary Industries

30 October 2017

Terms of reference for IEMRS Technical Working Group

1 Definitions of terms.

In these Terms of Reference:

Group means IEMRS Technical Working Group established under these terms of reference;

MPI means the Ministry for Primary Industries;

Integrated Electronic Monitoring and Reporting System (IEMRS) Programme means the programme of work being undertaken to implement IEMRS technology into the commercial fishing sector.

IEMRS technology means the hardware and software components necessary to enable the following:

- a. **Electronic Reporting (ER)** – this is the replacement of the existing mixed operating model with a digital only model to record Catch Effort information in all commercial fishing operations.
- b. **Geospatial Position Reporting (GPR)** – extension of automated position reporting to all commercial fishing operations.
- c. **Electronic Monitoring (EM)** – introduction of automated video recording of all commercial fishing operations and the review of resulting footage.

Solution provider means the commercial vendor(s) that will supply the commercial fishing sector with appropriate technology to meet its commitments under IEMRS.

2 Purpose and functions of the IEMRS Technical Working Group

2.1 Purpose of the group

- a. To foster transparency regarding the solution development and implementation of IEMRS technology, including facilitating information sharing between all parties.
- b. To promote close and effective engagement between MPI, fisheries sector stakeholders and technology Subject Matter Experts and other relevant parties to identify technical and operational implementation matters.

- c. To utilise the expertise and perspectives of subject matter experts with a key focus on detailed technical matters and operational issues facing the planning and implementation of IEMRS technology.

2.2 Functions of the group

- a. Close and effective engagement between MPI, fisheries sector stakeholders and other relevant parties.
- b. Providing subject matter and technical expertise and advice to inform the design, development and implementation of IEMRS technologies.
- c. Balancing of perspectives from the commercial fishing sector, solution providers and MPI.
- d. Facilitating information sharing between parties involved.
- e. Stakeholder and solution provider input into technical and implementation matters.

3 Scope of functions

3.1 In Scope

- a. Technical analysis and problem solving to support development and implementation of IEMRS technology.
- b. Technology implementation, support and delivery.
- c. Technical specifications and feasibility of implementation options.

3.2 Out of Scope

- a. Final approval or decisions around IEMRS technology.
- b. Fisheries management and legislation.
- c. Compliance and enforcement policies and activities.
- d. Offences and penalties.

4 Authority

- 4.1 The group is an advisory body only. It does not have a statutory role or powers and cannot direct MPI, employ staff, enter into contracts, or make commitments or undertakings on behalf of MPI.
- 4.2 MPI will respond to reasonable requests from the group for information relevant to its roles and functions.
- 4.3 The group's advice will belong to MPI. Subject to statutory and other legal obligations, control of and decision over the use of and distribution of this advice rests with the Deputy Director-General (DDG), Regulation and Assurance of MPI.

5 Membership and participation

5.1 Composition of the group

- a. The membership will be open to subject matter experts from MPI, the commercial fishing sector and relevant solution providers, with the group chaired by MPI.
- b. Members may be appointed to represent an organisation.
- c. Membership, including the Chair will be appointed by MPI.
- d. A list of current members is attached as Appendix I.

5.2 Addition of members

Members may be added to this group at the discretion of DDG Regulation and Assurance, MPI.

5.3 Attendance and substitutions

- a. Members are expected to treat meetings of the group as a high priority and attend.
- b. Meeting agendas will be published ahead of the meetings to enable members enough time to reflect and prepare for the discussions.
- c. Members are responsible for fully briefing any substitute or proxy prior to the meeting.

5.4 Removal of members

- a. Any serious breach of any of these terms of reference may result in MPI removing a member from this group at its sole discretion. Serious breaches of the terms of reference include, but are not limited to, a breach of

confidentiality, unauthorised communication with media about the group, or a failure to declare a conflict of interest.

- b. MPI may remove members from the group at its absolute discretion.

