



## Office of Hon Nathan Guy

**MP for Otaki**

Minister for Primary Industries

Minister for Racing

B14-067

Dear Stakeholder

### **Eliminating shark finning in New Zealand**

I write to inform you of my decisions on banning shark finning in New Zealand fisheries. I have decided to implement the ban for all shark species from 1 October 2014. The initial position paper, final advice paper, and Regulatory Impact Statement are available on the Ministry for Primary Industries' (the Ministry) website ([www.mpi.govt.nz](http://www.mpi.govt.nz)).

I am committed to eliminating shark finning in New Zealand, and have acted to do so as soon as possible to maintain New Zealand's reputation as a leader in the conservation and management of sharks. It was however, also important to me to eliminate finning without undue impacts on fishing operations, including the majority of fisheries where sharks are fully utilised and no shark finning takes place.

In reaching my decisions, I have considered the large number of submissions received on the Ministry's initial position paper, as well as the final advice provided to me by the Ministry. This advice included the Ministry's analysis of submissions received during the consultation process. My decision results in changes to three pieces of fisheries legislation:

Schedule 6 of the Fisheries Act 1996;  
Fisheries (Commercial Fishing) Regulations 2001; and  
Fisheries (Reporting) Regulations 2001.

I would like to thank everyone who took the time to make submissions or has been involved in discussions during this process.

I have decided that from 1 October 2014, shark finning will be banned in New Zealand using a combination of the 'ratio' and 'fins attached' approaches.

The ban requires any shark fins that are retained to be landed attached to the body of the shark for all non-Quota Management System (QMS) species and for two QMS species (spiny dogfish and blue shark). In most cases, limited processing will be allowed (e.g. removal of the head), but the fins will still need to be attached to the body through some portion of uncut skin.

However, I have listened to submitters who were concerned that a fins naturally attached requirement would make it difficult for them to utilise sharks effectively, because of the impacts on at-sea processing. For blue sharks, fishers will be allowed to remove the fins during processing, but the fins must be stored and landed attached to the body of the shark (e.g. by being tied or sewn on or stored in one bag with the body). I consider this necessary to allow the small market for blue shark meat to continue to be developed. A requirement for these fishers to land blue sharks with fins naturally attached would likely lead to all blue sharks being discarded, which would act against the goal of the National Plan of Action for the Conservation and Management of Sharks to decrease wastage.

For seven QMS species (elephantfish, ghost shark, mako shark, pale ghost shark, porbeagle shark, rig, and school shark), fishers will be able to land shark fins separately to the body of the shark but only in accordance with a gazetted fin to greenweight ratio. This will enable a higher quality product to be maintained by allowing more complete processing at sea. The ratio means that the weight of the fins landed will be compared to the greenweight (whole weight) of the shark landed. This allows the Ministry to monitor, detect and enforce the requirement that no fins are landed without the associated body of the shark. For example, if a fisher lands 100kg of sharks for a species with a gazetted ratio of 3.50, the fins landed must not weigh more than 3.5 kg.

I have also listened to environmental groups and public submitters who are concerned that any fin ban must be readily enforceable. I will be closely monitoring the use of the ratio approach. For species subject to the ratio requirement, there will be a legal requirement that fins are separately stored and landed by species. Attempts to circumvent the ratio (e.g. landing the fins of one species alongside the meat of another species) would be an offence against both this provision, and the general prohibition on landing just the fins of any shark species.

I have also decided to amend Schedule 6 of the Fisheries Act 1996 to allow fishers to return dead, unwanted sharks to the sea, while ensuring that they are reported and counted against the total allowable catch for the species and against a fisher's annual catch entitlement. I believe this is an important step to ensure we continue to collect good information on overall shark mortalities, but fishers do not face excess costs for unavoidable catches of sharks with little or no commercial value.

Yours sincerely



Hon Nathan Guy  
**Minister for Primary Industries**