

## Appendix One – Schedule of Legislative Amendments for Fish and Game Governance and Organisational Improvements Amendment Bill

Key to abbreviations used in table:

**NZC** = New Zealand Fish and Game Council; **FGC** = Fish and Game Council;  
**CA** = Conservation Act 1987; **FFR** = Freshwater Fisheries Regulations 1983; **FGCER** = Fish and Game Council Elections Regulations 1990; **SFGMP** = sports fish and game management plan;  
**WA** = Wildlife Act 1953; **WR** = Wildlife Regulations 1955; **TFR** = Taupo Fishery Regulations 2004

No.	Summary of problem	Summary of proposed changes
	<b>Functions</b>	
	<b>Nationwide policy consistency</b>	
1.	<i>General</i> NZC is responsible for coordinating the work of FGCs but has no function to develop policies for the work of FGCs. This impedes national coordination of work by FGCs.	The NZC to have the ability to develop national policies for the work of Fish and Game, both NZC and FGCs. These would be non-binding (except for certain specified areas (described below)) to maintain the independence of FGCs in their regional work.
2.	<i>Compliance</i> Each FGC can decide its own policy for ensuring compliance with hunting and fishing regulations. This creates inconsistency of treatment across different regions, and raises questions about natural justice.	To create consistency of approach across councils, the NZC, in consultation with FGCs, to set policy binding on FGCs for things such as: <ul style="list-style-type: none"> <li>• How compliance activity is conducted (e.g., standards of behaviour and approach)</li> <li>• How compliance activity is reported</li> <li>• Spatial coverage of compliance work</li> <li>• How to apply any approved infringement policy in different circumstances (the Minister to continue to approve any infringement policy as set out in s.26HA(2) of CA).</li> </ul> The NZC, in consultation with FGCs, to set the minimum levels of compliance work undertaken by FGCs for this <b>key activity</b> .
3.	<i>Monitoring</i> Each FGC can decide its own policy for resource and activity monitoring in its region, sometimes resulting in incomplete or inconsistent national-level data. This impedes national coordination and prioritisation of effort.	To create consistency of approach for monitoring activity (as set out in s.26Q(1)(a) of the CA) the NZC, in consultation with FGCs, to set policy binding on FGCs for things such as: <ul style="list-style-type: none"> <li>• Standardised methodologies for conducting monitoring activity – including monitoring of sports fish and game resources, licence holder activity and satisfaction, and habitat condition</li> <li>• Spatial coverage of different types of monitoring</li> <li>• Standardised reporting of data.</li> </ul> The NZC, in consultation with FGCs, to set the minimum levels of monitoring work undertaken by FGCs for this <b>key activity</b> .
4.	<i>Corporate</i> Each FGC sets its own corporate, business, and personnel policies and processes, leading to duplication of effort and inconsistent standards and staff salaries across regions.	To create consistency of approach and systems for corporate activity, the NZC, in consultation with FGCs, to set policy binding on FGCs for things such as: <ul style="list-style-type: none"> <li>• Business processes and systems</li> <li>• Corporate policies</li> <li>• Health and safety (minimum standards)</li> </ul>

