

<b>Title</b>	<b>Describe responsibilities of a seafood industry worker under the Fisheries Act 1996</b>		
<b>Level</b>	<b>2</b>	<b>Credits</b>	<b>5</b>

<b>Purpose</b>	<p>This unit standard is for people working in a commercial seafood operation.</p> <p>People credited with this unit standard are able to describe: the obligations and liabilities of a seafood industry worker under the Fisheries Act 1996; the impact on permit holders of seafood industry worker's failure to meet compliance obligations; and the rights and responsibilities of a seafood industry worker when interacting with compliance personnel.</p>
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<b>Classification</b>	Seafood > Seafood Risk Management
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<b>Available grade</b>	Achieved
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### Guidance Information

- 1 All evidence presented in this unit standard must be in accordance with:
  - Workplace procedures;
  - Fisheries Act 1996;
  - New Zealand Bill of Rights Act 1990; and any subsequent amendments.
- 2 Definitions
 

*Mens rea* refers to the intention or knowledge of wrongdoing that constitutes part of a crime, as opposed to the action or conduct of the accused.

*Workplace procedures* refer to the policies and procedures set out in a verbal or written form by the employer or organisation. Procedures must be consistent with current legislative requirements and manufacturer's recommendations or instructions where relevant.

### Outcomes and performance criteria

#### Outcome 1

Describe the obligations and liabilities of a seafood industry worker under the Fisheries Act 1996.

#### Performance criteria

- 1.1 Describe the legal status of a seafood industry worker.

1.2 Describe what constitutes the main offences for a seafood industry worker.

Range one example for each of – misreporting offences, dumping of quota species, marine mammals, handling protected species, fishing gear and method requirements.

1.3 Describe the defences and penalty structures for offences committed by a seafood industry worker.

Range includes but is not limited to – *mens rea*, defences and penalty structures contained in the Fisheries Act 1996, monetary penalties.

## Outcome 2

Describe the impact on permit holders of a seafood industry worker's failure to meet compliance obligations.

### Performance criteria

2.1 Describe the impact on permit holders in relation to catch handling and Quota Management System reporting.

2.2 Describe the defences and penalty structure that affect a permit holder for offences committed by a seafood industry worker.

## Outcome 3

Describe the rights and responsibilities of a seafood industry worker when interacting with compliance personnel.

Range Fishery Officers and others who have the authority to exercise Fishery Officer powers, Ministry for Primary Industry observers.

### Performance criteria

3.1 Describe the powers of compliance personnel as they relate to the seafood industry worker's role.

3.2 Describe the rights and obligations of a seafood industry worker in complying with instructions from compliance personnel, in relation to the New Zealand Bill of Rights Act 1990, and self-incrimination.

3.3 Describe the requirements to be followed by a seafood industry worker when interacting with compliance personnel.

<b>Planned review date</b>	31 December 2028
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**Status information and last date for assessment for superseded versions**

Process	Version	Date	Last Date for Assessment
Registration	1	21 May 1999	31 December 2019
Review	2	22 September 2004	31 December 2019
Rollover and Revision	3	25 January 2008	31 December 2019
Review	4	16 October 2009	31 December 2019
Review	5	24 January 2019	N/A
Rollover	6	29 February 2024	N/A

<b>Consent and Moderation Requirements (CMR) reference</b>	0123
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

**Comments on this unit standard**

Please contact Muka Tangata - People, Food and Fibre Workforce Development Council [qualifications@mukatangata.nz](mailto:qualifications@mukatangata.nz) if you wish to suggest changes to the content of this unit standard.