



21 OCT 2016

Graham Carter
C/- fyi.org.nz

Dear Graham Carter

OFFICIAL INFORMATION ACT REQUESTS

I refer to twenty-five of your official information requests, received July through September 2016, on a range of subjects relating to fisheries management. An outline of the requests and our response in respect of each can be found in the attached table.

As you will note some information has been withheld and some requests have been refused on grounds under the Official Information Act (OIA) which have also been outlined.

MPI is satisfied that in the circumstances of these cases, the withholding of the information is not outweighed by other considerations which render it desirable in the public interest to make the information available.

In making the decision to refuse the requests pursuant to section 18(f) of the OIA on the grounds that the information cannot be made available without substantial collation or research, we considered your requests relating to fisheries management issues together. We also considered whether fixing a charge would enable us to grant your requests. Given the considerable amount of information requested, we have decided that charging would not be appropriate. The diversion of resources required to meet your requests would unreasonably interfere with the operations of MPI.

Secondly, pursuant to section 18B, we considered consulting you about revising the scope of the requests. Given the substantial amount of information requested, we do not see that entering into correspondence on this issue is likely to refocus the requests down to a manageable scale.

You have the right pursuant to section 28(3) of the OIA to seek an investigation and review by the Ombudsman of our decision to withhold information and refuse some of your requests.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Peter', with a long, sweeping underline that extends to the right.

Peter McCarthy
Chief Legal Adviser

Appendix

Request Ref	Date of request	Subject	Decision
OIA16-0444	30 July 2016	Precision Seafood Harvesting Tiaki Net	This request covers a considerable amount of material, and is therefore refused in full pursuant to section 18(f) on the grounds that the information requested cannot be made available without substantial collation or research. Information on PSH, including Progress Summary Reports, are available at http://mpi.govt.nz/funding-and-programmes/primary-growth-partnership/primary-growth-partnership-programmes/precision-seafood-harvesting/ .
OIA16-0446	30 July 2016	IWC and Dolphins	<p>Question 1: IWC publications and recommendations are publicly available at https://iwc.int/home.</p> <p>Questions 2 and 8: I refer you to the attached Aide Memoire (AM16-0377). This is released to you subject to the withholding of personal contact details pursuant to section 9(2)(a) to protect the privacy of natural persons.</p> <p>Question 3: This part of the request is not specified with due particularity. We invite you to reconsider this part of the request.</p> <p>Questions 4, 5, 6, and 7 are refused pursuant to section 18(f) on the grounds that the information requested cannot be made available without substantial collation or research.</p>
OIA16-0452	12 August 2016	Fisheries Officers	<p>The first two parts of the request would require the review of a substantial amount of information. Accordingly, this request is refused in full pursuant to section 18(f).</p> <p>In regard to the third part – the Minister is not involved in operational matters, therefore, this request is refused pursuant to section 18(e) on the grounds that the information requested does not exist.</p>
OIA16-0453	12 August 2016	Operations Achilles, Hippocamp, and Overdue	I refer you to the publicly available information on these matters, the Heron Report and information proactively released in support of the report: http://mpi.govt.nz/protection-and-response/environment-and-natural-resources/sustainable-fisheries/independent-review-of-prosecution-decisions/ .

			<p>I also refer you to MPI's response to the Heron Report: http://mpi.govt.nz/news-and-resources/media-releases/mpi-accepts-findings-of-independent-review-into-fisheries-compliance-operations/.</p> <p>Accordingly, this request is refused pursuant to section 18(d) on the grounds that the information is publicly available.</p>
OIA16-0470	5 August 2016	List of cameras on vessels	'AIS' cameras are not used. Accordingly, this request is refused pursuant to section 18(e) as the information requested does not exist.
OIA16-0471	5 August 2016	IWC Report and Analysis	I refer you to our response to your request of 12 August 2016 (OIA16-0446) above.
OIA16-0472	5 August 2016	FCV Slave Trading Reports	<p>Question 1: This information is publicly available at http://mpi.govt.nz/news-and-resources/consultations/ministerial-inquiry-into-foreign-charter-vessels/. Accordingly, this request is refused pursuant to section 18(d).</p> <p>Questions 2 & 3: To respond to these questions would require the review of a significant amount of material to determine what is within the scope of your request. Accordingly, these parts of your request are refused pursuant to section 18(f).</p>
OIA16-0473	5 August 2016	Snapper One (SNA1) area	Both questions cover a large amount of information and are therefore refused in full pursuant to section 18(f). In regard to the second question, by way of summary, I refer you to the report <i>Evaluation of tagging programme designs for SNA 1 and SNA 8</i> available at http://www.mpi.govt.nz/document-vault/8623 , as well as the <i>Draft Snapper 1 management plan</i> at http://www.mpi.govt.nz/news-and-resources/media-releases/draft-snapper-1-management-plan-launched/ .
OIA16-0474	4 August 2016	Flatfish	This request would require the search through a substantial amount of material. Accordingly, your request is refused in full pursuant to section 18(f).
OIA16-0475	4 August 2016	Hawke's Bay Seafoods Investigation	<p>In response to question 2, this matter is still before the court.</p> <p>In regards to questions 1, as this matter is before the court, this information is withheld in full pursuant to section 6(c) on the grounds that to do so would prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial.</p>