No.	Summary of problem	Summary of proposed changes
		<ul style="list-style-type: none"> <li>Personnel policies (including staff conditions).</li> </ul> <p>This will ensure consistency of approach across the organisation, providing greater efficiencies, and enabling better planning and staff management.</p>
5.	<p><i>Advocacy</i></p> <p>Some FGC advocacy work and court action has been contrary to wider Fish and Game interests, but the NZC has no way to intervene.</p>	<p>To create consistency of approach across councils and protect the interests of Fish and Game as a whole, the NZC, in consultation with FGCs, to set policy binding on FGCs for things such as:</p> <ul style="list-style-type: none"> <li>General advocacy undertaken by FGCs to advance the interests and aspirations of anglers and hunters (including, potentially, a national advocacy strategy)</li> <li>Advocacy undertaken by FGCs via statutory planning processes to advance the interests and aspirations of anglers and hunters</li> <li>FGC appearances before courts and tribunals.</li> </ul> <p>To ensure court action is timely but well considered, court proceedings, other than for enforcing offences, may only be filed by regional Fish and Game councils with the authorisation of the National Council or the responsible Minister as appropriate.</p> <p>Additionally, all FGC court action to be subject to the direction of the NZC, except when the FGC is challenging the NZC or another FGC.</p> <p>NZC to be empowered to intervene in local advocacy actions undertaken by FGCs when such actions are contrary to the agreed-upon binding advocacy policy.</p>
6.	<p><i>Sports Fish and Game Management Plans</i></p> <p>NZC has no ability to determine policy content of sports fish and game management plans (SFGMPS) in the areas where the NZC can set policy binding on FGCs (see above).</p>	<p>To create consistency of approach across councils, the NZC, in consultation with FGCs, to determine minimum provisions for inclusion in draft SFGMPS prepared by FGCs in relation to:</p> <ul style="list-style-type: none"> <li>compliance and enforcement</li> <li>monitoring of resources, and licence holder activity and satisfaction</li> <li>statutory planning processes.</li> </ul>
	<b>Functional support</b>	
7.	<p><i>NZC Work Plan</i></p> <p>The NZC is to have new operational functions and responsibilities, and appropriate transparency and accountability is needed.</p>	<p>The NZC to be required to prepare an annual operational work plan (as FGCs do currently). This will deliver transparency and accountability by providing outcomes and measures to report against (see also rows below).</p>
8.	<p><i>Specialist staff</i></p> <p>The small size of many FGCs often prevents the engagement of specialist staff, and sharing staff between regions is administratively difficult.</p>	<p>The NZC to have a new function to provide specialist expertise to FGCs – such as planners, ecologists, scientists, lawyers, accountants, etc – who can work across several regions. Such staff may be located in the regions they work.</p>
9.	<p><i>Servicing and reporting</i></p> <p>The servicing of councillors and business planning and performance reporting need to receive adequate attention and support.</p>	<p>The NZC to have a new function to determine, in consultation with FGCs, minimum work programmes to be implemented by FGCs in relation to the <b>key activities</b> of:</p> <ul style="list-style-type: none"> <li>the servicing of FGC meetings and support to councillors</li> <li>annual business planning and performance monitoring.</li> </ul>

No.	Summary of problem	Summary of proposed changes
		The NZC to have a responsibility to ensure that FGC minimum work programmes for all <b>key activities</b> (including rows 2 and 3 above) are adequately funded.
10.	<p><i>Templates and timeframes</i></p> <p>Each FGC may decide its own structure and format for work planning, annual reporting, and SFGMPs, which can lead to inconsistencies across councils and make comparisons difficult.</p> <p>Time delays can cause problems in collation work undertaken by the NZC.</p>	<p>The NZC to have a new function to determine the forms and templates to be used by FGCs in all work planning, performance reporting, and SFGMPs.</p> <p>Clarify that the NZC may determine processes and timeframes for work planning, annual reporting and the preparation of Anglers and Game Notices.</p>
	<b>Issuing of licences</b>	
11.	FGCs currently issue all licences, and collect all revenue, requiring multiple handling of money via inefficient redistribution mechanisms.	<p>The NZC to issue all sports fishing and game hunting licences and receive all fee revenue.</p> <p>Licences are currently sold via a central website – licence holders buy directly from website, and licence sales agents sell via a portal to this website. This method of selling licences would continue. The website is operated by a specialist contractor.</p> <p>To maintain clarity, rename “Special licences” as “Special permits” in FFR.</p>
	<b>Allocation of funding</b>	
12.	<p>Allocation of funding (derived from licence fee revenue) among FGCs has been problematic since licences issued by FGCs became valid nationwide.</p> <p>Annual allocation of funding to each FGC (after redistribution by NZC) is based largely on the level of funding received by each FGC in previous years. This means management effort is not always directed to areas of greatest potential benefit to licence holders.</p>	<p>Allocation of funding among FGCs to be determined by the NZC according to a funding model set in secondary legislation (<i>regulations or Gazette to be determined</i>).</p> <p>The funding model (yet to be fully developed) is expected to direct the bulk of funding to FGC regions in proportion to the level of licence holder activity in each region, while ensuring funding for <b>key activities</b> (see above), national research, and NZC work, and include a contestable fund.</p> <p>The NZC to have a new function to develop, in consultation with FGCs, a financial strategy.</p>
<b>Transparency and reporting</b>		
	<b>Performance reporting</b>	
13.	<p><i>Performance measures</i></p> <p>Operational work planning lacks accountability and transparency, and is not aligned with existing annual reporting requirements for Fish and Game</p>	<p>NZC and FGC annual operational work plans to be required to include:</p> <ul style="list-style-type: none"> <li>• A concise explanation of what each class of outputs is intended to achieve</li> <li>• A concise explanation of how the performance of each class of outputs will be assessed.</li> </ul> <p>NZC and FGC annual operational work plans to be considered final once dated and signed by the Chair and the Manager of the respective FGC or NZC.</p>

