



**FISHERIES**  
INSHORE NEW ZEALAND

Level 12  
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6 September 2022

RSTA Maritime Submission  
Te Manatū Waka  
PO Box 3175,  
Wellington, 6011

## **FIRE AND EMERGENCY NEW ZEALAND LEVY EXEMPTIONS**

Submission of the NZ Federation of Commercial Fishermen and  
Fisheries Inshore New Zealand

1. Thank you for the opportunity to submit on the Fire and Emergency New Zealand Levy Exemptions.
2. Any queries on this submission should be directed to Doug Saunders-Loder, email [Doug.Loder@tallevs.co.nz](mailto:Doug.Loder@tallevs.co.nz), tel 021 527 472.

### **Who we are**

#### NZ Federation of Commercial Fishermen ("the Federation")

3. The Federation represents small to medium operators at a local, regional and national level on matters such as fisheries management, licensing, fish pricing, nautical matters and the regulatory environment for fishing. The Federation provides a one-stop-shop for small and medium fishing businesses, contract harvesters, owner/operators, skippers, and crew.
4. Membership of the Society is open to participants in the commercial fishing industry including active and retired fishermen, ITQ holders, permit holders and associations of fishermen. The NZFCF is entirely funded by membership fees and does not receive any money from other source.

#### Fisheries Inshore New Zealand (Fisheries Inshore)

5. Fisheries Inshore represents more than 80% by value and volume of the inshore finfish, pelagic and tuna fisheries of New Zealand. We were formed in November 2012 as part of the restructuring of industry organisations at that time. Our role is to address national issues on behalf of the sector and to work directly with, and on behalf of, our members in both the development of measures and their application at a regional level. In doing so we also work collaboratively with our regional committees, other industry organisations, Seafood New Zealand, Ministry for Primary Industries (MPI) and the Department of Conservation. Our members include quota-owners and fishers.

## The Consultation

6. The Department of Internal Affairs is undertaking a targeted consultation on what property should be exempt from paying the Fire and Emergency New Zealand levy (the levy).
7. The levy is paid on New Zealand property insured against fire damage and provides the primary source of funding for Fire and Emergency Response. The current transitional levy expires on 1 July 2024.
8. Part 3 of the Fire and Emergency New Zealand Act 2017 contains the provisions for the levying for services provided. Over 95% of the costs of Fire and Emergency services are funded through the levy.
9. The consultation proposals stem from a review of the funding structure for Fire and Emergency undertaken in 2021. Included in the consultation is a proposal that the current levy exemption applying to domestic commercial fishing vessels should be removed. As a party affected by the proposals, the Department is consulting the fishing sector. It appears however that the Department did not draw the industry's attention to that 2021 consultation.

## Our View

10. We agree that the current exemption for domestic commercial fishing vessels should be removed and levies paid in accordance with the purposes and principles in Part 3 of the Fire and Emergency New Zealand Act 2017.
11. However in doing so the commercial fishing sector would want to see particular attention given to the principle in section 80(c) of the Act that levies should be:  
*“equitable, so that policyholders should generally pay a levy at a level commensurate with their use of, or benefit from the potential to use, FENZ’s services and with the risks associated with the activities that policyholders carry out (but without strict apportionment according to use, benefit, or risk having to be observed).”*
12. For commercial property, levies are currently set on the basis of the value of the property insured against the risk of fire. Levies may be adjusted for the period of cover.
13. In respect of setting the levies, the following factors applicable to the commercial fishing fleet need to be taken into account in the levy setting process. These include:
  - a. Period of Cover - most vessels spend only a proportion of their time in a port or in a location where Fire and Emergency services can reach the vessels. The proportions may vary across the fleet but would generally be less than 33%.
  - b. Existing Fire and Emergency Risk: all commercial fishing vessels are required by law to be operated to safety standards which are based on providing a vessel with a safety response appropriate to the risks of vessel operation. That response regime requires:
    - i. Lifesaving and Firefighting equipment in accordance with Parts 42A and 42B of the Maritime Rules
    - ii. Crews trained in the use of the equipment in accordance with Part 23 of the Maritime Rules and
    - iii. Operation under the Maritime Operator Safety System (MOSS) under which requires operators must develop and implement either a Maritime Transport Operator Plan (MTOP) or a Safe Operational Plan (SOP)

dependent on their fishing activity. Such plans are audited regularly by MPI observers, Fisheries Officers and Maritime NZ Officers.

14. We also note that a proportion of the fleet are petrol powered vessels, either trailered or left in the sea. Such vessels are already levied for the Fire and Emergency Levy but we would request that the levy be structured to take into account the duration of time spent at sea and thus out of reach of Fire and Emergency Services.

Yours



Doug Saunders-Loder  
Chairperson  
NZ Federation of Commercial Fishermen



Laws Lawson  
Executive Chair  
Fisheries Inshore New Zealand