



## Quality Assurance Review

# On behalf of the Commission for the Conservation of Southern Bluefin Tuna



Undertaken by Global Trust Certification Ltd.

## Member Report: South Africa

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## Executive Summary

This Quality Assurance Review (QAR) has provided an evidence based evaluation of the South African management of the Southern Bluefin Tuna (SBT) fishery lead by the Fisheries Management Branch of the Department of Agriculture, Forestry and Fisheries (DAFF) through implementation of the CCSBT's Compliance Policy Guideline 1, "Minimum performance requirements (MPR) to meet CCSBT Obligations". The QAR was conducted with reference to Phase 1 (desk-based information gathering), and Phase 2 which included a site visit to Cape Town and meetings to observe the operations of systems, processes and documents examined in Phase 1.

MPR obligations were revised in October 2017<sup>1</sup>. Extensive information and evidence gathering is required to demonstrate Member compliance in operating areas of: Catch Management Measures (1), Vessel Authorisation Measures (2), Monitoring Control and Surveillance Measures (MCS) (3), Science Measures (4), Measures Related to Ecologically Related Species (ERS) (5), and Routine Reporting Measures (6).

The QAR is aimed at ensuring that Members and Co-operating Non-Members (CNM) have implemented adequate measures to verify that they do not exceed their allocation of the Global Total Allowable Catch (GTAC) for SBT. The SBT fishery in South Africa is based solely on wild-caught fish. Obligations and MPR's concerning farmed tuna are not applicable for this QAR.

South Africa has had a brief history of targeting SBT in the early 1960s along the west coast. This fishery ceased by the mid-1960s in favour of developing other more lucrative fisheries. Interest in longline fishing resurfaced in the mid-1990s when operations with a Japanese vessel showed that tuna could be profitably exploited within South Africa's EEZ. Cooperation with foreign fleets has been underway since 1995, whereby foreign-flagged vessels are fishing on charter under Joint-Venture agreements with a South African Rights Holder<sup>2</sup>. The catch from these vessels accrues to South Africa as they are considered part of the South African fleet.

DAFF's Marine Resource Management (MRM) Chief Directorate issue fishing permits for authorised vessels from 01 February each year to 31 January of the following year. DAFF's Monitoring, Control & Surveillance (MCS) Chief Directorate undertake inspections of all SBT landed, included authorised landings and/or transshipments from foreign-flagged vessels fishing outside of South African waters and not engaged in Joint-Venture operations.

The South African large pelagic fleet can be divided into two components: the Large Pelagic Longline (LPL) sector, which includes the domestic (ZAD) and foreign flagged chartered (ZAC) vessels, and the Tuna Pole & Line (TPL) sector. During the 2016-2017 fishing season all South African fleet catches of SBT occurred from April to November, with the majority occurring in June, July and August. The LPL sector caught 637 individual SBT (ZAD 490; ZAC 147), according to logbook data. The round weight equivalent was 61.8 tons, of which 47.7t was caught by ZAD vessels and 14.1t by ZAC vessels. During this season 3.7 tons of SBT was caught by the TPL sector (May-July). A total of 13 LPL vessels (ZAD = 10; ZAC = 3) landed SBT, while 7 TPL vessels landed SBT.<sup>2</sup>

During the 2017-2018 fishing season 34 ZAD and 3 ZAC vessels were authorised by DAFF MRM to take part in the SBT fishery. A total of 18 LPL vessels activated their rights to fish for SBT, 14 vessels (11 ZAD; 3 ZAC) caught SBT in 2017. The ZAD fleet landed 115.8t (1, 353 individuals) and the ZAC fleet

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<sup>1</sup> CCSBT (2017) Minimum performance requirements to meet CCSBT Obligations Compliance Policy Guideline 1 74pp

<sup>2</sup> H.Winker et al (2017) South African National Report to the CCSBT Extended Scientific Committee 17pp

landed 22.1t (221 individuals) of SBT. There were no reported SBT catches from the TPL fleet during the season. Unused quota from the TPL sector (20t) was transferred to those LPL vessels active in the fishery on 14 July 2017<sup>2</sup>. The CCSBT resolution<sup>3</sup> on limited carry-forward of unfished annual total allowable catch (TAC) of SBT was enacted by South Africa in 2016-2017 (20 t) and 2017-2018 (36 t).

Discrepancies were found in CCSBT's Catch Documentation Scheme (CDS) forms examined during Phase I and 2 by the QAR Team and also reported previously by CCSBT's Executive Secretary<sup>13</sup>. The reasons for these observed discrepancies could be related in part to the submission of catch data (including fish weights) at different time intervals (fish weighed at sea and onshore using certified scales); errors in the reconciliation of SBT tags or with respect to the validation of CDS forms. Recent upgrades have been made to DAFF's internal database in order to resolve these discrepancies.

At sea transshipments are not authorised in South African waters (EEZ) or by vessels operating under a South African fishing permit operating in foreign waters or on the high seas. Transshipments are only allowed in designated ports and only where transshipment permits have been issued. A list of designated ports was last submitted to CCSBT by DAFF on 11 May 2017.

SBT catches are certified by vessel masters in their Catch Statistics logbooks and validated by DAFF Fisheries Control Officers (FCOs) at port-side during landing inspections for both LPL and TPL fleets. There is 100% inspection and monitoring of all SBT landings and transshipments, including landings and transshipments from foreign-flagged vessels fishing outside of South African waters. Catch data and other CCSBT CDS documents are verified by DAFF officials operating from the Fisheries Management Branch in Cape Town.

Any foreign flagged fishing or reefer vessel wishing to enter South African EEZ must be in possession of a valid and original EEZ and Gear permit. Permits are valid for a single entry and are issued subject to the conditions that all fish products on board have been caught in accordance with the Conservation and Management Measures (CMMs) of the relevant RFMOs (including CCSBT). Foreign flagged fishing or reefer vessels transiting South Africa's EEZ and transmitting via AIS are not detectable in the VMS Operations Room. DAFF are in the process of upgrading functionality and systems to resolve this discrepancy.

The South African SBT fishery is developing and the management systems in place are adapting to an increased national SBT quota and growing interest from the sector in targeting SBT. Phase 1 and 2 of the QAR has noted both strengths and weaknesses in South Africa's management system for SBT.

The SWOT analysis performed to evaluate management system effectiveness identified a number of strengths in the system:

- An established system for processing fishing permits is in place.
- A bespoke CDS database (in implementation during Phase 1) is now in place.
- No CDS document is signed before being verified and validated by two independent officials.
- Mandatory VMS reporting by all fleets active in the LPL and TPL fisheries.
- A monitoring, control and surveillance system (MCS) that includes at sea inspections.
- A strong fisheries legislative framework with enforceable sanctions.
- High resolution catch and effort data is submitted in line with RFMO reporting guidelines and templates.

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<sup>3</sup> CCSBT (2017) Resolution on Limited Carry-forward of Unfished Annual Total Available Catch of Southern Bluefin Tuna 3pp

- South Africa has the only longline scientific vessel in the region capable of undertaking research at sea.
- Comprehensive reports provided annually to CCSBT include the Ecologically Related Species (ERS) Report<sup>2</sup> and the Report to the CCSBT Compliance Committee<sup>8</sup>.

Key weaknesses in DAFF procedures identified included:

- Some deficiencies in systems used to implement the CCSBT Catch Documentation Scheme (CDS) were apparent. These included the incorrect use of Catch Tagging Forms (CTF) and Catch Monitoring Forms (CMF); incorrect use of SBT tags and the use of non-compliant tags.
- The VMS Operations room at DAFF does not receive information from foreign flagged vessels transiting in the South African EEZ that choose to transmit via AIS.
- Rights Holders in the domestic fleets (LPL and TPL) are currently not meeting their benchmarks for observer coverage. DAFF have written to these Rights Holders explaining this non-compliance.
- The Directorate is under-staffed which has resulted in some reporting delays to CCSBT.

Key recommendations for improvements are included in this report:

- Continued use of the improved CDS database should reduce previously observed discrepancies in DAFF catch reporting and monitoring systems for SBT (in progress).
- Out of office hours alarms are logged and attended to only during office hours in the VMS Operations Room. If the Operations Room was manned outside of office hours this would reduce the risk of illegal fishing operations and also allow for the targeting in real time of e.g. vessels suspected of engaging in IUU activities.
- VMS Operations Room systems to be upgraded to capture foreign flagged vessel movements inside South African EEZ where these vessels transmit via AIS (in progress).
- Review and put in place a more robust system for the reconciliation of un-used tags.
- Recent improvements in the programme of observer coverage at sea to be maintained in the ZAD (domestic) component of the LPL fleet and also extended to vessels in the domestic TPL fleet.
- DAFF to include a 'Southern bluefin tuna info pack' issued before the start of each fishing season. This information could include examples of CTF and CMF templates filled out correctly and other useful information.

Cross references to other sections in this report are referenced by Section Number. Evidence of observed implementation or demonstration of corrective actions undertaken are noted within the Report in sections beginning with **Phase 2 updates** and also referred to in Section 4 Phase 2 Member Site Visit.

**Table 1 Summary of Quality Assurance Review Implementation Information**

<b>Dates QAR Contract Undertaken</b>	19 February – 31 August 2018
<b>Reviewers</b>	Jim Daly – Project Manager / Lead Reviewer Stewart Norman – Technical and Local Lead Expert / Reviewer Oliver Wilson – Provision of Technical Assurance advice Dave Garforth - Project Director /Reviewer.
<b>Allocated Assessment Period covered</b>	2016 – 2018. Completed data from the 2016-2017 fishery and the latest available data from the 2017-2018 fishery is presented.
<b>Date of consultation meeting (s)</b> <b>Length of consultation</b>	2 March – 30 April Phase 2 Site Visit 16 – 19 April 2018
<b>List of Member Agencies consulted.</b>	Department of Agriculture Forestry and Fisheries (DAFF)
<b>Report Draft for Member Review</b>	31 May 2018
<b>Receipt of Member Review Template / Comments</b>	31 July 2018
<b>Final Report CCSBT</b>	14 September 2018

### 1.1 Phase 2 site visit outcomes

QAR Focus Area	Summary	Weaknesses	Threats (risks)	Recommendations
<b>Fishery management</b>	<ul style="list-style-type: none"> <li>A new CDS database was demonstrated during Phase 2.</li> <li>Roles and responsibilities of each Directorate have now been clarified.</li> <li>The Directorate remains understaffed in key management and scientific areas.</li> </ul>	<ul style="list-style-type: none"> <li>Some discrepancies remain in implementation of CDS scheme during Phase 2.</li> <li>CCSBT had reported on these discrepancies (2017).</li> <li>Current Management posts are vacant.</li> </ul>	<ul style="list-style-type: none"> <li>Inaccurate reporting of SBT uptake by the fleet.</li> <li>Overuse of manual cross-checks of CDS documentation.</li> <li>Insufficient capacity could lead to reporting delays (internal and external).</li> </ul>	<ul style="list-style-type: none"> <li>Use of new CDS database should eliminate errors, improve data quality.</li> <li>Automatic cross-checks on data possible with new database.</li> <li>Increase capacity through new internships, additional training programmes for existing officials.</li> </ul>
<b>Compliance and observer services</b>	<ul style="list-style-type: none"> <li>DAFF overall target of scientific observer coverage achieved through full coverage of LPL chartered fleet.</li> </ul>	<ul style="list-style-type: none"> <li>DAFF scientific observer program underutilised for LPL domestic fleet.</li> </ul>	<ul style="list-style-type: none"> <li>Observer information restricted to a small part of the fleet (LPL chartered).</li> </ul>	<ul style="list-style-type: none"> <li>Expand at sea observer program to domestic fleets (LPL, TPL).</li> <li>Industry to increase financial contribution to support this.</li> </ul>
<b>Industry engagement and communication</b>	<ul style="list-style-type: none"> <li>DAFF use a number of methods to liaise with the industry: written notices, workshops, working groups, roadshows.</li> <li>QAR Team attended a stakeholder meeting to discuss the QAR.</li> </ul>	<ul style="list-style-type: none"> <li>DAFF Officials email accounts often unable to receive large electronic files.</li> </ul>	<ul style="list-style-type: none"> <li>Industry not being informed in real time of changes in management of the fishery</li> </ul>	<ul style="list-style-type: none"> <li>Improve DAFF website to post changes in management of the fishery in real time.</li> <li>Make available online forms for downloading.</li> <li>Increase official email capacity.</li> </ul>
<b>Data Management systems</b>	<ul style="list-style-type: none"> <li>MAST catch and effort reporting database was demonstrated during Phase 2.</li> </ul>	<ul style="list-style-type: none"> <li>When 'live' only one technician at any one time can access the system to enter data.</li> </ul>	<ul style="list-style-type: none"> <li>Catch reporting and validation process delayed.</li> </ul>	<ul style="list-style-type: none"> <li>MAST catch reporting system to be upgraded to improve catch and effort reporting timelines.</li> </ul>
<b>Validation systems</b>	<ul style="list-style-type: none"> <li>FCO's validate vessel catch data and record information on landing declaration forms.</li> </ul>	<ul style="list-style-type: none"> <li>Some errors detected in the recording of catch.</li> </ul>	<ul style="list-style-type: none"> <li>There is a risk that the industry could exploit poor quality catch reporting</li> </ul>	<ul style="list-style-type: none"> <li>Co-validators to be appointed (in progress) to increase the number of checks on catch data.</li> </ul>

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**ACRONYMS**

ASBTC	Attributable Southern Bluefin Tuna Catch
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CDS	Catch Documentation Scheme
CMF	Catch Monitoring Form
CNM	Cooperating Non Member
CTF	Catch Tagging Form
DAFF	Department of Agriculture, Forestry and Fisheries
DDG	Deputy Director General
DRT	Dressed, Tail off
EEZ	Exclusive Economic Zone
ESC	Extended Scientific Committee
FAO	Food and Agricultural Organisation
FPV	Fisheries Patrol Vessel
FRAP	Fishing Rights Allocation Process
FRD	Fisheries Research & Development
FV	Fishing Vessel
GGT	Gilled, Gutted, Tail off
GTAC	Global Total Allowable Catch
IUU	Illegal, Unreported & Unregulated Fishing.
LPL	Large Pelagic Longline
LSTLV <sup>4</sup>	Large-Scale Tuna Longline Vessel
MCS	Monitoring, control and surveillance
MLRA	Marine Living Resources Act 18/1998
MPA	Marine Protected Area
MPR	Minimum Performance Requirement
MRM	Marine Resources Management
NGO	Non-Governmental Organisation
NRCS	National Regulator for Compulsory Specifications.
QAR	Quality Assurance Review
RFMO	Regional Fisheries Management Organisation
SABS	South Africa Bureau of Standards
SAMSA	South African Maritime Safety Authority

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<sup>4</sup> CCSBT definition includes transshipments at sea operations. As the South African longline fleet are prohibited to tranship at sea and many have limited freezing capacity this term is not used when describing the fleet.

SBT	Southern Bluefin Tuna
SWOT	Strengths, Weaknesses, Opportunities and Threats
TAC	Total Allowable Catch
TPL	Tuna Pole-Line Sector
VMS	Vessel Monitoring System
ZAC	South African Rights Holder – Foreign Flag Chartered Vessel (LPL)
ZAD	South African Rights Holder – South African Flagged Vessel (LPL)

## 1 Quality Assurance Review (QAR)

This is an evidence based review that forms the basis for assessment of the Commission for Conservation of Southern Bluefin Tuna (CCSBT) Members against specific obligations from CCSBT’s Compliance Policy 1, “Minimum Performance Requirements (MPRs) to meet CCSBT Obligations” (also termed “this policy”). Members were requested to demonstrate, by providing supporting documentation, that they comply with the CCSBT’s MPRs. The scope of the assessment was limited to obligations and associated MPRs which were revised in October 2017, and are grouped under six headings of this policy: (1) Catch Management Measures; (2) Authorisation Measures; (3) Monitoring, Control and Surveillance (MCS) Measures; (4) Science Measures; (5) Measures Related to Ecologically Related Species; and (6) Routine Reporting Measures – (Figure 1). Fundamentally, management and conservation components of this policy are aimed at ensuring Members and Co-operating Non-Members (CNM), have implemented adequate measures to ensure that they do not exceed their allocation of the global Southern Bluefin Tuna (SBT) catch. Obligations and MPRs concerning farmed tuna and authorised carrier vessels are not applicable for this QAR:

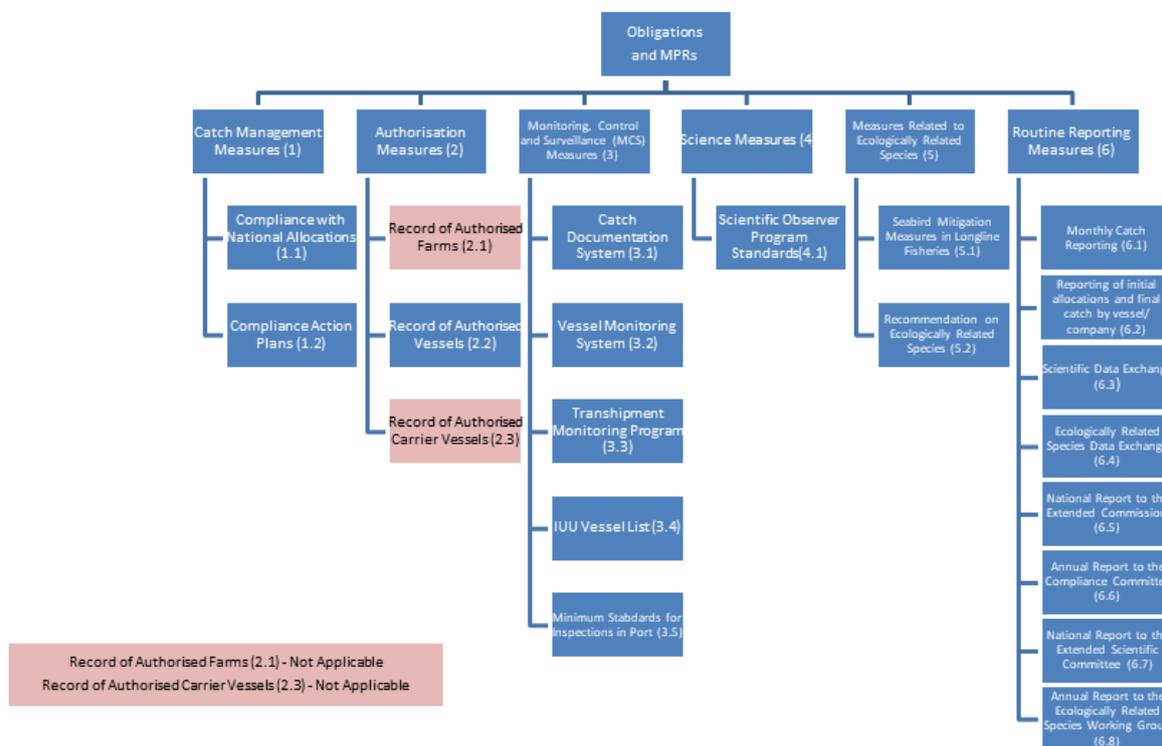


Figure 1: Minimum performance requirements for Members to meet their obligations relating to Conservation and Management Measure (Source: CCSBT - CPG1 Minimum Standards.pdf, revised October 2017).

All obligations in this policy are derived from CCSBT Resolutions and Decisions<sup>5</sup>, in particular:

- The “Resolution on the Allocation of the Global Total Allowable Catch”;
- The “Resolution on Limited Carry-forward of Unfished Annual Total Allowable Catch of Southern Bluefin Tuna within Three Year Quota Blocks”;
- The “Resolution on the Implementation of a CCSBT Catch Documentation Scheme”;
- The “Resolution on establishing a Program for Transshipment by Large-Scale Fishing Vessels”.

Special meanings are placed on the context for use of certain words in this report. In particular the following words will represent the meaning provided in the CCSBT-CPG1 Minimum Standards- MPR (Oct 2017):

- **Certification:** *“means the first check and confirmation that details in a catch document scheme (CDS) form have been fully and accurately recorded. Certification is generally carried out by individuals who represent, or are responsible for, the relevant business operation (e.g. fishing, farming, importing or exporting) whose documentation is being certified”.*
- **Validation:** *“means the second check to confirm that details in a CDS form have been fully and accurately recorded. Validation is carried out by government officials or other individuals who have been duly delegated the authority to validate CDS documents. Validation procedures include: checking documentation, and inspecting SBT product or catch against relevant documentation in a random sample from the Member’s:*
  - a. *farms*
  - b. *vessels that are landing in, or re-exporting from, the Member’s ports*
  - c. *vessels that are landing in foreign ports”.*
- **Verification:** *“means sampling, monitoring and investigation procedures to confirm or audit that SBT anywhere in the production chain, or entering the market, is compliant with CDS documentation requirements. Verification is carried out by a competent authority of the Member. Verification includes:*
  - a. *examining and analysing samples of CDS documentation and SBT product, and investigating any discrepancies or irregularities detected,*
  - b. *monitoring markets to detect and investigate any supply of SBT whose CDS documentation is incomplete or missing,*
  - c. *monitoring transshipments by the Member’s vessels in foreign ports,*
  - d. *checking that required CDS documents are attached to exported and imported SBT”.*

In the context of South Africa MPR’s: **certification** is carried out by Vessel Masters and Owners, **validation** by Fisheries Control Officers (FCO’s) of the Monitoring, Control & Surveillance Chief Directorate; **verification** by DAFF Officials of two Chief Directorates: Marine Resources Management and Fisheries, Research and Development. All Chief Directorates are within the Department of Agriculture, Forestry and Fisheries (DAFF).

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<sup>5</sup> CCSBT website: Operational Resolutions (accessed March 2018)  
<https://www.ccsbt.org/en/content/operational-resolutions-and-other-important-documents>

## 1.1 Methodology

The standard format for the QAR and the scope of the QAR has been extended since its inception in 2013 to encompass additional CCSBT MPRs and to include a site visit. This QAR is an independent process which includes two phases:

- i. **Phase 1** is a desk-based review involving remote consultation stages with Member authorities to gain further evidence, seek clarification, and verification of performance against the relevant MPRs of the CCSBT Compliance Policy. Phase 1 is used to facilitate Phase 2. Agreement to facilitate Phase 2 meetings from 16-19 April was confirmed with the Deputy Director of Pelagic and High Seas Fisheries Management (DAFF: Marine Resources Management Directorate) on 02 March 2018.

and

- ii. **Phase 2** is an on-site inspection, and verification<sup>6</sup> of the Member systems and processes, documented in the Phase 1 segment. Relevant gaps in information identified during Phase 1 compliance were discussed. The Local lead expert and Project Manager met with DAFF Officials in addition to persons from other relevant authorities. A summary of the consultation process is provided in Appendix I. The site visit schedule, including meetings, attendees and items discussed is provided in Table 8.

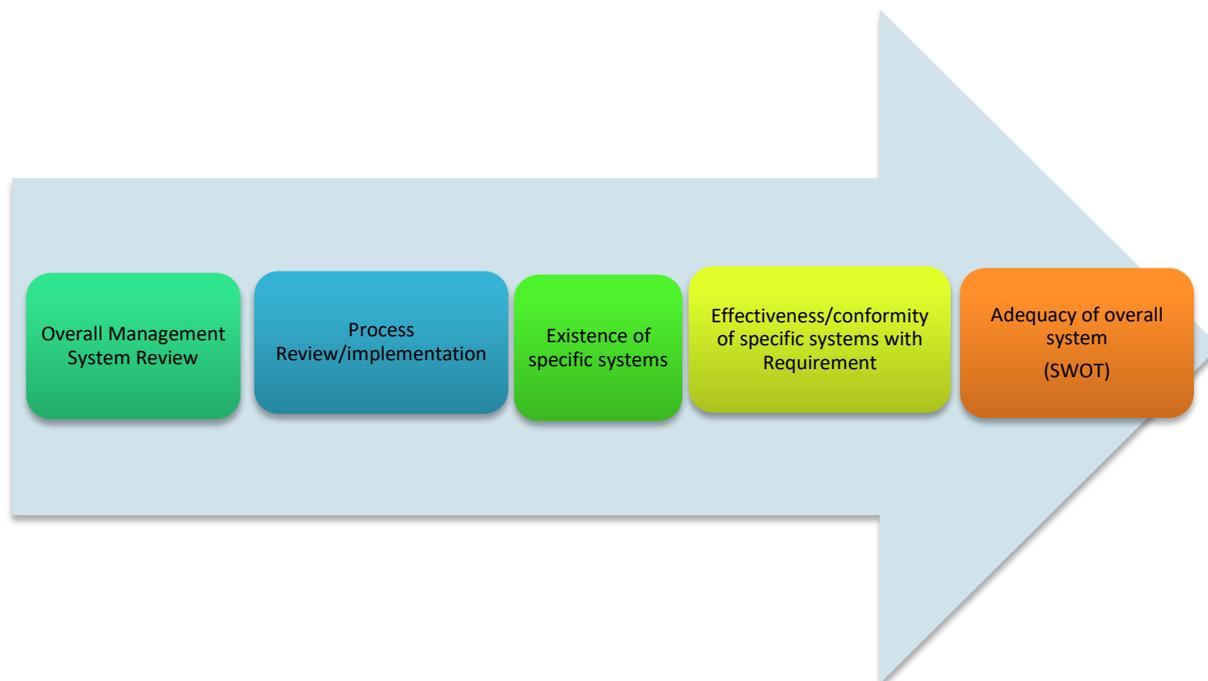
This review method was undertaken in 5 steps (Figure 2):

- 1. Management System Review** – the overall framework for management of SBT to ensure compliance with quota allocations.
- 2 Process and implementation review** – the implementation of the fishery management system (description, features, specific measures, actions, rules/regulations that allow for implementation, catch recording, and catch reporting and compliance) reviewed to allow verification of the system's effectiveness.
- 3. Evidence of existence of specific systems** – verified by evidence of their implementation through review of specimen records, reporting and recording documents, permits and high level policies.
- 4 Management System Effectiveness** - the outcome of the analysis documented using a SWOT analysis with regard to the extent that the management system implementation effectively demonstrates compliance to each of the minimum performance requirement and criteria.
- 5 Recommendations for Improvement**- areas identified through the review that may result in improved Member compliance (or improved reporting effectiveness for purposes of subsequent

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<sup>6</sup> Definition of verification as per CCSBT Quality Assurance Review Audit Procedures (2017) 21pp

QAR activities). This is presented using the Opportunities component of the SWOT analysis (strengths, weaknesses, opportunities and threats).



**Figure 2: Methodology process for the CCSBT quality assurance review.**

A detailed process flow map of each Member system review was developed to provide a ‘visual’ description of allocation and catch accounting systems. The process flow maps were documented initially from the desk based review and then finalized during the site visit and final reporting stage. Process Maps informed the GAP analysis, presented to DAFF officials during the site visit. The SWOT analysis detailing the adequacy of overall systems was not undertaken during Phase 1. Instead this analysis was completed during Phase 2 and modified following the site visit.

This report is presented in 9 Sections.

**Section 1:** A short description of the QAR process followed during the review of South Africa’s systems.

**Section 2:** The history and background of the fishery and the overall management system. This is supported with an organizational chart and table of identified agency roles specific to each MPR (where applicable).

**Section 3:** A detailed description of the evidence that demonstrates conformity to the specific MPR requirement with a summary of outcomes and key points.

**Section 4:** Details of the Phase 2 Fishery Management review including data and validation systems.

**Section 5 - 8:** Detailed process flow charts to support the evaluation and provide specific details of the SBT Allocation Process, Catch Document System (CDS) and Monitoring, Control and Surveillance Systems (MCS) in place. A strengths, weaknesses, opportunities and threats (SWOT) analysis was conducted on the Member Systems. The SWOT has been conducted to provide information on the strengths, weaknesses and risks (threats) associated with South Africa’s SBT fishery with the recommendations (opportunities) of the SWOT displayed in Section 7. The outcome of the Gap Analysis is presented in Section 8.

**Section 9:** This section provides an area for the Member to record comments on the final report.

## 2 Southern Bluefin fishery

### 2.1 Introduction

Southern Bluefin tuna (*Thunnus maccoyii*) (SBT) is a highly migratory fish that is widely distributed in the southern Indian Ocean. The only known breeding area is in the Indian Ocean, south-east of Java, Indonesia. Breeding takes place from September to April in warm waters south of Java. SBT can live for up to forty years, reach a weight of over 200 kilograms, and measure more than 2 metres in length (Source CCSBT website, accessed 12 March 2018)

South Africa had a brief history targeting Southern Bluefin Tuna (SBT) in the early 1960s, along the west coast. This fishery ceased by mid-1960s in favour of developing other more lucrative fisheries. Interest in longline fishing resurfaced in the mid-1990s when joint operations with a Japanese vessel showed that tuna could be profitably exploited within South Africa's EEZ<sup>2</sup>

Foreign-flagged vessels, mainly from Japan and Chinese-Taipei, fished in South African waters through the issuing of bi-lateral agreements in the 1970s, and re-negotiated these agreements in the 1990s until 2002 (Sauer et al., 2003). These joint-venture agreements with Japan have been underway since 1995.

South Africa was formally accepted as a Cooperating Non-Member (CNM) of the CCSBT on 24 August 2006; and subsequently became a Member of the Extended Commission, committed to CCSBT obligations<sup>7</sup>, from 15 February 2016.