No.	Summary of problem	Summary of proposed changes
		NZC and FGC annual operational work plans must be consistent with any approved SFGMP and any binding policy set by the NZC.
14.	<i>Report against performance</i> NZC and FGC annual reporting in CA does not align with NZC and FGC requirements specified in Public Finance Act 1989 and Crown Entities Act 2004.	NZC and FGC annual reports to each contain statements of performance against the performance expectations in their annual operating plan.  Each FGC annual report to be dated and signed by the FGC Chair and FGC Manager before submission to NZC.
15.	<i>Full reporting on enforcement</i> FGCs must report annually on enforcement activity under an infringements system, but not on actions leading to court action (complaints from public, adherence to procedures, etc)	Requirements on FGCs to report annually on enforcement work under any infringement system to be expanded to cover all enforcement work.
16.	<i>Combined annual report</i> NZC and each FGC is independent and provides its own separate annual report to Minister, none of which are reviewed individually, or across Fish and Game as a whole.  (For example, there is no equivalent to the annual select committee reviews of Crown agencies.)	The NZC to compile NZC and FGC annual reports (currently 13 in all) into a single annual report for the Minister to present to the House.  The NZC combined annual report be required to: <ul style="list-style-type: none"> <li>• Contain the statements of performance against performance expectations for the NZC and each FGC (as provided by each FGC); and</li> <li>• Summarise any discrepancies between the performance and performance expectations of the NZC and each FGC; and</li> <li>• Provide an overall review of Fish and Game (all 13 councils) as a whole.</li> </ul> The NZC combined annual report to be dated and signed by the NZC Chair and NZC Manager before submission to the Minister.
17.	<i>Information to enable coordination</i> The NZC has been hindered in its coordination role by FGCs declining to provide information necessary for coordination and oversight of Fish and Game work. FGCs have not been fully informed of NZC activities.	The NZC to have a clear oversight function and a new power to require Fish and Game Councils to provide information on request (for the functions where the NZC sets binding policy) related to: <ul style="list-style-type: none"> <li>• financial information</li> <li>• performance reporting information</li> <li>• compliance information (including actions of enforcement officers)</li> <li>• monitoring information and data</li> <li>• matters relating to adherence with corporate policies, including personnel policies (subject to Privacy Act considerations for staff employed by the FGC rather than the NZC).</li> </ul> FGCs to have a power to require the NZC to provide information on request (for the functions where the NZC sets binding policy) related to: <ul style="list-style-type: none"> <li>• financial information</li> <li>• performance reporting information</li> <li>• compliance information (including actions of enforcement officers)</li> </ul>