5.5 Membership rights and obligations

- a. Any person appointed as a member of the group representing an organisation must ensure that he or she is duly authorised by the organisation to make representations on behalf of the organisation.

5.6 Expectations of members

- a. Group members are expected to
 - i. Attend group meetings.
 - ii. Come prepared to contribute to discussions.
 - iii. Act as a sounding board for ideas.
 - iv. Follow up on agreed action points.
 - v. Declare any potential conflicts of interest.
 - vi. Abide by the operating principles of the group.

5.7 Observers

- a. The Chairperson may, with the agreement of the group, permit observers to participate in meetings of the group.
- b. The role of observers will be determined by the group, including whether observers may participate in discussions, make presentations to the group or participate in decisions of the group.
- c. Observers are required to comply with these terms of reference, including the requirements around confidentiality and conflicts of interest.
- d. The Chairperson may at any time ask observers to withdraw from a meeting of the group.

6 Chairperson and Secretariat

6.1 Chairperson

- a. The Chairperson will be appointed by MPI.
- b. In the absence of a Chairperson, the group may choose an Acting Chairperson by consensus.
- c. The Chair will be expected to

- i. Chair meetings.
- ii. Set agenda and schedule for meetings.
- iii. Decide appropriate action to manage potential conflicts of interest.
 - iv. Report to the Future of Our Fisheries Programme Board.
- v. Abide by the operating principles of the group.

6.2 Secretariat

- a. MPI will provide reasonable secretariat services to the group, including circulation of the agenda and papers, preparation and circulation of meeting minutes.
- b. Information, including meeting agendas will be made available to members via the 'Shared Working Space' online portal provided by the Department of Internal Affairs (DIA).

7 How the group operates

7.1 Principles

- a. Collegiality – the group is transparent and consultative, undertaking to ensure all members are provided with the opportunity to provide meaningful input to discussions.
- b. Good conduct - Members will engage in a constructive manner, treating other members and Chair with respect.
- c. Efficient and effective - Members will come appropriately informed and prepared to contribute to discussions, within the group's scope.

7.2 Meeting Times and Frequency

- a. The group will meet once every fortnight/month (tbc) at a time and place determined by the Chairperson in consultation with the members.
- b. In consultation with group members, the Chair may choose to hold meetings more or less frequently.

7.3 Meeting locations

Meetings may be held in Wellington or elsewhere (e.g. regionally), as required to best suit the purposes of the group, or may by agreement be held by videoconference.

7.4 Reporting

The Chair will provide reports to the IEMRS Implementation Advisory Group Chair. These reports will provide the Advisory Group with high-level updates on progress, upcoming agendas and any key issues.

7.5 Standards of conduct

Members and observers are expected to comply with the standards of conduct set out in Appendix II.

8 Confidentiality and information

8.1 General confidentiality requirements

- a. In order for the group to operate effectively, subject to clause 8.3, members and observers must maintain the confidence of the group, including maintaining confidentiality of matters discussed at meetings, and any information or documents provided to the group including through any online portal.
- b. With the agreement of the Chairperson, members and observers may share information about the business of the group with the organisations they represent.
- c. Any person presenting information to the group, whether written or oral, may request that that information be treated as confidential by the members and observers.
- d. At the request of a member, the Chairperson may seek agreement from MPI and anyone who supplied confidential information to the group for confidentiality in that information to be waived.
- e. Where information is already in the public domain (through no fault of a member or observer), the confidentiality requirements do not apply to that information.

8.2 Privacy Act

Members and observers must at all times comply with the requirements of the Privacy Act 1993 and keep information about identifiable individuals confidential.

8.3 Official Information Act

- a. All information provided to the group will be treated as official information under the Official Information Act 1982 and, subject to the requirements of that Act, may be released to the public if there are no grounds for withholding it.
- b. If information is required to be released under the Official Information Act 1982 it will only be released to the extent necessary.
- c. If MPI is considering releasing information under the Official Information Act 1982, MPI will attempt to consult with the person who provided the information before making a final decision on release.