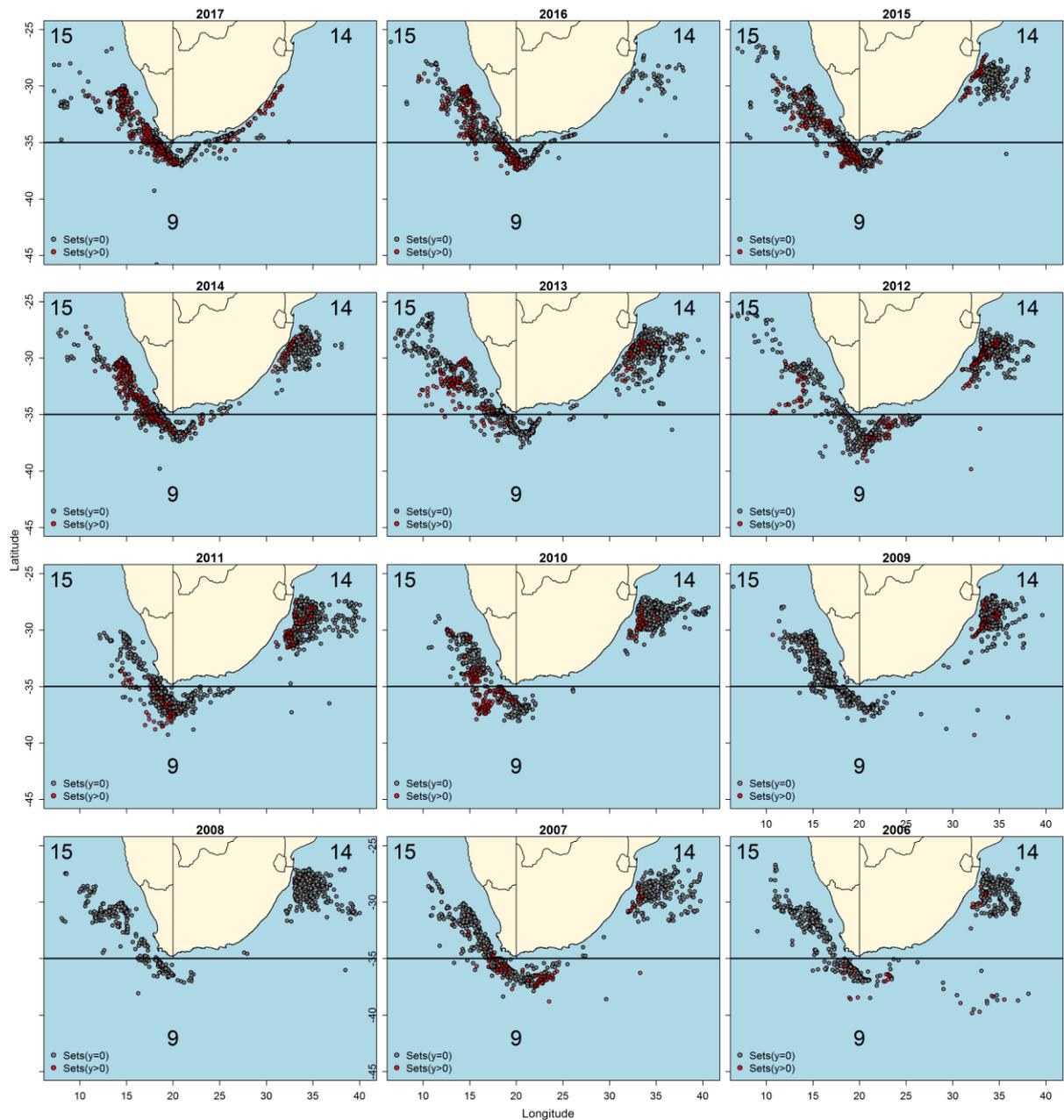
### 2.2 Commercial fishery

The commercial sector can be divided into 2 distinct management units – the Large Pelagic Longline (LPL) and Tuna Pole & Line (TPL) sectors. Within the LPL sector there are South African domestic vessels (ZAD) and South African chartered vessels (ZAC). LPL vessels depart Cape Town, from either Cape Town harbour or Hout Bay Harbour, and typically fish the area between Saldanha Bay on the West Coast and Port Elizabeth on the South East Coast, within South Africa's EEZ (Figures 3, 4). TPL vessels use the same harbours but typically operate on the west coast from Cape Point to the border with Namibia.

Operators do not typically target SBT; rather SBT has been caught while targeting Swordfish (*Xiphius gladius*), Yellowfin tuna (*Thunnus albacares*) and Bigeye tuna (*Thunnus obesus*). Despite SBT not being directly targeted, South Africa has regularly caught its full quota since 2007; recently DAFF has closed the fishery before the end of the season due to the national TAC being reached. This management provision was evoked in July of 2012, 2013 and in October 2015<sup>8</sup>

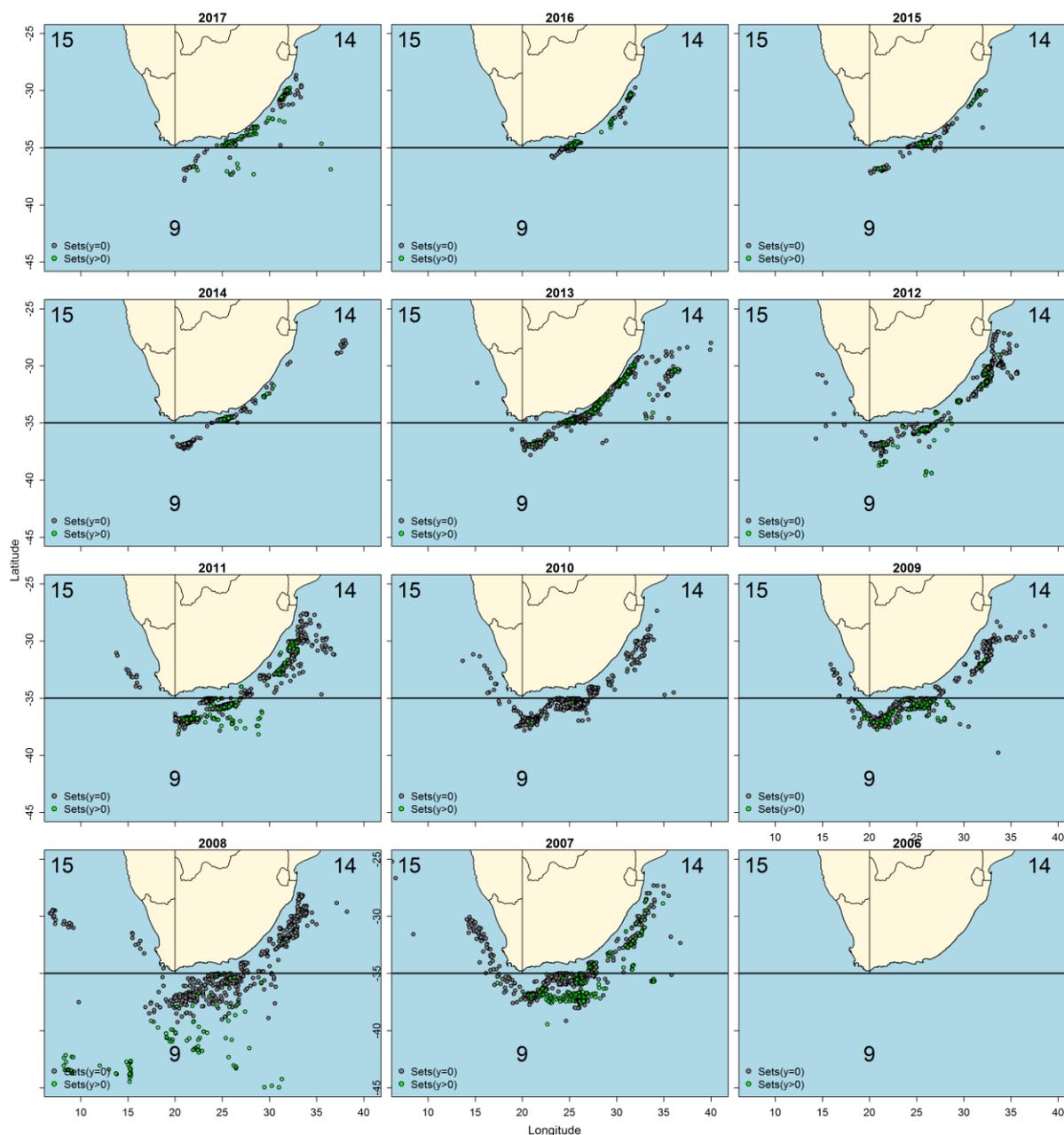
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<sup>7</sup> CCSBT website (accessed March 2018): <https://www.ccsbt.org/en/content/origins-convention>



**Figure 3: Distribution of effort (grey) and catch locations (red) of SBT in ZAD component 2006 - 2017.**

Numbers in bold indicate the designated statistical areas. ZAD = Domestic Longline Vessels Source: Source: H. Winker et al (2017) South African National Report to the Extended Scientific Committee CCSBT 17pp



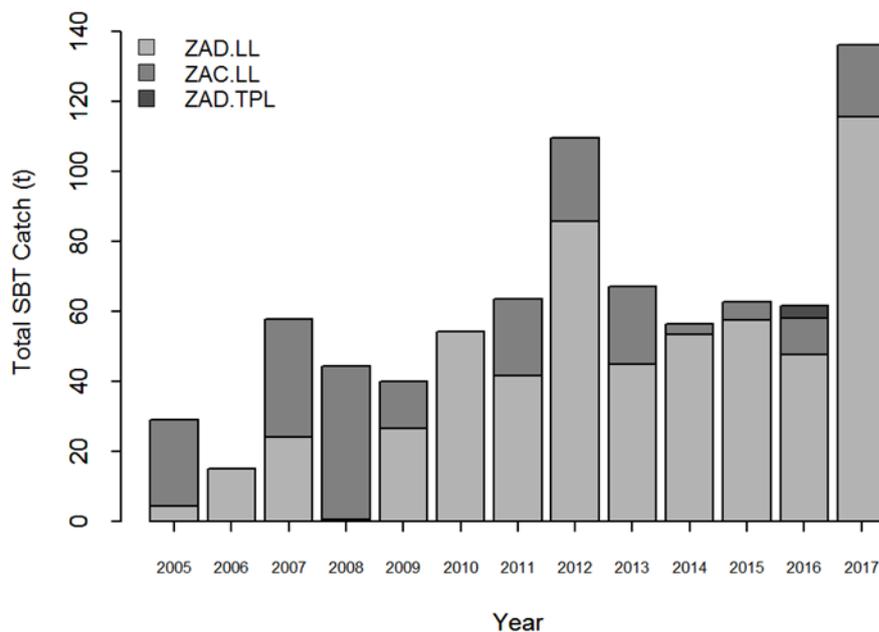
**Figure 4: Distribution of effort (grey) and catch locations of SBT (green) in the ZAC Component of the fleet, 2006-2017.**

Numbers in bold indicate the designated statistical areas. ZAC = Joint-venture Chartered Longline Vessels Source: H. Winker et al (2017) South African National Report to the Extended Scientific Committee CCSBT 17pp

### 2.2.1 Direct Landings Sector

For both 2016-2017 and 2017-2018 fishing season catches of SBT occurred from April to November, with the majority occurring in June, July and August. From the total number of vessels authorised to fish for SBT in 2016, 13 LPL vessels (ZAD = 10; ZAC = 3) landed SBT (14 vessels would land fish the following season) while seven TPL vessels also landed SBT<sup>2</sup>. There were no recorded landings of SBT by vessels in the TPL fleet during the 2017-2018 fishing season.

Retained SBT catches from all fleet sectors varied from 15.2t (2006-2007 fishing season) to 136.3t (2017-2018 season): (Figure 5):



**Figure 5: SBT catches (tons round weight) for the South African Large Pelagic Longline (LL) and Tuna Pole and Line (TPL) fisheries**

Source: H. Winker et al (2017) South African National Report to the Extended Scientific Committee CCSBT 17pp

The CCSBT resolution<sup>3</sup> on limited carry-forward of unfished annual total allowable catch (TAC) of SBT was adopted in the 2017-18 fishing season. An additional 36t, following notification to the CCSBT<sup>12</sup>, was made available to the South African tuna directed fishery on 23 February 2018.

### 2.3 Fishing Rights Allocation Process (FRAP)

The most recent round of the South African Fishing Rights Allocation Process (FRAP) for the LPL sector was initiated in 2015. A previous rights allocation was initiated in 2005 and a similar process in 2011 when the shark directed fishery was incorporated into the LPL fishery. This process (rights allocation) will be undertaken in 2020 for the TPL sector. Fishing Rights are granted to a “South African Person” as specified by section 18 of the Marine Living Resources Act (Act No 18 of 1998 (MLRA)). This process limits the number of entrants (and effort) in the sector and allows for stability within the industry.

Rights Holders must nominate a vessel to undertake fishing trips against their quota allocation. A fishing vessel, during each fishing trip from the port of departure to the fishing grounds and return to port, may only fish using a single Rights Holder’s allocation.

Fishing rights in the LPL sector were allocated in January 2017 for a period of 15 years to South African Rights Holders. Each Rights Holder is allocated an equal share of the SBT quota for that fishing season. During the 2017-2018 fishing season 34 ZAD and 3 ZAC vessels were authorised to take part in the fishery. Annual Permits were issued from 01 February 2017 – 31 January 2018. A total of 14 LPL

vessels (ZAD = 11; ZAC = 3) landed SBT during this season. These included three Japanese-flagged vessels (ZAC) operating under a Joint-venture arrangement with South African Rights Holders. Catches from these vessels accrues to South Africa. There were no reported catches of SBT from the Tuna Pole & Line (TPL) sector during the 2017-2018 fishing season<sup>2</sup>. As no TPL vessels caught SBT during the 2017-2018 fishing season the unused quota from this sector (20t) was transferred to those LPL Rights Holders active in the fishery on 14 July 2017.

## 2.4 Economic Aspects

Table 2 lists the amount of SBT for export<sup>8</sup>, the amount that was retained locally and also exported overseas (Fishing seasons 2014-2016):

**Table 2 Volume (t) of SBT exported to foreign markets from South Africa (2014-2016)**

Fishing season	Domestic catch for export retained in SA	Export to:		
		Japan	United States	Italy
2014		9.3	19	0.5
2015	2.9	21.1	31.8	0.7
2016	3.6	35.7	25.1	

During the 2016-2017 season a total of 11.75t SBT was imported to South Africa from Taiwan (source DAFF). The corresponding figure reported by from Taiwan was 12.1t SBT (preliminary figure; source Taiwan report to CCSBT). DAFF are of the opinion that the differences in the data are due to the nature of the fishing season as the Taiwanese fishing season runs from April to September annually.

## 2.5 Management System

DAFF changed the management regime in 2010 by transferring the then entire SBT allocation of 40t to the LPL sector on a quota system. In 2017 for the first time DAFF allocated the SBT quota separately to the Large Pelagic Longline (LPL) and Tuna Pole & Line (TPL) sectors. New Fishing Rights (LPL sector) were allocated in January 2017 for a period of 15 years. Rights Holders may nominate a vessel to undertake a fishing trip against their quota allocation.

The Policy<sup>9</sup> on the Allocation and Management of Commercial Fishing Rights in the Large Pelagic Longline Fishery provides for applicants to nominate a foreign fishing vessel as a suitable vessel in the Large Pelagic Longline sector, subject to adhering to strict conditions. The terms and conditions of the Joint-Venture agreement are agreed and entered into between the Rights Holder and the vessel owner (foreign fishing vessel) and are in compliance with CCSBT's definition of a chartered fishing vessel.

Foreign-flagged fishing vessels may be considered eligible for the tuna longline fishing provided they adheres to, *inter alia*, the following obligations:

- An initial one-year trial period is undertaken to determine the feasibility of the joint venture and the reflagging process.

<sup>8</sup> DAFF MRM (2017): South Africa's Annual Report to the Compliance Committee and Extended Commission 23pp

<sup>9</sup> Policy on the Allocation and Management of Commercial Fishing Rights in the LPL fishery

- After the initial trials the foreign fishing vessel shall reflag within three years of operation as a joint venture.
- Before commencing the second year of fishing the Rights Holder must present DAFF with a reflagging and skills transfer schedule indicating targets and timelines

Regular road shows, management working groups (twice yearly), training programs and individual consultations with stakeholders are undertaken to inform them of updates in catch control and other measures in the fishery.

The current Total Allowable Catch (TAC), set by the CCSBT based on an agreed Management Procedure, is set in three year periods. The GTAC for 2018 - 2020 will be 17,647 tonnes, of which South Africa's allocation is 450t (an increase from the 2017-2018 TAC set at 160t).

In 2018 South Africa requested and was granted a carry-forward of 36t of unfished quota from the previous year, bringing their final quota allocation to 486t (Source DAFF MRM Chief Directorate). Catch reporting has been split between the Domestic Longline (ZAD) and Joint venture Chartered (ZAC) Longline fleet in order to accommodate those RFMO's that report catch by flag state and not by fishing permit or rights holder.

The main Regulation in Fisheries Control is the South African Marine Living Resources Act (MLRA) Act No. 18 of 1998<sup>10</sup>.

The following regulatory tools are relevant to the LPL and TPL fishery with regard to SBT fishing:

- Regulations on commercial tuna pole fishing and regulations on tuna fishing (1998).
- The annual Large Pelagic Longline and Tuna Pole & Line Permit Conditions
- General Policy on the Allocation and Management of Fishing Rights: (2013) (not covered under the Act)
- Policy on the allocation and management of Commercial Fishing Rights in the Large Pelagic Longline Fishery (2015) (not covered under the Act).

Section 28 of the MLRA (Cancellation and suspension of rights, licences and permits) makes provision for sanctions in the event that the holder of a right, licence or permit in terms of this Act:

Subsection (1):

- Has furnished information in the application for that right, licence or permit or as submitted any other information required in terms of this Act, which is not true or complete.
- Contravenes or fails to comply with a condition imposed in the right, licence or permit.
- Contravenes or fails to comply with a provision of this Act.
- Is convicted of an offence in terms of this Act.
- Fails to effectively utilise that right, licence or permit.

The Director-General may by written notice delivered to such holder, or sent by registered post to the said holder's last known address, request the holder to show cause in writing, within a period of 21 days from the date of the notice, why the right, licence or permit should not be revoked, suspended, cancelled, altered or reduced, as the case may be.

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<sup>10</sup> South Africa Marine Living and Resources Act No 18 of 1998 34pp

**Subsection (2):**

The Director-General shall after expiry of the period referred to in Subsection (1) refer the matter, together with any reason furnished by the holder in question, to the Minister for the Minister's decision.

**Subsection (3):**

When a matter is referred to the Minister in terms of subsection (2), the Minister may:

- Revoke the right, licence or permit.
- Suspend the right, licence or permit for a period determined by the Minister.
- Cancel the right, licence or permit from a date determined by the Minister.
- Alter the terms or conditions of the right, licence or permit.
- Decide not to revoke, suspend, cancel, alter or reduce the right, licence or permit.

**Subsection (4):**

Notwithstanding the provisions of subsections (1), (2) and (3), the Minister may, whenever he or she is of the opinion that it is in the interests of the promotion, protection or utilisation on a sustainable basis of a particular marine living resource, at any time by written notice to the holder of a right, licence or permit, revoke, suspend, cancel or reduce that right, licence or permit.

Foreign flagged vessels once entering the EEZ are subject to the MLRA and Regulations promulgated thereunder including that vessels may be boarded and inspected at any time. All fishing gear on board must be stowed in accordance with the MLRA.

A full review of findings including a number of management and system updates from the Phase 2 site are provided in Section 4.1 (Fishery Management Review).

## 2.6 Management Authorities

Under the Minister and the Deputy Minister DAFF is administratively headed by a Director General (DG) and comprises different Branches each headed by Deputy Director Generals (DDGs).

The Fisheries Management Branch comprises four Chief Directorates, Marine Resources Management (MRM); Fisheries Research & Development (FRD); Monitoring, Control & Surveillance (MCS) and Fisheries Operations Support (FOS). Other management roles are provided by Directors (D); Deputy Directors (DD) and Assistant Directors (AD) (Table 3 and Figure 6).

MRM is the main division in charge of Policy, including the issuing of permits, vessel licensing, allocation and management of the SBT allocation to Rights Holders and issuing of Catch Documentation Scheme (CDS) documents. MRM provides management advice to the delegated competent authority and submits reports to RFMOs.

FRD is responsible for catch, effort and length frequency data collection, biological sampling, analysis and assessment. Scientific observer data and advice also falls under the responsibility of FRD, as do the submission of catch/effort data and RFMO reports.

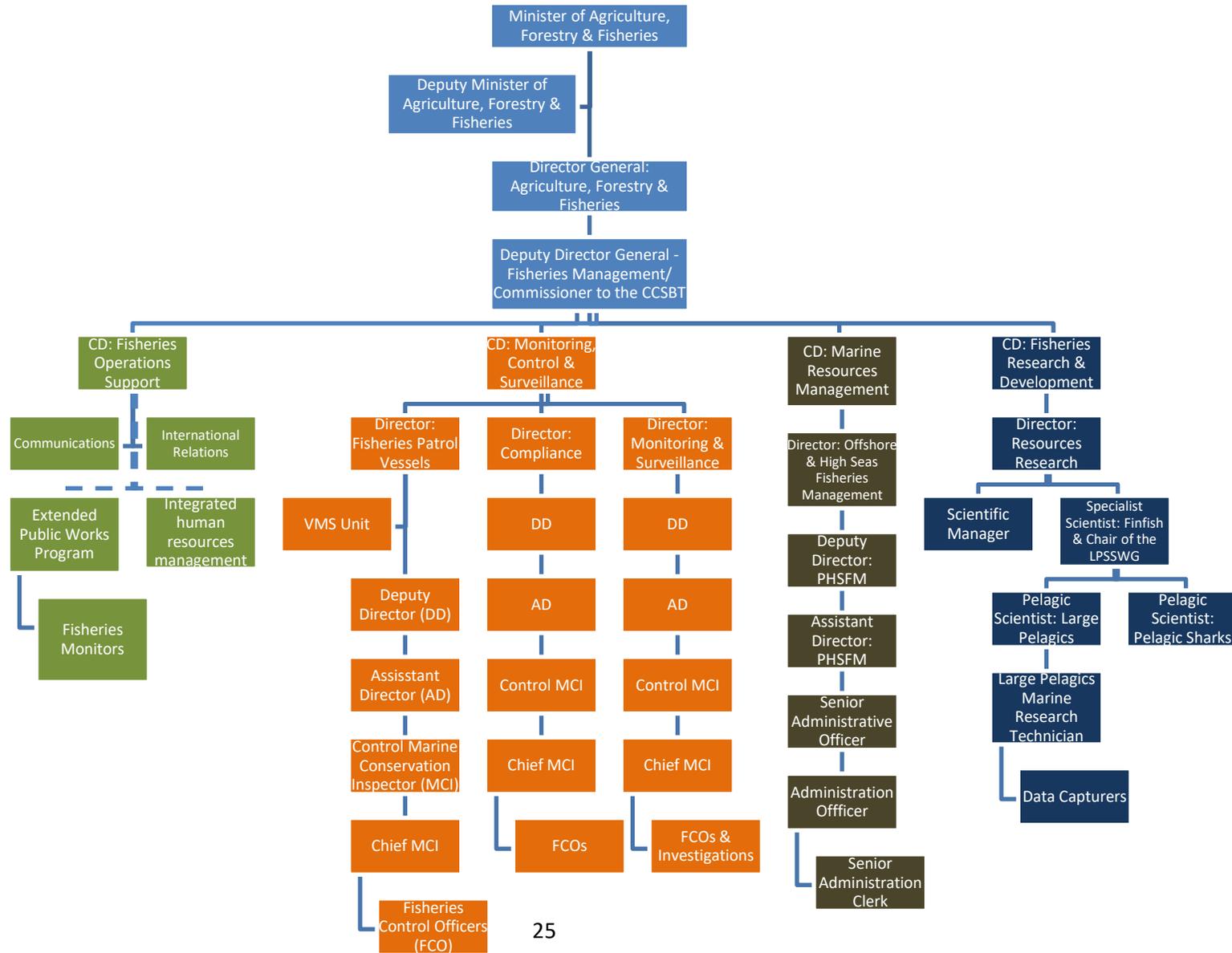
MCS is responsible for fisheries compliance; vessel and catch monitoring including landing inspections of SBT (100% coverage). MRM liaise with MCS and FRD to provide CCSBT with Quarterly and Annual reports.

**Table 3: Management Authority of South African SBT Fishery**

Management Authority	Department/Subsidiary	Responsibilities	CCSBT Obligation
Department of Agriculture, Forestry & Fisheries (DAFF)	Marine Resource Management (MRM)	<ul style="list-style-type: none"> <li>• Allocate SBT quota to individual vessels</li> <li>• Maintaining a record of authorized vessels</li> <li>• Catch Documentation System and validation</li> <li>• Management of transshipment monitoring and vessel IUU status</li> <li>• Scientific Observer Program implementation</li> <li>• Measures related to ecologically related species</li> <li>• Monitoring monthly catch reporting against quota allocations</li> <li>• Submission of annual national reports to the ESC, CC, EC and ERS Working Groups</li> <li>• Policy making for SBT fishery management</li> <li>• Fishing Rights Appeals where applications for Permits have been rejected</li> <li>• Oversee research, control and other support activities.</li> </ul>	<p>1.1 (i)</p> <p>2.2 (ii, iii)</p> <p>3.1 (xix)</p> <p>3.3 (i-v)</p> <p>6.4</p> <p>3.2; 3.5</p> <p>1.1 (i)</p> <p>6.0</p> <p>1.1 (i)</p> <p>6.0</p>
	Fisheries Research & Development (FRD)	<ul style="list-style-type: none"> <li>• Catch Statistics (logbooks) documentation monitoring and validation</li> <li>• Setting Scientific Observer program standards</li> <li>• Scientific observer program; reports reviewing</li> <li>• Measures related to ecologically related species</li> <li>• Monitoring monthly catch reporting</li> <li>• Scientific data exchange</li> <li>• Ecologically related species data exchange</li> </ul>	<p>1.1 (2), 5.2</p> <p>6.4</p> <p>4.1</p> <p>6.0</p> <p>3.1 (xxii)</p>

		<ul style="list-style-type: none"> <li>• Submission of annual national reports to the ESC, CC, EC and ERS Working Groups.</li> </ul>	
	Monitoring, Control & Surveillance (MCS)	<ul style="list-style-type: none"> <li>• Compliance with Catch Management Measures</li> <li>• Monitoring, Control and Surveillance Measures</li> <li>• Inspect and supervise SBT domestic landings</li> <li>• Liaise with scientific observer program managers</li> <li>• Check weekly catch reports and VMS data;</li> <li>• Foreign flagged vessel inspections, in-port transshipments</li> <li>• Liaison with Offshore Fisheries Protection Vessels (FPVs)</li> <li>• Submission of annual national reports to the ESC, CC and EC</li> </ul>	1.1 3.5 3.2, 3.3 3.1,3.5
	Fisheries Operations Support (FOS)	<ul style="list-style-type: none"> <li>• Administrative support during Rights Allocation process</li> <li>• International Relation during accession to CCSBT</li> <li>• Provision of Fisheries Monitors and support personnel to Chief Directorates MCS &amp; FRD</li> </ul>	1.1
	South Africa Tuna Longline Association- Industry Body The Large Pelagics Small Medium and Micro Enterprises Association (LPSMMEA) The Shark Longline Association (SLA) South African Tuna Association (SATA) Eastern Cape Pelagic Association National Black Rights Tuna Association	<ul style="list-style-type: none"> <li>• Industry Representatives during meetings with DAFF</li> </ul>	1.1

Figure 6: DAFF ORGANOGRAM (CCSBT Functions)



### 3 Phase 1 - Member Management System Implementation of CCSBT Minimum Performance Requirements:

This section is based on a review of information on management systems or processes, and historical Member Compliance Action Plans against the SBT 2017 quota allocation; as well as data that demonstrate performance of compliance to date against the 2018 quota allocation; and direct consultation with the Member through conference calls and e-mail exchanges.

#### 3.1 Compliance with National Allocations 1 (CCSBT Obligation 1.1(i))

##### 3.1.1 MPR 1 – “Rules in place to ensure that the total ‘Attributable SBT Catch’ of each Member does not exceed the Member’s Allocated Catch for the relevant period.”

**Summary** – South Africa’s SBT allocation is allocated to both tuna sectors LPL (domestic and chartered) and TPL.

##### **Key points**

- Catch returns received monthly by DAFF are reconciled with CDS documentation received during landing inspections from FCO’s.
- Data are reconciled to monitor and record catches against the national allocation.
- South Africa comply with all CCSBT obligations for the submission of catch data.
- LPL and TPL sectors are managed on the basis of Total Allowable Effort (TAE).
- SBT quota managed under a Total Allowable Catch (TAC) system where equal quotas are assigned to individual Rights Holders.

The LPL and TPL sectors are managed on the basis of Total Allowable Effort (TAE), based on restricting the number of vessels in the fishery. The fishing vessel may fish only when a valid catch permit has been applied for and issued by the Marine Resource Management (MRM) Chief Directorate.

SBT is managed under a TAC which is determined by the CCSBT quota including any carry forward allocation (Table 4). Systems are in place to ensure that the total Attributable SBT Catch (ASBTC) does not exceed the national allocated catch for the relevant period.

The annual SBT quota in the LPL and TPL sectors is divided equally between authorised Rights Holders. In the case of underperformance, those right holders that have demonstrated landings of Large Pelagic Species and have activated their catch permits will further get a top-up of SBT allocation. The fishery was closed in July (2012, 2013) and October 2015 by DAFF when the quota was exhausted.

For the current fishing season (2018-2019) LPL Rights Holders were given a quota allocation of 7.25t/each (total quota 435t); TPL Rights Holders were allocated 1.33t/each (total quota 40t); 5t was allocated to unaccounted catch mortality (including recreational fishing) and 6t allocated for research purposes (subject to funding being available to carry out the research voyage).

South Africa informed CCSBT that it was carrying forward 36t of unfishes SBT quota from the previous fishing season (2017-2018) in accordance with the CCSBT Resolution<sup>11</sup> on Limited Carry-Forward of Unfishes Annual Total Allowable Catch. This was communicated by CCSBT to other Member Countries on 26 February 2018<sup>12</sup>.

### Phase 2 update:

As part of the CCSBT data exchange process (2017) DAFF revised and submitted reported catch estimates for the period 2010 – 2015 inclusive<sup>13</sup>. The result of this was that for the six year period 2010 – 2015 inclusive, South Africa's reported SBT catch of 414.6t exceeded its allocation (240t for the period) by 174.6t or 72.8%. South Africa had not been a member of CCSBT at that time. The allocation of 40t/year represented a very small part of its large pelagic fishery which at the time was still under development in terms of management, administration, policy and data reporting (source DAFF).

According to DAFF another factor that has caused quota overshoots has been due to an incorrect dressing method being recorded by fishing skippers. Prior to 2016, it was assumed by DAFF that all catches were dressed as Gilled, Gutted, Tail off (GGT) on board. However, a recent review of CDS documents indicated that several local vessels actually used Dressed, Tail off (DRT) on board, which changed the conversion factor from 1.15 to 1.8 and thus resulting in an increase in SBT catch estimates. However, a recent feedback from observers and skippers suggest that all SBT are now landed as GGT in most recent years, so that a consistent conversion factor of 1.15 can be applied from 2017 onwards<sup>14</sup>.

Supported by data provided by the industry, DAFF will seek a reduction in the current conversion factor (1.8) for DRT. This current conversion factor, in DAFF's opinion, has been one of the factors that has led to the reporting of overshoots of South Africa's SBT quota. DAFF is liaising with the industry and will attempt to address the inaccuracies in the current conversion factors.

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<sup>11</sup>

[https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_Limited\\_Carry\\_forward.pdf](https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Limited_Carry_forward.pdf)

<sup>12</sup> CCSBT CIRCULAR #2018/005 2pp

<sup>13</sup> CCSBT Report (2017): COMPLIANCE WITH CCSBT MANAGEMENT MEASURES CC/1710/04 23pp

<sup>14</sup> DAFF (FRD) April 2018 Request for Clarification.doc 2pp

**Table 4: Allocated Catch and National Total Allowable Catch (TAC) each SBT fishing season since 2013/14 (Source: CCSBT Annual Compliance Committee Reports: South Africa)**

Fishing Season (e.g. 2011/12)	National SBT allocation (t) (excluding carry-forward)	Unfished allocation carried forward to this fishing season (t)	SBT catch counted against the national allocation (t)					
			<i>Sector 1</i> (Domestic Longline fleet)		<i>Sector 2</i> (Charter Longline fleet)		<i>Sector 3</i> (Domestic Longline fleet)	
			Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation
2013/14	40		11 (Olympic)	43.3	29 (Quota)	22.3		
2014/15	40		29.26 (Quota)	47.4	10.65 (Quota)	2.9		
2015/16	40		36.52 (Quota)	49.3	3.48 (Quota)	5.4		
2016/17	150		106.6 (Quota)	47.2	23.4 (Quota)	14.1	20	3.2
2017/18	160	30	180	77		20.3	20	
2018/19	450	36	435				40	

### 3.1.2 MPR 2a (i): [Operating systems and processes established to implement annual catching arrangements, including] Specification of allocations by company, quota holder or vessel

**Summary** – Before each fishing season DAFF Officials meet with industry representatives to review Permit conditions and introduce any new procedures for that year’s fishing season.