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		<ul style="list-style-type: none"> <li>• monitoring information and data</li> <li>• matters relating to adherence with corporate policies, including personnel policies (subject to Privacy Act considerations for staff employed by the NZC rather than the FGC)</li> <li>• matters relating to the development by the NZC of binding policies.</li> </ul>
18.	<p><i>Information to inform audits</i></p> <p>NZC has a function to audit the activities of FGCs but lacks the necessary power to require FGCs to provide financial information to NZC, thus preventing NZC fulfilling its role.</p>	<p>The NZC to have a function to audit the activities and performance of FGCs, and of Fish and Game as a whole.</p> <p>An FGC must provide any information (including financial, performance, or other information on its activities, assets or liabilities) that is requested by the NZC as part of an audit.</p>
	<b>Reporting to DOC</b>	
19.	<p>DOC is not always aware of circumstances and results of legal proceedings under CA, despite having accountability for operation of Act</p>	<p>NZC and FGCs to be required to report to DOC on circumstances and results of all legal proceedings made under the CA, as is currently required under WA.</p>
	<b>Modernising Fish and Game</b>	
20.	<p><i>Communication with licence holders</i></p> <p>Fish and Game can have difficulty communicating with licence holders on matters of interest, including consultation on proposed Anglers and Game Notice conditions, and advising of SFGMP reviews.</p>	<p>Provide that, in addition to newspapers, Fish and Game may place public notices and consult with licence holders via electronic methods, Internet sites (with free public access) and by emailing eligible voters (who have provided an email address when buying a licence) or other electronic notification (e.g. subscription via website).</p>
21.	<p><i>Online meetings</i></p> <p>There is uncertainty about legality of NZC and FGC meetings held online.</p>	<p>Allow NZC and FGC meetings to be held online, and votes taken (including electronically), as if meeting was in person.</p>
22.	<p><i>Role clarity</i></p> <p>There has been uncertainty within Fish and Game about the NZC's role in processes for approvals of SFGMPs, Anglers Notices, and Open Season for Game Notices.</p> <p>Anglers Notices and Game Notices are becoming unnecessarily complex and different between regions, but there is also a need to maintain FGC independence over local resource management decisions.</p>	<p>NZC to collate and edit (form, readability and useability only) Anglers and Game Notices before submitting them to the Minister for approval.</p> <p>NZC may provide independent advice to the Minister on the sustainability (e.g. will the resource become depleted), suitability (e.g. is there a good rationale for a particular condition), and consistency (within and between regions) of Anglers and Game notice conditions recommended to the Minister by FGCs. However, the NZC will not be able to amend or decline the substance of Anglers and Game notices prepared by FGCs before submission to Minister.</p> <p>NZC may provide independent advice to the Minister on the suitability of provisions in draft SFGMPs submitted to the Minister for approval by FGCs.</p>
	<b>Ministerial powers</b>	
23.	<p><i>Review function</i></p> <p>Minister has no explicit function to review the operations or performance of FGCs and NZC</p>	<p>Minister to have a function to review operations and performance of Fish and Game as a whole, or individual FGCs or the NZC at any time.</p>



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		NZC and FGC to be required to provide any information requested by the Minister as part of a review, including any financial, performance, or other information on their activities, assets, or liabilities.
24.	<i>Anglers Notice amendment</i> Minister cannot amend an Anglers Notice before approving it – unlike for a Game Notice where the Minister can amend before approving	Minister to be able to either approve a draft Anglers Notice or amend the draft notice before approving.
25.	<i>Game Notice amendment</i> Minister cannot amend an approved Game Notice until after season begins.	Minister to be able to amend an approved Game Notice before or during the Open Season that it relates to.
<b>Governance</b>		
	<b>Eligibility to vote in elections</b>	
26.	<i>Everyone may vote</i> Only adult whole-season licence holders may currently vote; this excludes many licence holder interests.  Licence holders must also ask to be listed on the electoral roll, creating an impediment to future participation in elections.	All New Zealand residents who have held an adult sports fishing or game bird hunting licence in the three years leading up to a Fish and Game election to be eligible to vote in that election.  Buyers of licences to be automatically included on electoral roll, rather than needing to ask to be on roll.  The partner of the holder of a family whole-season licence to be able to vote in FGC elections.
27.	<i>One vote only</i> Licence holders currently vote in the regions they buy their whole-season licence(s) from, and if they buy their fishing and hunting licences in different regions, they may vote in elections for two regions.	Licence buyers to be required to select a voting region for election purposes when buying a licence, and no longer able to vote in two regions.  Where a person purchases more than one licence to hunt or fish in the three years before an election, the FGC region specified at the time the most recent licence was purchased shall be the region they are entitled to vote in.  Where a region is to be divided at the time of an election (as part of a reorganisation of regions and boundaries), the NZC must ask eligible voters for that region which new region they wish to vote in.
28.	<i>No subregions</i> The current subregions do not deliver local representation as voters vote for candidates in all subregions and a candidate can stand anywhere.	Remove provisions for Fish and Game regions to have subregions.
29.	<i>Electoral roll maintenance</i> FGCs must maintain electoral rolls, but in practice this has long been done centrally	NZC to maintain electoral rolls rather than FGCs.
	<b>Elections procedures</b>	
30.	<i>Allow electronic voting</i> The CA provides for electronic (online) voting, but the FGCE do not.	Electronic voting to be provided for in regulations.  Voting papers able to be provided via email and Internet links, in addition to via post.

