



Fisheries New Zealand

Tini a Tangaroa

New Zealand Annual Report to the Compliance Committee and the Extended Commission

New Zealand

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Contents

Page

1	Summary of Monitoring, Control and Surveillance (MCS) Improvements	3
1.1	Improvements achieved in the current fishing season	3
1.2	Future planned improvements	3
2	SBT Fishing and MCS	4
2.1	Fishing for Southern Bluefin Tuna	4
2.2	Monitoring catch of SBT	7
2.3	SBT Towing and transfer to and between farms (farms only)	9
2.4	SBT transshipment (in port and at sea)	10
2.5	Port Inspections of Foreign Fishing Vessels/Carrier Vessels (FVs/CVs) with SBT/ SBT Products on Board	10
2.6	Monitoring of trade of SBT	11
2.7	Coverage and Type of CDS Audit undertaken	11
3	Changes to sections in Annex 1	12
	Annex 1. Standing items: details of MCS arrangements used to monitor SBT catch in the fishery	13
1	Monitoring catch of SBT	13
1.1	SBT Towing and transfer to and between farms (farms only)	18
1.2	SBT Transshipment (in port and at sea)	18
1.3	Port Inspections of Foreign FVs/CVs with SBT/ SBT Products on Board	19
1.4	Landings of Domestic Product (from both fishing vessels and farms)	20
1.5	Monitoring of trade of SBT	21
1.6	Other	23
2	Additional Reporting Requirements - Ecologically Related Species	24
	Appendix 1. CCSBT Authorised Vessel Resolution	27
	Appendix 2. Infographic for on-board camera rollout	28

1 Summary of Monitoring, Control and Surveillance (MCS) Improvements

1.1 IMPROVEMENTS ACHIEVED IN THE CURRENT FISHING SEASON

Provide details of MCS improvements achieved for the current fishing season.

In 2019, New Zealand implemented mandatory electronic catch and position reporting across 100 percent of New Zealand's fishing fleet. The New Zealand system consists of two components, Electronic Catch and Effort Reporting (ER) and Geospatial Positional Reporting (GPR). In 2020, improvements to electronic reporting were consulted on and will come into effect by the end of 2021. These improvements include additional reporting for the surface longline (SLL) fleet on seabird mitigation measures and line weighting regimes.

Additionally, throughout 2020 a compliance annual operating plan was in force, targeting compliance with seabird mitigation measures by the SLL fleet. This operating plan included targeted inspections to ensure fishers' seabird mitigation measures were compliant with the required legal specifications.

1.2 FUTURE PLANNED IMPROVEMENTS

Describe any MCS improvements that are being planned for future fishing seasons and the expected implementation date for such improvements.

The New Zealand Government has recently announced its intention to support greater use of on-board camera monitoring. A business case is currently being developed for this further roll-out, which will primarily target inshore fishing vessels, including the tuna longline fleet (Appendix 2). The wider rollout is expected to begin mid-late 2022 with up to 300 inshore commercial fishing vessels fitted with on-board cameras by 2024.

2 SBT Fishing and MCS

2.1 FISHING FOR SOUTHERN BLUEFIN TUNA

2.1.1 Catch and allocation

Specify the Effective Catch Limit, carry-forward of quota, total available catch, and attributable catch for the previous three fishing seasons in Table 1. All figures should be provided in tonnes.

Table 1. Effective catch limit, carry-forward, total available catch, and attributable catch.

A	B	C	D	E
Fishing Season	Effective Catch Limit ¹	Quota Carried Forward to this Fishing Season	Total Available Catch ² (B+C)	Attributable catch ³
2017/18	1,088	79.5	1,167.5	1,050
2018/19	1,088	118.4	1,206.4	1,002.9
2019/20	1,088	203.5	1,291.5	925.5

2.1.2 Allowances and SBT mortality for each sector

Specify the allowances and SBT mortality for each sector during the previous three fishing seasons in Table 2. If information on SBT mortality is not available for a particular sector, use the best estimates of catch. All figures to be provided in tonnes.

Table 2. Allowances and SBT mortality for each sector.