#### Key Points

- Rights Holders (RH) are allocated an equal share of the available national TAC.
- Regulations are in place to control fishing effort and quota allocation.
- Established rules are in place to monitor quota allocations for Joint-Venture (chartered) vessels in the LPL fleet. These catches accrue to South Africa.

Fishing Rights are granted to a “South African Person” in terms of section 18 of the Marine Living Resources Act (Act No 18 of 1998 (MLRA)). Rights Holders may nominate a vessel to undertake a fishing trip against their quota allocation. A fishing permit is issued to a fishing vessel only when all permit<sup>16</sup> conditions are met. A fishing vessel, during each fishing trip from the port of departure to the fishing grounds and return to port, may only fish using a single Rights Holder’s allocation.

The Policy on the Allocation and Management of Commercial Fishing Rights in the Large Pelagic Longline Fishery: 2015<sup>9</sup> provides for applicants to nominate a foreign fishing vessel as a suitable vessel in the LPL sector, subject to adhering to strict conditions.

Foreign-flagged fishing vessels may be considered eligible for the tuna longline fishing provided they adheres to the following obligations:

- An initial one-year trial period is undertaken to determine the feasibility of the joint venture and the reflagging process.
- After the initial trials the foreign fishing vessel shall reflag within three years of operation as a joint venture.
- Before commencing the second year of fishing the Rights Holder must present DAFF with a reflagging and skills transfer schedule indicating targets and timelines.

**Phase 2 update:** An update of this management system for foreign-flagged vessels was provided by DAFF Officials. Information is being collected by DAFF on all required actions.

During the 2017-2018 fishing season LPL Rights Holders were given a quota allocation of 160t. During the season a total of 18 LPL vessels were active in the fishery; of these 14 caught SBT. No vessels in the TPL sector reported SBT catches during this season. Total Allowable Effort (TAE) for this fishing season was 70 LPL vessels, with no more than 50 vessels, exceeding 24m LOA operating at any given time. Vessel additions and changes are permitted, subject to approval by DAFF MRM Chief Directorate.

Also during the 2017-2018 fishing season a total of 169t unused SBT quota was transferred from non-Active Rights Holders (both LPL and TPL Sectors) to active Rights Holders (LPL Sector). This includes 20t quota initially allocated to the TPL Sector (source DAFF MRM Chief Directorate).

Table 5 lists the quota allocation (LPL and TPL fleets) by Rights Holder and nominated vessels for the 2017-2018 fishing season. Appendix 2 lists the corresponding quota allocation for the 2018-2019 fishing season (LPL only).

**Table 5: 2017-2018 SBT quota allocation to South African Rights Holders (Large Pelagic Longline) showing % of the SBT Quota/vessel (Source DAFF)**

Rights Holder	Vessel Name	Quota/vessel (Kg)
Estrela Do Mar Fishing (Pty) Ltd	ACTIVE	3,902
Umbhalo Trading PTY LTD	ADMIRAAL DE RUITER	3,902
Flor D Mar Fishing Enterprises Cc	ALLISON	3,902
Sevlac Investments No.51 CC	ARMANDO	3,902
Noordbaai Vissers Beperk	ATLANTIC HAVOC	3,902
Henque 4102 Cc	ATLANTIC HUNTER	3,902
ATU-S Fishing (Pty) Ltd	ATU-S	3,902
Ocean Ukhozi Fishing	AUGUSTA 1	3,902
Azanian Fishing Company Pty Ltd-	BALANCE	3,902
SAILORS JOY FISHING	BALANCE	3,902
MJM Casula Fishing CC	BLUE DOLPHIN	3,902
BOLOKO TRADING INVESTMENTS	BOLOKO 1	3,902
Lady of the waters 13 CC	CAPE CHALLENGER	3,902
Ocean Prince Marine Products (Pty) Ltd	COMET	3,902
Combined Fishing Enterprises CC	FUKUSEKI MARU NO 31	3,902
Christie Leonie Fishing (Pty) Ltd	HAI LIM NO 38	3,902
Dyer Eiland Visserye (Edms) Bpk	I DO	3,902
KALMIA TRADING 1001 cc	INTERSEA 22	3,902
Ferro Fishing (Pty) Ltd	KOEI MARU NO 1	3,902
Impala Fishing (Pty) Ltd	KOEI MARU NO 88	3,902

Azanian Fishing Company Pty Ltd	OCEAN WANDERER	3,902
SAILORS JOY FISHING	OCEAN WANDERER	3,902
Ocean Rocket Fishing Cc	OCEANA ROCKET	3,902
Douglas H Fishing (Pty) Ltd	OCEANA TOPAZ	3,902
WESTFORT FISHING CC	PRINS WILLEM 1	3,902
SA Tuna Exporters (Pty) Ltd	SANTA CRUZ	3,902
GARIES CONSOLIDATED HOLDINGS (PTY)LTD	SAXON	3,902
HENQUE 4102 CC	SEA HUNTER	3,902
Bayana Bayana Fishing Cc	SEAWIN DIAMOND	3,902
Gaduron Trading 1021(Pty) Ltd	SEAWIN EMERALD	3,902
SEAWIN SAPPHIRE FISHING (PTY) LTD	SEAWIN SAPPHIRE	3,902
Dyer Eiland Visserye (Edms) Bpk	SOUTH WEST CONDOR	3,902
South West Trawlers Cc	SOUTHERN CROSS	3,902
Bayana Fishing Cc	SOUTHERN TIGER	3,902
JNC FISHING PTY LTD	SOUTH WEST SEAHAWK	3,902
Fisherman Fresh PE (Pty) Ltd	SUIRAM VH	3,902
Sparticus Fishing (Pty) Ltd	TWO BOYS	3,902
Ax Fishing Cc	UBUNTU	3,902
Batsilva (Pty) Ltd	UBUNTU	3,902
Viking Fishing Company (Deep Sea) (Pty) Ltd	VIKING RUBY	3,902
Fernandes Fishing	WESKUS II	3,902
Combined Fishing Enterprises CC Japan Flag	Fukuseki Maru 31	3,902
Impala Fishing (Pty) Ltd Japan Flag	Koei Maru 88	3,902
Ferro Fishing (Pty) Ltd Japan Flag	Koei Maru 1	3,902

### 3.1.3 MPR 2a (ii): [Operating systems and processes established to implement annual catching arrangements, including] Arrangements for daily recording of all catches

**Summary** – Permit conditions specify the requirement for all authorised vessels in the fishery to maintain a logbook and record all fishing operations at sea. Catches are certified by vessel masters in the Catch Statistics logbooks and validated by DAFF Fisheries Control Officers (FCOs) at port-side.

#### Key points

- Mandatory information to be recorded on logbooks now includes data on the number and weight of SBT released dead or alive at sea.
- Skippers/Rights Holders must now submit a Catch Tagging Form (CTF) attached to the signed Landing Declaration sheet.
- A new CDS database, when fully implemented, should resolve observed discrepancies in catch recording.

Mandatory information to be included on all longline logbooks while at sea includes: date, latitude, longitude, time of start and end set, number of hooks set, reason for set, float line length, branch line length, bait type, observer present (y/n), drift, light stick info, catch by species, weight and number, product type, non-retained species in numbers.

**Phase 2 update:** For this current fishing season DAFF have introduced on logsheets a column specific for SBT on which the number and weight of SBT released alive at sea will be recorded. Also from this current fishing season Rights Holders or Fishing Skippers must now submit a CTF that is attached to the signed Landing Declaration sheet. The Landing Declaration Sheet will contain fish weights from onshore certified scales that are more accurate than weights taken at sea.

Logbook pages are generally submitted by hand (fax or email fax or email copies are accepted in the interim before final copy is submitted) and countersigned by DAFF Officials. Information from logbooks are only estimates and are not used in quota control.

During in-port inspections fish are sorted by species on deck before being weighed by FCO's in order to accurately determine individual SBT weights. FCOs record these weights along with other information and sign a Landing Declaration Sheet which the Rights Holder or Skipper is also required to sign. A margin of tolerance is permitted between catch weights declared on board and weights obtained on land using certified scales. Any amount declared in excess of this margin is noted as a contravention of the Regulation which can lead to prosecution.

From a sample set of logsheets, landing declaration sheets, CTF and CMF forms, the QAR Review Team noted during the Phase 1 review a number of discrepancies in the data, including:

- Tag number reported on a CTF did not correspond to the series of tag numbers issued at the time to the Fishing Vessel/Rights Holder.
- Species weights (including SBT weights and number of fish) on landing declaration sheet did not tally with those from vessel logbook.

Catch data from each landing inspection is entered manually on the database currently in use. The QAR team were given a demonstration of the system during Phase 2. This system (MAST) is being replaced by the new bespoke CDS database which will contain more automatic quality checks on data entry that should eliminate observed discrepancies. Currently the number of data capturers and validators that can use the MAST database is restricted when the system is 'live'. Further details on the electronic catch reporting system currently in use can be found in Section 4.4.

**Phase 2 update:** The launching of the new CDS database is designed to reduce the observed numbers of discrepancies in the CDS administration by DAFF. Further information on these findings and corrective actions proposed by DAFF can be found in Section 4.3.

#### 3.1.4 MPR 2a (iii): [Operating systems and processes established to] implement annual catching arrangements, including] Weekly reporting of catches by large scale tuna longliners (LSTLV) and monthly reporting of catches by coastal fishing vessels

**Summary** – South Africa does not have any LSTLVs operating in distant water high seas fishing areas.

**Key Points:**

- South African Permit Holders and/or Fishing Skippers are obliged to submit all catch reports within two weeks of the vessel landing.
- Original catch statistics forms must be delivered to DAFF by the end of each month following the month in which the fish were caught.

Section 11.2 (Submission of information: Catch Statistics) paragraph b of the permit conditions for the LPL fleet<sup>16</sup> obliges each permit holder to submit monthly catch statistics forms:

- (b) *The original catch statistics forms shall remain in the logbook and must be delivered to the Department by the end of each month following the month in which the fish were caught.*

DAFF will not issue the permits to the Permit Holder for the following fishing season if required catch statistics data are not provided or are incomplete for the current fishing season.

### 3.1.5 MPR 2b: [Operating systems and processes established to] in accordance with the CCSBT timeline, monitor all fishing-related mortality of SBT

**Summary** – Systems and processes are in place to record all catch statistics in relation to SBT fishing mortality. Landing Declaration Sheets are used together with submitted Catch Tagging Forms (CTFs) and Catch Monitoring Forms (CMF's) to assess quota uptake.

#### Key Points

- Key documents validated on landing are: a copy of the logsheet, Catch Tagging Form (CTF) provided by the fishing skipper, tag attached to each fish; and the landing declaration sheet provided by the FCO with verified SBT weights.
- Logbook pages generally submitted by hand (fax or email fax or email copies are accepted in the interim).
- Rights Holders are obliged to submit electronic catch summaries two weeks after vessel landing. These are used to reconcile with CDS documentation submitted during landing inspections.

DAFF Officials (Monitoring, Control & Surveillance Directorate) are notified by the vessel's Agent at least 24 hours in advance of landing at a designated port. A faxed copy of the relevant permit and confirmation of the port of landing is required by DAFF. SMS or cell phone communication is also accepted.

The pages in the logbook are perforated, which allows a copy to be removed immediately after the fishing trip. During vessel inspections in port FCO's record SBT catch weights on certified scales along with information from the CTF. FCO's also sign a landing declaration sheet which the Rights Holder or Skipper is also required to sign. Catch summaries submitted by Rights Holders two weeks after each landing are then used by DAFF Officials (MRM Chief Directorate) to verify catch data provided by FCO's during the port inspections.

South Africa's targeted scientific observer coverage level (20% hooks set, 20% number of SBT caught) is met through undertaking 100% Observer coverage of the Charter (Joint Venture) fleet (3 vessels in 2017-2018 fishing season). Due to full observer coverage of the chartered fleet targets are met for both the LPL and TPL fleets. However Rights Holders in the domestic fleets (LPL and TPL) are currently not meeting their benchmarks for observer coverage. DAFF have written to these Rights Holders explaining this non-compliance.

The percentage of SBT catch and effort observed and total number of days that observers were actually deployed (2014-2016 fishing seasons) are summarised in Table 6 (source South Africa's Annual Report to the Compliance Committee and the Extended Commission (September 2017):

**Table 6: Percentage of SBT catch and effort observed and total number (No.) of days that observers were deployed (2014-2016 Fishing Seasons).**

Fishing Season	Domestic Longline		Obs. days deployed	Charter Longline		
	% effort obs.	% catch obs.		% effort obs.	% catch obs.	Obs. days deployed
2014/15	13% (of No. of SBT hooks set)	12% (of No. of SBT caught)	50	100% (of No. of SBT hooks set)	100% (of No. of SBT caught)	571
2015/16	0.3% (of No. of SBT hooks set)	1% (of No. of SBT hooks set)	129	70.4% (of No. of SBT hooks set)	100% (of No. of SBT caught)	466
2016/17	0.6% (of No. of SBT hooks set)	0.5% (of No. of SBT hooks set)	42	62%% (of No. of SBT hooks set)	100% (of No. of SBT caught)	299

Section 16 (Observer Programme) of the current Large Pelagic Longline (LPL) Permit Conditions <sup>16</sup> require Permit Holders to carry one or more Scientific observers on board their vessel on a minimum of one fishing trip per quarter; ensuring that 20% of all fishing days per quarter are monitored. Target coverage of 20% as stipulated in permit conditions is in line (and exceeds) CCSBT observer coverage requirements.

**Phase 2 update:** DAFF confirmed to the QAR Team that carrying observers on board the majority of TPL vessels is currently not feasible given their large number and small (<16 m overall length) size. Tuna Pole and Line (TPL) permit conditions require monitoring of 20% of offloads. DAFF have confirmed that this benchmark is currently being achieved. In the opinion of the QAR Team FCO capacity should be increased to increase this benchmark.

### 3.1.6 MPR 2c: Ensure accuracy of the “Attributable SBT Catch”, including (for fishing Members) a physical inspection regime of SBT caught by the Member’s fishing vessel, and (for farming Members) monitoring the accuracy of the stereo video monitoring and adjusting/ re-calibrating where necessary

**Summary** - During physical inspections fish are sorted by species on deck before being weighed in order to accurately determine individual weights. FCOs record these weights along with other information. Landing or Transhipment Declarations are first validated by FCO’s and then signed by the Fishing Skipper and/or Rights Holder.

#### Key points

- All SBT landings are supervised by FCO’s (100 % coverage, including weighing).
- A portion (5t) of South Africa’s SBT allocation (2018-2019 fishing season) has been reserved for Attributable SBT catch.
- Sanctions are in place for observed non-compliances to the Regulations and Permit conditions.
- Only designated domestic ports are allowed for transhipment or landing.
- There are no SBT farms in South Africa.

South Africa did not apportion any of its SBT country allocation to Attributable SBT catch during the 2016-17 fishing season. At the start of the current (2018-2019) fishing season 5t of its allocation was reserved for Attributable SBT catch. This includes incidental catches in the recreational fisheries.

A provision has been made on logbooks for this year's fishing season to record SBT caught and released at sea. In accordance with the LPL and TPL permit conditions, discarding of dead tuna is strictly prohibited and only live fish may be returned to the sea.

Data from recreational tuna fishing competitions are currently being scrutinized to infer the magnitude of Unaccounted Catch Mortality (UCM) from this sector. Other sources of UCM in South Africa could include incidental and unreported catches from recreational tuna fisheries during times when SBT is available nearshore around the Cape of Good Hope. Catches from the recreational fishery are currently negligible (source DAFF), but catches by midwater trawl vessels, likely to be misidentified and reported as Big-eye tuna (*Thunnus obesus*) could become more common when the species recovers. These sectors are currently exempt from CCSBT CDS requirements.<sup>2</sup>

### 3.1.7 MPR 3: All fishing-related SBT mortality is reported annually to the Extended Scientific Committee, for incorporation into stock assessment analysis, and to the Commission.

**Summary** – South Africa complies with the requirement to submit annual reports to CCSBT's Extended Scientific Committee (ESC). SBT fishing data (catch and effort) from South Africa is used by CCSBT for stock assessment purposes.

#### Key Points

- Systems are in place to record, validate and verify landings of SBT by all CCSBT authorised fishing vessels.
- South Africa showed full compliance (2016 calendar year) with ERS data exchange requirements.

Landing Declaration Sheets are used together with submitted Catch Tagging Forms (CTFs) and Catch Monitoring Forms (CMF's) to assess quota uptake against each individual Rights Holder. Verification are undertaken following the initial validation undertaken during vessel landing. Electronic catch summaries or hard copies submitted by Fishing Skippers two weeks after landing are used to verify catch data.

South Africa's latest report to the Extended Scientific Committee was sent to CCSBT in September 2017<sup>2</sup>. CCSBT's Report on Compliance with CCSBT Management Measures<sup>13</sup> (2016 calendar year) has shown that South Africa has complied fully with all data reporting requirements for stock assessment analysis and for submitting other agreed primary data (including catch at age, non-retained catches, CPUE indices and historical catches) and for reporting to CCSBT's Ecologically Related Species Working Group (ERSWG).

### 3.1.8 MPR 4: [Operating systems and processes applied to] monitor compliance with annual catching arrangements, and impose sanctions or remedies where necessary.

**Summary** – Independent Landing Declarations verified by FCO’s are used to compare against landing summaries and CMFs. Data also are provided from independent observer reports; VMS and Fisheries Protection Vessel reports.

#### Key Points

- 100% inspections in port for all vessels discharging or transhipping SBT.
- All South African flagged vessels verified as compliant with CCSBT Conservation and Management Measures (CMM’s)
- 13 foreign flagged vessels sanctioned (2016-2017 fishing season); 3 foreign flagged vessels sanctioned (2017-2018 fishing season).

Monitoring compliance in the fishery is the responsibility of the Monitoring, Control & Surveillance (MCS) Chief Directorate. FCO’s report on the outcome of landing and transshipment inspections (validations) to this Chief Directorate. Senior Officials in this Directorate and in the Marine Resource Management (MRM) Chief Directorate undertake verifications on all data submitted by the FCO’s.

A valid fishing license and safety registration certificate issued by the South African Maritime Safety Authority (SAMSA) is required before a fishing permit is issued. The Permit Holder is further obliged at all times to have available true certified copies of these documents on board the vessel. In-port-transhipments are allowed only under a strict set of conditions including the application for and issuance by DAFF of a valid transshipment permit.

**Phase 2 update:** Co-validators are being recruited to offer a second (manual) validation check of all catch data recorded by FCO’s during landing and transshipment inspections.

Section 28<sup>10</sup> of the MLRA (Cancellation and suspension of rights, licences and permits) makes provision for sanctions in the event that the holder of a right, licence or permit in terms of this Act:

Subsection (1):

- Has furnished information in the application for that right, licence or permit or as submitted any other information required in terms of this Act, which is not true or complete.
- Contravenes or fails to comply with a condition imposed in the right, licence or permit.
- Contravenes or fails to comply with a provision of this Act.
- Is convicted of an offence in terms of this Act.
- Fails to effectively utilise that right, licence or permit.

The Director-General may by written notice delivered to such holder, or sent by registered post to the said holder’s last known address, request the holder to show cause in writing, within a period of 21 days from the date of the notice, why the right, licence or permit should not be revoked, suspended, cancelled, altered or reduced, as the case may be.

Subsection (2):

The Director-General shall after expiry of the period referred to in Subsection (1) refer the matter, together with any reason furnished by the holder in question, to the Minister for the Minister’s decision.

**Subsection (3):**

When a matter is referred to the Minister in terms of subsection (2), the Minister may:

- Revoke the right, licence or permit.
- Suspend the right, licence or permit for a period determined by the Minister.
- Cancel the right, licence or permit from a date determined by the Minister.
- Alter the terms or conditions of the right, licence or permit.
- Decide not to revoke, suspend, cancel, alter or reduce the right, licence or permit.

**Subsection (4):**

Notwithstanding the provisions of subsections (1), (2) and (3), the Minister may, whenever he or she is of the opinion that it is in the interests of the promotion, protection or utilisation on a sustainable basis of a particular marine living resource, at any time by written notice to the holder of a right, licence or permit, revoke, suspend, cancel or reduce that right, licence or permit.

No infringements were detected in any fleet (LPL domestic or chartered, TPL domestic or foreign flagged (2016-2017 fishing season) for any CCSBT obligations when landings were inspected. No infringements of National Fisheries Regulations were detected in the LPL domestic or chartered and TPL fleets. However one chartered vessel was prosecuted for exceeding the declared weight of shark fins (Source MCS Chief Directorate).

During the 2016-2017 fishing season a total of 18 in-port transhipments were undertaken by foreign-flagged fishing vessels and carrier vessels (Korea, Liberia and Japan flagged). Of these vessels three chartered vessels transhipped 14.06t of the annual SBT catch in the fleet (21.8% by volume); the remaining vessels landed their catch of SBT. No infringements of CCSBT obligations were detected; however from all landings of foreign-flagged vessels (total of 410, 231 inspections) a total of thirteen (13) were sanctioned. Non-compliances detected ranged from entering the South Africa EEZ with fishing gear on board without a valid EEZ permit and Gear permit, to failure to have a valid EEZ permit and Gear permit available for inspection. (Section 3.5.3).

In the 2017-2018 fishing season a total of 48 in-port transhipments were undertaken by foreign-flagged fishing vessels and carrier vessels (Korea, Liberia and Japan flagged). A total of 166 foreign flagged vessels were inspected. No infringements were detected in any fleet (LPL domestic or chartered, TPL domestic or foreign flagged) for any CCSBT obligations. Three (3) foreign flagged vessels were prosecuted for exceeding declared species weight (Blue shark *Prionace glauca*) and for illegal possession of shark fins (various sp.). Fines were levied where convictions were achieved (Section 3.5.3).

In the 2017-2018 fishing season a total of 106 South African flagged (TPL & LPL) and chartered vessels were inspected (of which 30 had SBT on board). Of these vessels three chartered vessels transhipped 20.4t of the annual SBT catch in the fleet (15% by volume); the remaining vessels landed their catch of SBT (Source MCS Chief Directorate).

With one exception (One LPL domestic vessel infringement related to bird by-catch resulting in the vessel being disallowed to fish for the remainder of the season) no infringements of National Fisheries Regulations were detected in the LPL domestic or chartered and TPL fleets.

## 3.2 Compliance with National Allocations 2 (CCSBT Obligations 1.1(iii))

The aim of this obligation is to ensure that Members have processes in place to effectively and accurately manage the carry-forward of quota from one year to the next, within the restrictions agreed by the CCSBT.

### 3.2.1 MPR 1a: An accurate, verified and robust figure for the final Attributable Catch is available before the notification to the Secretariat of the carry-forward, and a report on the adoption and use of the carry-forward procedure is included in each annual report to the Extended Commission.

**Summary** – Systems and processes in place are designed to calculate final attributable catch each year before notification to the CCSBT Secretariat. There is 100% inspection (including weighing of SBT landed or transhipped) of all notified landings of SBT into designated ports from CCSBT authorised fishing vessels.

#### Key Points

- The CCSBT resolution on limited carry-forward of unfished annual total allowable catch of SBT was enacted by South Africa in 2016-17 (30 t) and 2017-18 fishing seasons (36 t) and approved by CCSBT.
- Data from observer reports contributes to final catch calculations.

The quota in the LPL and TPL sectors is managed by monitoring electronic landing summaries submitted by Right Holders within two weeks after the vessel has landed and by monitoring observer reports submitted every five days while observers are at sea (Joint venture vessels only) in addition to data derived from CMFs and CTFs. Each year all data is cross checked and verified before the final catch report is sent to CCSBT.

CCSBT CIRCULAR #2018/005<sup>12</sup> issued on 26 February 2018 notified all CCSBT Members of South Africa's intention to carry forward unfished quota (36t) from 2017 to 2018.

### 3.2.2 MPR 1b: The Executive Secretary is formally notified of the catch for the concluded quota year together with the available catch limit (Catch Allocation + carry-forward) for the new quota year within 60 days of the start of the new quota year.

**Summary** – South Africa’s Annual Report to the Compliance Committee and Extended Commission (2016/2017 Fishing Season) was received by CCSBT in September 2017.

#### Key Points

- Officials from DAFF Chief Directorates: Marine Resource Management and Fisheries Research & Development compile Annual Reports with input from all other relevant stakeholders.
- South Africa complies with CCSBT 60 day’s notification timeline for reporting of concluded year quota and catch.
- Some delays noted by CCSBT when submitting quarterly reports.

South Africa submits catch reports and cumulative catch on a quarterly basis. Catch data is linked to export documents; CMF and CTF forms; observer and catch return data. All are used to validate the total amount of SBT caught per Quarter. All RFMO’s in the Region (CCSBT, ICCAT and IOTC) acknowledge that Joint Venture catch and observer coverage accrue to South Africa.

Monthly catch data and Quarterly Catch Monitoring Forms (CMFs) and Catch Tagging Forms (CTF’s) are submitted to CCSBT (Table 7). In 2017 documents for October to December (Q4) were sent before March 31<sup>st</sup>, while those for January-March (Q1), April-June (Q2), and July-September (Q3) were sent before June 30<sup>th</sup>, September 30<sup>th</sup>, and December 31<sup>st</sup> respectively.

For the 2016-2017 and 2017-2018 seasons documents were submitted by DAFF and replies from CCSBT received on the following dates:

**Table 7: Catch communication dates with CCSBT Secretariat**

CMF and CTF submitted to CCSBT	Date Due (CCSBT)	South Africa submitted on	CCSBT Secretariat replied on
Data for Q1 2016	30.06.2016	No catch submitted	N/A
Data for Q2 2016 <sup>1</sup>	30.09.2016	30.09.2016	02.10.2016
		19.10.2017	23.10.2017
Data for the 3 <sup>rd</sup> quarter of 2016 <sup>2</sup>	31.12.2016	16-17.12.2016	17.12.2017
		03.03.2017	14.03.2017
Data for the 4 <sup>th</sup> quarter of 2016 <sup>3</sup>	31.03.2017	31.05.2017	01.06.2017
		02.06.2017	05.06.2017
CMF and CTF submitted to CCSBT	Date Due (CCSBT)	South Africa submitted on	CCSBT Secretariat replied on
Data for Q1 2017	30.06.2017	01.04.2017	02.04.2017
Data for Q2 2017	30.09.2017	28.06.2017	29.06.2017
Data for Q3 2017	31.12.2017	01.11.2017	02.11.17
Date for Q4 2017	31.03.2018	10.04.2018	11.04.2018

<sup>1</sup> Three CMF’s/CTF’s (TPL 2016 fishery) received by CCSBT on 19.10.2017

<sup>2</sup> CMF’s only provided on time; 50 CTF’s (2016 fishery) provided on 03.03.2017

<sup>3</sup> CMF’s (4) provided on 31.05.2017; 1 remaining CMF provided on 02.06.2017

As part of the CCSBT data exchange process DAFF revised and submitted reported catch estimates for the period 2010 – 2015 inclusive<sup>13</sup>. For the six year period 2010 – 2015 inclusive, South Africa's reported SBT catch of 414.6t exceeded its allocation (240t for the period) by 174.6t or 72.8%. Supported by data provided by the industry DAFF will seek a reduction in the current conversion factor (1.8) for DRT (Dressed, Tail off). This current conversion factor, in DAFF's opinion, has been one of the factors that has caused historical overshoots of South Africa's SBT quota (source DAFF FRD Scientist).

### 3.3 Record of Authorised Vessels 1 (CCSBT Obligation 2.2 (i))

This section sets out minimum performance requirements for obligations relating to records of Authorised Vessels. There are no Authorised Farms or Authorised Carrier Vessels in South Africa.

#### 3.3.1 MPR 1: Rules are in place to require that: a. all authorised vessels to have a national unique vessel identifier or unique registration number; b. all authorised fishing vessels (except wooden and fibreglass vessels) of at least 100GT/GRT have IMO numbers issued to them from January 2017.

**Summary** – Regulations stipulate that a vessel shall not be permitted to fish unless a valid catch permit has been applied for and issued.

##### Key points

- South Africa's Maritime Safety Authority issue vessels license and registration certificates.
- Without a valid license and registration certificate no fishing permit will be issued.
- FCO's examine and validate all documentation during landing inspections.
- No infringements of the obligation to have a valid licence and registration certificate on board (with unique registration number) were detected in CCSBT authorised fishing vessels.

Only authorised fishing vessels, registered on the CCSBT Authorised vessel list are allowed to fish and land SBT and are supplied with CCSBT tags for the respective fishing season. These vessels are issued with a vessel license as well as a permit to undertake commercial fishing of tuna (tuna pole-line and longline).

For the vessels wishing to fish on the high seas, a high seas vessel license is issued. All permits issued are captured on the MAST database and are available to all FCOs for inspection purposes.

DAFF Permit Regulations stipulate that a vessel shall not be permitted to fish unless a valid catch permit has been applied for and issued. One of the requirements for issuance of such a permit is the submission of a valid vessel license and registration certificate issued by the South African Maritime Safety Authority, as laid down in Section 23 and Section 40 (Part 7) of the MLRA<sup>10</sup>:

#### Local fishing vessel licence

##### Section 23:

- (1) No person shall use a fishing vessel or any other vessel to exercise any right of access unless a local fishing vessel licence has been issued to such person.
- (2) An application for a local fishing vessel licence shall be submitted to the Minister in the manner that the Minister may determine

**PART 7: HIGH SEAS FISHING****Prohibition of high seas fishing****Section 40:**

No person shall undertake fishing or related activities on the high seas by means of a fishing vessel registered in the Republic unless a high seas fishing vessel licence has been issued in respect of such a fishing vessel.

A vessel's registration number and fishing permit number are validated, among other information, during FCO vessel inspections in port.

No transgressions of the obligation to have a unique registration number were noted in any CCSBT authorised fishing vessel (2016-2017 and 2017-2018 fishing season).

### 3.3.2 MPR 2: Operating systems and processes established and applied to detect, prevent and deter IUU fishing of SBT by any fishing vessel

**Summary** – South Africa ratified the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing in 2014. South Africa has four Fisheries Protection Vessels operational 24 hours/day to conduct at-sea patrols and inspections.

**Key points**

- MRM and MCS Chief Directorates work together to process and verify applications for entry to South African EEZ by foreign flagged vessels and reefers.
- Transshipment-at-sea prohibited for all authorised vessels in the South African fleet and for foreign flagged vessels entering the South African EEZ without a valid EEZ and Gear Permit.
- Several foreign flag vessels prosecuted (2016-2017 fishing season) for breach of transshipment regulations.

Applications for permits (foreign flagged vessel/reefer) to enter South African EEZ must be provided to the MRM Chief Directorate as a minimum 24 hours before entering the EEZ. A form AREP (Advanced Request for Entry in Port) is then forwarded by MRM to Officials in the MCS Chief Directorate. Additional information may be requested using form RAI (Request for Additional Information).