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	The requirement for alphabetical listings on ballot papers favours candidates with surnames earlier in alphabet, affecting election outcomes.	Remove requirement for election candidates to be listed alphabetically by surname on ballot papers.
31.	<i>Publicity for elections and rolls</i> Elections and results currently advertised only via newspapers. Personal contact details are currently publicly available via electoral roll.	Elections and election results to be advertised also via electronic methods, Internet sites (with free public access), and by emailing eligible voters (who have provided an email address when buying a licence) or other electronic notification (e.g. subscription via website). Align voter privacy with modern expectations and privacy principles by making elector contact details (postal and email addresses) included on electoral roll no longer publicly available.
32.	<i>Keeping elections aligned</i> The discharge of a FGC would currently result in that FGC having future elections at different times to all other FGC elections	FGC election timing to be kept aligned across all regions in the event of a council being discharged by Minister. A council elected to replace a discharged council to hold office only until the next three-yearly elections (unless this would result in a term of less than 1 year, in which case the term shall be until the end of the term and for an additional 3 years.
	<b>NZ Council membership</b>	
33.	NZC will have increased functions and responsibilities. FGCs may replace their NZC representative at any time, which leads to NZC members focusing on maximising benefits for their FGC, not all licence holders nationally. NZC may replace its Chair at any time for any reason, creating policy continuity risks.	The NZC to be comprised of the Chairs of the FGCs, in recognition of the additional roles and responsibilities. To deter FGCs changing their NZC representative frequently (creating policy and governance continuity difficulties): <ul style="list-style-type: none"> <li>• If a FGC replaces its Chair, the FGC must advise the NZC and Minister in writing of that replacement and the reasons for that replacement</li> <li>• If the NZC replaces its chair, the NZC must advise the Minister in writing of that replacement and the reasons for that replacement.</li> </ul> The NZC and FGCs to appoint their own Chairs as currently.
	<b>FGC membership</b>	
34.	<i>Council size</i> The current size of 12 councillors per FGC is too large given the level of decision making required.	Each FGC to have up to eight elected members (not including co-opted or appointed members).
35.	<i>Include wider interests</i> Criteria for FGC membership are too narrow, and exclude many anglers and hunters from being councillors (and exclude the interests they might represent)	Any resident adult who has held a sports fishing or game bird hunting licence in the three years prior to an election to be eligible for election to a FGC. The partner of the holder of a family whole-season licence (held in the three years prior to an election) to be eligible for election in FGC elections.
36.	<i>Updated "fit and proper person" test</i> Current criteria whereby people are deemed unsuitable to hold FGC membership are too narrow – convictions for offences involving	A person is to be not eligible to stand for election to a FGC (or remain a councillor if in office) if they: <ul style="list-style-type: none"> <li>• Are an undischarged bankrupt</li> </ul>

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	firearms, freshwater habitat, or any freshwater fish are as relevant as existing matters; matters from s.30 of Crown Entities Act 2004 are also relevant.	<ul style="list-style-type: none"> <li>• Have been convicted of an offence involving freshwater fish, or game, or protected wildlife, or freshwater habitat, or the use of firearms (whether an offence under the CA or any other Act)</li> <li>• Have been convicted of an offence punishable by imprisonment for a term of 2 years or more, or who has been sentenced to imprisonment for any other offence, unless that person has obtained a pardon, served the sentence, or otherwise suffered the penalty imposed on the person</li> <li>• Are disqualified under another Act.</li> </ul> <p>MoJ Criminal record check and public register check to be required of all election candidates to confirm eligibility prior to election (paid for by the FGC and facilitated by returning officer). Candidates to also sign a statement to that effect.</p> <p>(Note that committing an <u>infringement</u> offence would not prevent someone from standing for election.)</p>
37.	<i>Councillors not to be employees</i> Allowing people to be both councillors and employees can create accountability problems	No FGC or NZC councillor to be able to be an FGC or NZC employee while the councillor is in office.
38.	<i>Avoiding immediate re-election</i> If a person is removed from a FGC by the Minister there is nothing preventing them being immediately re-elected to office.	If an elected councillor has been removed from office by the Minister, that person is to be ineligible to be a FGC member for a period of three years from the date of removal (i.e. a full term stand-down).
39.	<i>Declaration of previous removal</i> If a person has previously been removed from office by the Minister, there is no requirement for electors to be advised of this.	If an elected councillor has previously been removed from office by the Minister (for any reason) and that person stands again for election, they must advise electors of the previous removal.
40.	<i>Remedying skills gaps</i> Elected FGCs sometimes lack the full range of skills required for good decision-making	Minister may appoint up to two members (additional to elected members) onto a FGC.  Such appointed members to be entitled to vote on any matter, but <b>may not</b> be elected as the FGC chair by the council members.
41.	<i>Transparency of resignation</i> Any FGC member may resign by writing to Minister only, and NZC may not be immediately aware of situation and potential issues.	Any member of a FGC may at any time resign from a FGC by writing addressed to the Minister, signed and dated, with a copy to the FGC and NZC.
42.	<i>Non-democratic process to fill vacancies</i> Process for replacing elected FGC members who resign is not democratic.	At any election, all vacant positions must be filled unless there are fewer eligible candidates standing than vacancies.  A FGC can choose to fill a vacancy or vacancies, or not, by election at any time during its term if the number of its elected members is below eight but at or above a minimum of three.