Sector 1	Commercial fishing operations whether primarily targeting SBT or not	
	Commercial sector	
Fishing season	National allowance	Mortalities (tonnes)
2017/18	1,047	1,008
2018/19	1,046	957
2019/20	1,046	856.6

¹ Effective catch limit is the Member's allocation plus any adjustments for agreed short term changes to the National Allocation. For example, see column 3 of Table 1 at paragraph 87 of the Report of CCSBT 24.

² Total available catch means a Member's Effective Catch Limit allocation for that quota year plus any amount of unfished allocation carried forward to that quota year.

³ 'A Member or CNM's attributable catch against its national allocation is the total Southern Bluefin Tuna mortality resulting from fishing activities within its jurisdiction or control, including, inter alia, mortality resulting from: commercial fishing operations whether primarily targeting SBT or not; releases and/or discards; recreational fishing; customary and/or traditional fishing; and artisanal fishing.'

Sector cont.	Releases and/or discards		Recreational fishing		Customary and/or traditional fishing	
	Sector 2:		Sector 3:		Sector 4:	
Fishing season	National allowance	Mortalities (tonnes)	National allowance	Mortalities (tonnes)	National allowance	Mortalities (tonnes)
2017/18	20	6.0	20	15 ⁴	1	0
2018/19	20	4.7	20	25.9	2	0
2019/20	20	17.9	20	48.9	2	0

2.1.3 SBT Catch (retained and non-retained)

For the previous three fishing seasons, specify the weight and number of SBT for each sector (e.g. commercial longline, commercial purse seine, commercial charter fleet, commercial domestic fleet, recreational fishing, customary and/or traditional fishing and artisanal fishing) in Table 3. Provide the best estimate if reported data is not available. Figures should be provided for both retained SBT and non-retained SBT. For all non-farming sectors, "Retained SBT" includes SBT retained on vessel and "Non-Retained SBT" includes those returned to the water. For farming, "Retained SBT" includes SBT stocked to farming cages and "Non-Retained SBT" includes towing mortalities. If possible, provide both the weight in tonnes and the number of individuals in square brackets (e.g. [250]) for each sector. Table cells should not be left empty. If the value is zero, enter "0".

Table 3. SBT catch (retained and non-retained)

Fishing Season	Retained and discarded SBT					
	Sector 1 Commercial sector		Sector 3 Recreational sector		Sector 4: Customary/artisanal sector	
	Retained SBT ⁵	Non-Retained SBT ⁶	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT
2017/18	861.9 [19,871]	[251]	15 ⁷ [247]	[26]	0	0
2018/19	829.5 [16,548]	[168]	[428]	[9]	0	0
2019/20	737.1 [15,582]	[496]	48.9 [685]	3.4 [52]	0	0

⁴ The 2017/18 fishing recreational estimate has been updated from 12.4 tonnes to 15 tonnes.

⁵ Based on CDS data of processed catch.

⁶ Based on estimated catch from vessels targeting SBT.

⁷ 15 tonnes includes 12.3 tonnes of reported catches from fishing clubs, recreational catch taken from commercial vessels, and amateur charter vessels records, as well as an additional 2.7 tonnes of estimated unaccounted catch. The 247 individuals include 202 fish that were reported, and an additional 45 fish that were estimated unaccounted catch (making up the additional 2.7 tonnes).

2.1.4 The number of vessels in each sector

Specify the number of vessels that caught SBT in each sector during the previous three fishing seasons in Table 4. In cases where vessel numbers are not able to be provided, specify the best estimate.

Table 4. Vessels by Sector

Fishing season	Number of vessels		
	Sector 1: Commercial sector	Sector 3: Recreational sector	Sector 4: Customary/artisanal sector
2017/18	37 ⁸	195 ⁹	0
2018/19	30 ¹⁰	316 ¹¹	0
2019/20	28 ¹²	355 ¹³	0

⁸ For the 2017/18 fishing year, there were 33 longline vessels that caught SBT, of those, there were 32 vessels that targeted SBT. There were a further four vessels that caught SBT using other fishing methods (mid-water trawl, set net, and trolling).

⁹ For the 2017/18 fishing year, the recreational sector vessel numbers have been amended. They now comprise of amateur charter vessels, and the number of individual vessels recorded at the Waihou Bay boat ramp survey.