The following checks on all vessels/reefers (both South African and foreign flagged) are undertaken online by Officials and FCO's in the MCS Chief Directorate before the vessel/reefer enters South African EEZ or discharges in a designated port:

- Verify that the vessel/reefer licence and registration are valid.
- Verify through the flag state (if foreign flag) that the fishing gear permit is valid.
- Verify through MRM Chief Directorate that the vessel/reefer has a valid permit to enter SA EEZ.
- Verify through flag state or VMS operations room that the vessel/reefer (foreign flag) has VMS or AIS installed and operational. VMS mandatory for South African flagged vessels.
- Verify that the vessel/reefer is listed on the latest CCSBT authorised vessel/reefer list (CCSBT website).

- Verify that the vessel/reefer is not on the latest IUU vessel list (RFMO's websites).

Subject to approval from the initial document check a form NFV (Notification to Fishing Vessel) is issued to the vessel/reefer and authorisation to offload/tranship or discharge is provided.

The following checks are undertaken by FCO's during discharge or transhipment of SBT from domestic; joint-venture and foreign flagged vessels/reefers:

- Landing declaration completed correctly and signed.
- Margin of tolerance (between recorded and verified weights) acceptable.
- All SBT weighed during landing.
- All CCSBT documentation validated during landing.

These data are captured in Port Inspection Reports (PIRs) which also include details of any infringements detected. Copies of each PIR are retained on file at DAFF and forwarded to the vessel flag state electronically. These actions were verified during Phase 2 of the QAR.

Transhipment-at-sea is prohibited for all authorised vessels in the South African fleet. In-port-transhipments are allowed for this fleet subject to a strict set of conditions:

- A valid transhipment permit must be applied for and issued (MRM).
- Minimum 24 hours pre-notification required.
- Vessel/reefer owner must nominate a designated port for transhipment.

South Africa has four offshore patrol vessels, conducting vessel inspections at sea. A total of 24 at-sea inspections (2016-2017 fishing season) were conducted for fishing vessels known to land SBT. No infringements were detected.

During the 2016-2017 fishing season no transhipments occurred at sea or in port for CCSBT authorised South African-flagged vessels. A total of 18 transhipments were undertaken by foreign flagged vessels. Three vessels were prosecuted for breach of the Regulations (Section 3.5.3).

### 3.3.3 MPR 3: Once a year review any evidence obtained of IUU fishing, and assess the effectiveness of Member measures to detect and deter IUU fishing

**Summary** – All authorised vessels in the South African fishery have landed or transhipped SBT only in designated South African ports. No South African authorised vessels have been reported for IUU activities. Offloads and transhipments for all vessels/reefers are subject to 100% monitoring by DAFF FCO's.

#### **Key points**

- South Africa continues to maintain an enhanced Monitoring, Control and Surveillance (MCS) enforcement system.

MCS obligations include, although not limited to, sampling, monitoring, follow up, investigations of contraventions during transhipment by vessels in port to detect and deter IUU fishing. Details of prosecutions for breaches by foreign vessels of transhipment regulations can be found in Section 3.5.3.

South Africa is in the process of improving its VMS application, which will bring about a more stringent monitoring and surveillance regime by applying the most advanced VMS technologies<sup>8</sup>.

During the 2016-2017 fishing season twenty two (22) domestic longline, forty one (41) domestic pole-line and three (3) charter longline vessels, all on the CCSBT authorised vessel list, were required to report to DAFF's VMS Operations Centre.

### 3.4 Record of Authorised Vessels 2 (CCSBT Obligations 2.2 (ii,iii))

#### 3.4.1 MPR 1a-d: [Operating systems and processes to]: a. authorise specific fishing vessels flying the Member's flag to fish for SBT; b. provide the required information on authorised fishing vessels to the Executive Secretary no later than 15 days after the vessel is authorised; c. submit any updates to the Executive Secretary not later than 15 days from the date the changes occur; and d. ensure all authorisation information and any updates are submitted to the Executive Secretary electronically and using the CCSBT Data Provision Form for Authorised Fishing Vessels.

**Summary** – Fishing authorisation is granted only on presentation of a valid fishing license and safety registration certificate issued by the South African Maritime Safety Authority (SAMSA).

##### **Key Points**

- Vessels authorised to fish for SBT are registered with the CCSBT and appear on the CCSBT authorised vessel list.
- Changes to the CCSBT authorised vessel list are notified to the Executive Secretary according to CCSBT procedures.

Officials from the MRM Chief Directorate maintain an electronic list of those vessels authorised in each fleet to fish for SBT. Communication of any changes in this list are sent to CCSBT within the required timeframe.

During the 2016-2017 fishing season one fishing vessel recorded on a CMF that was sent to CCSBT appeared to be unauthorised at the time of fishing. However, South African officials later confirmed that this was due to an administrative error on their part, the required authorisation was then submitted retrospectively.

CCSBT have confirmed in Report No. CCSBT-CC/1710/04<sup>13</sup> (Compliance with CCSBT Management Measures (2016 calendar year) that, for South African authorised vessels, all data was received and there was no evidence of periods of non-authorisation.

### 3.5 Record of Authorised Vessels 3 (CCSBT Obligations 2.2 (iv-viii))

#### 3.5.1 MPR 1: [Ensure authorised Fishing Vessels comply with relevant CCSBT measures, including requiring]:

**a. that at all times only Fishing Vessels legitimately flying the Member's flag and whose current details are correctly entered into the Record of Authorised Vessels are authorised to fish for, retain on board, tranship or land SBT; b. owners of Fishing Vessels or fishing concessions to be citizens or legal entities within the Member's jurisdiction and subject to enforcement actions and the application of sanctions.**

**Summary** – FCO's in the MCS Chief Directorate ensure that their all authorised vessels comply with relevant national fishing regulations and also CCSBT conservation and management measures (CMM's).

#### **Key Points**

- Only 'South African Persons' can apply for a fishing permit, ensuring the permit holder can be subject to enforcement actions if needed.
- A fishing permit is issued to a fishing vessel only when all permit conditions are met.
- Vessel details (South African flagged) are entered into the Register of Authorised Vessels only when all obligations are met.

Fishing permits are issued subject to subject to the provisions and regulations of laws including compliance with conservation and management measures adopted by CCSBT:

Permit Conditions Large Pelagic Longline Fishery (Annexure 8): Applicable Conservation and Management Measures (CMM's) as adopted by various tuna Regional Fisheries Management Organisations: Commission for the Conservation of Southern Bluefin Tuna (CCSBT):

#### **Resolutions:**

- Mandatory use of Tori poles is required by all Members in all longline SBT fisheries below 30o south.
- Resolution for a CCSBT Scheme for Minimum Standards for Inspection in Port.
- Resolution on a CCSBT Record of Vessels Authorised to Fish for Southern Bluefin Tuna.
- Resolution on the CCSBT Vessel Monitoring System (VMS).
- Resolution on the Implementation of a CCSBT Catch Documentation Scheme.
- Resolution on Establishing a Program for Transhipment by Large-Scale Fishing Vessels.
- Resolution on Establishing a List of Vessels Presumed to have Carried Out Illegal, Unreported and Unregulated Fishing Activities for SBT.
- Resolution on large-scale driftnet fishing.
- Recommendation to Mitigate the Impact on Ecologically Related Species of Fishing for SBT.

Checks are undertaken to ensure the Rights Holder (RH) has complied with permit conditions during the previous season, before any new fishing permits are issued.

Fishing permits are also issued subject to the further provisions of the following documents:

- General Policy on the Allocation and Management of Long-Term Commercial Fishing Rights, 2013;
- Policy on the Allocation and Management of Commercial Fishing Rights in the Large Pelagic Longline Fishery: 2015);
- Large Pelagic Longline Fisheries Management Plan (currently being developed); and
- Policy for the Transfer of Commercial Fishing Rights.

Fishing permits contain details of the permitted fishing areas, period of permit validity, obligations for the permit holder to provide advance notification of entry to port (ETA) and other obligations including submission of information to FCO's when landing. Prior to undertaking vessel inspections FCO's check that permits are in order and valid for the fishing trip. During inspections in port each vessel's permit is physically examined and validated before any unloading can take place.

Foreign-flagged fishing vessels wishing to enter into a joint venture with a 'South African Person' (as defined in the MLRA) should be considered for the tuna longline fishing provided they adhere to the following conditions:

- An initial one-year trial period is undertaken to determine the feasibility of the joint venture and the reflagging process.
- After the initial trials the foreign fishing vessel shall reflag within three years of operation as a joint venture.
- Before commencing the second year of fishing the Rights Holder must present DAFF with a reflagging and skills transfer schedule indicating targets and timelines.

### 3.5.2 MPR 2: [Operating systems and processes to]:

**a. Ensure all vessel masters are aware of their obligations in relation to CCSBT measures; b. provide information to Executive Secretary on any fishing vessel not on the Record of Authorised Vessels that is suspected of fishing for and/or transshipping of SBT as soon as practicable after investigation by the Member, including vessel name, flag and (if available) location, operator name and vessel identification number and call sign, and any other information that could assist in locating and identifying the vessel and operator.**

**Summary** – Meetings are held annually between DAFF Officials and Rights Holders specifically to discuss obligations in relation to CCSBT measures and to advise them of any changes in regulations for that year's fishery.

#### **Key Points**

- Under South African fisheries law it is the responsibility of the Rights Holder to ensure that vessel personnel adhere to the permit conditions and CCSBT measures.
- MCS Chief Directorate monitor fishing operations to ensure all vessels active in the fishery are on the Record of Authorised Vessels.
- In the 2017-2018 fishing season no infringements were detected in any fleet (LPL domestic or chartered, TPL domestic or foreign flagged) for any CCSBT obligations.

Biannual working groups, ad hoc notices, fully documented fishing rights approval process, training materials, workshops are conducted by DAFF to inform vessel masters of their obligations in relation to CCSBT measures.

CCSBT have confirmed in Report No. CCSBT-CC/1710/04 (Compliance with CCSBT Management Measures (2016 calendar year) that, for South African authorised vessels, all data was received and there was no evidence of periods of non-authorisation.

### 3.5.3 MPR 3: [Operating systems and procedures applied to]:

**a. monitor fishing vessel compliance with rules; and b. impose sanctions or remedies where necessary.**

**Summary** – Landing Declaration Sheets compiled by FCO's are used together with submitted Catch Tagging Forms (CTF) to confirm quota uptake and assess compliance with CCSBT Catch Documentation Scheme (CDS) Resolutions.

#### **Key Points**

- 100% inspection of SBT landings, off-loadings, transshipments, imports, exports and re-exports undertaken by FCO's.
- No infringements detected (2016-2017 and 2017-2018 fishing seasons) in any vessel discharging SBT of CCSBT obligations, including foreign flagged vessels not under charter to a South African Rights Holder.

During in-port inspections fish are sorted by species on deck before being weighed by FCO's in order to accurately determine individual weights. FCOs record these weights along with other information and sign a Landing Declaration Sheet which the Rights Holder or Skipper is also required to sign. A margin of tolerance is permitted between catch weights declared on board and weights obtained on land using certified scales. Any amount declared in excess of this margin is noted as a contravention of the Regulation which will lead to prosecution.

Other actions undertaken by FCO's during port inspections include:

- Check external vessel identification with documentation.
- Document verification: license, permit, logbooks completed correctly, catch details.
- During offloading: entire catch is weighed, FCO's ensure all SBT are tagged with a valid DAFF unique tag number.
- Landing declaration is completed and signed by Rights Holder and FCO.
- Gear inspection.
- Observer interview (if Observer on board).

FCO's are required to monitor every offload and transhipment of vessels fishing in the South African Large Pelagic Longline and Tuna Pole-line fisheries. No infringements of CCSBT obligations were detected in the domestic and chartered LPL or TPL fleets (2016-2017 fishing season).

A total of 18 in-port transhipments were undertaken by foreign-flagged fishing and carrier vessels (Korea, Liberia and Japan) during the 2016-2017 fishing season. No infringements of CCSBT measures were detected during these transhipments. From total landings and transhipments of foreign-flagged vessels (410, 231 inspections) a total of thirteen (13) were sanctioned. Non-compliances detected ranged from entering the South Africa EEZ with fishing gear on board without a valid EEZ permit and Gear permit, to failure to have a valid EEZ permit and Gear permit available for inspection

In the 2017-2018 fishing season a total of 48 in-port transhipments were undertaken by foreign-flagged fishing vessels and carrier vessels (Korea, Liberia and Japan flagged). No infringements were detected in any fleet (LPL domestic or chartered, TPL domestic or foreign flagged) for any CCSBT obligations. A total of 166 foreign flagged vessels were inspected of which 30 had SBT on board (Source MCS Chief Directorate). No infringements of CCSBT obligations were detected in the domestic and chartered LPL or TPL fleets (2017-2018 fishing season).

In the 2017-2018 fishing season three foreign flagged vessels were prosecuted for exceeding declared species weight (Blue shark *Prionace glauca*) and for illegal possession of shark fins (various sp.). Fines were levied where convictions were achieved.

### **3.6 Catch Documentation System 1 (CCSBT Obligations A (General) 3.1 (i) – (v))**

The aim of this obligation is to ensure that Members have processes in place to effectively and accurately manage the CCSBT Catch Documentation System (CDS).

**3.6.1 MPR 1a: [Operating systems and processes established and implemented to ensure that] All owners and operators of authorised farms, fishing vessels, and carrier vessels, and all SBT processors, importers exporters and re-exporters, are aware of their CCSBT obligations.**

**Summary** – All stakeholders are kept informed of new developments in the fishery. Notices are issued to Right Holders informing them of updates to CDS reporting requirements.

**Key Points:**

- Large Pelagic Management working group meetings are held biannually, with at least one meeting held in advance of the fishing season.
- Trainings provided to stakeholders on key parts of CDS obligations including correct completion of CTF and CMF forms.

Road shows are held in relevant fishing areas in order to interact directly with Rights Holders. The Large Pelagic and Shark Scientific Working Group meetings are open to stakeholders from Industry, NGOs as well as invited experts. During Working Groups discussions on data analysis and current stock assessments of target and by-catch species are held. Stakeholders provide data to DAFF on fishing operations that are designed to reduce the impact of the fishery on the marine ecosystem e.g. incidental bird by-catch mitigation measures that they have initiated themselves.

Officials are also available at the Fisheries Management Branch Office in Cape Town to answer any ad hoc queries on the implementation of CDS and other Resolutions

DAFF also issue notices advising stakeholders of policy changes and updates. Notice was issued on 02 April 2018 to all Rights Holders on announced changes on the submission of CTF's after landing<sup>14</sup>.

**Phase 2 update:** In the opinion of the QAR Team DAFF's website could be more proactive in providing information on the SBT fishery. As an example the website could provide a number of CDS template forms to download and include examples of CDS forms (e.g. Catch Tagging Form) filled correctly. However the QAR are satisfied that DAFF ensure all Rights Holders are aware of their CCSBT obligations.

**3.6.2 MPR 1b: [Operating systems and processes established and implemented to ensure that] CDS documents accompany SBT as relevant, including (i) a Catch Monitoring Form (CMF) for all transshipments, landings of domestic product, exports, imports and re-exports; (ii) a Re-export/Export After Landing of Domestic Product (REEF) for all exports of SBT landed as domestic product then exported, and for all re-exports of imported SBT (any REEF must also be accompanied by a copy of the associated CMF and copies of any previously issued REEFs for the SBT being exported); and (iii) a Farm Transfer Form (FTF) for all transfers of SBT between authorised farms within the Member's jurisdiction:**

**Summary** – DAFF MRM Chief Directorate (MRM) have overall responsibility for implementing CCSBT's CDS Resolutions.

**Key Points:**

- CMFs must be signed by a DAFF Official whose name appears on the Official List of CCSBT authorised validators.
- No re-exports (REEF) of SBT from South Africa from 2014-2017 (source DAFF)
- SBT that is landed for the domestic market cannot be re-exported.
- Foreign flagged vessels (excluding Joint ventures) transhipping in ports use CMFs provided by the flag state of the vessel.

During vessel inspections in port FCO's record SBT catch weights on certified scales and validate these data with information provided from the Catch Tagging Form (CTF); vessel logsheet; observer report (if on board) and the unique tag number attached to each fish.

When the inspection is completed FCO's sign a landing declaration sheet which the Rights Holder or Skipper is also required to sign; this completes the validation process. Catch Monitoring Forms (CMFs) must be authorised and signed by a DAFF Official whose name appears on the Official List of CCSBT authorised persons. Verification actions by the DAFF Officials include cross-checking catch details and other information listed on the CTF with the signed landing declaration sheet before the CMF can be issued.

Details of either the intermediate or final product destination, dressed or 'flying weight' of the fish (Conversion Factor DRT) are included on the CTF and then signed by the DAFF Official and Stakeholder at the time of export. CTFs and landing declarations are not always submitted at the time of landing but could reach DAFF just before export as the consignment can only leave South Africa with the validated CTF.

For operational reasons it is not possible to trace exports of SBT beyond the point of first sale. During 2016 approximately 78.2% of SBT was landed as domestic product (source DAFF report to CCSBT Compliance Committee (2017)).

**3.6.3 MPR1c: [Operating systems and processes established and implemented to ensure that] All entities with CDS certification obligations have certification requirements, including that the certifier for the Catch Tagging Form (CTF) should be the Vessel Master or other appropriate authority for any wild harvested SBT, and the Farm Operator or other appropriate authority for any farmed SBT:**

**Summary** – Only those Fishing Skippers with a valid fishing permit and nominated by a Rights Holder can be certified to sign CTF's, and other CDS forms.

**Key Points:**

- Catch data provided by the Fishing Skipper is verified before CDS documents (including the CMF) are issued.
- If there are any non-compliances with the catch data the relevant CDS documents are not validated by the FCO's.

Fishing skippers are provided with training and instruction from DAFF on applying tags to individual fish and recording this information on CTF and CMF forms. DAFF maintain a list of authorised certifiers of CDS documentation, including those certifying the CTF and update it regularly.

It is the responsibility of the Rights Holder to ensure that vessel personnel adheres to the permit conditions, including all CCSBT CDS and Conservation obligations.

**3.6.4 MPR 1d: [Operating systems and processes established and implemented to ensure that] All entities involved in towing and farming SBT have procedures to (i) record the daily mortality of SBT during catching and towing, and the quantity (number and weight in kilograms) of SBT transferred to each farm; and (ii) use these records to complete the Farm Stocking Form at the end of each fishing season and before the SBT are recorded on a CMF.**

**Summary** – South Africa does not have any tuna farms in operation.

**3.6.5 MPR 1e: [Operating systems and processes established and implemented to ensure that] Compliance with certification procedures is verified.**

**Summary** – DAFF Officials (MRM Chief Directorate) examine validated CCSBT CDS Documents for each consignment of SBT either landed as domestic product, transhipped or exported.

**Key points:**

- If any non-compliances with CDS or National Resolutions/Regulations are detected during certification the application to land, tranship or export SBT is denied.

Verification procedures undertaken by DAFF Officials include:

- Examining and analysing samples of CDS documentation and SBT product, and investigating any discrepancies or irregularities detected before the CMF is issued.
- Monitoring markets to detect and investigate any supply of SBT whose CDS documentation is incomplete or missing.
- Checking that required CDS documents are attached to exported and imported SBT.

During the 2016-2017 fishing season some discrepancies in the submission of CDS documentation highlighted by both DAFF and CCSBT were resolved.

**3.6.6 MPR 2: Any use of specific exemptions to CDS documentation (allowed for under obligation 3.1 A (ii) for recreational catch) must be (a) explicitly allowed and this decision advised to the Executive Secretary; and (b) have associated documented risk-management strategies to ensure that associated mortalities are accounted for and that recreational catches do not enter the market.**

**Summary** – Recreational fishers are not allowed sell SBT in South Africa. A system of sanctions are in place to deter this activity.

**Key point:**

- Only in circumstances where a CCSBT authorised vessel does not have sufficient tags on board can a tag be attached to a fish on landing. In this case DAFF Officials need prior notification of the vessel landing in order to provide tags for each fish landed before the vessel discharges.

The Marine Living Resources Act (Part 2: Local fishing-Granting of rights) prohibits commercial or subsistence fishing without a right granted by the Minister:

**Section 18:**

- (1) No person shall undertake commercial fishing or subsistence fishing, engage in mariculture or operate a fish processing establishment unless a right to undertake or engage in such an activity or to operate such an establishment has been granted to such a person by the Minister.

**Section 28** of the MLRA (Cancellation and suspension of rights, licences and permits) makes provision for sanctions in the event that attempts are made to put on the market SBT caught by recreational fishers.

**Phase 2 update:** SBT catches from the recreational fishery are negligible and there is no evidence from fishing competition data to date that SBT forms part of the recreational catch. There is a possibility that, when the species recovers, recreationally caught fish could be misidentified and reported as big eye tuna<sup>2</sup>.

**3.6.7 MPR 3: Operating systems and processes established and implemented to ensure all CDS documents are uniquely numbered, completed fully and in accordance with the document's instructions.**

**Summary** – All CCSBT CDS forms and supporting documentation are verified by DAFF Officials onshore before CMF forms are signed and issued to Rights Holders.

**Key points:**

- DAFF circulate notices to Rights Holders and organise workshops in order to resolve issues relating to observed reported discrepancies in CTF, CMF and landing declaration forms.
- A bespoke CDS database is being implemented that is being designed to correct observed discrepancies.

DAFF provide FCO and Rights Holder training on the correct completion at sea of CTF's as outlined in Appendix 1 of CCSBT's CDS Resolution. This training may be reinforced during biannual working groups, by ad hoc notices sent to Rights Holders and by issuing training materials and specifically convened workshops.

Fishing skippers insert the unique form number (CTF) assigned to them by DAFF, during the fishing trip. Each CTF contains details of the unique tag number assigned to each SBT. Scientific Observers also offer assistance to the authorised certifier on the completion of each CTF when on board.

**Phase 2 update:** DAFF issued a notice<sup>14</sup> on 02 April 2018 to all Rights Holders outlining their obligations under the current CDS Resolution (Catch Tagging Forms). It is now obligatory for all Rights Holders to issue CCSBT standardised tags to their nominated vessels (2018/2019 fishery).

DAFF are aware of the following discrepancies in CDS documentation noted both by CCSBT and the QAR Review Team:

- CMF's/CTF's missing from DAFF's 2016 CDS submission to CCSBT
- 5 import copies of CTF's (submitted independently by importing Country) not submitted by DAFF.
- 15 duplicate tag numbers submitted in tagging data.
- Multiple vessels listed against the same CMF form.

**Phase 2 update:** These and other discrepancies and omissions have either been being resolved with CCSBT or are currently being addressed through the introduction of a bespoke CDS database, viewed by the QAR Review Team. Details of the new CDS database can be found in Section 4.3 (Validation Systems).

### 3.7 Catch Documentation System 2 (CCSBT Obligation 3.1 (vi))

The aim of this obligation is to ensure that Members have processes in place to effectively and accurately manage the CCSBT Catch Documentation System (CDS).

**3.7.1 MPR 1: Operating systems and processes established and implemented to ensure that at all times only carrier vessels authorised on the CCSBT Record of Carrier Vessels for the transshipment date are permitted to receive at-sea transshipments from the Member's LSTLVs.**

**3.7.2 MPR 1: [Operating systems and processes established and implemented to] ensure that at all times only carrier vessels authorised on the CCSBT Record of Carrier Vessels for the transshipment date are permitted to receive at-sea transshipments from the Member's LSTLVs**

**Summary – South Africa do not have any authorised carrier vessels operating in the fishery.**

**3.7.3 MPR 2: Rules established and implemented to prohibit**

**(a) the landing, transshipment, import, export or re-export of SBT caught or transhipped by non-authorised fishing/carrier vessels, (b) the transfer of SBT to, between or harvested from farms which were not authorised to farm SBT on the date(s) of the transfers/ harvests.**

**Summary** – Only fishing vessels in possession of valid permits and on the current list of CCSBT authorised fishing vessels may catch and land SBT.

**Key points:**

- Checks are undertaken prior to vessel landing and during the landing inspection to ensure each vessel has a valid fishing permit and was authorised at the time of the fishing trip to catch and land SBT.
- Vessel permits are only issued following a series of checks undertaken by DAFF Officials which include verification that the vessel does not appear on the latest IUU vessel list.
- There is 100% coverage of SBT landings in South Africa.
- South Africa do not have any tuna farms in operation.

Permit conditions for the LPL fishery (2018-2019) outline obligations for Rights Holders who wish to operate fishing vessels for the season. Section 9 of the permit conditions outlines obligations for vessel masters to have a functioning VMS on board and list the actions to take when the VMS is not operating while at sea. Section 4 (Notifications) obliges the permit holder to inform FCO's at least 24 hours prior to the ETA of the vessel in port unless prior arrangements have been made with the relevant Fishery Control Office. Foreign flagged vessels must give 72 hours advance notification of entry to port.

Designated ports for the landing of SBT in South Africa are Cape Town, Port Elizabeth and Durban. FCO's present at landing validate catch and CDS documentation. Verification of all CDS documentation is undertaken by DAFF officials (MRM Chief Directorate) before CMF forms are authorised and issued.

During the 2017-2018 fishing season 106 South African flagged and Joint venture (LPL) vessels were inspected; of these 30 vessels had SBT on board. No infringements were detected. Of the total

number of foreign flagged vessels inspected during this season (166) 30 vessels had SBT on board. No infringements were detected. (Section 3.5.3).

### 3.8 Catch Documentation System 3 (CCSBT Obligations 3.1 (vii) – (ix))

The aim of this obligation is to ensure that modifications to CDS documents are monitored and reviewed.

#### 3.8.1 MPR 1: The Executive Secretary shall, in consultation with Members, determine whether proposed modifications are minimal or significant with respect to this obligation

**Summary** – DAFF (MRM Chief Directorate) are responsible for providing correct CDS documentation to all stakeholders at the beginning of each fishing season.

**Key points:**

- For operational reasons DAFF (MRM Chief Directorate) reported to CCSBT Executive Secretary that a CDS document had been modified. This modification did not affect the integrity of the information.
- CCSBT secretariat approval was granted prior to the proposed modification (source DAFF Officials).

**Phase 2 update:** The CTF was modified by DAFF to add an extra column to record CMF number next to each fish tag number. In this way the vessel can now use one CTF per voyage and still report to CCSBT recording the exact destination per fish tag number (source DAFF).

#### 3.8.2 MPR 2: Modified documents remain compatible with approved forms to ensure data series remain continuous and so they can be uploaded by the Secretariat.

**Summary** – CDS forms currently used by South Africa are in accordance with CCSBT requirements and are without any further modification.

**Key Points:**

- All CDS documents are reviewed by DAFF Officials in the MRM Chief Directorate to ensure the correct versions are in circulation and compatible with approved forms.

**Phase II Update:** This was verified by the QAR Team during the Phase II site visit. All CDS documents in circulation are compatible with CCSBT approved forms.

### 3.9 Catch Documentation System 4 (CCSBT Obligation 3.1 (x) - (xii))

The aim of this obligation is to ensure that CCSBT catch tagging requirements are met.

### 3.9.1 MPR 1(a): [Operating systems and processes established and implemented to ensure that CCSBT Catch Tagging Program requirements are met, including] Ensuring all SBT tags meet the minimum specifications in paragraphs of Appendix 2 of the CDS Resolution.

**Summary** – South Africa has used SBT tags that were not compliant with the CCSBT CDS Resolution (Appendix 2). Current tags in circulation now meet CCSBT specifications.

#### Key points

- DAFF provided to Rights Holders an explanatory notice (April 2018) on the implementation of the CCSBT CDS Tagging Resolution.
- DAFF distributed SBT tags to all stakeholders for the current fishing season (2018-2019) which meet specifications.

All SBT retained on board are tagged with a unique tag number. Instructions and diagrams are provided to each Rights Holder and/or Fishing Skipper on the correct application of each tag to the body of the fish. Tag number, fork length (cm), fish weight and trip details are recorded on the CTF by the Fishing Skipper and verified by FCO's during landing inspections.

CCSBT Secretariat had reported<sup>13</sup> that some tags in use (2016-2017 fishery) had neither a flag State identifier nor a fishing year inserted. The CCSBT Secretariat had also reported that a total of 15 duplicate tag numbers had been submitted by DAFF during the 2016 calendar year.

In their written reply DAFF explained to the CCSBT Secretariat that the previous Company/Supplier manufacturing the tags was liquidated in 2014. DAFF had since then been sourcing tags from a relatively new supplier. There had been cases of errors in terms of the tags that the Department had been receiving from this new supplier e.g. duplicates of tags as well incorrect numbering.

From the 2018-2019 fishing season only SBT tags from an approved CCSBT supplier have been distributed to Rights Holders. Each tag now contains a unique numbers and fishing year (ZA 18, ZA 19) and are fully compliant with other obligations contained in the CCSBT CDS Resolution (Appendix 2).

A DAFF notice to all Rights Holders, issued in April 2018, now obliges them to use the new tags and prohibits the exchange or transfer of tags between Rights Holders and/or their nominated fishing vessels. Instructions were also given to Rights Holders to return unused tags at the end of the 2018-2019 fishing season (deadline 01 February 2019).

**Phase II Update:** Automatic checks that are part of the new CCSBT CDS database (Section 4.3 Validation Systems) will avoid Officials issuing duplicate tag numbers to Rights Holders.

**3.9.2 MPR 1(b): [Operating systems and processes established and implemented to ensure that CCSBT Catch Tagging Program requirements are met, including] recording the distribution of SBT tags to (i) entities authorised to fish for, or farm, SBT; and (ii) where applicable, entities which received tags to cover exceptional circumstances.**

**Summary:** Rights Holders representatives or vessel agents collect SBT tags in person from DAFF's Fisheries Branch offices in Cape Town, before each fishing season starts. A logbook is used by DAFF Officials to manually record tag distribution.

**Key points**

- Should a vessel at sea have no additional tags the fishing skipper must inform FCO's in order that tags are attached during the landing inspection.
- Additional tags may be applied for during the fishing season should additional quota be either granted to a Rights Holder or be transferred from non-active Right Holders.

Rights Holders or vessel agents (for those vessels nominated by the Rights Holder) are required to collect SBT tags in person from DAFF's Fisheries Branch offices in Head Office (Cape Town). A tag logbook is completed manually and signed by DAFF Officials and also co-signed by the Rights Holder or vessel agent on receipt of tags. A maximum of 50 tags may be allocated to a single Rights Holder at any one time (source DAFF MRM).

Fishing skippers are trained to attach tags and record length, processed weight, and tag number of the fish in the CTF. Tags are attached firmly on the gill area until the first point of landing and sale. Tags are inspected during each vessel inspection by FCO's. Each tag unique number is verified with the corresponding CTF during FCO validation.

In a DAFF written notice to Rights Holders on 02 April 2018 DAFF highlighted observed inconsistencies in relation to the completion of CTF's, CMF's and landing declarations by fishing skippers and/or the Rights Holders. For the 2018-2019 fishing season Rights Holders are now obliged to attach a copy of the completed CTF to the signed landing declaration during the landing inspection.

