



Submission of SAFE

Public consultation: Fisheries Amendment Bill

To: Primary Production Committee
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Marlborough Sounds fish farm, 2024

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About SAFE

SAFE (Save Animals from Exploitation) is Aotearoa New Zealand's leading animal rights organisation. Our goal is to inspire institutional, political, and societal shifts that reduce animal suffering, improve their lives, and ultimately, end their exploitation. SAFE represents the views of tens of thousands of New Zealanders who support stronger protections for animals.

Executive summary

The Fisheries Amendment Bill (the Bill) proposes a significant setback in New Zealand's fisheries policy. SAFE opposes this Bill on the basis that it would weaken already fragile protections for fishes by prioritising commercial output and export growth over animal welfare, ecological integrity, and legal responsibility.

Whilst purporting to improve efficiencies, the Bill is angled toward fishing sector interests, deliberately sidelining environmental impacts and entrenching the treatment of fishes as commodities rather than sentient animals.

Key concerns include proposed changes:

1. Disregarding welfare implications for fishes
2. Weakening the importance of sustainability and environmental protection
3. Significantly reducing transparency and accountability
4. Removing public access to onboard camera (monitoring) footage
5. Formal weighting of voluntary, industry led measures
6. Expanded discard permissions for commercial fishers
7. Overall shift toward economic growth over animal welfare and environmental considerations

SAFE asserts that any proposed fisheries reform must be explicitly aligned with New Zealand's legal recognition of animal sentience and uphold the legal protections outlined in the Animal Welfare Act.

Recommendations

SAFE urges the Primary Production Select Committee to reject the Fisheries Amendment Bill in its entirety. In addition, we recommend that the Primary Production Committee:

1. Ensures fisheries law aligns with existing obligations as outlined in the Animal Welfare Act.
2. Ensures fish sentience and animal welfare are explicitly recognised within fisheries management frameworks.
3. Commits to a future framework that reduces and ultimately eliminates high-suffering practices in fishing and fish farming.

Fish sentience

Fishes are legally recognised as sentient beings under the Animal Welfare Act, meaning they are capable of experiencing fear, pain, distress, and a sense of wellbeing. Evidence supporting fish intelligence is well established: they are known to use tools, recognise other fishes, and often live within complex social structures. SAFE maintains that ignoring sentience in fisheries decision making undermines the intent of New Zealand's animal welfare legislation.

The Animal Welfare Act 1999

The Animal Welfare Act is designed to protect animals from unnecessary pain, harm, or distress, and outlines obligations for animal owners and people in charge of animals. This Bill does not require fisheries decision makers to consider the welfare of fishes and instead expands management flexibility without introducing parallel welfare safeguards. The bottom line is this Bill fails to give effect to the legal recognition of fish sentience, creating an inconsistency across legislation.

The Fisheries Amendment Bill would entrench practices that cause significant and preventable suffering to fishes. Commercial fishing practices currently permitted under the Fisheries Act would not be considered unacceptable if applied to animals in other contexts, yet this Bill does not address these harms nor introduce standards for capture or slaughter. In doing so, it reinforces a two-tier approach to animal protection and undermines the intent of existing animal welfare legislation.

Practices permitted to continue include:

- Prolonged asphyxiation of fishes during capture and landing
- Crushing and severe pressure-related injuries, including barotrauma and decompression trauma
- The handling, processing, or gutting of fishes without prior stunning

Fishing practices & bycatch

In addition to significant animal welfare and environmental oversights, this Bill expands management 'flexibility' without strengthening enforceable protections for fishes. Commercial methods such as bottom trawling, longlining, and purse seining remain permitted without mandatory standards for capture, handling, stunning, or slaughter. As a result, wild-caught fishes commonly experience suffocation during air exposure, crushing, and traumatic injuries from hooks, nets, and rapid pressure changes during hauling. These impacts are well documented, yet remain unaddressed by the Bill.

Bycatch further exposes this regulatory failure. Non-target fishes are frequently injured during capture, subjected to air exposure and barotrauma, and returned to the water dead or dying, with no obligation to mitigate harm or mortality. The Bill prioritises operational efficiency and certainty, rather than recognising bycatch harm as a failure of animal management.