¹⁰ For the 2018/19 fishing year, there were 28 longline vessels that caught SBT, of those, there were 28 vessels that targeted SBT. There were a further two vessels which caught SBT using other fishing methods (mid-water trawl, set net, and trolling).

¹¹ For the 2018/19 fishing year, the recreational sector vessel numbers are comprised of amateur charter vessels, and the number of individual vessels recorded at the Waihou Bay boat ramp survey.

¹² For the 2019/20 fishing year, there were 28 longline vessels that caught SBT, of those, there were 28 vessels that targeted SBT. There were a further 10 vessels that caught SBT using other fishing methods (mid-water trawl, bottom trawl, set net and trolling).

¹³ For the 2019/20 fishing year, the recreational sector vessel numbers are comprised of amateur charter vessels, and the number of individual vessels recorded at the Waihou Bay boat ramp survey.

2.2 MONITORING CATCH OF SBT

2.2.1 Daily logbooks

- i. *If daily logbooks are not mandatory, specify the % of SBT fishing where daily log books were required.*

N/A, daily logbooks are mandatory. The implementation of mandatory Electronic Catch and Position Reporting across New Zealand's fleet ensures reporting is provided electronically daily.

- ii. *Specify whether the effort and catch information collected complied with that specified in the "Characterisation of the SBT Catch" section of the CCSBT Scientific Research Plan (Attachment D of the SC5 report), including both retained and discarded catch. If not, describe the non-compliance.*

The information collected on effort and catch complies with that specified in the "Characterisation of the SBT Catch" section of the CCSBT Scientific Research Plan, noting that length, sex, otoliths, and other biological information is collected by Fisheries New Zealand observers. Both retained and discarded catch must be recorded.

2.2.2 Additional reporting methods (such as real time monitoring programs)

- i. *If multiple reporting methods exists (e.g. daily, weekly and/or monthly SBT catch reporting, reporting of tags and SBT measurements, reporting of ERS interactions etc.) then, for each method, specify if it was mandatory, and if not, specify the % of SBT fishing that was covered.*

Mandatory amateur charter vessel reporting was phased in regionally, with all regions reporting SBT as of 1 October 2012. Voluntary reporting on recreational tagging activities continues to occur across the wider recreational fishery (e.g. provision of tag release information).

In regard to customary reporting, one month after the end of each quarter in each calendar year, an authorised Tangata Kaitiaki/Tiaki must provide a summary "customary food gathering catch landing form" to the nearest regional fisheries office. This reporting form includes species, quantity harvested, and the area harvested from.

2.2.3 Scientific Observers

- i. *Provide the percentage of the SBT catch and effort observed in the three previous seasons for each sector (e.g. longline, purse seine, commercial charter fleet, and domestic fleet) in Table 5. The unit of effort should be hooks, and sets for longline, and purse seine respectively.*

Table 5. Observer coverage of SBT catch and effort

Fishing season	Commercial sector	
	% effort obs.	% catch obs.
2017/18	17	19
2018/19	8	11
2019/20	9	16

- ii. *Specify whether the observer program complied with the CCSBT Scientific Observer Program Standards. If not, describe the non-compliance. Also indicate whether there was any exchange of observers between Members.*

New Zealand's observer program complies with the CCSBT Scientific Observer Program Standards.

2.2.4 Vessel Monitoring System (VMS)

For the most recent fishing season for Member-flagged authorised carrier vessels and fishing vessels fishing for or taking SBT specify:

- i. *Was a mandatory VMS that complies with CCSBT's VMS resolution in operation?*

Yes. New Zealand has implemented mandatory geospatial positional reporting (GPR) across 100 percent of the commercial fishing fleet. This system meets the specifications outlined in the VMS resolution.

- ii. *If a mandatory VMS that complies with CCSBT's VMS resolution was not in operation, provide details of non-compliance and plans for further improvement.*

N/A, the mandatory geospatial positional reporting requirements comply with CCSBT's VMS resolution.

- iii. *The number of its flag 1) fishing vessels (FVs) and 2) carrier vessels (CVs) that were required to report to a National VMS system:*

1) FVs: as of 1 October 2017, all fishing vessels operating in New Zealand waters were required to report electronically per domestic regulations.

