

FISHERIES COMMITTEE

OPEN MINUTES

Fisheries Department
Thursday, 15th September 2016
9.00am

These minutes are draft minutes until confirmed by resolution at the next meeting of this committee

Present:	The Honourable Phyl Rendell - Chairperson	PR
	The Honourable Gavin Short	GS
	Director of Natural Resources – John Barton	DNR
	Dr Sasha Arkhipkin	SA
	Ms. Jackie Cotter	JC
	Mr Drew Irvine	DI
	Mr Lewis Clifton	LC
	Mr. Peter Judge- Attorney General	AG

Minute Taker: Miss Beverley Reid

Public: 1

- 1 Apologies for Absence ACTION**
- 1.1** The Chief Executive, the Honourable Ian Hansen, Mr Alex Reid, Mrs Cheryl Roberts, Mr Hamish Wylie & Capt. Chris Locke
- 2 Declarations of Interest**
- 2.1** FIFCA members declared interest in all items save item 8 for DI and LC, PR declared an interest in Item 8 and 14, GS declared interest in Item 9.
- 3 Confirmation of the Minutes of the Meeting held on 16th June 2016**
- 3.1** At Item 6.1 LC indicated the minute should say: LC stated that is how it was intended in 2002.
- 3.2** At item 10.1 PR indicated the minute should say that Michaël Gras is going to be working on this later this year. Also that the Darwin initiative funding for MSP work was for 2 years not 3 years.
- 4.1 Matters arising from the Minutes held on the 16th June 2016**
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Item 4.1 –
PR asked DNR what was happening with the fuel pipe on FIPASS.

DNR said that extending the fuel line to the NW barge had been deferred pending the repair works to be done. JC indicated that the Industry was not happy with this, but there is nothing that can be done while the works are happening. LC asked the MLAs for assurance that a mobile facility is available if needed. PR would like it checked that the vessels can have get fuel if needed.

DNR

4.2 Matters arising from the Minutes held on the 16th June 2016

Item 4.3 DNR informed the Committee that MLA Hansen says a paper is due to be going to Exco in October.

5 Fishery Update

5.1 DNR stated that hake catches continue to be unusually high, Rockcod is extremely low and Falklands Calamari is average, but better than anticipated, this is depicted on the graphs. PR asked about the timing on Phase 2 works at FIPASS, DNR said the intention is to have contracts in place to allow work to be mobilised for the summer. PR stated that she would like the FIPASS users group to be well informed as when the work starts there will be a considerable amount of disruption. DNR stated that CL will ensure the FIPASS Operators deal with this issue.

CL

5.2 DNR mentioned that the Maritime and Harbours Bill still progressing, LC asked if this was still coming back to FIFCA for review. DNR said that there will be a period when it can be reviewed by all parties including the Fisheries Committee. PR has had a meeting with Capt. Chris Locke and David Brown regarding the policy issues in the Draft. Two meetings have been arranged for MLAs to discuss some of the issues raised by the bill. DNR indicated that there were policy and operational issues arising from the bill that should not delay the progress of the bill. In a number of areas the bill enabled a range of options and the preferred option could be decided on after the commencement of the Ordinance. JC asked when it might be available for review. DNR believed that it would be available for comments at the next Fisheries Committee meeting. PR said that she would like a special committee meeting before the scheduled meeting to discuss it if possible.

5.3 DNR gave an update on Catch verification, funds for this had been provided in the budget. DNR told the committee that 2 vessels have been verified so far. LC asked what the criteria for which vessels would come in for catch verification, and who covers the cost. DNR said that it is random catch verification, if there is some specific information or suspicion then that ship will be prioritised. In the absence of any such additional information it will be on a random basis. DNR said the government will pay the costs for the catch verification, the vessel operator pays the costs of visiting the port and the cost of discharging the cargo and storage. LC then asked what happens when the vessel is brought in and loses days

fishing due to catch verification, is there any compensatory mechanism for that vessel and the ITQ holder to not lose the fishing entitlement before for the end of the season or before the end of that vessels period of charter? DNR indicated that many fisheries run for the full year so the days should not be lost it may be necessary to look further at the scheme for short duration seasonal fisheries. Additionally vessels will have to tranship at some point. Whether the operator decides to backload after catch verification is a matter for the operator. DNR said that concerns have been raised by operators in the Loligo and Illex fisheries, although again these vessels will tranship a couple of times in a good season and can possibly be catch verified during those operations. Catch Verification shouldn't add any extra time to the transshipping process. PR asked if we are going to reserve the right and have the funding and capability to do catch verification in Montevideo & Vigo. DNR said that should be an option for the future but we haven't set it up yet. The costs for catch verification overseas will be more expensive than doing it locally. FIPASS is the cheaper option.

5.4 DNR told the committee that the Licensing Officer, Bernie Eccles will be retiring after 18 years in the Department. The committee would like to thank Bernie for all his work and wish him well.

5.5 The committee asked when we might be employing a Deputy Marine Officer, DNR said that this should be advertised in due course but there are a few issues to sort out first.

6. New Terms of Reference

6.1 The AG joined the meeting for the discussion on the new terms of reference. It was agreed that the ToRs should be revised to reflect that the Fisheries Committee is a statutory committee.