OIA16-0476	4 August 2016	Operations Achilles, Hippocamp, and Overdue	<p>Question 1: I refer you to my letter to you dated 12 September 2016. Accordingly, this part of your request is refused pursuant to section 18(h) – on the grounds that the request is frivolous or vexatious or that the information requested is trivial.</p> <p>Question 2: Refused pursuant to section 18(d) on the grounds that the information requested is publicly available. I refer you to http://mpi.govt.nz/protection-and-response/environment-and-natural-resources/sustainable-fisheries/independent-review-of-prosecution-decisions/.</p>
OIA16-0477	9 August 2016	Information relating to scallops	As this request covers approximately 40 years worth of information your request is refused in full pursuant to section 18(f).
OIA16-0478	9 August 2016	Eight Bells Catch Records	I refer you to our response of 4 June 2015 (OIA14-441) at https://fyi.org.nz/request/2729-all-catch-data-for-nz-inshore-fishing-vessels#outgoing-6057
OIA16-0480	19 August 2016	Royal Commission of Enquiry	<p>Questions 3, 5, and 7, cover a significant amount of information and are therefore refused pursuant to section 18(f).</p> <p>In response to question 4, no information is held as cameras are not installed on commercial trawl vessels. Accordingly, this part of your request is refused pursuant to section 18(e) on the grounds that the document does not exist</p> <p>In response to question 6, I refer you to the Heron Report and information proactively released in support of the report, as noted above. Accordingly, this request is refused pursuant to section 18(d).</p>
OIA16-0481	5 August 2016	Operations Achilles, Hippocamp, and Overdue	Refused pursuant to section 18(d). I refer you to http://mpi.govt.nz/protection-and-response/environment-and-natural-resources/sustainable-fisheries/independent-review-of-prosecution-decisions/ .
OIA16-0489	11 August 2016	Hawke's Bay fishery	Please refer to our response to Question 1 of your request of 9 August 2016 (OIA16-0438).
OIA16-0490	11 August 2016	Background information on former Director	The information requested is withheld in full pursuant to section 9(2)(a) – to protect the privacy of natural persons.

OIA16-0492	2 August 2016	Operations Achilles, Hippocamp, and Overdue	The information requested is publicly available, therefore your request is refused pursuant to section 18(d). I refer you to http://mpi.govt.nz/protection-and-response/environment-and-natural-resources/sustainable-fisheries/independent-review-of-prosecution-decisions/ .
OIA16-0493	11 August 2016	Operations Achilles, Hippocamp, and Overdue and Hawke's Bay fishery	The information requested is publicly available, therefore your request is refused pursuant to section 18(d). I refer you to http://mpi.govt.nz/protection-and-response/environment-and-natural-resources/sustainable-fisheries/independent-review-of-prosecution-decisions/ . In regard to Hawke's Bay fishery, I refer you to our response to Question 1 of your request of 9 August 2016 (OIA16-0438).
OIA16-0499	19 August 2016	Compliance officers being stood down	I refer you to our response to your request of 18 August 2016 (OIA16-0452).
OIA16-0500	19 August 2016	Meetings information	Determining whether these matters have been raised would necessitate reviewing all information that has passed between the noted parties, which would be a substantial undertaking. Accordingly, this request is refused in full pursuant section 18(f).
OIA16-0501	19 August 2016	Laws relating to the operating cameras on commercial vessels	There are no laws covering the operation of cameras on commercial vessels in the current trial. MPI has a Memorandum of Understanding in place with the provider, and the provider has service agreements in place with industry.
OIA16-0502	19 August 2016	Catch records for charter operations SNA1	This request covers a substantial amount of information. Accordingly, this request is refused in full pursuant to section 18(f).
OIA16-0526	04 September 2016	Marine protected areas reform	This request covers a considerable amount of material, and is therefore refused in full pursuant to section 18(f). However, I refer you to the publicly available information on this matter at the following links: http://www.fish.govt.nz/en-environmental/Seabed+Protection+and+Research/MPA/default.htm http://www.doc.govt.nz/nature/habitats/marine/marine-protected-areas/ http://www.mfe.govt.nz/marine/reforms/marine-protected-areas

OIA16-0527	04 September 2016	MPI Operational reports	I refer you to the response by the Minister for Primary Industries to a question from Rino Tirikatene MP on 25 May 2016: https://www.parliament.nz/en/pb/hansard-debates/rhr/document/51HansS_20160525_00000720/tirikatene-rino-oral-questions-questions-to-ministers
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