SAFE submits that this constitutes harm by omission. By continuing to treat fishes as units rather than sentient animals, the Bill overlooks systemic breaches inherent in current practices. Meaningful reform requires explicit recognition of fish sentience, enforceable conditions to minimise harm, and management settings that reduce injury and mortality through stricter controls on gear, methods, and high-risk fishing areas.

Fish farming

Intensive fish farming is unequivocally underwater factory farming, marked by persistent animal welfare breaches and the normalisation of systemic, preventable harm.

The welfare issues impacting farmed fishes include:

- Severe overcrowding
- Poor water quality and oxygen depletion
- Stress and depression
- Fast spread of parasites and disease
- Heat stress
- Skin lesions and skeletal deformities
- Inability to escape predators
- High mortality rates

The Bill frames fish deaths primarily as an economic or environmental issue, rather than an animal welfare failure.

Large-scale mortality events — whether in capture fisheries or farms — often occur without:

- Independent investigation
- Welfare impact assessment
- Meaningful consequences for operators

By prioritising growth of the seafood sector, this Bill risks entrenching industrial fish farming practices that currently breach the Animal Welfare Act, perpetuating the suffering of countless fishes.

SAFE asserts that recurring, preventable, high-volume deaths would be unacceptable for any other animal production industry and should not be normalised in fisheries policy.

What's missing: welfare centered reform

SAFE maintains that genuine reform must include explicit incorporation of animal welfare and sentience principles into the Fisheries Act.

This should also include genuine oversight of animal welfare on fish farms, including:

1. Enforceable welfare benchmarks
2. Regular independent monitoring
3. Mandatory stress, injury, and mortality reporting

Transparency & accountability

This Bill reduces opportunities for scrutiny whilst granting greater discretion to decision makers, thus undermining:

- Public confidence in fisheries management
- New Zealand's international reputation on animal welfare
- Consumers' expectations relating to animal welfare
- SAFE stresses that transparency on fish welfare outcomes must be central, not optional.

Abuse of 'urgency' process

SAFE highlights serious concerns relating to the exceptionally short public consultation timeframe for the proposed Fisheries Amendment Bill, with the compressed consultation period appearing to be designed to prevent key stakeholders and members of the public from meaningfully engaging in the consultation process.

The ability to progress legislation under urgency was designed to be utilised in emergency situations and national crises, giving political leaders the ability to change or implement new legislation when unexpected changes rocked the country. Whilst urgency can be justified in genuine emergencies, the current trend of using it as a de fault mechanism for passing legislation raises serious concerns about the Coalition Government's continued abuse of this pathway.

Although the proposed Amendment Bill is not formally being advanced under urgency, the significantly shortened timeframe suggests that the Coalition Government is once again effectively abusing the urgency process. While urgency has not been officially invoked, this Bill would not meet the parliamentary criteria required to justify such treatment. The Fisheries Amendment Bill is the latest in a succession of bills rushed through within an urgency timeframe, sidestepping the appropriate consultation window for a non-urgent legislative process and blatantly at odds with the National party's promises to listen to what the public has to say on this issue.

Conclusion

SAFE recommends that the Primary Production Committee reject the Fisheries Amendment Bill in its current form. This Bill represents a regression in fisheries governance by entrenching practices that cause predictable, preventable harm to sentient animals, while weakening transparency, accountability, and public oversight.

Rather than addressing long standing and well documented failures across capture fisheries and the fish farming industry, the Bill prioritises commercial output and sector growth at the expense of animal sentience, environmental integrity, and legal consistency. By expanding flexibility without enforceable protections and framing large scale injury and mortality as acceptable operational

outcomes, the Bill normalises treatment of fishes that would be unlawful in any other animal production context.

SAFE submits that genuine fisheries reform must align with New Zealand's legal recognition of animal sentience and uphold the obligations set out in the Animal Welfare Act. This requires explicit incorporation of animal welfare considerations into fisheries decision making, independent monitoring of harmful practices, transparent reporting, and meaningful consequences for welfare breaches.

In its current form, the Fisheries Amendment Bill fails to meet these standards and should not proceed.