6.2 The issue of conflict of interests was discussed. As currently written in point 7.4 any member who declares an interest takes no part in the discussion of that item. It is common in the Fisheries Committee (and the Agricultural Advisory Committee) for industry members to declare interests in the entire agenda. In most cases the declaration of interest is not specific to the individual but arises because the issue is relevant to all fishing companies. The AG indicated that if the impact of the issue is general then no conflict of interest arises. It would be helpful to amend the wording to reflect that.

6.3 In relation to point 7.6 it was suggested that if a responsibility had been delegated from ExCo then presumably the committee should be able to discharge that function without further recourse to Exco.

6.4 It was proposed that the terms of reference for the business of the committee be amended as set out in the paper. The Vision &

Mission statement should be deleted.

- 6.5** DNR asked if there was an automatic right for the AG & CE to be on the committee as that seemed to apply to previous membership arrangements. It was agreed the membership should be as set out so this does not apply.
- 6.6** AG said he will prepare the new version and circulate for the next Fisheries Committee meeting. **AG**

7 Allowable catch and Effort 2017

- 7.1** DNR indicated that the proposals on catch and effort for 2017 were set out in a paper to the June meeting of the committee. Since that presentation the issue had been reviewed and the TAC on rock cod reduced to 55,200 tonnes. This reduces the fishing time on **W & G** licenses by 10%. DNR gave a brief update on the Rockcod fishery. JC asked what the department view is for future years and LC asked if there is there going to be any move to a multi species model. DNR said that fisheries management in these fisheries had been controlled through reference to the most dominant species. A multispecies model would be preferable and that has been investigated. They tend to be quite complex and to a fair degree it would depend on fishing behaviour remaining the same. LC suggested that the catches of rock cod would be bigger if the hake closure area wasn't so big. DNR said this could be the case but he & SA believe that it is probably because the Rock cod stock is very low at the moment. SA said that last year the vessels did not target Rockcod they targeted hake. SA said that in August 2016 60% Hake caught was on A licence and 40% was caught on a W Licence. DNR said that the department will look further at the multispecies management model. If any fishery sub-groups have ideas on some of these issues including bycatch avoidance the department can consider those. The revised document will be circulated and the catch and effort limits gazetted.

8 Proposal on terms & conditions for the 2017 Illex fishery

- 8.1** DNR said that 2018 will be the earliest that Illex will be moving into ITQ. Conditions for 2017 will remain similar to previous years. LC asked if it was a requirement in the Illex fishery and the licence policy criteria to support the SAAS service. DNR said that it was not that specific but part of the license allocation policy can give priority for applications which show they will have significant benefit to the Falklands economy. A number of companies had identified containerisation as part of that. DI asked what the Illex revenue budget was. DNR and PR told him that it was averaged over a five year period around 5.5 million per year. This resulted in some surplus in good years but equally the shortfall was limited to some degree in poor years. PR recalled that the 2016 season had been better in terms of the number of incidents involving crew on jiggers. There had been one case where a license was withheld due to unacceptable behaviour by an officer on the vessel and crew wishing to leave the ship were able to do so safely. PR indicated we should continue to get a strong message out there to ensure care and welfare issues are still being addressed. The message would be reinforced with Taiwan, Korea and locally. The Port Welfare committee also has a role. GS asked DNR if there are sufficient assets in place to protect the Falklands. DNR indicated there were and that the catch verification scheme added to the overall system.

9. FIPASS berthing policy

- 9.1** DNR said that new proposed berthing policy gives priority to vessels transshipping fish catch at FIPASS. DNR also said that there will be another piece of work to go with this relating to new FIPASS charges which should be forthcoming soon. It was commented that at times FIPASS could accommodate more than 3 vessels particularly if there was an overhang at the West end which might require additional mooring points. It was requested that the Marine Officer take this up with FIPASS Management.

CL

10. Date of next meeting

- 10.1** The date of the next meeting will be 1st December 2016.

11. Exclusion of Press & Public

The Chairman moved as follows:

“I move that the press and public be now excluded on the ground that the next items of business to be considered are likely to disclose exempt information under Paragraphs 4 & 9 of Schedule 3 of the Committees (Public Access) Ordinance 2012.

12. Confirmation of the Exempt Minutes held on the 16th June 2016

- 12.1** The minutes were confirmed.

13. Matters Arising from the Exempt Minutes held on the 16th June 2016

- 13.1** PR said we need to start talking together about planning the 30th Anniversary. DNR said there could possibly be a public talk on the history of the fishery together with science around 29th October.
- 13.2** PR asked if the cruise on JCR was still going to happen. DNR will check with Paul Brickle. **DNR**
- 13.3** FIFCA will be holding a FIFCA Fisheries forum on the 10th November. **JC**

14. Fishing Access Fees 2017

- 14.1** DNR explained that the paper was the annual fee paper which in this case considers fee issues for 2017. The paper sets out some of the issues but does not make recommendations as the decision on fees rests with ExCo. It was agreed that FIFCA would submit a paper with their views to be included with the Exco paper.

Not for publication by virtue of paragraph 4 & 9 of Schedule 3 of the Committees (Public Access) Ordinance 2012, relating to the preparation of budget

Minutes confirmed this day of 2016.

Chairman

Secretary