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MINISTRY OF FISHERIES
Te Tautiaki i nga tini a Tangaroa

Ref

6 April 2005

Owen Symmans
Chief Executive
Seafood Industry Council
Private Bag 24-901
WELLINGTON

Dear Owen

REFERENCE IN SECTION 110 OF THE FISHERIES ACT 1996

Thank you for your letter of 17 March 2005, addressed to Stan Crothers, Deputy Chief Executive. This has been passed on to me for a response.

While the Ministry accepts the scope and intent of Section 110 Fisheries Act 1996 should be subject to further discussion, it would be inappropriate and without legal basis for the Ministry to provide any form of undertaking that it will not take action against a vessel transshipping in New Zealand waters.

Should any breaches of Section 110 Fisheries Act 1996 be detected, they will be investigated on a case-by-case basis according to Ministry priorities. Any decision regarding prosecution will only be made after reviewing all the circumstances of the case and applying appropriate prosecutorial discretion.

Yours sincerely

Steve Stuart
National Manager Compliance
Ministry of Fisheries