Rights Holders were also informed in the written notice that if they have inadvertently caught SBT without the relevant permit or authorisation they must pre-notify the landing in order that, under exceptional circumstances, a tag may be applied to the SBT by a FCO present on landing.

Failure to fulfil these or any other obligations outlined in the written notice to Rights Holders could result in:

- Rights Holders not being allowed to land/export SBT as a CMF will not be issued.
- Tags not being issued for the following fishing season or
- Rights Holder not being allocated a SBT quota for the following fishing season.

**Phase 2 update:** Although a logbook is used to manually record the distribution of tags in the opinion of the QAR team a Rights Holder could in theory sign for several nominated fishing vessels and then by error distribute wrong tags to each vessel. In the opinion of the QAR team the current manual recording system should be replaced by electronic files which would also allow for more accurate reconciliation of unused tags at the end of each fishing season. The QAR team observed

that the new CCSBT CDS database has checks in place that ensure a single tag cannot be used more than once (Section 4.3 Validation Systems).

**3.9.3 MPR 1(c): [Operating systems and processes established and implemented to ensure that CCSBT Catch Tagging Program requirements are met, including] requiring a valid tag to be attached to each SBT brought on board a fishing vessel and killed (including SBT caught as incidental bycatch) or landed and killed from a farm.**

**Summary:** DAFF oblige the fishing skipper (or authorised person) to immediately apply a tag to the fish when hauled on-board and also to immediately record in the CTF length, processed weight, and tag number. Training is provided for this.

**Key points**

- Only under exceptional circumstances, and with pre-notification to DAFF, may a fish be landed in port without a tag. Tags are then attached on landing by FCO's.
- Sanctions are in place to deter unauthorised landing of SBT.

During landing inspections FCO's verify that each tag is attached to each fish and that the unique tag number is recorded in the relevant CTF.

A DAFF Notice to Rights Holders (02 April 2018) reminded Rights Holders of their obligation to immediately apply a tag to a fish when hauled on-board; to immediately record in the CTF length, processed weight, and tag number and of the prohibition of landing as domestic product, transshipping, importing, exporting or re-exporting without a tag.

**Phase 2 update:** New CCSBT centralised tags (2018-2019 season) have been issued to all Rights Holders. Tags are now clearly marked with the current year code e.g. ZA-18, which was not the case with tags provided previously from a third party source.

**3.9.4 MPR 1(d): [Operating systems and processes established and implemented to ensure that CCSBT Catch Tagging Program requirements are met, including] requiring tags to be attached to each fish as soon as practicable after the time of kill.**

**Summary:** Fishing skippers and other authorised persons are trained to attach valid tags on the fish and record the length, processed weight, and tag number of the fish in the CTF during fishing operations.

**Key points**

- Fishing skippers attach a valid tag and record the tag number of the fish in the CTF.
- SBT cannot be transshipped or landed without a valid tag.
- During landing inspections FCO's verify that tags are attached, recorded correctly on the CTF and that tags remain attached to the fish until the point of first sale.

Instructions on attaching tags correctly to fish are provided by DAFF officials to all stakeholders at the beginning of each fishing season. During inspections (landing, transhipments) FCOs verify that all SBT have valid tags attached and that tags are in good condition. If there is any contravention of these requirements the FCO will refuse to process the CDS documentation and the SBT landing is prohibited.

**3.9.5 MPR 1(e): [Operating systems and processes established and implemented to ensure that CCSBT Catch Tagging Program requirements are met, including] requiring details for each fish to be recorded as soon as practicable after the time of kill including month, area, method of capture, as well as weight and length measurements carried out before the SBT is frozen.**

**Summary** – Catch statistics logbooks are completed daily at sea by Fishing Skippers. Once a fish is landed on board a tag is affixed and fish length and weight measured. Accurate weights are only recorded on landing as many LPL vessels do not have accurate scales on board.

**Key points**

- DAFF Notice issued to all Rights Holders on 02 April 2018 on the submission of catch tagging information refers to reporting obligations for fish caught at sea.
- Failure to fulfil any of the obligations outlined in DAFF's Notice will result in punitive sanctions being applied, as laid down in Section 28 of the MLRA.

DAFF have established management systems and procedures to ensure all SBT catch information is recorded as soon as practicable after the time of the kill. Instructions to fishing skippers are provided in the fishing permit and other relevant documentation.

Section 6.2 (f) of LPL Permit Conditions (2018-2019 season) refers to measures to be undertaken on board during the harvesting of SBT:

- All SBT retained on board the vessel shall be tagged with a unique numbered tag prior to the fish being landed.
- Only fish tags that reference the current fishing season shall be used e.g. ZA-18 for the 2018-2019 fishing season).
- The tag number, Fork Length (FL in cm), weight (kg) and trip details shall be recorded on the SBT tag form prior to the vessel landing.

Logbooks are completed daily at sea and include information on month, area and method of capture for SBT caught by the vessel.

Failure to fulfil any of the obligations noted in the permit conditions and 02 April notice may result in one of the following actions undertaken by DAFF:

- Rights Holders not being allowed to land/export SBT as a CMF will not be issued.
- Tags not being issued for the following fishing season.
- Rights Holders not being allocated a SBT quota for the following fishing season.

**Phase 2 update:** Many LPL vessels in the fleet do not have marine scales on board. For these vessels landed weights (using certified scales in ports) are used to complete Catch Tagging Forms (CTF)

which are then attached to Landing Declaration Sheets. Rights Holders were reminded of this obligation in the notice issued on 02 April 2018.

### 3.10 Catch Documentation System 5 (CCSBT Obligation 3.1 (xiii) - (xviii))

Minimum requirements for tags and requirements for tag related information.

**3.10.1 MPR 1: Operating systems and processes established and implemented to (a) meet procedural and information standards set out in Appendix 2 of the CDS resolution; (b) identify any unauthorised use of SBT tags; (c) identify any use of duplicate tag numbers; (d) identify any whole SBT landed, transhipped, exported, imported or re-exported without a tag; (e) ensure that tags are retained on whole SBT to at least the first point of sale for landings of domestic product; and (f) ensure a risk management strategy (including random or risk based sampling) is in place to minimise the opportunity of illegal SBT being marketed.**

**Summary** – DAFF MRM and MCS Chief Directorates have responsibility to implement procedures and standards as laid down in Appendix 2 of the CDS Resolution. Each Rights Holder is responsible for ensuring that the fishing skipper undertakes all relevant actions at sea to comply with Appendix 2 of the CDS Resolution.

**Key Points:**

- During landing inspections FCO's identify tag number on each fish and verify that this information is recorded correctly on the CTF.
- Legislation is in place to prohibit placing on the market SBT that does not have the correct CDS documentation or retained tags until the point of first sale.
- No risk based sampling in place as 100% coverage by FCO's of SBT landings.

Section 4.3.9 of the FCO Inspection Manual<sup>15</sup> refers to a required action by FCO's during inspections to validate that each SBT retained on board has a unique tag number. A Section 4.3.11 instruction in the same document reminds FCO's to ensure that landing declarations are completed correctly and signed by the Rights Holder and/or their representative and by the FCO.

Verification is carried out by Officials of DAFF's MRM Chief Directorate when CMF forms are being prepared for authorisation. These duties include:

- Examining and analysing CDS documentation and investigating any discrepancies or irregularities before CMF forms are authorised.
- Checking that required CDS documents are in order and accompany the SBT consignment.

**Phase 2 update:** DAFF have undertaken corrective actions to address observed discrepancies in the implementation of Appendix 2 of the CDS Resolution (Section 4.3 Validation Systems). The QAR review team were given a demonstration of a MS Access-based bespoke CDS database designed to eliminate discrepancies in data input.

<sup>15</sup> DAFF MCS Chief Directorate Vessel Inspection Guide (2018)

When the implementation phase is completed the new database will:

- Minimise data capturing errors.
- Prevent the entry of invalid tag formats (CTF numbers, etc).
- Prevent duplicate entries (e.g. duplicate CMFs, duplicate tag numbers).
- Prevent the corruption of previous versions of the database
- Early identification of alleged misreporting through in-built alarms.
- Facilitate automatic internal cross-validation with independent data streams (logbooks, landing declarations).

**3.10.2 MPR 2 Operating systems and processes established and implemented to (a) monitor compliance by operators with control measures (b) impose sanctions on operators where non-compliance is detected; and (c) report any cases of whole SBT being landed without tags to the Executive Secretary, and minimise their occurrence in future.**

**Summary** – The primary legislative tool available to DAFF officials for imposing sanctions on South African Rights Holders is the Marine Living Resources Act (MLRA, Act No 18 of 1998).

**Key points**

- Section 28 of the MLRA lists the available sanctions for observed non-compliances.
- Officials in DAFFs MRM and FRD Chief Directorates undertake verifications on catch statistic forms (logbooks) and landing declarations before CMF forms are authorised and signed.
- Annual Compliance Reports are sent to CCSBT which contain details of any non-compliances detected with control measures in place (all fleets).

The following regulatory tools are relevant to the LPL and TPL fishery (South African Rights Holders):

- Regulations on commercial tuna pole fishing and regulations on tuna fishing (1998).
- Annual Large Pelagic Longline (LPL) and Tuna Pole & Line (TPL) Permit Conditions.
- General Policy on the Allocation and Management of Fishing Rights: (2013) (not covered under the Act).
- Policy on the allocation and management of Commercial Fishing Rights in the Large Pelagic Longline Fishery (2015) (not covered under the Act).

Section 28 <sup>10</sup> of the MLRA (Cancellation and suspension of rights, licences and permits) makes provision for sanctions in the event that the holder of a right, licence or permit in terms of this Act is found to contravene or fails to comply with a with a provision of this Act or condition imposed in the right, licence or permit (Section 2.5 Management System).

No infringements were detected in any fleet (LPL domestic or chartered, TPL domestic or foreign flagged (2016-2017 fishing season) for any CCSBT obligation (including authorisation). No infringements were also detected for any CCSBT obligation (including authorisation) for these fleets during the 2017-2018 fishing season

### 3.11 Catch Documentation System 6 (CCSBT Obligation 3.1 (xix) - (xxi))

The aim of this obligation is to ensure that CDS documents are effectively validated.

#### 3.11.1 MPR 1a: [Operating systems and processes established and implemented to Authorise validators to validate Farm Stocking, Catch Monitoring and Re-Export/Export after Landing of Domestic Product Forms

**Summary** – DAFF authorised validators are trained to verify CDS documents before CMF's are issued.

**Key points**

- A list of authorised validators is compiled annually by DAFF and sent to CCSBT Executive Secretary.
- DAFF (MRM Chief Directorate) ensure validators are available throughout the fishing season to issue CMF's.
- CMF issued only when the validator has verified all relevant CDS and catch documentation.
- DAFF provide CCSBT with a list of current validators and sample copies of their seal and signature.

Where compliance to all CCSBT and national obligations is not demonstrated validators are trained to reject applications for CMFs. Validator stamps on CMFs issued are only valid with a dated signature of the authorised validator.

Annexure 8 of the LPL Fishing Permit Conditions<sup>16</sup> (2018-2019) (Applicable Conservation Management Measures as adopted by various tuna Regional Fisheries Management Organisations) refers to the obligation of Fishing Skippers and/or Rights Holders to provide catch documentation:

**Annexure 8:**

**Commission for the Conservation of Southern Bluefin Tuna (CCSBT)  
Resolution on the Implementation of a CCSBT Catch Documentation Scheme:**

- For all transshipments, landings of domestic product, exports, imports and re-exports, all SBT shall be accompanied by a statistical document.

Authorised validator training on CCSBT CDS requirements is undertaken during initial induction of DAFF Officials and is then reviewed by Management during regular internal performance evaluations.

<sup>16</sup> DAFF (2018) Permit Conditions Large Pelagic Longline Fishery

**3.11.2 MPR 1b: [Operating systems and processes established and implemented to] Demonstrate that all persons with authority to validate CDS documents are (i) government officials or other individuals who have been duly delegated authority to validate; (ii) are aware of their responsibilities, including inspection, monitoring and reporting requirements; and (iii) are aware of the penalties applicable should the authority be misused.**

**Summary** – All authorised validators are Government Officials and are made aware of their responsibilities (inspection, monitoring and reporting requirements) during induction training and also during regular refresher training and performance evaluation.

**Key points**

- While validators do not receive official training with respect to validation of CCSBT CDS documentation they are supervised during their duties by experienced authorised validators.

DAFF provided the QAR Team with an updated list of validators in the fishery. All are Government Officials. As Government Officials all authorised validators are bound by Government codes of practice and conduct and are made aware of applicable penalties should their authority be misused.

**3.11.3 MPR 1c: [Operating systems and processes established and implemented to] Appropriate individuals certify each CDS form type by each signing and dating the required fields;**

DAFF Officials are trained to ensure all fields are completed correctly before validation of the CDS documentation is carried out. This involves a physical examination of the document and is part of the inspection protocol and checklist undertaken during landing and transshipment inspections.

**3.11.4 MPR 1d: [Operating systems and processes established and implemented to] the same individual does not both certify and validate information on the same CDS form**

**Summary** – CTF's are certified on board by the Fishing Skipper/Rights Holder and then signed by DAFF FCO's during landing inspections (validation).

**Key Points**

- The authorised DAFF Official that issues the CMF physically examines all CDS and catch documentation before signing the document (verification).
- This ensures that the same individual does not both validate the CTF and verify the CMF. This cross check takes the form of a visual inspection of the document.
- All CDS documentation in support of transshipment operations (foreign flagged vessels ) is also checked to ensure the same individual is not involved in both validation and verification duties.

**3.11.5 MPR 1e: [Operating systems and processes established and implemented to] Inform the Executive Secretary of (i) the details for all validators and keep this information up to date; and (ii) of any individuals removed from the list of validators no later than the end of the quarter in which the removal occurred;**

**Summary** – MRM Chief Directorate is obliged to have a management system in place to officially provide CCSBT (Executive Secretary) with details of current validators and also of individuals that are removed from the list.

**Key points**

- CCSBT's Executive Secretary noted that some new validators had not been authorised to validate CMF's in the fishery during validation (2014, 2016 fishing season).
- DAFF later confirmed in a written reply to the CCSBT Executive Secretary that due to an administrative error the list of authorised validators had not been updated at the time and sent for the 2014 and 2016 fishing season.

Validator stamps are issued by the Director of each Unit to authorised Officers. The list of validators as well as the copy of the stamp, including changes thereof, is sent to the CCSBT secretariat. The stamp is returned to the Directorate should an officer leave. Validator stamps are not unique but are only valid in conjunction with the validator's signature.

The CCSBT Executive Secretary reported to DAFF<sup>13</sup> that there were 5 instances (2016 calendar year) where CMFs had been signed by validators who had not been authorised at the time. Due to an administrative error the MRM Chief Directorate acknowledged that the list of authorised validators had not been updated to the CCSBT Executive Secretary.

**Phase II Site Visit update:**

The QAR team reviewed the response by DAFF to these observations by CCSBT and have verified that checks and measures are now in place to ensure that in future all validators, at the time of validation, are authorised to carry out their duties. The QAR Team received a copy of the current list of authorised validators that was forwarded to CCSBT on 28 February 2018.

- Mr Qayiso Mketsu: Offshore and High Seas Fisheries Management
- Mr Johan de Goede: Assistant Director: Offshore and High Seas Fisheries Management
- Pezile Zantsi: Acting Assistant Director: Pelagics and High Seas Fisheries Management
- Vatiswa Ngqumba: Senior Administrative Officer: Offshore and High Seas Fisheries Management
- Mr Aphiwe Nonkeneza: Senior Administrative Officer
- Ms Vuyiseka Ntakana: Administrative Officer
- Ms Rendani Mufamedi: Senior Administrative Clerk
- Mr Sive Dingwayo: Senior Administrative Clerk (Intern)

Checks are now in place to ensure the list of validators is maintained and updated to CCSBT when needed.

**3.11.6 MPR 1f: [Operating systems and processes established and implemented to] Ensure that no individual conducts validations (i) prior to the Executive Secretary being fully informed of his/her current validation details, or (ii) after that individual's authority to validate has been removed.**

**Summary** – The most recent changes in the list of validators was communicated to the CCSBT on 28 February 2018.

**Key Points:**

- DAFF now have operating systems in place to ensure the CCSBT Executive Secretary are informed of any changes in their list of current validators.

It is the responsibility of DAFF to provide CCSBT with a list of current validators during each fishing season.

**Phase 2 update:**

DAFF have now undertaken to monitor changes in the list of authorised validators and to ensure CCSBT Executive Secretary are provided with updated lists when needed.

**3.11.7 MPR 2 Operating systems and processes established and implemented to monitor performance (compliance and effectiveness) of validators.**

**Summary** – As Government Officials DAFF are required to have systems and processes in place to monitor performance (compliance and effectiveness) of all Officials.

**Key points**

- Senior DAFF Officials (MRM Chief Directorate) undertaken performance evaluations (verification) of all Officials under their management, including authorised validators of CCSBT CDS documentation.

Following induction training (on entry to the Ministry) all DAFF Officials that are responsible for implementing CCSBT's CDS programme undertake regular performance evaluation in line with South African Government procedures for civil servants.

**3.12 Catch Documentation System 7 (CCSBT Obligations 3.1 (xxii) - (xxv))**

The aim of these obligations are to ensure that CDS documents only validated when all fish are listed correctly on the CTF.

**3.12.1 MPR 1a: [Operating systems and processes established to ensure] CDS forms are only validated (i) where all the SBT listed on the form are tagged (except in cases where tags are no longer required due to processing having occurred); (ii) in the case of farmed SBT, for SBT harvested from farms on a date that the farm was authorised on the CCSBT record of Authorised Farms; and (iii) in the case of Wild Harvest SBT, for SBT taken by FVs on a date when that FV was authorised by the flag Member.**

**Summary** – During in-port inspections FCO's examine each tagged SBT and ensure all tagged fish are listed correctly on the CTF. Checks also undertaken during in-port vessel inspections include verification that the vessel was authorised to fish for SBT during the fishing trip.

**Key points:**

- Pre-inspection checks undertaken online by FCO's verify if the fishing vessel was authorised to catch and retain SBT during the fishing trip.
- During landing inspections each SBT tag is examined by the FCO and reconciled with data provided on the CTF.
- DAFF Officials (FCO's) are trained to refuse approval to validate the CTF if discrepancies are found.

Fishing authorisations are granted only on presentation of a valid fishing license and safety registration certificate issued by the South African Maritime Safety Authority (SAMSA). When a vessel transmits advance notification of landing (ETA) the FCO verifies that fishing authorisation was granted during the fishing trip. This authorisation document is also physically examined by the FCO during landing inspection of the vessel.

During the 2017-2018 fishing season 34 ZAD and 3 ZAC vessels were authorised by DAFF to take part in the SBT fishery. A total of 18 LPL vessels activated their rights to fish for SBT, of these 14 vessels (11 ZAD; 3 ZAC) caught SBT in 2017.

No infringements were detected in any fleet (LPL domestic or chartered, TPL domestic or foreign flagged (2016-2017 fishing season) for any CCSBT obligation (including authorisation). No infringements were also detected for any CCSBT obligation (including authorisation) for these fleets during the 2017-2018 fishing season.

**MPR 1b: [Operating systems and processes established to ensure] validated documentation accompanies all SBT consignments whether transhipped, landed as domestic product, exported, imported or re-exported, and (MPR 1c) no SBT is accepted without valid documentation.**

**Summary** – FCO’s are trained to undertake physical inspections and documentation checks during landing and transhipment inspections.

**Key points**

- Authorisation to land SBT for processing/transhipment or re-export is not granted by FCO’s if any documentation is found to be invalid or non-compliant with CCSBT CDS obligations.
- CCSBT has reported (2016 calendar year) on the accuracy of CTF documents submitted by DAFF.

Fishery Control officers (FCO’s) are trained to monitor every offload and transhipment of SBT in all fleets. Inspection procedures are designed to check that all catch data (eg number and individual weight of SBT landed) is recorded correctly on the CTF and landing declaration before the FCO can sign the document. South African Rights Holders must now submit a CTF that is attached to the signed Landing Declaration sheet. Approximately 78.2% of SBT was landed as domestic product in 2016. Also during the 2016-2017 fishing season no transhipment occurred at sea or in port for authorised South African vessels.

No infringements of CCSBT obligations were detected in the domestic and chartered LPL or TPL fleets (2016-2017 fishing season).

The CCSBT Executive Secretary (2016 calendar year) have confirmed (Report No. CCSBT-CC/1710/04<sup>17</sup> that all CTFs submitted by DAFF matched the corresponding CMF for numbers of SBT and that 97.1% of CTF’s submitted had individual SBT weights recorded that were within a 2.5% margin of weights recorded on the corresponding CMF.

A valid import permit is required for all import of fish products to South Africa. Foreign flagged vessels landing SBT in South Africa either import SBT to South Africa or keep product ‘in bond’. This gives them a 90 day period to take the SBT out of the country. For all landings and transhipments of SBT written records (stamped and signed validator information) accompany the SBT consignment through to first point of sale. Only Taiwanese flagged fishing vessels landed SBT as an import during the 2016-17 season (Section 2.3 Economic Aspects).

**Phase 2 update:** no figures are available from DAFF for the amount of SBT in bond as Customs (South African Revenue Services) is responsible for this process.

No infringements were detected in any fleet (LPL domestic or chartered, TPL domestic or foreign flagged (2016-2017 fishing season) for any CCSBT obligation (including authorisation). No infringements were also detected for any CCSBT obligation (including authorisation) for these fleets during the 2017-2018 fishing season.

<sup>17</sup> CCSBT (2017): Compliance with CCSBT Management Measures Table 1 (Compliance with Measures) CCSBT-CC/1710/04 23pp

### 3.12.2 MPR 1d: [Operating systems and processes established to ensure] Validation does not occur where (i) validator authorisation procedures were not correctly followed or (ii) any deficiency or discrepancy is found with the CDS form.

**Summary** – At the beginning of each fishing season DAFF (MRM Chief Directorate) assign the list of validators to ensure adequate coverage during all landings of SBT. All validators are fully trained during initial induction and are provided with refresher training when needed.

#### Key Point

- Validators will not authorise landings of SBT unless all CDS documentation is checked and found to be compliant with the regulations in force.
- Validator performance is reviewed during regular DAFF internal performance evaluations.

FCO's and other authorised validators are trained during initial induction to validate CTFs and CMFs. Validators will not authorise CDS documentation if there is any contravention of the regulations in force. All approvals for issuing of CMF are subject to the submission of correctly completed CTF and signed landing declaration sheets.

CCSBT have reported (2016 calendar year) that one vessel recorded on a validated CMF provided by DAFF appeared to have been unauthorised at the time of fishing. However, DAFF Officials later confirmed that this was due to an administrative error on their part. The required vessel authorisation as then submitted retrospectively and CCSBT informed.

**MPR 2a: [Operating systems and processes established and implemented for a Member to validate SBT product against CDS documents, including] requirements to check accuracy of information by ensuring every CDS document is complete, valid and contains no obviously incorrect information by cross-checking data on the form being validated against (1) data on preceding CDS forms including the Catch Tagging Form; (2) relevant lists of authorised farms, vessels or carriers; and (3) result of any physical inspection by the authority.**

Verification actions by DAFF Officials (MRM Chief Directorate) include checking catch details (Product Type; Vessel Gear Code; Statistical Area of Capture; Fish weight (kg)) and other information listed on the CTF) with a copy of the vessel logbook, with the FCO landing inspection reports and signed landing

**Summary** – DAFF Officials from the MRM Chief Directorates carry out verifications of CDS documentation with catch details from the vessel logbook, CTF and signed landing declaration before CMF's are validated.

#### Key points

- All SBT landings are physically inspected.
- FCO inspection reports are also used by Officials to verify that the information recorded in the CTF is correct, before any CTFs can be validated.

declaration before CMF's can be issued. CMFs must be signed by a DAFF Official whose name appears on the Official List of CCSBT authorised validators.

In CCSBT's most recent report on CDS compliance **Error! Bookmark not defined.** (2016 calendar year) 98.6% of CMF's submitted had correctly corresponding CTF's.

### 3.12.3 MPR 2b: [Operating systems and processes established and implemented for a Member to validate SBT product against CDS documents, including] notification of any inconsistencies or inaccuracies to the Member's enforcement authorities.

**Summary** – All SBT landings, off-loadings, transhipments, imports, exports and re-exports by foreign flagged vessels (not chartered) in designated ports are physically checked by DAFF FCO's.

#### Key points

- Pre-notification of landing (72 hours) of SBT to designated ports ensures FCO's are present to undertake physical inspections and documentation checks.
- No infringements detected during these transhipments of any CCSBT CDS obligations.
- Flag state informed through procedures laid down in the Port State Measures Agreement (PSMA).

A total of 410 foreign fishing vessels entered South Africa's Ports in 2016. There were 24 at-sea inspections conducted and 231 in-port inspections (source South Africa's Report to CCSBT Compliance Committee<sup>8</sup>). 18 in-port transhipments were undertaken by foreign-flagged fishing (excluding chartered) and carrier vessels (Korea, Liberia and Japan flagged). No infringements of CCSBT obligations were detected.

Foreign flagged fishing vessels were sanctioned in 2016. Non-compliances detected ranged from entering South Africa EEZ with gear on board without a valid EEZ permit and Gear permit, to failure to have a valid EEZ permit and Gear permit available for inspection. (Section 3.5.3 MPR 3).

During inspections of in-port transhipments (2017-2018 fishing season, 48 transhipments) three (3) foreign flagged vessels were prosecuted for exceeding declared species weight (Blue shark *Prionace glauca*) and for illegal possession of shark fins (various sp.). Fines were levied where convictions were achieved. All flag states were informed of the results of these infringement proceedings.

### 3.13 Catch Documentation System 8 (CCSBT Obligation 3.1 (xxvi))

Document storage obligations.

**MPR 1: Documents and/or scanned electronic copies stored in a secure location for a minimum of three years under conditions that avoid damage to the legibility of the documents or the data files.**

**Summary** – South Africa stores all catch documents in a secure location in accordance with Government guidelines on document management.

**Key points:**

- Hard copies of all catch documents are stored in an archive room (up to three years data).
- Hard copies older than three years are removed from the archive room for storage in a secure location.
- DAFF comply with the national policy on data protection.
- Data stored on local servers are backed up regularly to a secure location offsite.

**Phase 2 update:**

DAFF demonstrated that all CDS and catch documents (hard copies) are properly stored in a secure location under conditions that avoid damage to the legibility of the documents and/or the data files. DAFF comply with the national policy on data protection. Data stored on local servers are backed up regularly to a secure location offsite. DAFF have implemented a layered security architecture to ensure data security at all times. Firewalls ensure data and network security. DAFF have installed end-point security to its computers to ensure end user protection when using software.

Documents and data relating to vessel monitoring (VMS, AIS) are also retained in a secure location should these data are required to be presented in a Court of Law.

### 3.14 Catch Documentation System 9 (CCSBT Obligation 3.1 (xxvii) + (xxviii))

#### 3.14.1 MPR 1: Copies of all completed CDS documents issued by catching Members or received by importing or receiving Members are sent to the Executive Secretary in accordance with timeframes specified in the CCSBT documentation.

**Summary** - Catch documents (CTF's and CMF's) are provided to the CCSBT Executive Secretary using the electronic data provision form within the required deadlines.

**Key points**

- All CDS documents are verified manually before submission  
MRM Chief Directorate forwarded all completed CDS documents to CCSBT for the 2016-2017 fishing season.

The MRM Chief Directorate collate all validated CMF's and CTF's and manually cross check these before electronic submission to CCSBT using the data provision form provided. Table 7 lists the timelines for communications (Quarterly Reports) with CCSBT during the 2016-2017 fishing season.

In 2018 monthly catch data for March was submitted 3 days after the due date. At the time Officials were taking part in QAR review meetings. On this occasion there was no SBT catch and a Nil reports

submitted. CCSBT have indicated that Q4 for 2016-2017 was submitted after the due date. DAFF cannot find evidence to this effect and will clarify the matter with CCSBT.

### 3.14.2 MPR2: Catch Tagging Form information shall be provided to the Executive Secretary using the electronic Data Provision Form developed by the Secretariat and in accordance with the Data Provision Form's instructions.

**Summary** – Information in the Catch Tagging Form (CTF) is provided to the CCSBT Executive Secretary using the electronic Data Provision Form.

#### **Key points**

- DAFF have a system in place to verify all CTF information before transmission to CCSBT
- DAFF corresponds regularly with CCSBT Executive Secretary to provide the required information and to issue updated documentation when required.

DAFF Officials (MRM Chief Directorate) collate and verify all validated CMF's and CTF's and manually cross check these before electronic submission to CCSBT using the data provision forms provided.

CCSBT report annually on South Africa's compliance to this obligation. During the 2016 calendar year<sup>13</sup> all CTFs submitted by DAFF matched the corresponding CMF for numbers of SBT and that 97.1% of CTF's submitted had individual SBT weights recorded within a 2.5% margin of weights recorded on the corresponding CMF.

**Phase 2 update:** Additional automatic checks that form part of the new CCSBT CDS database should ensure all data is reported correctly on the corresponding CTF.

### 3.15 Catch Documentation System 10 (CCSBT Obligations 3.1 (xxix) + (xxxi))

The aim of this obligation is to ensure the verification of CDS documents.

**3.15.1 MPR 1: Operating systems and processes established and implemented to (a) assign unambiguous responsibility to individuals or institutions for implementing verification procedures; and (b) ensure no verification procedure is carried out for a CDS document by an individual who has validated or certified the same CDS document.**

**Summary** – Only DAFF Officials on the authorised list can verify CDS documents presented following a landing inspection.

**Key points**

- CTF's and Landing Declaration Sheets are signed during validation by DAFF FCO's in designated ports.
- Verification procedures are carried out separately by trained and authorised validators in DAFF's Fisheries Branch Office in Cape Town.
- Manual checks are undertaken of all documents to ensure the same individual does not verify a CDS document having already validated it.

DAFF Officials, not involved in in-port validation of vessel landings or transshipments, from the MRM Chief Directorate carry out verifications of CDS and catch documents before a CMF can be authorised and issued. Each validator signs and dates the CMF only when all relevant documentation is approved. During this process visual checks of all documentation are undertaken by the validator to ensure the same individual has not undertaken the original checks or has signed a CTF for the same landing operation.

**Phase 2 update:** Appointed co-validators provide an additional check on catch data and CDS forms submitted following the landing inspection. These additional manual checks are undertaken before documents are presented to the validator for their approval and signature. Only then will a CMF be issued.

**3.15.2 MPR 2a: [Operating systems and processes established and implemented for verification, including] Selecting and inspecting, where appropriate, a targeted sample of vessels and export, import and market establishments based on risk. The intent of these inspections should be to provide confidence that the provisions of the CDS are being complied with.**

**Summary** – As all SBT landings and transshipments are monitored by DAFF FCO'S there is no requirement to sample either vessels or market establishments based on risk analysis.

**Key Points:**

- FCO's undertake physical inspections and documentation checks of all SBT landings in designated ports. FCO's will not sign any CDS forms unless all CCSBT obligations are met.
- Verification of catch and CDS documentation provided by FCO's is undertaken by DAFF appointed Officials before CMF's are authorised, signed and issued.
- South African authorised vessels have never landed SBT in a foreign port (source DAFF).