2) CVs: N/A

- iv. *The number of its flag 1) fishing vessels (FVs) and 2) carrier vessels (CVs) that actually reported to a National VMS system:*

1) FVs: as of 1 October 2017, all fishing vessels operating in New Zealand waters reported electronically per domestic regulations.

2) CVs: N/A

- v. *Reasons for any non-compliance with VMS requirements and action taken by the Member.*

Reasons for non-compliance have previously included vessels operating in areas where satellite signal cannot be obtained resulting in VMS data unable to be sent within the specified timeframes. Every late report is followed up by Fisheries Officers.

- vi. *In the event of a technical failure of a vessel's VMS, the vessel's geographical position (latitude and longitude) at the time of failure and the length of time the VMS was inactive.*

In the event of device failure at sea, the vessel is required to notify Fisheries New Zealand as soon as practicable. Upon notification the vessel will either be ordered to port or will be issued a direction to continue to fish. A direction is issued for a specific time period and once back at port the vessel must have their GPR unit fixed prior to any future trips.

During the 2019/20 fishing season, there were eight occurrences of a vessel's VMS systems failing in New Zealand's southern bluefin tuna fleet. All these failures occurred within New Zealand's exclusive economic zone, and the directives or exemptions that were issued by compliance officers in response lasted an average of five days.

- vii. *A description of any investigations initiated in accordance with paragraph 5(b) of the CCSBT VMS resolution including progress to date and any actions taken.*

No investigations were requested or initiated in the 2019/20 fishing season.

2.2.5 At-sea inspections

Specify the coverage level of at sea inspections of SBT authorised fishing vessels by Member's patrol vessels during the previous fishing season (e.g. the percentage of SBT trips inspected).

The New Zealand fleet is made up entirely of small domestic vessels (between 12 and 24 meters), which typically operate short trips in order to access the fresh tuna market. This makes at-sea inspections difficult. New Zealand instead focuses its efforts on port inspections and other domestic reporting requirements that enable it to monitor product throughout the supply chain.

New Zealand undertook three surface patrols in the 2019/20 fishing year. During these patrols seven surface longliners were inspected.

2.2.6 Authorised vessel requirements

Report on the review of internal actions and measures taken in relation to the authorised vessel requirements provided at Appendix 1, including any punitive and sanction actions taken.

No actions were taken in 2020.

2.2.7 Monitoring of catch of SBT from other sectors (e.g. recreational, customary, etc)

Provide details of monitoring methods used to monitor catches in other sectors.

For the last three years, a research project has been dedicated to estimating the recreational catch of SBT. The information used in the estimate is collected from a variety of sources (described in the New Zealand Annual Report to the Extended Scientific Committee):

- Amateur charter vessel records
- Recreational catch from commercial vessels
- New Zealand sport fishing club records
- South Island recreational fishing estimates
- Landed catch from the on-site survey
- The New Zealand gamefish tagging programme
- National Panel Survey of Marine Recreational Fishers
- Social media
- Customary reporting

2.3 SBT TOWING AND TRANSFER TO AND BETWEEN FARMS (FARMS ONLY)

*Specify the percentage of the tows that were observed and the percentage of the transfers of the fish to the farms that were observed during the previous three fishing seasons in **Table 6**.*

Table 6. Observer coverage of towing and transfer to and between farms

Fishing season	Observer coverage of tows	Observer coverage of transfers
2016/17	N/A	N/A
2018/19	N/A	N/A
2019/20	N/A	N/A

- i. *Plans to allow adoption of the stereo video systems for ongoing monitoring.*

N/A

2.4 SBT TRANSHIPMENT (IN PORT AND AT SEA)

In accordance with the Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels, report:

- i. *The quantities and percentage of SBT transhipped at sea and in port during the previous three fishing seasons in Table 7.*

Table 7. SBT transshipment (in port and at sea)

Fishing season	Kilograms of SBT transhipped at sea	Percentage of the annual SBT catch transhipped at sea	Kilograms of SBT transhipped in port	Percentage of the annual SBT catch transhipped in port
2016/17	N/A	N/A	N/A	N/A
2018/19	N/A	N/A	N/A	N/A
2019/20	N/A	N/A	N/A	N/A

- ii. *The list of the tuna longline fishing vessel with freezing capacity (LSTLVs) registered in the CCSBT Authorised Vessel List which have transhipped at sea and in port during the previous fishing season.*

New Zealand does not have LSTLVs operating in the fleet.