8.4 Media

- a. Members and observers must refrain from purporting to represent the views of the group, or commenting on the business of the group, to the media.
- b. Members are free to comment publicly about their organisation's position on IEMRS more generally but not on the business of the group.

9 Declaration of Interest

Members are responsible for declaring any real or potential interest to the Chairperson. This information (i.e. interests declared) will be kept on file and be used to assist with the stakeholder engagement occurring through this group.

10 Review of terms of reference

- a. These terms of reference are DRAFT in nature and are to be discussed at the first meeting of the Group. These will be finalised and published following agreement by the Group.
- b. The group must review these terms of reference and the operations of the group and provide a report to MPI on the operations of the group, recommending any necessary changes to the terms of reference, by 30 September 2017 and every year subsequently.

- c. The group is expected to be in place until at least October 2018. At that point, the group's purpose and functions will be reviewed and a decision made whether should continue or be disestablished.
- d. If the group has not met once in the space of six months, the Chairperson shall call a meeting to discuss whether the group is required to continue, and recommend to MPI accordingly.

11 Finance and Budget

- a. The group does not have any budget or financial responsibility.
- b. Members travelling to and from meetings are entitled to reimbursement of out of pocket travelling, meal and accommodation expenses actually and reasonably incurred following submission of a receipt. The expectation is that standards of travel, accommodation, meals and other expenses are modest and appropriate to reflect public sector norms.

Appendix I

Current membership list

IEMRS Technical Working Group Members
Stuart Anderson (Chair), Director IEMRS, MPI
Matt Perkins, Manager IEMRS Transformation, MPI
Johanna Pierre, Principal Analyst IEMRS, MPI
Richard Wells, Fisheries Consultant
Colin Williams, Sanford
Nathan Reid, Moana Pacific (AFL)
Dion Iorns, Talley's
John Radford, Zebratech
Andrew Rodley, SnapIT
Rimu Boddy, Fisheries Logistics
John Tucker, FishServe
Mark Janor, Kordia
Iain Henderson, Navicom Dynamics
Geoffrey Clark, Sealord
Daryl Sykes/Mark Edwards, Rock Lobster Industry Council
Dr. David Middleton, Science Adviser for Commercial Fisheries Forum
Rob Domanski, South Island Eel Industry Association
Simon Dick/Tom Robinson (Deckhand)

Appendix II

Expected standards of conduct

All members and observers are expected to adhere to the following principles:

1. **Diligence** – Members will use their best endeavours to attend meetings and to prepare thoroughly. Members are expected to participate fully, frankly and constructively to discussions and to bring the benefit of their particular knowledge, industry perspective and skills to the table.
2. **Conflicts of Interest** – A conflict of interest will occur when a members' private interest interferes, or appears to interfere with an issue that faces the group. A conflict of interest may also occur when there is a possibility that a benefit may apply to the sector, industry or organisation that they represent. Any situation that involves or may be expected to involve a conflict of interest must be declared immediately to the Chair.
3. **Corporate opportunities** – Each member must not exploit any opportunity that is discovered through access to information within the group for their own personal gain or that of the industry, sector or organisation that they represent.
4. **Transparency** – All information should be provided in a manner that is timely, precise and easily understandable.
5. **Fair Dealing** – Members shall deal fairly with each other and shall not take unfair advantage of anyone through manipulation, concealment, abuse of privileged information, misrepresentation of material facts or any other unfair dealing practices.
6. **Advocacy** – Members should avoid actively promoting a standpoint or cause of their industry and should rather participate in meetings with the aim of reaching an outcome that is acceptable to all members.
7. **State Services Standards of Integrity and Conduct** – MPI staff have statutory demands under the State Services Standards of Integrity and Conduct. In the case of any conflict between the obligations outlined there and the ones in this document, those of the Standards and Integrity of Conduct shall prevail
8. **Alternative obligations** – Any alternative rules or statutes that govern members standards of conduct shall continue to do so, however in any case of conflicting duties the Chair must be notified as soon as reasonably possible.