In CCSBT's most recent report on CDS compliance for South Africa (2016 calendar year) 94.1% of CMF's (domestic landings) were found to contain complete and accurate information; 95% of CMF's (exports) were also found to contain complete and accurate information.

**3.15.3 MPR 2b: [Operating systems and processes established and implemented for verification, including] Reviewing and analysing information from CDS documents at least once every 6 months, including (i) checking the completeness of data on CDS forms and cross-checking the consistency of the data on CDS forms received with other sources of information; (ii) cross-checking data from the Executive Secretary's CDS six-monthly report; and (iii) analysing any discrepancies.**

**Summary** – Verification of all CDS documents is undertaken before CMF's are issued. All SBT landings and transshipments are physically inspected.

**Key Points:**

- Completeness and accuracy of information in CDS forms is verified before CMF's are issued.
- Once 'live' the improved CCSBT CDS database should improve the quality of data captured from CDS forms.

Verification actions by DAFF Officials entail manual checks of catch details (Product Type; Vessel Gear Code; Statistical Area of Capture; Fish weight (kg) and other information listed on the Catch Tagging Form with the signed landing declaration, FCO landing inspection reports and vessel logsheet before the CMF can be signed and issued. No documentation will be authorised and signed unless compliant with all relevant regulations.

During regular performance evaluations of FCO's and DAFF Officials all CCSBT tasks and duties are reviewed. If necessary re-training is recommended and undertaken by the individuals selected. Observed discrepancies in the implementation by South Africa of the CCSBT CDS noted recently by both CCSBT Executive Secretary and the QAR Review Team are being addressed (Section 3.1.3).

**3.15.4 MPR 2c: [Operating systems and processes established and implemented for verification, including] investigating any irregularities suspected or detected and (MPR 2d) taking action to resolve any irregularities.**

**Summary** – DAFF have in operation systems to identify and investigate irregularities and also have a legal mandate to take action to resolve any irregularities.

**Key points**

- Section 28 of the Marine Living Resources Act 18/1998 used to enforce sanctions against South African Rights Holders.
- For the current fishing season (2018-2019) an additional level of validation has been introduced (co-validators).

Fishery Control officers are trained to monitor every offload and transshipment of vessels fishing for SBT. Inspection procedures are designed to check that all catch data (eg number and individual weight of SBT landed) is recorded correctly on the CTF and landing declaration before the FCO can authorise and sign the document. Co-validators now review all official documentation following port

inspections to ensure all CDS obligations have been met. DAFF Officials are fully trained to verify all CDS documentation presented to them before CMF's can be authorised and issued.

Any violations of permit conditions (South African Rights Holders) identified could trigger further investigations and enforcement of sanctions as laid down in Section 28 of the Marine Living Resources Act 18/1998 (Section 2.5 Fisheries Management).

**Phase II update:** South Africa is in the process of improving its Vessel Monitoring Systems, which will bring about a more stringent monitoring and surveillance regime by applying advanced VMS technologies. The Cape Town Port of Entry Control Centre will be extended to the Air Border Environment and a third phase will be on the land border post to prevent the illegal export of fish and fish products to South Africa's neighbouring countries<sup>8</sup>

The Border Management Authority (BMA), the authority that will handle all matters involving South Africa's Ports of entry is being established and it will address illegal activities in the border environment. The Border Management Authority Bill was passed through the National Assembly and has been referred to the National Council of Provinces for concurrence.

### 3.15.5 MPR 2d: [Operating systems and processes established and implemented for verification, including] notifying the Executive Secretary and relevant Members/OSECs, of any consignments of SBT whose CDS documentation is considered doubtful, or incomplete or un-validated.

**Summary** – DAFF have systems in place to notify the CCSBT Executive Secretary of any consignments of SBT where CDS documentation is considered doubtful, incomplete or un-validated.

#### Key points

- SBT consignments identified as not having validated catch documents are not allowed to be landed, transhipped or re-exported.
- Section 28 of the Marine Living Resources Act 18/1998 used to enforce sanctions where infringements are detected (South African Rights Holders, Factory Managers, Export Managers).

FCO's (MCS Chief Directorate) inform the MRM Chief Directorate should evidence be obtained by them that that CDS documentation viewed by them was considered doubtful. FCO's are trained not to authorise any operation involving SBT until observed discrepancies are resolved. When required the MRM Chief Directorate notify the CCSBT Executive Secretary (and/or the Flag State) through established communication channels of the status of the required application to land or tranship SBT.

### 3.15.6 MPR 2e: [Operating systems and processes established and implemented for verification, including] notifying the Executive Secretary of any investigation into serious irregularities, in order to present these in an annual summary report to the Compliance Committee.

**Summary** – In addition to complying with annual reporting obligations DAFF have regular email communications with the CCSBT Executive Secretary on a number CDS and control issues.

#### Key points

- Results of investigations and infringement proceedings are summarised annually in an annual report to the CCSBT Compliance Committee.

DAFF's most recent reported to the Compliance Committee (2016 calendar year) noted four serious contraventions of the Marine Living Resources Act (Act No. 18 of 1998) by foreign flagged fishing vessels. All vessels were fined. No domestic or chartered LPL vessels (2016-2017 fishery) were found to be in contravention of the South African Marine Living Resources Act (Act No. 18 of 1998).

DAFF continue to maintain an enhanced Monitoring, Control and Surveillance (MCS) enforcement obligation. These obligations include, although not limited to, sampling, monitoring, follow up investigations of contraventions, monitoring of transshipments in port and other activities involving the landing and processing for export of SBT.

### 3.15.7 MPR 3: Ensure that no SBT is accepted (for landing of domestic product, export, import or re-export) without validated documentation attached.

**Summary** – FCO's are trained to refuse to sign CDS documentation unless it is fully compliant with CCSBT CDS obligations. FCO's inspect all SBT landings and transshipments.

#### Key Points

- Rights Holders or Fishing Skippers are now obliged to attach their CTF form to the signed Landing Declaration Sheet, ensuring verified catch weights from the port inspection are used for quota calculation purposes.
- Discrepancies in the CDS System noted recently by CCSBT and the QAR Review Team are being addressed.
- No SBT has been re-exported from 2014-2017 (source DAFF Report (2017) to CCSBT Compliance Committee).

Factory Managers and/or Exporters apply to DAFF (MRM Chief Directorate) for CDS and other documentation based on the purpose of their operations (domestic landing, re-export/export) and as required in CCSBT document "Operation Directions for Application and Issuance of CCSBT SBT Catch Documents" and "Directions on the Application of Southern Bluefin Tuna Exports and Re-exports". It is an export permit condition that validated CDS documents must accompany the consignments of all SBT for export. The exporter can only obtain a validated CMF by providing the CTF and signed landing declaration to DAFF, with prior notification.

There is insufficient capacity to monitor product at the points of export. Monthly summaries of export by species are also required to be electronically submitted by the exporter to DAFF.

Only through random sampling or through a tip off are consignments physically inspected at the airports<sup>8</sup>. All documents submitted to facilitate the export of SBT are validated by DAFF Officials before approval is granted.

The following validated documentation is required before SBT is accepted for landing, export or re-import:

- Signed Landing Declaration Sheet and attached CTF (FCO and Rights Holder/Fishing Skipper).
- Signed CMF (DAFF Validator, Exporter) with completed Section on Intermediate or Final Product Destination.
- Factory Invoice showing receipt of SBT and dressed weight (Rights Holder/Factory Manager).
- For export to the EU a completed and signed Export Permit and Health Certificate from the South African Competent Authority: (for frozen and canned fish South Africa Bureau of Standards (SABS) for fresh, chilled fish National Regulator for Compulsory Specifications (NRCS)).
- Completed EU Catch Certificate (EU export only).

Discrepancies noted in CCSBT Report No CCSBT-CC/1710/04<sup>18</sup> have either being resolved or are being addressed through the introduction of a bespoke CDS database (Section 4.3 Validation Systems).

### 3.16 Transshipment (at sea) Monitoring Program 1 (CCSBT Obligation 3.3 (i) – (v))

#### 3.16.1 MPR1a: [Operating systems and processes to ensure] the authorisation document, including details of the intended transshipment provided by the master or owner of the LSTLV, is available on the LSTLV prior to the transshipment occurring.

**Summary** – The Flag State of the authorised fishing vessel (LSTLV) is responsible for meeting the minimum performance requirements set out when transshipment occurs at sea. Systems are in place to monitor transshipments in designated ports. South Africa have no LSTLV's in operation.

#### **Key Points**

- South African flagged vessels (LPL and TPL) prohibited from transshipping at sea under permit conditions.
- In port transshipments for all fleets fully monitored by DAFF FCO's
- Permits must be applied for in advance before transshipments are authorised.
- Authorised transshipments must be recorded on the CCSBT statistical document in compliance with CCSBT CDS obligations.

Applications for permits (foreign flagged vessel/reefer/LSTLV's) to enter South African EEZ and transshipment in a designated port must be provided to the MRM Chief Directorate as a minimum 72 hours before entering the EEZ. Both receiving and the transshipping vessels are required to have a mandatory transshipment declaration through an Advanced Request for Entry in Port (AREP), before entering into the EEZ.

<sup>18</sup> Compliance with CCSBT Management Measures (2016 Fishery)

AREPS are then forwarded by MRM to Officials in the MCS Chief Directorate. Additional information may be requested by MCS Chief Directorate using form RAI (Request for Additional Information). Applications for a transshipment permit must clearly stipulate the species and quantity to be transhipped. DAFF require seven working days to prepare and issuing both the EEZ GEAR & Transshipment Permits. Transshipment Permit are issued subject to adherence to conservation and measures of the Tuna Regional Fisheries Management Organizations:

Subject to approval from the initial document check (includes a check on the vessels license and registration) a form NFV (Notification to Fishing Vessel) is issued to the vessel/reefer and authorisation to offload/tranship or discharge is provided. FCO's are informed of the foreign flagged vessel's ETA and prepare for an inspection. During the inspection the authorisation for transshipment document is verified by FCO's.

Section 14.3 of the LPL Fishing Permit prohibits transshipments at sea for South African permit holders:

- No transshipment of fish at sea is permitted. Transshipment in port shall be permitted subject to the application and issuance of a transshipment permit by the Department and complete monitoring of transshipment by FCOs.

MLRA Regulations 85(2) states:

- No transshipment of any fish or fish products or any other goods from or to any and fishing vessel shall be carried out other than within a fishing harbour and under the supervision of a Fishery Control Officer or other authorized person.

This is monitored through sea patrol vessels and mandatory VMS on all domestic and joint venture fishing vessels.

Transshipments in port for domestic LPL, TPL and chartered vessels are also allowed by DAFF subject to a strict set of conditions:

- A valid transshipment permit must be applied for and issued (MRM)
- Minimum 24 hours pre-notification required should any vessel wish to tranship.
- The vessel/reefer owner must nominate a designated port for transshipment.
- All required licenses and gear permits are in order (see Section 3.16.2).

No transshipments were undertaken in designated ports without valid authorisation (2016-2017 and 2017-2018 fishing seasons, source MCS Chief Directorate).

**3.16.2 MPR1b: [Operating systems and processes to ensure] Any carrier vessel receiving the transhipped SBT is meeting its obligations to provide access and accommodation to observers, and to cooperate with the observer in relation to the performance of his or her duties (see Carrier Vessel Authorisation minimum performance requirements, CCSBT documentation).**

**Summary** – The Flag State of the authorised fishing vessel (LSTLV) is responsible for meeting the minimum performance requirements set out by CCSBT for transshipments at sea. South Africa does not have any CCSBT authorised carrier vessels in operation in this fishery.

**3.16.3 MPR 2a-e: [Rules in place to ensure] (a) all SBT transhipments receive prior authorisation; (b) fishing vessels are authorised on the CCSBT authorised fishing vessel register on the date(s) the SBT are harvested, retained on board, transhipped and landed; (C) Carrier vessels are authorised on the CCSBT authorised carrier vessel register on the date(s) any transhipments occur; (d) a named CCSBT observer is on board the Carrier Vessel; and (e) no SBT transhipment occurs without an observer on-board except in the case of 'force majeure' (as notified to the Executive Secretary).**

**Summary** – Pre-inspection checks by FCO's verify that fishing/reefer vessels were authorised when SBT was harvested, retained on board, transhipped or landed in a designated port.

**Key points:**

- All transhipments of SBT are physically inspected by FCO's (100% coverage).
- An updated list of CCSBT authorised fishing/reefer vessels is available on the CCSBT website.
- South Africa does not have any CCSBT authorised carrier vessels in operation.

For all fishing vessels and reefer vessels, the following checks are undertaken by FCO's prior to the transhipment taking place:

- Verify that the vessel/reefer is listed on the latest CCSBT authorised vessel/reefer list (CCSBT website) if South African flagged and that the vessel/reefer licence and registration are valid.
- Verify through the flag state (if foreign flag) that the vessel/reefer is listed on the latest CCSBT authorised vessel/reefer list.

For foreign flagged vessel these and other data are captured in Port Inspection Reports (PIRs) which also include details of any infringements detected. Copies of each PIR are retained on file at DAFF and forwarded to the vessel flag state (if foreign flag).

During the transhipment inspection the FCO's inspect and validate the following documents:

- All fishing permits, licences, vessel documents, logbooks, the EEZ GEAR Permit and the Transhipment Permit.

### 3.16.4 MPR2f: [Rules in place to ensure] Transhipment declarations are completed, signed and transmitted by the fishing vessel and the carrier vessel, in accordance with paragraphs 15 and 18 of the Transhipment Resolution

**Summary** – DAFF (MCS Chief Directorate) did not report any infringements of the obligations contained in paragraphs 15 and 18 of the Transhipment Resolution (all fleets 2017-2018 fishing season)

**Key Points**

- FCO's monitor all authorised transhipments in Port.
- FCO's are trained to prevent transhipment operations that do not fully comply with the CCSBT Transhipment Resolution and National Regulations.

On site, the inspection commences by validating all fishing permits, licences, vessel documents, logbooks, the EEZ GEAR Permit and the Transhipment Permit. Each fish (or fish product) is separately weighted by species and checked against the declared quantity in Transhipment Permit. The authorized person of the carrier vessel will then complete the Transhipment Declaration Report to be submitted to the FCO within 15 days as per CCSBT resolution.

Officials from DAFF (MCS Chief Directorate) verify that vessel owners or representatives (foreign flag states) complete and transmit to their Flag State / Fishing Entity and to DAFF, the transhipment declaration no later than 15 days after the transhipment. This action is undertaken and verified online by DAFF FCO's.

### 3.16.5 MPR 3a, b: [Operating systems and processes to] Issue transhipment authorisations and verify the date and location of transhipments.

**Summary** – Transhipment authorisations are only issued when all documentation is verified by both MRM and MCS Chief Directorates. FCO's verify the date and location of transhipments through inspection of all documentation.

**Key Points:**

- Systems are in place to ensure the transhipment authorisation is available on the LSTLV or fishing/reefer vessel prior to the transhipment occurring (Section 3.16.1)
- For foreign flagged vessels (Port Inspection Reports) and for South African flagged vessels (Vessel Inspection Report) there is 100% coverage of all transhipments in port.

Authorisation to tranship is granted by DAFF Officials only when all documentation is examined and validated prior to the transhipment operation taking place.

**3.16.6 MPR 3 g-h: [Operating systems and processes to] monitor compliance with the control measures; and impose sanctions or corrective action programmes for any non-compliance detected.**

**Summary** – FCO’s are trained to inspect and validate all required documentation and to physically examine the catch before any transhipment is authorised.

**Key Points:**

- FCO’s undertake physical checks of all SBT transhipped.
- All CCSBT documentation is validated during landing by FCO’s.
- Where infringements are detected FCO’s are authorised under Section 28 of the MLRA to impose sanctions.

The following control measures are undertaken by FCO’s both before and during transhipment operation in designated ports:

- Verify through MRM Chief Directorate that the vessel/reefer has a valid entry permit to enter SA EEZ; a valid gear permit and a valid transhipment permit.
- Verify through flag state or VMS operations room that the vessel/reefer has VMS or AIS installed and operational.
- Verify that the vessel/reefer is not on the latest IUU vessel list (RFMO’s websites).

The following checks are undertaken by FCO’s during discharge or transhipment of SBT from domestic; joint-venture and foreign flagged vessels/reefers

- Landing declaration completed correctly and signed.
- Margin of tolerance (between recorded and verified weights) acceptable.
- All SBT weighed during landing.
- CTF and Landing Declaration Sheet agree on SBT number and weights and have been signed.

During the 2016-2017 fishing season no transhipments occurred at sea or in port for those CCSBT authorised South African-flagged vessels. A total of 18 transhipments were undertaken by foreign flagged vessels (2016-2017 fishing season). No infringements of the CCSBT CDS Obligations were detected during transhipments involving SBT.

### 3.17 Transshipment Monitoring Program (CCSBT Obligation 3.3 (vi))

#### 3.17.1 MPR 1a: [Operating systems and processes in place to]: provide a list of designated foreign ports where SBT transshipments are permitted to occur to the Executive Secretary on an annual basis before the annual meeting of the Compliance Committee.

**Summary** – South Africa has three ports in which foreign fishing vessels may enter for the purpose of landing SBT, transshipment, repairs, bunkering, etc: Cape Town, Port Elizabeth and Durban.

**Key point**

- DAFF provide CCSBT with a list of designated ports annually.
- The list of designated ports for SBT transshipments in South Africa is also available on the CCSBT website.

### 3.18 Transshipment (at sea) Monitoring Program (CCSBT Obligations 3.3 (vii-x))

#### 3.18.1 MPR 1a: [Rules in place to ensure]: Port State authorities are notified at least 48 hours prior to (or immediately after) any pending in-port transshipment by the LSTLV master, and this notification includes key details about the intended transshipment.

**Summary** – Completed AREP forms (Advanced Request for Entry in Port) received from the LSTLV master at least 24 hours prior to transshipment by MRM are forwarded to Officials in the MCS Chief Directorate.

**Key Points**

- No transshipments allowed until AREP and completed transshipment permit received and verified by MRM Officials and FCO's (MCS Chief Directorate).
- Key details on the AREP and Transshipment Declaration are verified during inspection by FCO's these include species and weight of fish to be transhipped.
- All South African flagged vessels compliant with CCSBT rules on transshipments (2017-2018 fishing season).

In their report to the CCSBT Compliance Committee<sup>8</sup> DAFF reported (2016 calendar year) that, from a total of 410 foreign flagged vessels that entered South Africa's EEZ a total of 24 at-sea and 231 in-port inspections undertaken (2016). Four Foreign flagged vessels contravened the South African Marine Living Resources Act, Act No. 18 of 1998. All were fined. No Foreign flagged vessel that was fined had SBT on board.

**MPR 1b,c: [Rules in place to ensure]: LSTLVs are authorised on the CCSBT authorised fishing vessel register on the date(s) the SBT are harvested, retained on board, transhipped and/or landed.**

**Summary** – FCO’s check foreign LSTLV vessel history and current authorisations through the relevant RFMO before conducting inspection in-port and authorising transhipments.

**Key Point:**

- South Africa does not have any CCSBT authorised LSTLV vessels in operation.
- Checks undertaken by FCO’s on CCSBT’s website of the current authorised fishing vessel register.

Permits to enter South Africa’s EEZ and to undertake a transhipment in port by foreign flagged LSTLV’s are validated before an inspection is undertaken. A full physical inspection is undertaken on all foreign vessel transhipments undertaken in designated ports. Any contraventions are notified immediately to the flag state.

**MPR 1d: [Rules in place to ensure] transhipment declarations are completed, signed and transmitted by the LSTLV and the Carrier Vessel, in accordance with paragraphs 25 and 28 of the Transhipment Resolution, in particular that: The LSTLV transmits a completed CCSBT Transhipment Declaration and its number in the CCSBT Record of Fishing Vessels to its Flag State / Fishing Entity, not later than 15 days after the transhipment occurs, or, if the SBT are being transferred temporarily to bonded cold storage, not later than 15 days from the date on which the SBT is transferred into the bonded cold storage facility.**

**Summary** – The flag state of the LSTLV is responsible for verifying the implementation of all obligations laid down in CCSBT’s Transhipment Resolution; including the transmission of completed transhipment declarations to the Port State of Transhipment.

**Key Points**

- Any infringements of the CCSBT Transhipment Resolution by a foreign flagged vessel are reported to the flag state via the Port Inspection Report (PIR).

## 4 Phase 2 Member site visit

The objectives of the Member site visit were to verify the extent that systems and processes described in documentation and records provided in Phase 1 were demonstrated to the QAR Review Team; are fully implemented and consistent with procedures described by the Member during Phase 1. The site visit determines the effectiveness of the processes, systems and activities in ensuring that Members meet their obligations specific to the MPR’s covered by the scope of the QAR.

Site visit meetings took place during 16th – 19th April 2018. The schedule of the site visit was confirmed prior to the Reviewers arrival in Cape Town through correspondence by e-mail and

conference calls with representatives from DAFF. Exchange of information and requests for clarification were made prior to, and following, the site visit.

Representatives from each of the DAFF Chief Directorates: Marine Resources Management (MRM), Fisheries Research and Development (FRD) and Monitoring, Control and Surveillance (MCS) made themselves available for the duration of the site visit. Each day of the site visit was divided into a morning and an afternoon session and an agenda proposed by the QAR Team. The order of proceedings was flexible and attendance at meetings was not restricted to applicable DAFF officials only.

No LPL or TPL offloads took place during the site visit, nor were there any transshipments by foreign-flagged vessels. A meeting with local stakeholders took place during Day 3. The site visit schedule, a list of attendees and topics discussed is shown in Table 6:

**Table 8: Schedule of QAR Site visit, Meetings, Consultations.**

Date	Time	Organisation/ Contact Name	Contact details	Venue
16 <sup>th</sup> April 2018	09:00 – 12:00	Department of Agriculture, Forestry and Fisheries (DAFF) <ol style="list-style-type: none"> <li>1. Marine Resources Management (MRM)</li> <li>2. Fisheries Research and Development (FRD)</li> <li>3. Monitoring, Control and Surveillance (MCS)</li> </ol>	Deputy Director Pelagic and High Seas Fisheries Management - <a href="mailto:gayisomk@daff.gov.za">gayisomk@daff.gov.za</a>	DAFF Boardroom Level 3
	13:00 – 15:00			
	15:00-15:30			
Date	Time	Organisation/ Contact Name	Contact details	Venue
17 <sup>th</sup> April 2018	08:00 – 10:00	DAFF - Vessel Monitoring System (VMS): Practical Demonstration	Amandadw@daff.gov.za	VMS Operations Room DAFF Level 6
	10:00 – 12:00	DAFF <ol style="list-style-type: none"> <li>1. Marine Resources Management (MRM)</li> <li>2. Fisheries Research and Development (FRD)</li> </ol>	Deputy Director Pelagic and High Seas Fisheries Management - <a href="mailto:gayisomk@daff.gov.za">gayisomk@daff.gov.za</a>	DAFF Boardroom Level 3

		3. Monitoring, Control and Surveillance (MCS)		
	13:00 – 15:00	Visit to Port: cold store visit.  Review of Data capture and Catch Statistics Validation Systems	<a href="mailto:buyekezwap@daff.gov.za">buyekezwap@daff.gov.za</a>  <a href="mailto:melissag@daff.gov.za">melissag@daff.gov.za</a>	Port of Cape Town Fisheries Research and Development DAFF Level 5
	15:00-16:00	Summary and Close – Day 2	Deputy Director Pelagic and High Seas Fisheries Management - <a href="mailto:qayisomk@daff.gov.za">qayisomk@daff.gov.za</a>	DAFF Boardroom Level 3
Date	Time	Organisation/ Contact Name	Contact details	Venue
18 <sup>th</sup> April	08:00 – 12:00	<b>DAFF</b> 1. Marine Resources Management (MRM) 2. Fisheries Research and Development (FRD) 3. Monitoring, Control and Surveillance (MCS). 4. The South African Tuna Longline Association (SATLA) 5. The South African Tuna Association (SATA)	Deputy Director Pelagic and High Seas Fisheries Management - <a href="mailto:qayisomk@daff.gov.za">qayisomk@daff.gov.za</a>  Secretary SATLA - Sean Walker - <a href="mailto:swalker@breakwaterproducts.com">swalker@breakwaterproducts.com</a>  Chairman SATA - Clyde Bodenham - <a href="mailto:clyde@molimoman.co.za">clyde@molimoman.co.za</a>	DAFF Boardroom Level 3
	13:00 – 16:00			
	16:00-17:00			
19 <sup>th</sup> April	13:00 – 15:00	<b>DAFF</b> 1. Marine Resources Management (MRM) 2. Fisheries Research and Development (FRD)	Deputy Director Pelagic and High Seas Fisheries Management - <a href="mailto:qayisomk@daff.gov.za">qayisomk@daff.gov.za</a>	DAFF Boardroom Level 3

		3. Monitoring, Control and Surveillance (MCS) Closing Meeting	
List of Attendees and Agenda Points			
Date	Attendees	Agenda	
16/04/2018	<ol style="list-style-type: none"> <li>1. MRM <ol style="list-style-type: none"> <li>a. Chief Director – Asanda Njobeni</li> <li>b. Director Offshore &amp; High Seas Fisheries - Saasa Pheeha</li> <li>c. Deputy Director Pelagic and High Seas Fisheries Management (PHSFM) - Qayiso Mketsu</li> <li>d. Senior Administrative Officer PHSFM - Aphiwe Nonkeneza</li> <li>e. Administration Officer - Sive Dingwayo</li> <li>f. Secretary/Scribe – Rendani Mufamedi</li> </ol> </li> <li>2. FRD <ol style="list-style-type: none"> <li>a. Large Pelagics Production Scientist - Dr. Henning Winker</li> <li>b. Marine Research Technician – Melissa Meyer</li> </ol> </li> <li>3. MCS <ol style="list-style-type: none"> <li>a. Director (Acting) - Fatima Savel (Deputy Director Training, Skills and Development)</li> <li>b. Chief Inspector in charge of Cape Town Station - Buyekezwa Polo</li> </ol> </li> </ol>	<ul style="list-style-type: none"> <li>• Review catch, quota data: 2016-2017; 2017/2018 fisheries</li> <li>• Updates to vessel authorisation systems, clarify procedures for 2018/2019 fishery</li> <li>• Process Maps Reviewed: Pre-season administration SBT Fishery; DAFF Organogram</li> </ul>	
17/04/2018	<ol style="list-style-type: none"> <li>1. MRM <ol style="list-style-type: none"> <li>a. Saasa Pheeha</li> <li>b. Qayiso Mketsu</li> <li>c. Aphiwe Nonkeneza</li> </ol> </li> </ol>	<ul style="list-style-type: none"> <li>• Updates on MCS in the fishery, documentation of inspection procedures</li> <li>• Vessel Monitoring System (VMS): Practical Demonstration</li> </ul>	

	<ul style="list-style-type: none"> <li>d. Sive Dingwayo</li> </ul> <ol style="list-style-type: none"> <li>2. FRD <ul style="list-style-type: none"> <li>a. Dr. Henning Winker</li> <li>b. Melissa Meyer</li> </ul> </li> <li>3. MCS <ul style="list-style-type: none"> <li>a. Fatima Savel</li> <li>b. Buyekezwa Polo</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>• Updates on Transshipments/IUU Vessel List/Ports authorisation/Controls</li> <li>• Visit to Port: cold store visit (no SA flagged vessels offloading or transshipping SBT)</li> <li>• Database review: Catch statistics validation, data capturing</li> </ul>
18/04/2018	<ol style="list-style-type: none"> <li>1. MRM <ul style="list-style-type: none"> <li>a. Saasa Pheeha</li> <li>b. Qayiso Mketsu</li> <li>c. Aphiwe Nonkeneza</li> <li>d. Dingwayo</li> </ul> </li> <li>2. FRD <ul style="list-style-type: none"> <li>a. Dr. Henning Winker</li> <li>b. Melissa Meyer</li> </ul> </li> <li>3. MCS <ul style="list-style-type: none"> <li>a. Fatima Savel</li> <li>b. Buyekezwa Polo</li> </ul> </li> </ol> <p>Stakeholder Meeting:</p> <ol style="list-style-type: none"> <li>1. The South African Tuna Longline Association (SATLA) <ul style="list-style-type: none"> <li>a. Chairman – Trevor Wilson</li> <li>b. Secretary – Sean Walker (also fish exporter)</li> </ul> </li> <li>2. The South African Tuna Association (SATA) <ul style="list-style-type: none"> <li>a. Chairman - Clyde Bodenham</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>• Updates to catch documentation system, including tagging program</li> <li>• Queries on 2017/18 tagging program</li> <li>• Demonstration of reporting systems, databases (tagging program)</li> <li>• Update on Observer program arrangements</li> <li>• Traceability exercise (log sheets, CMF, CTF, export documents)</li> <li>• Update on coordinating and management of scientific data, fishery data, ERS data, E-logbook, VMS, catch validation and compliance</li> </ul> <p><b>Stakeholder Meeting:</b></p> <p>Facilitated by DAFF, a courtesy meeting was held with representatives of the South African Tuna Longline Association and South African Tuna Association to appraise them of the project and gain their perspective on DAFF management of the fishery.</p>
19/04/2018	<ol style="list-style-type: none"> <li>1. MRM <ul style="list-style-type: none"> <li>a. Saasa Pheeha</li> <li>b. Qayiso Mketsu</li> <li>c. Aphiwe Nonkeneza</li> <li>d. Dingwayo</li> </ul> </li> <li>2. FRD <ul style="list-style-type: none"> <li>a. Dr. Henning Winker</li> <li>b. Melissa Meyer</li> </ul> </li> <li>3. MCS <ul style="list-style-type: none"> <li>a. Fatima Savel</li> <li>b. Buyekezwa Polo</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>• Preliminary gap analyses presented</li> <li>• Final documentation requests and clarifications</li> <li>• Closing remarks</li> </ul>

## 4.1 Fishery management review

The overall framework for management of SBT to ensure compliance with quota allocations presented in Phase 1 was demonstrated to the QAR Review Team during Phase 2. A fishing vessel, during each fishing trip from the port of departure to the fishing grounds and return to port, may only fish using a single Rights Holder's allocation. DAFF Officials are aware of this obligation and undertake validation (vessel landing) and verification (before the CMF is issued) controls to ensure catches are allocated against a single Rights Holder. Evidence of this was provided to the QAR Team through examination of the systems in place for quota allocation and catch reporting (see below).

The QAR Team now understand that DAFF have requested owners of foreign-flagged vessels involved in Joint Ventures to finalise their registration on the South African merchant fishing vessel register. Right Holders have already submitted comprehensive skills transfer programmes and re-flagging timetables and have been given until 2020 to finalise this process.

In the area of catch monitoring a number of improvements have being noted. DAFF are aware of the user restrictions in place using the current MAST database (catch and effort data) and are looking to upgrade this system (see below). The QAR review team were given a demonstration of a MS Access-based CDS database designed to eliminate observed discrepancies in the implementation of the CCSBT CDS system. This system will complement the current excel-based catch and effort database (MAST).

DAFF appointed co-validators now provide an additional level of checks when catch documentation (logbooks, landing declarations) is used to generate CDS forms (CTF, CMF). The QAR Team noted this development during the Phase 2 visit. All DAFF Officials are fully trained in their duties and undertaken regular performance reviews and refresher training when needed.