- iii. *A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received at-sea transhipments from their LSTLVs during the previous fishing season.*

N/A.

2.5 PORT INSPECTIONS OF FOREIGN FISHING VESSELS/CARRIER VESSELS (FVS/CVS) WITH SBT/SBT PRODUCTS ON BOARD

For the three previous calendar years, provide information about the number of landing/transshipment operations that foreign FVs/CVs carrying SBT or SBT product made in port,

the number of those landing/ transshipment operations that were inspected, and the number of inspections where infringements of CCSBT's measures were detected in Table 8.

Table 8. Port inspections of foreign FVs and CVs with SBT/SBT products on board

Calendar year	Foreign Flag	No. of Landing/ Transshipment Operations (that occurred)	No. of Landing/ Transshipment Operations Inspected	No. of Landing/ Transshipment Operations where an Infringement of CCSBT's Measures was Detected
2018	N/A	0	0	0
2019	N/A	0	0	0
2020	N/A	0	0	0
TOTAL NUMBER		0	0	0

2.6 MONITORING OF TRADE OF SBT

For the last whole calendar year or fishing season,

- i. Provide the percentage of landings of SBT that were inspected.

Throughout 2020, New Zealand inspected 12.47% of SBT landings

- ii. Provide the percentage of exports of SBT that were inspected.

Inspections for exporting SBT are not mandatory but occur as part of routine enforcement activities.

- iii. Provide the percentage of imports of SBT that were inspected.

Inspections for importing SBT are not mandatory but occur as part of routine enforcement activities.

2.7 COVERAGE AND TYPE OF CDS AUDIT UNDERTAKEN

As per paragraph 5.9 of the CDS Resolution, specify details on the level of coverage and type of audit undertaken, in accordance with 5.8¹⁴ of the Resolution, and the level of compliance.

New Zealand continues to carry out inspection activities to monitor the information contained in the CDS documentation. This is undertaken through port and licensed fish receiver inspections in conjunction with other supporting Compliance activity. Inspections carried out showed high levels of compliance.

New Zealand also conducts analyses which compare information provided in CDS documents against other sources of information such as domestic catch reports and observer records.

¹⁴ Paragraph 5.8 of the CDS Resolution specifies that "Members and Cooperating Non-Members shall undertake an appropriate level of audit, including inspections of vessels, landings, and where possible markets, to the extent necessary to validate the information contained in the CDS documentation."

3 Changes to sections in Annex 1

List any sections of Annex 1 that have changed since the previous year.

PART 1 – Monitoring Catch of SBT

- 'Monitoring Methods' table:
 - Daily logbook – Sections V and VI
 - Additional reporting methods (such as real time monitoring programs) – Section V
 - Other
- 1.2 SBT Transshipment (in port and at sea) – Section B(IV)

PART 2 – Additional Reporting Requirements – ERS

- Part A Section I
- Part C Sections I, II

Annex 1. Standing items: details of MCS arrangements used to monitor SBT catch in the fishery

1 Monitoring catch of SBT

Describe the system used for controlling the level of SBT catch. For ITQ and IQ systems, this should include details on how the catch is allocated to individual companies and/or vessels. For competitive catch systems this should include details of the process for authorising vessels to catch SBT and how the fishery is monitored for determining when to close the fishery. The description provided here should include any operational constraints on effort (both regulatory and voluntary) and any methods used to monitor catching in the fishery. Details should also be provided of monitoring conducted of fishing vessels when steaming away from the fishing grounds (this does not include towing vessels that are reported in Section 2).