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		A FGC must hold an election to fill all vacant positions if FGC membership falls below the minimum number of three elected members.
43.	<i>Member of multiple FGCs</i> It is possible for someone to being elected as a member of two FGCs at the same time, and potentially the chair of both leading to potential uncertainty about NZC voting rights.	Fish and Game councillors to be prohibited from serving on more than one Fish and Game Council at the same time.
	<b>Behaviour while in office</b>	
44.	<i>Removal of councillor for "just cause"</i> Circumstances under which Minister may remove a councillor from office are outdated and not aligned with similar legislation	The Minister to be able to remove any member of a FGC from office at any time for any "just cause", including misconduct, inability to perform the functions of office, neglect of duty, and breach of any of the collective duties of the FGC or NZC or the individual duties of FGC or NZC members (depending on the seriousness of the breach).
45.	<i>Standards for conduct of meetings and councillors</i> Conduct of FGC meetings and behaviour of some councillors has often been less than optimal, including in relation to conflicts of interest	Ensure council meetings and councillor conduct is consistent with good public entity standards and practice, including noting and taking account of conflicts of interest, by enabling the Minister to establish by notice in the <i>Gazette</i> : <ul style="list-style-type: none"> <li>rules for the conduct of all NZC and FGC meetings</li> <li>rules for the conduct of all NZC and FGC councillors while performing their duties.</li> </ul> Compliance with these rules to be mandatory for all council meetings and councillors.
	<b>Fees and expenses</b>	
46.	<i>Expenses</i> FGC and NZC members cannot be reimbursed for expenses.	Enable NZC and FGC councillors to be reimbursed for actual and reasonable expenses (funded from licence fee revenue) incurred in performing functions as a councillor.
47.	<i>Fees</i> Elected FGC and NZC councillors will continue to be volunteers, but FGC councillors appointed by the Minister will also be unable to receive remuneration for their services.	Enable Ministerial appointees to FGCs to be paid meeting fees in accordance with Cabinet Fees Framework (funded from licence fee revenue). Elected FGC councillors and NZC members to continue to be volunteers, but the Minister to retain the ability to pay councillors in future (enabled by a regulation process).
48.	<i>No compensation for loss of office</i> Remove any entitlement to compensation or payment if no longer a council member.	An NZC or FGC councillor who leaves or is removed from their position as a councillor shall cease to be paid and will not be entitled to compensation for loss of office.
	<b>Mergers of Fish and Game Regions</b>	
49.	<i>Enable regional mergers</i> Currently, mergers of FGC regions are not feasible as the CA does not have the provisions needed to manage assets, end councillor terms of office, etc.	Minister to have power to alter or merger FGC regions, and consider requests for mergers from FGCs (no change from current powers). When regions are merged or altered: <ul style="list-style-type: none"> <li>The Minister to be able to allocate and transfer assets as Minister considers appropriate.</li> <li>All proceedings by or against an FGC may be continued.</li> </ul>