The Fishery Transformation Council is responsible for the design of the Fisheries Development Plan, which is a process separate from that of a Fleet Development Plan. There is currently no dedicated Fleet Development Plan for the Tuna Pole and Line Fishery in South Africa.

## 4.2 Vessel Monitoring Systems

The obligation to have a functioning VMS system on board all authorised vessels (South African Rights Holders) has been in operation in South Africa since 1998. Twenty two (22) domestic longline, forty one (41) domestic pole-line and three (3) charter longline vessels (2016-2017 fishing season) reported to DAFF's VMS operations centre.

Procedures are specified in each permit that the vessel would have to follow in the event of technical failure of the VMS system while at sea. Should the VMS malfunction at sea the fishing skipper is obliged to pre-notify port destination and ETA. DAFF FCOS's also require a copy of the vessel track for the voyage for verification purposes. On landing the vessel would be targeted for inspection by FCO's.

The fishing skipper of foreign flagged vessels (not engaged in chartered operations) must ensure that the Automatic Identification System (AIS) and/or Vessel Monitoring System (VMS) are functional and reporting to the Fisheries Monitoring Centre (FMC) from 50 nm prior to entering South African EEZ and within the South African EEZ (except when docking in port). Currently the VMS Operations Room cannot detect foreign flagged vessel AIS when these vessels are inside South African EEZ.

**Phase 2 Site Visit: Operations Room (VMS):**

During the Phase 2 site visit the technical functions of the system currently in use were confirmed by DAFF Officials in the VMS Department (Operations Room):

**Key Points**

- Currently 22 commercial fisheries, a number of Marine Protected Areas (MPA's) and areas containing MSC Certified Fisheries are managed by the VMS Department, in addition to RFMO Obligations.
- Currently no obligation for foreign flagged vessels to report to Operations Room via VMS. Currently Operations Room cannot detect foreign flagged AIS systems.
- DAFF keep records of the frequency of VMS breakdowns in the domestic fleet in order to discourage repeated use and/or abuse of the special arrangements dispensation.
- VMS systems are tamper-resistant.
- VMS systems automatically transmits the following data:
  - vessel identification
  - geographical position, course and speed
  - date and time
  - reporting of a technical failure of the VMS system.
  - monitor vessels' VMS reports.

South Africa is in the process of improving its Vessel Monitoring Systems, which will bring about a more stringent monitoring and surveillance regime by applying advanced VMS technologies (Source DAFF Annual Report to CCSBT Compliance Committee (2017)).

**4.3 CDS Database (MS Access)****Phase 2 update:**

During Phase 2 the CDS database was in the implementation phase. When completed the new database is designed to automatically:

- Minimise data capturing errors
- Prevent the entry of invalid formats (incorrect CTF numbers, etc)
- Prevent duplicate entries (e.g. multiple CMFs for the same consignment)
- Identify early misreporting through in-built alarms.
- Facilitate automatic internal cross-validation with other independent data streams (logbooks, landing declaration sheets)

Valid references numbers (e.g. CMF number in correct format) will be assigned to each individual Rights Holder. Each tag number entered will now be automatically removed from the drop-down list and stored in a "Used-Tags" table in order to prevent duplication or accidental re-use by the Rights Holder. Information in this database can be used in conjunction with the existing DAFF database (MAST) used to record and monitor activities in other fisheries for control and quota purposes.

A demonstration of the new system was provided during Phase 2 by Dr Henning Winker, Scientist: Large Pelagic Fisheries of the FRD Chief Directorate (Centre for Statistics in Ecology, Environment and Conservation (SEEC)).

#### 4.4 MAST Database (Catch and Effort Reporting)

A demonstration was provided during Phase 2 of the current system in place to record catch data for quota and non-quota species. Catch data submitted by Rights Holders (RH) is captured manually by FRD Chief Directorate data capturers and then validated electronically by the Large Pelagics Marine Research Technician (FRD Chief Directorate).

Data capturers self-check and crosscheck each other to ensure that data is captured correctly. The Scientific Technician in charge of data capturers separates SBT trips from non-SBT trips – this is done manually according to catch statistic logbook entries.

The Scientific Technician then conducts two validation steps with the received data:

- The catch per set from logbooks is compared with the vessel trip information and landing declaration.
- Incidental bycatch reported per set is reviewed and if necessary information passed to MRM (control purposes).

Both steps are conducted on the DAFF MAST database system. Log sheet hardcopies are then signed by the Technician and marked as validated. Validation currently takes place only after the end of the fishing year as there is only a single “live version” of the database and only one person can work on it at a time. The Technician normally gains full control of the database during March-April to perform corrective validation for the fishing season just ended.

During corrective validation the technician checks that annual data submission requirements have been met for all RHs in both TPL and LPL sectors. Should a RH not submit catch returns for the entire year then FRD notifies MCS Chief Directorate of this non-compliance. The RH is then obliged to make a full submission of catch returns in order to be able to apply for the following years fishing permit. Sanctions are applied if this obligation is not met by the RH.

The QAR Team noted the restrictions on user access to the current system and understand DAFF are requesting an upgrade of the system to process and validate all catch data in real time and not just at the end of the fishing season.

#### 4.5 Scientific Observer Programme

In the absence of a formal scientific observer program (since 2011) DAFF has introduced measures for the introduction of an industry funded programme in order to meet the 5% observer coverage as specified by IOTC on the domestic longline vessels, whilst also re-establishing the national observer programme by developing specifications for a tender. This new programme may also include monitoring of the TPL fleet. When at sea scientific observers provide assistance when needed to fishing skippers to correctly complete CTF forms and can validate recorded landings of SBT that are noted in the CTF.

All foreign flagged fishing vessels under charter agreement in South Africa are covered, which brings the total observer coverage of the South African fleet that caught SBT to 40% in terms of vessel numbers (source DAFF National Report (2017) to CCSBT Compliance Committee).

**Phase 2 update:**

South Africa is currently increasing its overall scientific observer coverage for the 2018-2019 fishing season to 20% of fishing trips. Permit Conditions makes it mandatory for Right Holders to carry one or more scientific observers on board its vessel for a minimum of a single trip per quarter during the fishing season.

A review of observer coverage at sea for the LPL fleet (2012-2015) has shown that the CCSBT target observer benchmark coverage for the domestic LPL fleet was not achieved (source DAFF). DAFF have informed Rights Holders (domestic LPL fleet) of their non-compliance with observer programme requirements.

**4.6 Data Review**

DAFF (FRD Chief Directorate) provide annual reporting to CCSBT's Ecologically Related Species Working Group (ERSWG)<sup>19</sup>. The following Table provided effort data (2012-2017) from the LPL fleet (Domestic and Chartered). Effort, as per CCSBT guidelines, is defined as the number of hooks for those sets in which at least one SBT was caught:

**Table 9: Effort, described per 1000 hooks for the South African LPL (2012-2017).**

Effort is defined as the number of hooks that encountered SBT as a % total effort (% SBT).

Year	Area	Longline ZAC (Chartered)			Longline ZAD (Domestic)		
		Effort (SBT>0)	Total Effort	%SBT Effort	Effort (SBT>0)	Total Effort	%SBT Effort
2017	9	8	31	25.8	83	436	19.0
2016	9	1	38	2.6	53	695	7.6
2015	9	3	97	3.1	74	674	11.0
2014	9	0	99	0.0	56	538	10.4
2013	9	6	308	1.9	9	319	2.8
2012	9	32	584	5.5	32	455	7.0
2017	14	69	266	25.9	35	140	25.0
2016	14	45	204	22.1	3	84	3.6
2015	14	37	277	13.4	32	299	10.7
2014	14	29	351	8.3	25	299	8.4
2013	14	101	766	13.2	31	510	6.1
2012	14	24	399	6.0	70	479	14.6
2017	15	-	-	-	129	492	26.2
2016	15	-	-	-	102	453	22.5
2015	15	-	-	-	61	473	12.9
2014	15	-	-	-	94	556	16.9
2013	15	0	36	0.0	71	458	15.5
2012	15	0	5	0.0	29	200	14.5

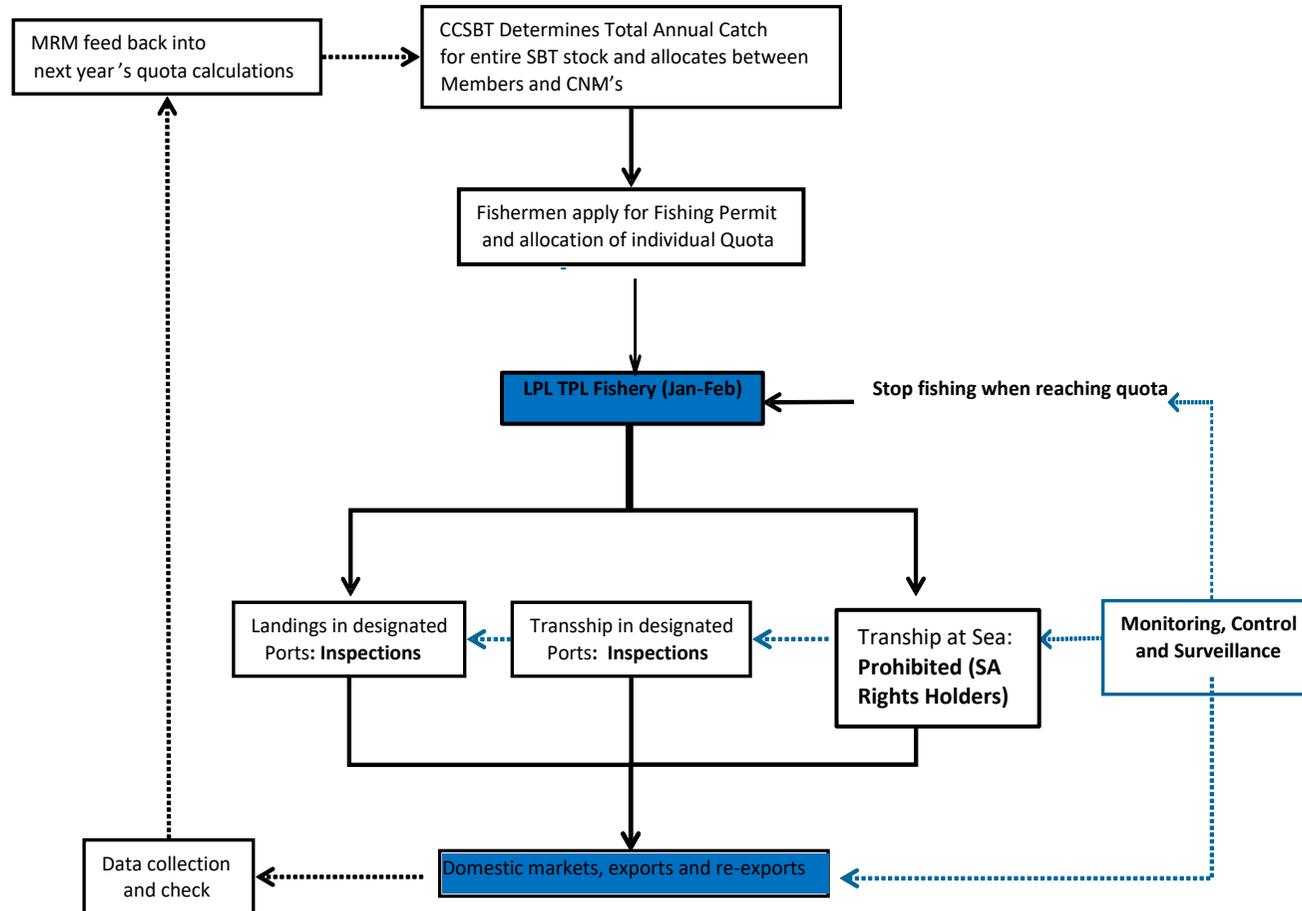
<sup>19</sup> DAFF (FRD) 2017 South Africa's Annual Report to the Ecologically Related Species Working Group (ERSWG) 24pp

The effort is split by fleet, indicating the domestic fleet (ZAD) and the foreign-flagged vessels under bi-lateral agreements (ZAC). The 2017 Large Pelagic Longline (LPL) permit conditions have banned the use of wire traces. Larger vessels that target tropical tuna are able to fish further offshore and differ slightly in their methodology. These vessels set up to 3000 hooks per set with a combination of fish and squid bait, using deeper branch lines and varying hook numbers per basket to influence the setting depth.

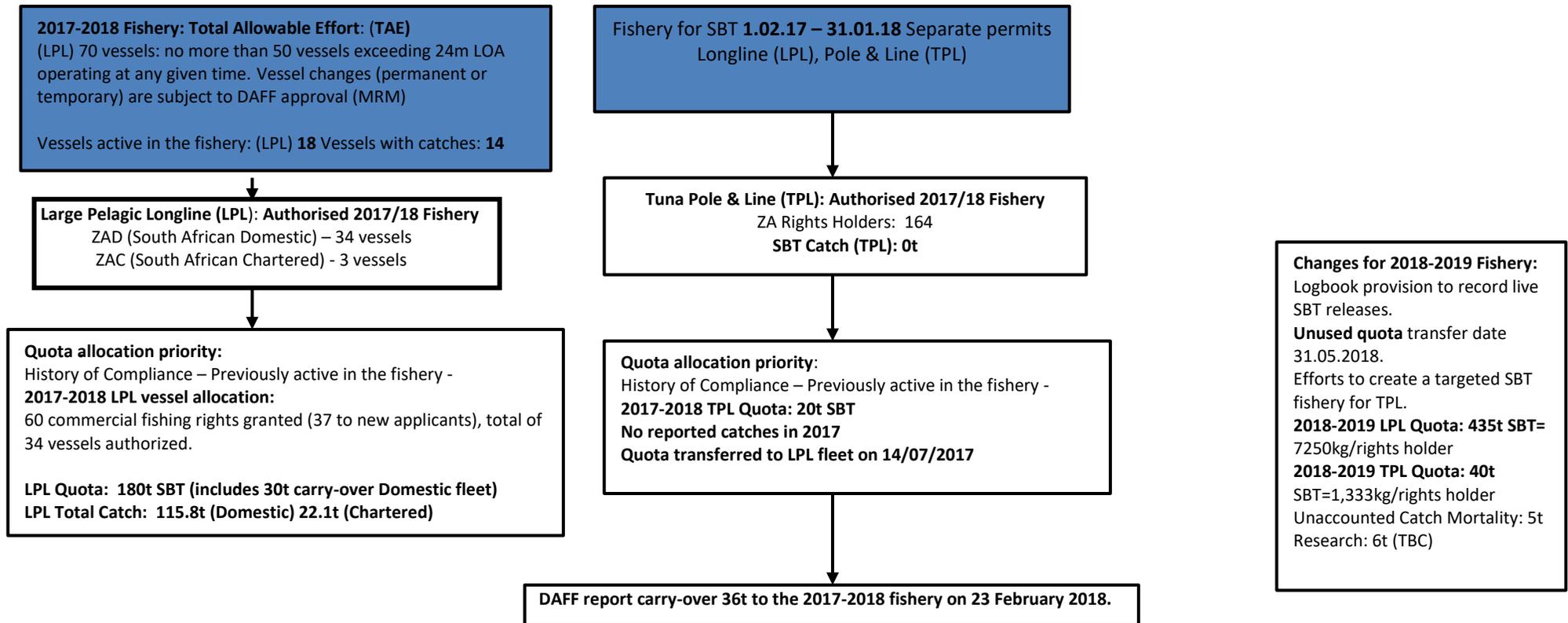
Effort data is collated with catch data for onward transmission to CCSBT (ERSWG). These data are used by CCSBT to inform stock assessments and future quota allocations.

## 5 MEMBER PROCESS FLOW MAPS

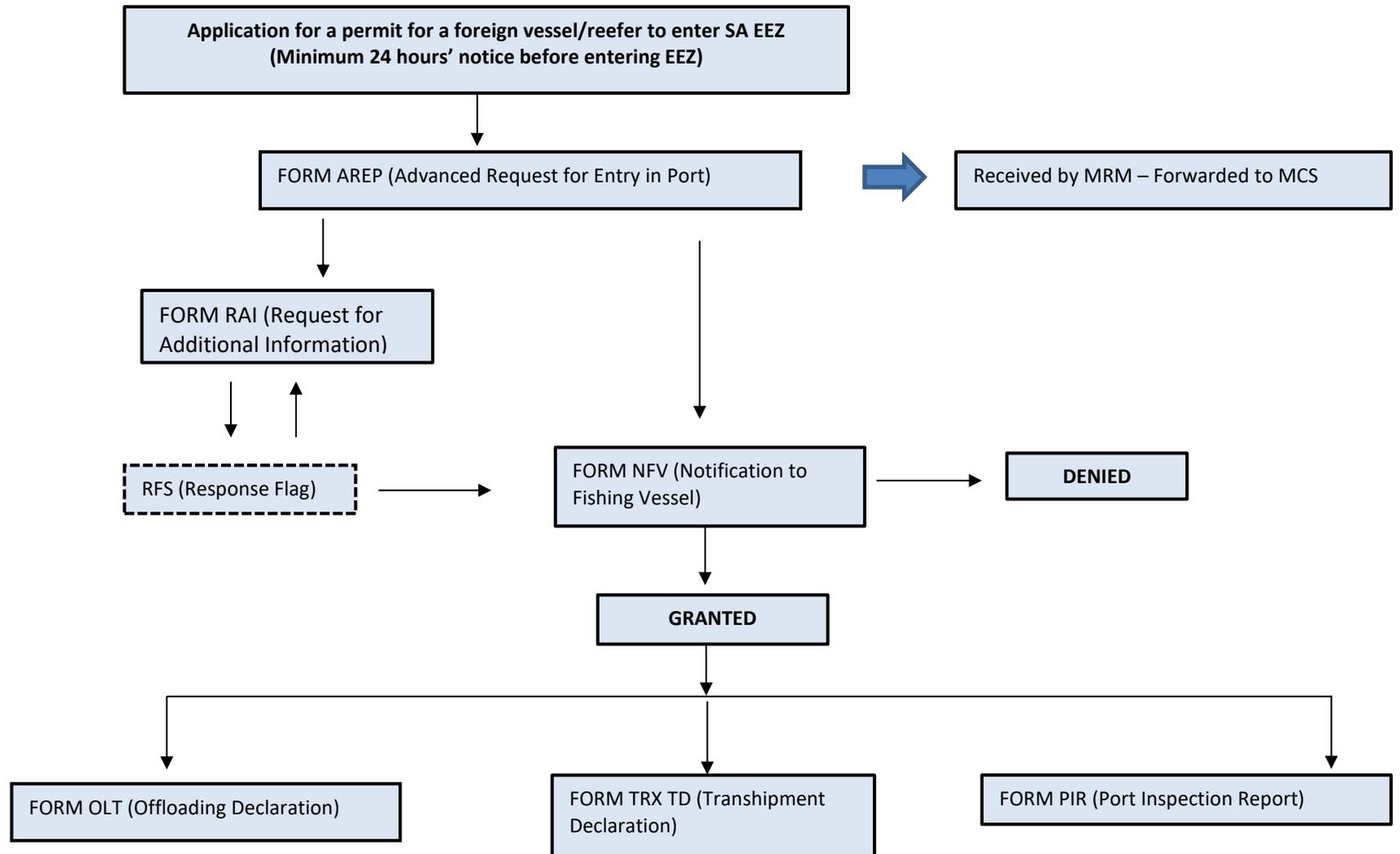
- OVERVIEW



• **PRE-SEASON ADMINISTRATION**



- Monitoring Control & Surveillance



## 6 Management System Effectiveness

South Africa's SBT fisheries management systems are reasonably well established and documented with respect to the CCSBT MPR's (Section 3). Information provided by DAFF during Phase 1 and additional information provided with demonstration of implementation during Phase 2 allowed for a SWOT analysis to be conducted (Appendix 3).

**The key areas of strengths identified by the QAR are:**

- **South Africa has a detailed process in place for the allocation of fishing rights.** The most recent round of the South African Fishing Rights Allocation Process (FRAP) for the LPL sector was initiated in 2015. This confidential application process has 18 distinct milestones starting with the appointment of independent service providers for the review and drafting of sector specific policies and application forms. In the opinion of the QAR Team this process limits the number of entrants (and effort) in the sector and allows for stability within the industry. Evidence was provided by DAFF (FRD) that both SBT quota and effort restrictions in place are being observed (2016 and 2017 SBT fishing seasons).
- **There is an established system for issuing fishing permits.** Permits are issued to individual Rights Holders who are required to nominate a fishing vessel. THE QAR Team now understand that DAFF have now established systems in place to remove 'paper quota holders' (do not intend to enter the fishery) in order to promote development of the fishery. Evidence was provided of the re-allocation of SBT quota during the fishing season to those vessels active in the fishery.
- **Comprehensive catch monitoring.** There are established procedures for undertaking both at-sea and in port inspections. Trained FCOs provide physical catch monitoring and validation of all SBT landings and transshipments. The QAR Team (Phase 2) followed an inspection team from MCS Chief Directorate during an inspection and monitoring of a foreign flagged vessel landing. All duties were carried out by the FCO's in a professional manner. The low number of infringements detected in the domestic LPL and TPL fleet (2016 and 2017 fishing seasons) are an indication of a high level of compliance by these fleets to CCSBT and national regulations.
- **A strong fisheries legislative framework with enforceable sanctions.** Section 28 of the Marine Living resources Act (MLRA 1998) (Cancellation and suspension of rights, licences and permits) makes provision for sanctions in the event that the holder of a right, licence or permit is in contravention of relevant sections of the Act. Foreign flagged vessels once entering the EEZ are subject to the MLRA and Regulations promulgated thereunder including that vessels may be boarded and inspected at any time. DAFF have shown that sanctions are enforceable and provided evidence of successful prosecutions (foreign flagged vessels) during Phase 2.
- **Mandatory catch reporting by all fleets.** DAFF issues catch statistics logbooks to each Right Holder's nominated vessel at the start of the fishing season. Detailed logbooks are available for both the LPL and TPL sectors. Logbooks are updated annually to incorporate changes to reporting requirements. The QAR Team noted that logbooks have been updated (2018-2019 fishing season) to include a column for the number of SBT released at sea (dead or alive). This demonstrates the adaptability of DAFF and the industry to comply with CCSBT and other RFMO conservation and management measures.

- **Comprehensive reports provided annually to CCSBT** include the Ecologically Related Species (ERS) Report and the Report to the CCSBT Compliance Committee. DAFF fulfil all obligations in relation to monthly and quarterly CDS reports (CFT, CMF forms) in addition to annual reporting obligations. CCSBT's Report (2016 calendar year) on DAFF's compliance with <sup>13</sup> CCSBT Management Measures noted a high level of compliance with reporting obligations. While discrepancies still exist (2017-2018 fishing season, see below) the successful implementation of the bespoke CDS database (demonstrated in Phase 2) should greatly reduce these discrepancies.

**The key areas of weakness or threats (risk) identified by the QAR are:**

- **Flaws in systems used to implement the Catch Documentation System (CDS);** errors identified during validation of CDS documents included the incorrect use of Catch Tagging Forms (CTF) and Catch Monitoring Forms (CMF) and the use of SBT tags (2017-2018 fishing season) not compliant with Appendix 2 of CCSBT's CDS Resolution.
- **Insufficient staff capacity to undertake validation and verification duties.** Currently the burden of monitoring and reporting on the SBT fishery is manageable for DAFF officials. FCO's target SBT and other species landings destined for export. However there are insufficient numbers of FCO's (or Fisheries Monitors) to inspect other landings e.g. those of the TPL fleet landing other quota species.
- **VMS not manned 24/7.** This does not allow for proactive or immediate response to possible illegal activity by fishing vessels operating in the South African EEZ, in real time. Foreign flagged vessels entering the South African EEZ are not obliged to transmit VMS data to the VMS Operations room; their movement is tracked only by AIS; however the Operations Room cannot track foreign flagged AIS systems.

## 7 Recommendations for Improvement

Following the SWOT analysis and review of the effectiveness of management systems against the CCSBT minimum performance requirements in Section 3, the review team has provided recommendations for improvement of South Africa's fishery management systems.

**The key recommendations proposed by the QAR Team are:**

- **Implement the use of the new CDS Database:** A demonstration of the new system was provided during Phase 2 by Dr Henning Winker, Scientist: Large Pelagic Fisheries of the FRD Chief Directorate (Centre for Statistics in Ecology, Environment and Conservation (SEEC)). Following full implementation and training for all Officials and Technicians this system has been designed to eliminate observed discrepancies in the implementation of CCSBT's CDS obligations. A demonstration of the system to the QAR Team showed that automatic checks will eliminate errors associated with using incorrect tag numbers, duplicate CTF and CMF forms and other observed discrepancies.
- **Allocation of SBT tags:** It is recommended that DAFF review and put in place a new process for the allocation of SBT tags to each Rights Holder; and a more robust system for the reconciliation of un-used tags. The current system involves manual recording of allocated tags in a ledger. It is preferable to store this information electronically.

- **Increase staff capacity by appointing co-validators:** this will provide an additional validation of catch data after vessel landing and before verification is undertaken. The likely growth of the SBT sector (due to increased quota allocation and fleet development) will require that additional staff are designated to assist with fisheries management, data collation, validation and verification of SBT catch data. THE QAR Team note that co-validators have already being appointed to assist FCO's.
- **VMS reporting should be mandatory for all fishing and carrier vessels in the South African EEZ.** The fishing skipper of foreign flagged vessels (not engaged in chartered operations) must ensure that the Automatic Identification System (AIS) **and/or** Vessel Monitoring System (VMS) are functional and reporting to the Fisheries Monitoring Centre (FMC) from 50 nm prior to entering South African EEZ and within the South African EEZ (except when docking in port). Without VMS or AIS monitoring there is a risk that these vessels engage in IUU activity within South Africa's EEZ.
- **VMS operations room hours to be extended:** If the Operations Room was manned outside of office hours all alarms would be processed in real-time, increasing the probability that non-compliances of the fisheries legislation would be detected.
- **Develop a Scientific Observer Program for the Tuna Pole and Line (TPL) Sector:** DAFF are aware and have notified Rights Holders in the Domestic LPL sector of their current non-compliance with observer benchmark requirements as laid down in their fishing permit conditions. Currently the number of TPL vessels in the fleet (164) is too great to monitor. A small fraction of these vessels that have declared an interest in landing SBT could be prioritised for monitoring.
- **A risk assessment should be conducted by DAFF:** This action will determine the extent of the risk of incidental catches from fishing vessels that have not declared their interest in targeting SBT of not being reported and subsequently entering the market.

## **8 Phase 2 Gap analysis**

A Gap analysis was conducted by the review team to identify whether there were areas within CCSBT's MPRs where the information provided by South Africa during Phase 1 was inconsistent with the information sighted/provided during the Phase 2 site visit. Table 10 summarises the key points associated with MPRs from Phase 1 and compares this with observations during Phase 2 to identify whether there are any gaps. If and where gaps were noted, these have been highlighted and associated recommendations made where applicable.

A range of the evidence documentation reviewed on site or provided by e-mail is listed in Appendix 4.

Overall points of the gap analysis are provided in the immediate following section, with supporting information in the Appendices.