Monitoring Methods	Description
Daily log book	<p><i>Specify:</i></p> <p><i>i. Whether this is mandatory.</i></p> <p>All operators of fishing vessels must complete reporting forms for each day in which fishing takes place. Vessels longlining for SBT must record information for each set immediately prior to and following the end of the set. This information is recorded in the vessels electronic reporting system and reported to Fisheries New Zealand daily.</p> <p><i>ii. The level of detail recorded (shot by shot, daily aggregate etc):</i></p> <p>Each vessel must record; a trip start report, start of set (for each set), end of set (for each set), catch report (for each set), discards (for each set), non-fish protected species (for each set), landing report, and trip end report for each trip undertaken.</p> <p><i>iii. What information on ERS is recorded in logbooks:</i></p> <p>Information on interactions with non-fish and protected species is recorded for each trip. Information collected includes: the date, time and location of incident, fishing method, species involved, fate of the animal and health of the animal (i.e. uninjured, injured, or dead). This information is recorded in the vessel electronic reporting system and provided to Fisheries New Zealand daily.</p> <p><i>iv. Who are the logbooks submitted to¹⁵:</i></p> <p>Information is submitted to Fisheries New Zealand via a contracted third party.</p>

¹⁵ If the reports are not to be submitted to the Member's or CNM's government fisheries authority, then also specify whether the information will later be sent to the fisheries authority, including how and when that occurs.

	<p>v. <i>What is the timeframe and method¹⁶ for submission:</i></p> <p>Trip start, landing and end reports must be submitted immediately, with other reports such as catch, discard, processing and non-fish species interaction reports to be submitted by the end of the day the activity occurred on. Catch verification from the licenced fish receiver must be provided within 15 days following the landing/end of the fishing trip.</p> <p>vi. <i>The type of checking and verification that is routinely conducted for this information:</i></p> <p>Primary validation occurs on the device used by the fishers, e.g. fish stock code cannot be entered in the date section. Secondary validation occurs almost instantly after submission by the vessel. If there are errors, the report is rejected, and returned to the device immediately. The fisher then amends the report and resubmits. Checks are made to ensure reports are submitted within the timeframes specified, and if not fishers are contacted and an explanation is sought to determine why the timeframe was not adhered to.</p> <p>Additionally, verification of returns is carried out through analysis of data within and across different return types by Fisheries New Zealand, to identify any discrepancies. For example, information submitted by fishers is compared with information submitted by licensed fish receivers. Returns are always verified for completeness and accuracy during any form of inspection by Ministry for Primary Industries officials at all stages of the supply chain from catch to market.</p> <p>In-port inspections are also used to verify accuracy of information supplied via electronic reporting. Logbooks are checked during inspections for any abnormalities or amendments to reports.</p> <p>vii. <i>Reference to applicable legislation and penalties:</i></p> <p>There is a range of relevant offences, with penalties set by government legislation based on the seriousness of the reported offending.</p> <p>Penalties for late submissions of returns are often dealt with at an administrative level, through the issuing of an infringement notice (either \$400 NZD or \$750 NZD depending on the lateness).</p> <p>Recidivist offenders or anyone failing to provide a return within 15 days of its due date or failing to meet the completion requirements at the end of each set, is liable for a fine up to but not exceeding \$100,000 NZD on summary conviction. Summary offences and penalties are defined in the <i>Fisheries (Reporting) Regulations 2017</i>.</p> <p>The most serious offences where an individual knowingly makes any false or misleading statement (including in a submitted return) in order to obtain a benefit are dealt with using the Fisheries Act 1996. Serious offences can lead to imprisonment (up to five years) and/or a fine up to</p>
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¹⁶ In particular, whether the information is submitted electronically from the vessel.

