



## Terms of Reference for the Conservation Services Programme Technical Working Group

### 1. The Conservation Services Programme

The Conservation Services Programme (CSP) is a programme of research focused on understanding and mitigating the adverse effects of commercial fishing on protected species in New Zealand fisheries waters. Research into effects can include:

- i. Research into fishing interactions (direct and indirect impacts) on protected species; and
- ii. Research into the adverse effects of commercial fishing on protected species populations.

Research and development of measures to mitigate the adverse effects of commercial fishing on protected species includes:

- i. Research into, and development of, mitigation methods; and
- ii. Research to support the development of population management plans.

The scope of the CSP is bounded by activities:

- i. undertaken by the commercial fishing industry;
- ii. within New Zealand fisheries waters<sup>1</sup>; and
- iii. where there is a potential or actual adverse effect on protected species.

Protected species are defined in S. 2 Fisheries Act 1996 as

- (a) Any marine wildlife as defined in section 2 of the Wildlife Act 1953 that is absolutely protected under section 3 of that Act;
- (b) Any marine mammal as defined in section 2(1) of the Marine Mammals Protection Act 1978:

The Conservation Services Programme Strategic Statement 2013 provides further details.

### 2. Purpose and scope of the Technical Working Group

The Technical Working Group (TWG) is a forum convened to seek technical advice from Participants to inform the development of projects undertaken as part of the CSP, as well as acting as a communication channel between the CSP and its stakeholders.

Advice from the TWG will be used to inform the development and reporting of projects relevant to CSP. Advice may be sought on draft research outputs, or as a staged process for complex projects.

Non-CSP projects relevant to the objectives and scope of the CSP may also be presented to the TWG at the discretion of the Chair.

Discussion of policy or strategic direction of CSP or DOC is outside of the scope of the TWG.

TWG does not make commercial fishery management recommendations and decisions.

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<sup>1</sup> New Zealand fisheries waters means—

- (a) All waters in the exclusive economic zone of New Zealand;
- (b) All waters of the territorial sea of New Zealand;
- (c) All internal waters of New Zealand;
- (d) All other fresh or estuarine waters within New Zealand where fish, aquatic life, or seaweed that are indigenous to or acclimatised in New Zealand are found (Fisheries Act 1996 S.2).

### 3. Role of the Chair

The role of Chair will generally be filled by the manager responsible for the CSP; if the manager is not available they will appoint the Chair. The chair is responsible for:

- ensuring that TWG participants are aware of, and adhere to, the protocols of participation described in this Terms of Reference for the TWG;
- facilitating open and constructive discussion;
- documenting all relevant discussions, advice, and action points;
- striving for consensus where possible and where this cannot be met; fully documenting discussions and the rationale behind those decisions;
- developing the agenda and deciding which projects should be presented, and which projects require staged presentations to the TWG;
- providing guidance to project presenters on format and standard of presentations;
- making available an agenda, reports and presentations in advance of the meeting and meeting notes subsequently;
- where consensus within TWG is not achieved, deciding on the need for convening a subcommittee, and /or independent peer-review; and
- escalating disputes on TWG to the DOC Chief Scientist for independent evaluation if requested by a TWG Participant.

The chair may also provide technical input during the meeting, in addition to the tasks above.

### 4. Participation

The TWG is open to participation from any interested parties who commit to the principles outlined below. This will include representatives from:

- Department of Conservation
- Ministry for Primary Industry
- Commercial fishing industry
- Environmental organisations
- Research providers

A mailing list will be used to notify Participants of upcoming meetings, key reporting outputs and other relevant matters. Interested parties who wish to participate should ensure their current email address is registered on the mailing list, by sending a request to [csp@doc.govt.nz](mailto:csp@doc.govt.nz).

TWG Participants must commit to:

- open participation in the discussion;
- apply technical expertise in discussion of issues;
- following up on action points and agreements;
- maintaining the confidentiality of TWG discussions and deliberations (unless otherwise agreed in advance, and subject to the constraints of the Official Information Act);
- a constructive approach;
- facilitating an atmosphere of honesty, openness and trust;
- respecting the role of the Chair; and
- listening to the views of others, and treating them with respect.

Participants in TWG meetings must declare, during opening introductions, their sector affiliations and contractual relationships to the research under consideration, and to declare any substantial conflicts of interest related to any particular issue or scientific conclusion.

Participants who use TWG papers inappropriately, or who do not adhere to the standards of participation, may be requested by the Chair to leave a particular meeting or, in more serious instances, to refrain from attending one or more future meetings.

## 5. Reports and Presentations

Agendas and background papers will be made available to Participants prior to the meeting via email or the relevant meeting page on the CSP website ([www.doc.govt.nz/cspmeetings](http://www.doc.govt.nz/cspmeetings)). Where this is not possible hard copies will be made available at the meeting. Presentations and any other relevant documentation will be made available on the CSP website following the meeting.

## 6. Record Keeping

Notes will be taken by the Chair and an assigned DOC Participant. Draft notes will be posted on the CSP website for comment no later than two weeks after the meeting and will be available for comment for two weeks before being finalised.

## 7. Project review and performance against research standards

For routine projects or reports, or where a consensus is reached by the TWG, additional formal review will not be required.

Where a project is particularly complex or contentious, or the TWG does not reach a consensus, the Chair may:

- choose to convene a subcommittee where necessary to resolve points of technical dispute, which will report back to the entire TWG; or
- choose to seek additional review outside the TWG. Such review, whether staged or of final reports, will be by independent and anonymous peer review, organised by the Chair.

Any review will align to relevant research standards, such as the Research and Science Information Standard for New Zealand Fisheries<sup>2</sup>.

## 8. Disputed matters

Consensus by the TWG is not required to be reached. Any points of dispute must in the first instance be raised with the Chair. Should any such point not be mutually resolved, the Participant or the Chair may refer the matter to the DOC Chief Scientist for final independent evaluation.

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<sup>2</sup> Available at: <http://www.fish.govt.nz/en-nz/Publications/Research+and+Science+Information+Standard.htm>