Table 10: GAP analysis of information obtained during Phase 1 and Phase 2 observations

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
1.1 (i)	1	<ul style="list-style-type: none"> <li>Unfished SBT allocation transferred annually to those vessels active in the fishery.</li> <li>Total attributable catch (ASBT) not defined for South Africa.</li> <li>Management closed the fishery in July of 2012, 2013 and October 2015 when the quota was exhausted.</li> <li>DAFF informed CCSBT of carry forward 36t unfished SBT quota from the previous fishing season (2017-2018).</li> </ul>	<ul style="list-style-type: none"> <li>SBT quota (20t) transferred to LPL sector July 2017</li> <li>Total attributable catch now defined for 2018-2019 fishing season.</li> <li>QAR Team confirmed closure notices (2012, 2013 and 2015) sent to Rights Holders.</li> <li>37 LPL vessels authorised (2017-2018 season).</li> </ul>	<ul style="list-style-type: none"> <li>LPL Fishing Permits 2017-2018 Fishery</li> <li>CCSBT CIRCULAR 26 February 2018 #2018/005 2pp.</li> <li>DAFF Notices to Rights Holders</li> <li>MAST database (catch reports, fishing effort data)</li> </ul>	<ul style="list-style-type: none"> <li>Systems in place to monitor SBT quota demonstrated.</li> <li>Low number of LPL vessels (14 in 2017-18 season) landed SBT. This is considered a by-catch fishery.</li> </ul>
1.1 (i)	2a	<ul style="list-style-type: none"> <li>Clarification required by QAR Team on level of interaction between DAFF and stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>Biannual working groups, ad hoc notices, fully documented fishing rights approval process in place</li> <li>Training and workshop materials demonstrated to the QAR Team.</li> </ul>	<ul style="list-style-type: none"> <li>DAFF Notices to Rights Holders</li> <li>Annual Fishing Permits</li> <li>Fishing Rights Appeals Process: Correspondence</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>DAFF have excellent communication and interaction with all stakeholders.</li> <li>Recommend DAFF email capacity increased.</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
1.1 (i)	2a (ii)	<ul style="list-style-type: none"> <li>South African Permit Holders and/or Fishing Skippers obliged to submit all catch reports within two weeks of the vessel landing. Confirmation requested that this obligation is monitored.</li> </ul>	<ul style="list-style-type: none"> <li>Data capturers alert MRM Directorate when catch reports are not submitted on time.</li> <li>MAST Demonstration confirmed these actions.</li> </ul>	<ul style="list-style-type: none"> <li>MAST system (catch and effort database)</li> <li>DAFF correspondence to Rights Holders</li> </ul>	<ul style="list-style-type: none"> <li>Rights Holders reporting obligations are understood and are being complied with.</li> </ul>
	2b	<ul style="list-style-type: none"> <li>South Africa overshoots on SBT quota reported by CCSBT (2010-2015).</li> <li>South Africa was not a Member of CCSBT at this time.</li> <li>SBT quota relatively small (40t).</li> </ul>	<ul style="list-style-type: none"> <li>Incorrect conversion factors had been applied to SBT processed at sea.</li> <li>This issue discussed during industry meeting (QAR team present).</li> <li>Response to CCSBT to be drafted.</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholder meeting notes</li> <li>DAFF Report to CCSBT ESC (September 2017)</li> <li>Preliminary catch data (2017-2018 fishery).</li> </ul>	<ul style="list-style-type: none"> <li>DAFF to clarify with CCSBT reasons for quota overshoots</li> <li>DAFF to trial vessel specific conversion factors and request CCSBT that new factors be applied.</li> </ul>
	2c	<ul style="list-style-type: none"> <li>South Africa to record all ASBT mortality.</li> <li>South Africa reported modifications to CDS documents.</li> <li>Confirmation of these actions required in Phase 2.</li> </ul>	<ul style="list-style-type: none"> <li>Logsheet column now specific for SBT on which the number and weight of SBT released alive at sea will be recorded.</li> <li>CTF now must be attached to the signed Landing Declaration sheet.</li> </ul>	<ul style="list-style-type: none"> <li>Fishing vessel logsheets (modified).</li> <li>DAFF Circular to Rights Holders on CDS changes</li> <li>CTF modified form (Column for CMF number)</li> </ul>	<ul style="list-style-type: none"> <li>Industry informed of changes in way catches are reported</li> <li>Instructions given to industry clear and concise.</li> <li>CCSBT informed of CTF modification.</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
	2b,c	<ul style="list-style-type: none"> <li>Scientific Observer Programme discontinued for Domestic fleet (reason unclear)</li> <li>Permit holders obliged to have observers on board. Lack of coverage on domestic LPL fleet.</li> </ul>	<ul style="list-style-type: none"> <li>Observer Programme industry funded due to lack of DAFF resources</li> <li>Full coverage only on Joint – Venture vessels (currently 3 vessels)</li> <li>DAFF have written to Rights Holders to explain their non-compliance</li> </ul>	<ul style="list-style-type: none"> <li>DAFF Report to CCSBT Compliance Committee (2017)</li> <li>DAFF Report to ERSWG (2017)</li> <li>Letter to Rights Holder</li> </ul>	<ul style="list-style-type: none"> <li>More observer data contributes to independent catch reporting</li> <li>DAFF looking to expand observer coverage.</li> </ul>
2.2 (i))	2	<ul style="list-style-type: none"> <li>Obligation to have a functioning VMS system on board vessels part of Permit Conditions for all domestic fleets.</li> <li>VMS system demonstration required (Phase 2).</li> </ul>	<ul style="list-style-type: none"> <li>System demonstration and documentation reviewed by QAR Team</li> <li>Upgrade of VMS system is planned.</li> <li>Foreign flag vessels not visible when reporting via AIS.</li> </ul>	<ul style="list-style-type: none"> <li>VMS Operations Room</li> <li>Procedures, manuals for VMS Operations Room</li> </ul>	<ul style="list-style-type: none"> <li>System upgrade should include tracking by AIS of foreign flagged vessels in South African EEZ.</li> </ul>
2.2 (i)	3	<ul style="list-style-type: none"> <li>Fishing Permits only issued to successful Rights Holders annually.</li> <li>Pre-landing checks undertaken to verify vessel EEZ and GEAR permits, licenses and authorisations.</li> <li>Joint-Venture fleet to be re-flagged.</li> </ul>	<ul style="list-style-type: none"> <li>MAST database (catch/effort) demonstrated</li> <li>No infringements detected in domestic LPL and TPL fleets (2017-2018 fishing season).</li> </ul>	<ul style="list-style-type: none"> <li>MCS inspection/infringement reports</li> <li>Policy on the Allocation and Management of Commercial Fishing Rights.</li> </ul>	<ul style="list-style-type: none"> <li>MAST database to be upgraded.</li> <li>Re-flagging of Joint-Venture fleet to be completed by 2020.</li> </ul>
2.2 (i)	3	<ul style="list-style-type: none"> <li>No infringements detected (CCSBT CDS obligations) in any South African flagged LPL or TPL vessel (2016 and 2017 fishing seasons)</li> </ul>	<ul style="list-style-type: none"> <li>QAR team were shown updated database of vessel infringements and actions taken by DAFF.</li> </ul>	<ul style="list-style-type: none"> <li>Port Inspection Reports (PIR)</li> </ul>	<ul style="list-style-type: none"> <li>Low number detected infringements suggest good level</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
		<ul style="list-style-type: none"> <li>Infringements detected during transshipments (foreign flagged vessels).</li> </ul>	<ul style="list-style-type: none"> <li>Fines were levied where convictions were obtained</li> <li>Infringements of EEZ and Gear Permits most common.</li> </ul>	<ul style="list-style-type: none"> <li>MCS Fishery Inspection Procedures.</li> <li>VMS and AIS vessel reports</li> </ul>	of compliance by the South African flagged fleets.
3.1 (i-iv)	1a	<ul style="list-style-type: none"> <li>Some discrepancies found in implementation of CDS scheme (2016-2017 fishery).</li> <li>CCSBT reported on these discrepancies in 2017.</li> </ul>	<ul style="list-style-type: none"> <li>Some deficiencies again found during Phase 2 in SA implementation of CDS system: incorrect tag use; variance in fish weights</li> </ul>	<ul style="list-style-type: none"> <li>New CDS database being implemented</li> <li>Automatic cross-checks will be in place</li> </ul>	<ul style="list-style-type: none"> <li>Actions to improve CDS data quality are in progress</li> <li>Co-validators will ensure an additional level of validation.</li> </ul>
3.1 (x-xiii)	1a-e	<ul style="list-style-type: none"> <li>Some SBT tags in use (2016-2017 season) did not conform to Appendix 2: CDS Tag Resolution</li> <li>Clarification required by QAR team on SBT tag reconciliation and distribution of tags to Rights Holders</li> </ul>	<ul style="list-style-type: none"> <li>CCSBT centralised tags now in use and were examined by Review team.</li> <li>Each tag now contains unique numbers and fishing year (ZA 18, ZA 19).</li> <li>Unused tags to be electronically recorded and kept in a secure location.</li> </ul>	<ul style="list-style-type: none"> <li>Correspondence between DAFF, CCSBT &amp; QAR Team</li> <li>DAFF archive room</li> <li>New SBT tags (2017-2018 season)</li> </ul>	<ul style="list-style-type: none"> <li>Sanctions in place for breach of CDS Tagging Resolution</li> <li>Rights Holders notified</li> <li>Distribution of tags to Rights Holders to be more secure.</li> </ul>
3.1 (xix) - (xxi))	1b	<ul style="list-style-type: none"> <li>CCSBT's Compliance Committee noted that some validators had not been authorised in the fishery at the time of validation (2016 fishery)</li> </ul>	<ul style="list-style-type: none"> <li>DAFF acknowledge that an error in administration had occurred at the time. This has been resolved</li> <li>Updated validator list sent to CCSBT 28 February 2018.</li> </ul>	<ul style="list-style-type: none"> <li>DAFF emails with CCSBT</li> <li>Validator Training Records; Performance Evaluations</li> <li>Current list DAFF validators; with signature and stamp</li> </ul>	<ul style="list-style-type: none"> <li>System now in place to notify CCSBT of any future changes in list of validators.</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
3.1 (xxii) - (xxv))	1b	<ul style="list-style-type: none"> <li>Information required on SBT market data (Countries of export, value of SBT exported).</li> <li>Some information provided (Taiwan exports to South Africa).</li> <li>Information required on the amount of SBT maintained in bond.</li> </ul>	<ul style="list-style-type: none"> <li>Additional information on exports provided (Taiwan exports to South Africa).</li> <li>DAFF unable to follow all SBT consignments to first point of sale.</li> <li>No information received from exporters on market data.</li> <li>No information received on the amount of SBT maintained in bond.</li> </ul>	<ul style="list-style-type: none"> <li>DAFF meetings during site visit</li> <li>Import/Export figures from CCSBT Members (CCSBT website).</li> </ul>	<ul style="list-style-type: none"> <li>Requests had been made to main exporters of SBT to provide market data.</li> <li>Information on bonded SBT available in Customs</li> <li>There is insufficient capacity (FCO's) to monitor product at the points of export.</li> </ul>
3.1 (xxvi)	1	<ul style="list-style-type: none"> <li>Clarification required on systems in place to archive CDS documents</li> <li>Clarification required on data protection and Information Technology (IT) systems.</li> </ul>	<ul style="list-style-type: none"> <li>Hard copies CDS documents held for 3 years then moved to a secure location</li> <li>Electronic documents held in a local server which is backed up remotely</li> </ul>	<ul style="list-style-type: none"> <li>DAFF IT Procedures and Protocol</li> <li>DAFF onsite server, archive room</li> <li>Demonstration of CDS database</li> </ul>	<ul style="list-style-type: none"> <li>DAFF are included in Government Procedures for Data Protection and Security</li> </ul>

## **9 Post Final Report Member Comments**

This section is available to the Member to make any comments on the report post the final submission.

## 10 Appendices

### 10.1 Appendix 1: Consultation Process

**Table 11: Consultation Process**

Organisation	Person	Action	Date
SAI Global	Dave Garforth Jim Daly Stewart Norman	Introduction and Overview of the QAR	22 February – 02 March 2018
DAFF	Qayiso Mketsu Dr. Sven Kerwath	Email Correspondence for Clarification and Documentation	
CCSBT	Bob Kennedy Susie Iball		
SAI Global	Jim Daly Stewart Norman	<b>Phase 1 Review Desk based</b> information gathering and arrangements for Phase 2 Consultation Email Correspondence for Clarification and Documentation	22 February – 15 April 2018
DAFF	Qayiso Mketsu Aphiwe Nonkeneza Dr. Sven Kerwath Dr. Henning Winker Dr. Denham Parker Mellisa Meyer Fatima Savel Buyekeswa Polo		
CCSBT Secretariat	Susie Iball		
DAFF	Qayiso Mketsu Dr. Sven Kerwath	Conference call to introduce team and Phase 2 intent, and checklist information request	02 March 2018
SAI Global	Jim Daly Stewart Norman	<b>Phase 2 site visit</b>  In attendance during the site visit and available for consultation and feedback to Reviewers as well as providing additional documentation	16 – 19 April 2018
DAFF	Saasa Pheeha Qayiso Mketsu Aphiwe Nonkeneza Sive Dingwayo Dr. Henning Winker Melissa Meyer Fatima Savel Buyekezwa Polo Mandy de Wit		

SAI Global	Dave Garforth Jim Daly Stewart Norman	Post site visit discussions - Additional information request	20 April – 20 May 2018
DAFF	Qayiso Mketsu Aphiwe Nonkeneza Dr. Henning Winker		
SAI Global	Oliver Wilson	Internal Pier Review	26 – 27 May 2018

**Appendix 2:** Catch Allocation by Vessel**Table 12: South Africa's quota allocations for the Large Pelagic Longline (LPL) Sector (2018-2019 fishing season)**

Client / Vessel name	Initial Quota Allocation (kg)
A PENGLIDES (PTY) LTD	7250,00
ARGENTO TRADING 69 CC	7250,00
ATU-S FISHING (PTY) LTD	7250,00
AX FISHING (PTY) LTD	7250,00
AZANIAN FISHING (PTY) LTD	7250,00
BATSILVA (PTY) LTD	7250,00
BAYANA FISHING CC	7250,00
BMC VISSERYE CC	7250,00
BOLOKO TRADING AND INVESTMENTS (PTY)LTD	7250,00
CASTLE HILL TRADING 188	7250,00
CHRISTIE LEONIE FISHING (PTY) LTD	7250,00
COMBINED FISHING ENTERPRISES CC	7250,00
DOUGLAS H FISHING (PTY) LTD	7250,00
DYER EILAND VISSRYE (EDMS) BEPERK	7250,00
ERONGO FISHING (PTY) LIMITED	7250,00
ESTRELA DO MAR FISHING (PTY)LTD	7250,00
EXTRA DIMENSIONS 70 (PTY) LTD	7250,00
EYETHU FISHING (PTY) LTD	7250,00
FERNANDES FISHING CC	7250,00
FERRO FISHING (PTY) LTD	7250,00
FINECORP TRADING 113 CC	7250,00
FISHERMAN FRESH PE (PTY) LTD	7250,00
FLOR D' MAR FISHING ENTERPRISES CC	7250,00
GADURAN TRADING 1021 PTY LTD	7250,00
GARIES CONSOLIDATED HOLDINGS (PTY)LTD	7250,00
GSA OCEAN PRODUCTS (PTY) LTD	7250,00
HACKY FISHING (PTY) LTD	7250,00
HENQUE 4102 CC	7250,00
IMPALA FISHING (PTY)LTD	7250,00

ISIVILE MASIKHANE (PTY) LTD	7250,00
J&L FISHING CC	7250,00
JC FISHING CC	7250,00
JNC FISHING (PTY) LTD	7250,00
KALMIA TRADING 1001 CC	7250,00
KREEFBAAI VISSERYE CC	7250,00
LADY OF THE WATERS 13 CC	7250,00
LETAP CC	7250,00
MJM CASULA FISHING CC	7250,00
NOORDBAAI VISSERS BEPERK	7250,00
OCEAN PRINCE MARINE PRODUCTS (PTY) LTD	7250,00
OCEAN ROCKET FISHING CC	7250,00
OCEAN UKHOZI FISHING (PTY) LTD	7250,00
PAKAMANI FISHING (PTY) LTD	7250,00
PRECIOUS PROSPECT TRADING 110 (PTY) LTD	7250,00
PREMIER FISHING SA (PTY) LTD	7250,00
ROCKET TRADING 35CC	7250,00
SA TUNA EXPORTERS (PTY) LTD	7250,00
SAILORS JOY FISHING PTY LTD	7250,00
SEAWIN SAPPHIRE FISHING (PTY) LTD	7250,00
SEVLAC INVESTMENTS NO 51 CC	7250,00
SOUTH WEST TRAWLERS CC	7250,00
SPARTICUS FISHING (PTY) LTD	7250,00
THE SOUTH AFRICAN FISHING ENTERPRIZE DEVELOPMENT COMPANY (PTY) LTD	7250,00
TIERKOP INVESTMENTS CC	7250,00
UKULOBA KULUNGILE INVESTMENTS (PTY) LTD	7250,00
UMBHALO TRADING (PTY) LTD	7250,00
UNATHI-WENA FISHING	7250,00
VIKING FISHING COMAPNY (DEAP SEA) (PTY) LTD	7250,00
WESTFORT FISHING CC	7250,00
CHAPMAN'S SEAFOOD COMPANY (PTY) LTD	7250,00
<b>Total</b>	<b>435 tons</b>

## 10.2 Appendix 3: Strengths, weaknesses, opportunities and risks (threats) (SWOT)

Analysis conducted for South Africa's systems determining compliancy to CCSBT Minimum Performance requirements (MPR's)

Obligation	MPR	Strengths
1.1 (i)	1	<ul style="list-style-type: none"> <li>• SBT is managed under a TAC which is determined by the CCSBT quota including any carry forward allocation.</li> <li>• Systems are in place to ensure that the total Attributable SBT Catch (ASBTC) does not exceed the national allocated catch for the relevant period.</li> </ul>
	2a (i)	<ul style="list-style-type: none"> <li>• Fishing Rights are granted to a "South African Person" in terms of section 18 of the Marine Living Resources Act (MLRA).</li> <li>• All "South African Persons" are subject to MLRA Regulations and can be prosecuted for non-compliance.</li> <li>• A fishing permit is issued to a fishing vessel only when all permit conditions are met</li> <li>• A fishing vessel, during each fishing trip from the port of departure to the fishing grounds and return to port, may only fish using a single Rights Holder's allocation.</li> </ul>
	2a (ii)	<ul style="list-style-type: none"> <li>• Catches are certified by vessel masters in the Catch Statistics logbooks and validated by DAFF Fisheries Control Officers (FCOs) at port-side.</li> <li>• Rights Holders or Fishing Skippers must now submit a CTF that is attached to the signed Landing Declaration sheet. The Landing Declaration Sheet will contain fish weights from onshore certified scales that are more accurate than weights taken at sea.</li> </ul>
	2a (iii)	<ul style="list-style-type: none"> <li>• Paragraph b of the permit conditions for the LPL fleet obliges each permit holder to submit monthly catch statistics forms by the end of each month following the month in which the fish were caught</li> <li>• DAFF will not issue the permits for the following fishing season if required catch statistics data are not provided or are incomplete for the current fishing season.</li> </ul>
	2b	<ul style="list-style-type: none"> <li>• Landing Declaration Sheets are used together with submitted Catch Tagging Forms (CTFs) and Catch Monitoring Forms (CMF's) to assess quota uptake.</li> <li>• Catch summaries submitted by Rights Holders two weeks after each landing are then used by DAFF Officials (MRM Chief Directorate) to verify catch data validated by FCO's during port inspections.</li> <li>• South Africa's targeted scientific observer coverage level (20% hooks set, 20% number of SBT caught) is met through undertaking 100% Observer coverage of the Charter (Joint Venture) fleet.</li> </ul>
	2c	<ul style="list-style-type: none"> <li>• All SBT landings are supervised by FCO's (100 % coverage, including weighing).</li> <li>• A portion (5t) of South Africa's SBT allocation (2018-2019 fishing season) has been reserved for Attributable SBT catch. This includes incidental catches in the recreational fisheries</li> </ul>
	3	<ul style="list-style-type: none"> <li>• South Africa's latest report to the Extended Scientific Committee was sent to CCSBT (September 2017<sup>2</sup>).</li> </ul>

Obligation	MPR	Strengths
		<ul style="list-style-type: none"> <li>CCSBT's Report on Compliance with CCSBT Management Measures (2016 calendar year) has shown that South Africa has complied fully with all data reporting requirements for stock assessment analysis and for submitting other agreed primary data (including catch at age, non-retained catches, CPUE indices and historical catches).</li> </ul>
	4	<ul style="list-style-type: none"> <li>All South African flagged vessels verified as compliant with CCSBT Conservation and Management Measures (CMM's) (2016, 2017 fishing seasons).</li> <li>Total of 13 foreign flagged vessels sanctioned (2016-2017 fishing season); 3 foreign flagged vessels sanctioned (2017-2018 fishing season). Fines levied where convictions were achieved.</li> </ul>
1.1 (iii)	1a	<ul style="list-style-type: none"> <li>The CCSBT resolution on limited carry-forward of unfished annual total allowable catch of SBT was enacted by South Africa in 2016-17 (30 t) and 2017-18 fishing seasons (36 t) and approved by CCSBT.</li> <li>CCSBT CIRCULAR #2018/005<sup>12</sup> issued on 26 February 2018 notified all CCSBT Members of South Africa's intention to carry forward unfished quota (36t) from 2017 to 2018.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>South Africa complies with CCSBT 60 day's notification timeline for reporting of concluded year quota and catch.</li> </ul>
2.2 (i)	1	<ul style="list-style-type: none"> <li>DAFF Permit Regulations stipulate that a vessel shall not be permitted to fish unless a valid catch permit has been applied for and issued.</li> <li>In order for a catch permit to be issued a valid license and registration certificate issued by the South African Maritime Safety Authority (SAMSA) must be provided.</li> </ul>
	2	<ul style="list-style-type: none"> <li>MRM and MCS Chief Directorates work together to process and verify applications for entry to South African EEZ by foreign flagged vessels and reefers.</li> <li>Transshipment-at-sea prohibited for all authorised vessels in the South African fleet and for foreign flagged vessels entering the South African EEZ without a valid EEZ and Gear Permit</li> </ul>
2.2 (ii, iii)	1a-d	<ul style="list-style-type: none"> <li>Vessels authorised to fish for SBT are registered with the CCSBT and appear on the CCSBT authorised vessel list.</li> <li>Changes to the CCSBT authorised vessel list are notified to the Executive Secretary according to CCSBT procedures.</li> <li>CCSBT have confirmed in Report No. CCSBT-CC/1710/04<sup>20</sup> (Compliance with CCSBT Management Measures (2016 calendar year) that, for South African authorised vessels, all data was received and there was no evidence of periods of non-authorisation.</li> </ul>
2.2 (iv-viii)	1	<ul style="list-style-type: none"> <li>Under South African fisheries law it is the responsibility of the Rights Holder to ensure that vessel personnel adhere to the permit conditions and CCSBT measures.</li> </ul>
	3	<ul style="list-style-type: none"> <li>100% inspection of SBT landings, off-loadings, transshipments, imports, exports and re-exports undertaken by FCO's.</li> <li>No infringements detected (2016-2017 and 2017-2018 fishing seasons) in any vessel discharging SBT of CCSBT obligations, including foreign flagged vessels not under charter to a South African Rights Holder</li> </ul>

<sup>20</sup> CCSBT (2017): Compliance with CCSBT Management Measures Table 1 (Compliance with Measures) CCSBT-CC/1710/04 23pp

Obligation	MPR	Strengths
3.1 (i-v)	1a	<ul style="list-style-type: none"> <li>The Large Pelagic and Shark Scientific Working Group meetings are open to stakeholders from Industry, NGOs as well as invited experts.</li> <li>DAFF issue notices to Rights Holders; organise trainings and roadshows on updates and changes in the management of SBT fishery.</li> <li>Notice issued on 02 April 2018 to all Rights Holders on announced changes on the submission of CTF's after landing.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>Catch Monitoring Forms (CMFs) must be authorised and signed by a DAFF Official whose name appears on the Official List of CCSBT authorised persons.</li> <li>Verification actions by the DAFF Officials include cross-checking catch details and other information listed on the CTF with the signed landing declaration sheet before the CMF can be issued.</li> </ul>
	1c	<ul style="list-style-type: none"> <li>Only those Fishing Skippers with a valid fishing permit and nominated by a Rights Holder can be certified to sign CTF's, and other CDS forms.</li> <li>Fishing skippers are provided with training and instruction from DAFF on applying tags to individual fish and recording this information on CTF and CMF forms.</li> </ul>
3.1 (x-xii)	1a	<ul style="list-style-type: none"> <li>DAFF provided to Rights Holders an explanatory notice (April 2018) on the implementation of the CCSBT CDS Tagging Resolution.</li> <li>DAFF distributed SBT tags to all stakeholders for the current fishing season (2018-2019) which meet CCSBT CDS specifications.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>Rights Holders or vessel agents (for those vessels nominated by the Rights Holder) are required to collect SBT tags in person from DAFF's Fisheries Branch offices in Head Office (Cape Town).</li> <li>A tag logbook is completed manually and signed by DAFF Officials and also co-signed by the Rights Holder or vessel agent on receipt of tags</li> </ul>
3.1 (xiii-xviii)	1a	<ul style="list-style-type: none"> <li>DAFF oblige the fishing skipper (or authorised person) to immediately apply a tag to the fish when hauled on-board and also to immediately record in the CTF length, processed weight, and tag number. Training is provided for this.</li> <li>Only under exceptional circumstances, and with pre-notification to DAFF, may a fish be landed in port without a tag. Tags are then attached on landing by FCO's.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>During landing inspections FCO's identify tag number on each fish and verify that this information is recorded correctly on the CTF.</li> <li>Legislation is in place to prohibit placing on the market SBT that does not have the correct CDS documentation or retained tags until the point of first sale.</li> </ul>
3.1 (xix) - (xxi)	1a-c	<ul style="list-style-type: none"> <li>A list of authorised validators is compiled annually by DAFF and sent to CCSBT Executive Secretary.</li> <li>DAFF (MRM Chief Directorate) ensure validators are available throughout the fishing season to issue CMF's.</li> </ul>
	1d	<ul style="list-style-type: none"> <li>The authorised DAFF Official that issues the CMF physically examines all CDS and catch documentation before signing the document (verification).</li> <li>This ensures that the same individual does not both validate the CTF and verify the CMF. This cross check takes the form of a visual inspection of the document.</li> </ul>

Obligation	MPR	Strengths
		<ul style="list-style-type: none"> <li>All authorised validators are bound by Government codes of practice and conduct and are made aware of applicable penalties should their authority be misused.</li> </ul>
3.1 (xxii) – (xxv)	1b	<ul style="list-style-type: none"> <li>The CCSBT Executive Secretary (2016 calendar year) have confirmed (Report No. CCSBT-CC/1710/04 that all CTFs submitted by DAFF matched the corresponding CMF for numbers of SBT and that 97.1% of CTF's submitted had individual SBT weights recorded that were within a 2.5% margin of weights recorded on the corresponding CMF.</li> </ul>
3.1 (xxvii) – (xxviii)	2	<ul style="list-style-type: none"> <li>During the 2016 calendar year all CTFs submitted by DAFF matched the corresponding CMF for numbers of SBT and that 97.1% of CTF's submitted had individual SBT weights recorded within a 2.5% margin of weights recorded on the corresponding CMF.</li> </ul>
3.1 (xxix) – (xxii)	2b	<ul style="list-style-type: none"> <li>Verification of all CDS documents is undertaken before CMF's are issued. All SBT landings and transshipments are physically inspected.</li> <li>Completeness and accuracy of information in CDS forms is verified before CMF's are issued.</li> </ul>
3.1 (i-v)	1a	<ul style="list-style-type: none"> <li>Applications for permits (foreign flagged vessel/reefer/LSTLV's) to enter South African EEZ and transshipment in a designated port must be provided to the MRM Chief Directorate as a minimum 72 hours before entering the EEZ. Both receiving and the transshipping vessels are required to have a mandatory transshipment declaration through an Advanced Request for Entry in Port (AREP), before entering into the EEZ.</li> <li>Section 14.3 of the LPL Fishing Permit prohibits transshipments at sea for South African permit holders.</li> </ul>
3.3 (i-v)	2f	<ul style="list-style-type: none"> <li>DAFF (MCS Chief Directorate) did not report any infringements of the obligations contained in paragraphs 15 and 18 of the Transshipment Resolution (all fleets 2017-2018 fishing season)</li> </ul>
	3g-h	<ul style="list-style-type: none"> <li>During the 2016-2017 fishing season no transshipments occurred at sea or in port for those authorised South African-flagged vessels.</li> <li>Four foreign flagged vessels were prosecuted for breach of national regulations relating to permit conditions and margin of tolerance (Section 3.1.8).</li> </ul>
3.3 (vii) (x)	1a-d	<ul style="list-style-type: none"> <li>No transshipments allowed until AREP and completed transshipment permit received and verified by MRM Officials and FCO's (MCS Chief Directorate).</li> <li>Key details on the AREP and Transshipment Declaration are verified during inspection by FCO's these include species and weight of fish to be transhipped.</li> </ul>

Obligation	MPR	Weaknesses/Threats
1.1 (i)	1	<ul style="list-style-type: none"> <li>From a sample set of logsheets, landing declaration sheets, CTF and CMF forms, the QAR Review Team noted some discrepancies in the CDS data.</li> </ul>
1.1 (i)	2b	<ul style="list-style-type: none"> <li>Rights Holders in the domestic fleets (LPL and TPL) are currently not meeting their benchmarks for observer coverage. DAFF have written to these Rights Holders explaining this non-compliance.</li> </ul>
1.1(iii)	1a	<ul style="list-style-type: none"> <li>Some delays noted by CCSBT when submitting quarterly reports: (2016-2017 fishery).</li> </ul>
2.2 (i))	2	<ul style="list-style-type: none"> <li>The VMS Operations room at DAFF does not receive information from foreign flagged vessels transiting in the South African EEZ that choose to transmit via AIS.</li> </ul>
3.1 (x-xii)	1a-e	<ul style="list-style-type: none"> <li>CCSBT Secretariat had reported that some SBT tags in use (2016-2017 fishery) had neither a flag State identifier nor a fishing year inserted.</li> <li>The CCSBT Secretariat had also reported that a total of 15 duplicate tag numbers had been submitted by DAFF during the 2016 calendar year.</li> </ul>
3.1 (xix) - (xxi))	1a	<ul style="list-style-type: none"> <li>CCSBT's Executive Secretary noted that some new validators had not been authorised to validate CMF's in the fishery during validation (2014, 2016 fishing season).</li> </ul>
Obligation	MPR	Opportunities
1.1 (i)	1	<ul style="list-style-type: none"> <li>Continued use of the improved CDS database should reduce previously observed discrepancies in DAFF catch reporting and monitoring systems for SBT (in progress).</li> </ul>
1.1 (i)	2b	<ul style="list-style-type: none"> <li>DAFF is currently increasing its overall scientific observer coverage for the 2018-2019 fishing season to 20% of fishing trips.</li> </ul>
2.2 (i))	2	<ul style="list-style-type: none"> <li>If the Operations Room was manned outside of office hours this would reduce the risk of illegal fishing operations and also allow for the targeting in real time of e.g. vessels suspected of engaging in IUU activities.</li> <li>VMS Operations Room systems to be upgraded to capture foreign flagged vessel movements where these vessels transmit via AIS (in progress).</li> </ul>

### 10.3 Appendix 4: Copies of fishery logbooks & other paperwork reviewed

Documents Reviewed	Source
Application for a permit for a foreign vessel to enter the Exclusive Economic Zone (EEZ)	MRM
Application form for entity applicants for the Fishing Rights Allocation Process (FRAP) 2015/2016 (parts 2 & 3)	MRM
Catch Documentation Scheme Database Explanation (Author H. Winker)	FRD
CCSBT Circular #2018/005 - Notification by South Africa of Intent to Carry Forward Unfished Quota from 2017 to 2018	DAFF
CD: MCS: Cape Town - Legislations that are enforced by Fisheries Inspectors & Process on how to inspect foreign and local fishing vessels	MCS
Fishing Rights Allocation Process (FRAP) 2015-16 Final_GPR in the large pelagic longline fishery	MRM
Fishing Rights Allocation Process (FRAP) 2015-16 Large Pelagic GPR and Provisional Lists; Reasons for the decisions on the allocation of 2015/2016 fishing rights in the LPL fishery	MRM
Foreign Vessel Infringements (MS Excel)	MCS
General Reasons for the decisions on the allocation of fishing rights and effort in the Tuna Pole-Line fishery	MRM
Government Gazette: Policy on the allocation and management of commercial fishing rights in the large pelagic longline fishery: 2015 (Part 1)	MRM
Guidelines for the inspection of foreign vessels	MCS
High Level Doc: Fishing Rights Allocation Process (FRAP)_3FeetPlan (MS Excel)	MRM
Inspection guidelines for domestic tuna and swordfish longline fishing vessels	MCS
Large Pelagic Longline Logsheets 2018	MRM
List of CDS Validators	MRM
Memo to RHs - Implementation of the Scientific Observer Programme Large Pelagic Longline Sector (October 2017)	MRM
Notice to Rights Holders Regarding southern bluefin tuna Catch Documentation Scheme	MRM
Observer Programme 2018/2019 Season - Vessels Nominated Q1	FRD
Permit Conditions for foreign and domestic vessels to tranship in South Africa's Exclusive Economic Zone (EEZ)	MCS
Permit Conditions: Commercial Export of wild captured fish and fish products	MCS
Permit Conditions: Commercial Import of wild captured fish and fish products	MCS
Permit Conditions: Fish Processing Establishment	MCS
Permit Conditions: Foreign Vessels entering South African Exclusive Economic Zone (EEZ)	MCS
Permit Conditions: Large Pelagic Longline Fishery 2018/2019	MRM
Permit Conditions: Tuna Pole-Line Fishery 2018/2019	MRM
Permit to undertake commercial fishing for tuna by means of the pole-line method	MRM
Permit to undertake commercial fishing of large pelagic longline	MRM

Policy for the allocation and management of fishing rights in the tuna pole-line fishery: 2013	MRM
Requirements for an application for a foreign vessel to enter the Exclusive Economic Zone (EEZ)	MRM
South Africa's Annual Report to the Compliance Committee and the Extended Commission 2017	DAFF
South Africa's Annual Report to the Ecologically Related Species Working Group (ERSWG) of the Commission for the Conservation of Southern Bluefin Tuna 2017	DAFF
South African National Report to the Extended Scientific Committee of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) 2017	DAFF
Transport Permit Conditions: Large Pelagic Longline Fishery, Tuna Pole & Line	MCS
Viking Ruby (Registration No CTA 779): Log sheet Number 0149; CTFs T-ZA-17-090070; T-ZA-17-090071 and CMF's CM-ZA-090097 & CM-ZA090099; DAFF Control Document Landing Declaration Sheet (14 September 2017)	MCS