



OIA16-0522

4 NOV 2016

Jacob Middleton  
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Dear Jacob Middleton

### OFFICIAL INFORMATION ACT REQUEST

I refer to your official information request on 6 September 2016 relating to fishing in the Ross Sea.

Please find a response to your questions, under the Official Information Act 1982 (OIA):

1. Between 1994 and 2016, how many fishing vessels that are registered to New Zealand annually operate in the Ross Sea and Southern Ocean? This information is publicly available on the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) website [www.ccamlr.org](http://www.ccamlr.org)

For the purposes of this OIA request, and geographically, the Ross Sea is within the Southern Ocean and is recognised by CCAMLR as Statistical Subarea 88.1 and Statistical Subarea 88.2.

Below is a suggested method to find further information on this topic. We have undertaken to provide guidance, in the Table 1 below, for the last five years (2011-2015). You may use this as a starting point to complete the number of years you are after.

Table 1: Number of New Zealand flagged vessels approved to fish in the Ross Sea

Year	Number of New Zealand flagged vessels for 88.1	Number of New Zealand flagged vessels for 88.2
2015	3	3
2014	3	3
2013	4	4
2012	4	4
2011	4	4

Fishing in the Ross Sea is regulated by CCAMLR. At its annual meeting in October, CCAMLR will decide how many fishing vessels are allowed to fish in Statistical Subarea 88.1 and Statistical Subarea 88.2. The number of vessels approved to fish in Statistical Subarea 88.1 and Statistical Subarea 88.2 are published in Conservation Measures (CM).

CM 41-09 is the CM for 88.1 and CM 41-10 for 88.2. The first paragraph of both CMs shows you how many vessels are flagged to each country that have been approved for the area. Note, the Ross Sea fishing season is reflected for example as 2015/2016 rather than just 2015.

The current CMs have "(2015)" after the description and are noted as active. You have been provided with the last five years in Table 1. Further details on previous years can be found in the below links which has the past CMs:

<https://www.ccamlr.org/en/publications/past-and-present-conservation-measures>

Below are links to specific documents that illustrate an example of where to find the information:

- <https://www.ccamlr.org/en/measure-41-09-2014> for 88.1 in 2014
- <https://www.ccamlr.org/en/measure-41-09-2013> for 88.1 in 2013
- <https://www.ccamlr.org/en/measure-41-10-2013> for 88.2 in 2013

Note that the vessels approved to fish in 88.1 may be the same vessels approved in fish in 88.2. For example the same three vessels flagged to New Zealand that were approved to fish in 88.1 in 2013 are the same three vessels that were approved to fish in 88.2 also in 2013.

## 2. What is the weight limit for each catch?

The total allowable catch limit for the Ross Sea is set by CCAMLR. Fishing vessels are not allocated a quota in the Ross Sea. The Ross Sea fishery is an Olympic fishery i.e. all licensed fishing vessels aim to catch as much toothfish as they are able until the limit is reached. Once the limit is reached, then the area is closed to fishing.

As discussed above, CM 41-09 and CM 41-10 also provide the limits for 88.1 and 88.2 respectively.

The limit for 88.1 in the 2015/16 season was 2,870 tonnes. The limit for 88.2 in the 2015/16 season was 619 tonnes.

3. How many foreign fishing vessels annually operate in the Ross Sea?

The fishing vessels that operate in Ross Sea can be found in CM 41-09 and CM 41-10. In the 2015/16 season there were 16 fishing vessels notified to fish, flagged to eight CCAMLR members.

4. What states operate fishing vessels in the Ross Sea?

CCAMLR members who have fishing vessels operating in the Ross Sea can be found by looking up CM 41-09 and CM 41-10. In the 2015/16 season the following CCAMLR members were allowed to fish in 88.1: Australia, Japan, Republic of Korea, New Zealand, Russia, Spain, Ukraine and the UK. The same CCAMLR members were allowed in 88.2 with the exception of Japan which did not notify for this Subarea.

5. Can I please have that data broken down per annum from 1994 to 2016?

This is publicly available on the CCAMLR website. Please refer to CM 41-09 and CM 41-10. Please refer to the guidance provided in the answer to question "1" for accessing information on previous years.

6. Between 1994 and 2016, what has been the annual economic gain from New Zealand's fishing within the Ross Sea?

This is export information and publicly held by Seafood New Zealand. Please see link below:

<http://www.seafoodnewzealand.org.nz/publications/export-information/export-statistics/item/export-statistics/>

7. Where specifically in the Ross Sea do New Zealand fishing vessels operate to catch the greatest yields?

This part of your request has been refused under section 9(2)(b)(ii) of the OIA as disclosure would be likely to unreasonably prejudice the commercial position of subject of the information.

8. Does this [catch] differ per year?

This part of your request has been refused under section 9(2)(b)(ii) of the OIA as previously defined.

9. Do New Zealand registered fishing vessels only catch Antarctic toothfish within the Ross Sea?

New Zealand vessels also catch a small number of Patagonian toothfish.

MPI is satisfied that in the circumstances of this case, the withholding of the information is not outweighed by other considerations which render it desirable in the public interest to make the information available. You have the right under section 28(3) of the OIA to seek an investigation and review by the Ombudsman of our decision to withhold information.

Yours sincerely



Chris Carson  
Director international Policy