	<p>\$250,000 NZD, and can include forfeiture of property including gear, vessels, and quota.</p> <p>viii. <i>Other relevant information</i>¹⁷:</p> <p>N/A</p>
<p><i>Additional reporting methods (such as real time monitoring programs)</i></p>	<p><i>If multiple reporting methods exists (e.g. daily, weekly and/or monthly SBT catch reporting, reporting of tags and SBT measurements, reporting of ERS interactions etc), create a separate row in this table for each method. Then, for each method, specify:</i></p> <p>i. <i>Whether this is mandatory:</i></p> <p>Mandatory amateur charter vessel reporting was phased in regionally, with all regions reporting SBT as of 1 October 2012. Voluntary reporting on recreational tagging activities continues to occur across the wider recreational fishery (e.g. provision of tag release information).</p> <p>ii. <i>The information that is recorded (including whether it relates to SBT or ERS):</i></p> <p>For each trip, amateur charter vessel operators must record their target species, fishing method, number of people actively fishing, GPS coordinates, and the time spent fishing. For SBT, operators also must record the number caught, the number retained, and the best estimate of the weight in kilograms for each SBT caught.</p> <p>iii. <i>Who the reports are submitted to and by whom (e.g. Vessel Master, the Fishing Company etc)</i>¹⁵:</p> <p>Amateur charter operators submit returns to Fisheries New Zealand via a contracted third party.</p> <p>iv. <i>What is the timeframe and method</i>¹⁶<i> for submission:</i></p> <p>Each month's catch reporting forms must be submitted (by mail) by the 15th of the following month.</p> <p>v. <i>The type of checking and verification that is routinely conducted for this information:</i></p> <p>Validation of information will occur for each form. Fishery officers routinely inspect amateur charter vessels when they arrive in port to ensure they are recording information as required. Verification audits will be carried out if any discrepancies are found between reported information and information collected during fishery officer inspections.</p>

¹⁷ Including information on ERS, and comments on the effectiveness of the controls or monitoring tools and any plans for further improvement.

	<p><i>vi. Reference to applicable legislation and penalties:</i></p> <p>From 1 November 2010, the Fisheries (Amateur Fishing) Regulations 1986 and the Fisheries (Amateur Charter Fishing Reporting) Notice 2010 were enacted. The legislation includes infringements and summary proceeding penalties for various offences relating to failure to be registered as an amateur charter operator, as well as failure to report catch in a manner consistent with the regulations following amateur charter fishing.</p> <p>From 1 June 2019, the Fisheries (Southern Bluefin Tuna Amateur Fishing) Notice 2019 was enacted. This implemented a bag limit of one southern bluefin tuna, per person, per day for recreational fishers. Every person that commits an offence under this section is liable to a fine not exceeding \$100,000.</p> <p><i>Other relevant information¹⁷:</i></p> <p>N/A</p>
<p><i>Scientific Observers</i></p>	<p><i>Specify:</i></p> <p><i>i. The system used for comparisons between observer data and other catch monitoring data in order to verify the catch data:</i></p> <p>Discrepancy analysis between observer data and information reported by commercial fishers is currently done on a case by case basis when necessary. Ministry for Primary Industries Fisheries Officers also conduct observer briefings prior to trips and/or observer debriefs following trips, in accordance with priorities and/or risk assessments. Routine debrief documentation is completed by the observer programme where no formal debrief is carried out by a Fisheries Officer.</p> <p><i>ii. What information on ERS is recorded by observers:</i></p> <p>Observers collect information on a wide range of incidental catch, including sharks, turtles, seabirds, and marine mammals. That information can include biological data such as length, weight, sex, as well as information on the bycatch mitigation methods in use, life status of bycatch, and general observations, e.g. the presence of seabirds.</p> <p><i>iii. Who are the observer reports submitted to:</i></p> <p>Observer reports are submitted to Fisheries New Zealand; a summary of the trip report is provided to the operator.</p> <p><i>iv. Timeframe for submission of observer reports:</i></p> <p>Observer trip reports are submitted upon completion of the trip. Weekly summaries of ERS interactions are also compiled based on reports from observers on board vessels. Fisheries New Zealand contracts out a third party to process biological data collected from observer trips. The</p>