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		<ul style="list-style-type: none"> <li>Land Registrars be empowered to give effect to any transfer of land.</li> <li>All fishing and hunting licences, Anglers Notices, Game Notices, and SFGMPs in respect of affected regions to continue in force until their expiry, replacement or cancellation.</li> </ul> <p>All councillors of a region that is abolished to continue to hold office until the end of the three-year term of office and (for clarity) at the election the old council(s) and region(s) cease to exist, and new ones come into existence.</p>
50.	<p><i>Minimum number of regions</i></p> <p>Too many regional mergers could leave NZC with too few councillors, or FGCs with insufficient local knowledge</p>	<p>Number of Fish and Game regions to be no fewer than 7 and no more than 12.</p>
<b>Needs of other interests</b>		
51.	<p><i>Treaty partners</i></p> <p>Treaty partners sometimes wish the periodic transfer of sports fish to isolated fisheries to cease, to meet cultural objectives. Minister responsible for Fish and Game currently has no ability to prevent this.</p>	<p>The Minister to have a new power to prohibit the transfer of live sports fish to a location where the species already exists.</p>
52.	<p><i>General functions</i></p> <p>FGC management to maximise angler and hunter benefit often overrides the needs of other interests, and has sometimes impacted aviation safety and threatened native fish</p>	<p>The FGC function to manage, maintain, and enhance sports fish and game resources in the recreational interests of anglers and hunters to become <u>subject to</u> the following:</p> <ul style="list-style-type: none"> <li>ensuring aviation safety is not compromised</li> <li>ensuring the conservation of isolated populations of threatened native fish is not impeded</li> <li>having regard to the impact of management on other natural resources and other users of the habitat</li> </ul>
53.	<p><i>Provisions in SFGMPs</i></p> <p>Similar to the above, the current requirement for sports fish and game management plans (SFGMPs) to maximise angler and hunter opportunities often overrides the needs of other interests</p>	<p>Have new requirement that SFGMPs must include provisions to:</p> <ul style="list-style-type: none"> <li>ensure aviation safety is not compromised</li> <li>ensure the conservation of isolated populations of threatened native fish is not impeded</li> <li>describe how any conflict between sports fish and game management and “other natural resources and the needs of other users of the habitat” (i.e. non-hunting interests) will be managed.</li> </ul>
54.	<p><i>Require compliance with policy</i></p> <p>FGCs have not always complied with their approved sports fish and game management plans and there has been no way to make them comply.</p>	<p>Have a clear requirement that FGCs and NZC must comply with:</p> <ul style="list-style-type: none"> <li>any approved SFGMPs</li> <li>any General Policies under conservation legislation</li> <li>any binding policy determined by the NZC (applies to FGCs only).</li> </ul>
55.	<p><i>Empowered to manage game</i></p> <p>FGCs have a function to manage game birds but lack the powers needed to manage game birds</p>	<p>Director-General of Conservation to be able to delegate to FGCs the DG’s powers to directly manage game birds</p>

No.	Summary of problem	Summary of proposed changes
	impacting farm crops or aviation safety. Requiring case by case permits from DOC is impractical.	impacting crops, etc, subject to any conditions specified by the DG. The DG would be able to revoke the delegation if an FGC used the delegation inappropriately or in ways contrary to any conditions required by the DG.
56.	<i>Enable establishment of commercial preserves</i> Authorisation of commercial upland game preserves currently requires an Order in Council, which is an unnecessary level of process.	Commercial upland game preserves to be authorised by Notice (in the same way that non-commercial preserves are authorised).
<b>Other matters and removal of spent provisions</b>		
57.	<i>Creation of Separate Act</i> There is a need to better recognise Fish and Game's role as a key organisation in the hunting and fishing sector.	Create a standalone Fish and Game Act, maintaining all necessary linkages with CA and other legislation (as modified by the reforms elsewhere in this schedule) but making no other changes to policy.
58.	<i>Appointment of staff</i> The CA has NZC and FGC councillors appointing all staff, not only NZC and FGC managers	Clarify that elected councillors appoint managers, and that managers appoint other staff (making current practice lawful) Appointments of managers and staff to be subject to staff policy determined by NZC (see above).
59.	<i>Use of money from court fines</i> Section 46(7A)(b) of CA largely restricts the uses of fines recovered to the operation of hatcheries.	Align with similar provisions in WA such that money from court fines under CA may be applied for purpose of any FGC functions.
60.	<i>Remedy appointment gap</i> Sections 26FA(1) and (2) of CA allows appointment for the purposes of the CA but not the Wildlife Act.	Allow appointments of enforcement officers for the purposes of WA also.
61.	<i>Update headings</i> Sections 26H and 26W of CA call NZC and FGCs "Crown Entities" when they are no longer such.	Update cross-headings to reflect current legislation (Public Entity status).
62.	<i>Remove transition provisions</i> Provisions relating to Transitional Fish and Game Council became spent over 30 years ago.	Remove spent provisions relating to transitional Fish and Game Councils from FGCER.