	<p>contract stipulates that the information must be made available to Fisheries New Zealand within 40 days of receipt.</p> <p>v. <i>Other relevant information (including plans for further improvement – in particular to reach coverage of 10% of the effort):</i></p> <p>Observer coverage targets are set in annual operational plans, which outline a 10% target for the fleet.</p>
<p>VMS</p> <p><i>The items of “ii” are required in association with the Resolution on establishing the CCSBT Vessel Monitoring System</i></p>	<p>i. <i>For Member-flagged authorised carrier vessels and fishing vessels fishing for or taking SBT reference to applicable legislation and penalties:</i></p> <p>Penalties relating to VMS are outlined in the Fisheries (Geospatial Position Reporting) Regulations 2017:</p> <p>A person commits an offence if the person -</p> <ul style="list-style-type: none"> (a) without an exemption from the chief executive, removes from a vessel or fish carrier any geospatial position reporting device that is required to be carried and operated; or (b) without an exemption from the chief executive, fails to carry and operate any geospatial position reporting device in accordance with these regulations; or (c) interferes with any geospatial position reporting device to such an extent that the device no longer complies with the standards and requirements specified; or (d) fails to notify the chief executive of any matter required by or under these regulations to be notified to the chief executive; or (e) fails to register a geospatial reporting device; or (f) fails to comply with a direction of the chief executive issued to that person. <p>Every person who commits an offence against these regulations is liable on summary conviction to a fine up to \$100,000 NZD and, if the offence is a continuing one, to a further fine up to \$1,000 NZD for each day during which the offence is continued.</p>
<p><i>Other (for example, use of electronic monitoring etc.)</i></p>	<p>New Zealand began a roll out of electronic monitoring (cameras on boats) in late 2019. A wider roll out of electronic monitoring is planned for 2022. This will include surface longline vessels, which make up the majority of vessels targeting SBT within the NZ EEZ.</p>

1.1 SBT TOWING AND TRANSFER TO AND BETWEEN FARMS (FARMS ONLY)

N/A New Zealand does not farm SBT.

1.2 SBT TRANSHIPMENT (IN PORT AND AT SEA)

(a) Describe the system used for controlling and monitoring transshipments in port. This should include details of:

i. Flag State rules for and names of:

- designated foreign ports where SBT may be transhipped, and
- foreign ports where in-port transshipments of SBT are prohibited:

New Zealand does not currently designate or prohibit specific foreign ports for transshipment of SBT. However, if any such activity by New Zealand vessels was to occur in future, the vessel would require prior approval and be subject to specific conditions. Further, any such transshipment must be conducted in accordance with the laws of the Port State. Failure to do this can result in action being taken under New Zealand law (section 113A of the Fisheries Act 1996).

ii. Flag State inspection requirements for in-port transshipments of SBT (include % coverage):

All foreign fishing vessels arriving in New Zealand with fish on board are required to apply for approval to possess fish in New Zealand waters and are inspected upon arrival by Ministry for Primary Industries Fisheries Officers. There are no vessels involved in transshipment.

iii. Information sharing with designated Port States:

Currently not applicable if referring to New Zealand vessels transshipping in foreign ports.

iv. Monitoring systems for recording the quantity of SBT transhipped:

N/A.

v. Process for validating and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):

N/A.

vi. Reference to applicable legislation and penalties:

Approval to enter New Zealand waters with fish on-board is required under section 113(1)(a)(ii) of the Fisheries Act 1996. Any person convicted of an offence against this section is liable to a fine up to \$250,000 NZD.

vii. Other relevant information:

N/A.

(b) Describe the system used for controlling and monitoring transshipments at sea. This should include details of:

- i. *The rules and processes for authorising transhipments of SBT at sea and methods (in addition to the presence of CCSBT transhipment observers) for checking and verifying the quantities of SBT transhipped:*

Transhipments by New Zealand flagged vessels, either on the high seas or within New Zealand waters, are subject to specific prior approval by Ministry for Primary Industries. Such transhipments must be monitored by an observer or Fishery Officer and are to be conducted in accordance with a stringent set of conditions to ensure robust verification of quantities transhipped. In addition to the observer/Fishery Officer requirement, the conditions also stipulate notification requirements, VMS monitoring, and completion of appropriate records that can be later verified against landing returns.

- ii. *Monitoring systems for recording the quantity of SBT transhipped-*

As described in section i, above.

- iii. *Process for collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):*

Any approval to tranship SBT would be subject to conditions requiring the full completion and submission of CDS documentation.

- iv. *Reference to applicable legislation and penalties:*

When a transhipment occurs, the vessel master shall provide such information, and shall allow the observer to carry out such inspections (including sampling and measuring) of the vessel, any fish, aquatic life, or seaweed, taken, processed, transhipped, or landed, and documents, as the observer may require for the purpose of observing the transhipment under section 227(1)(e) of the Fisheries Act 1996. Any person convicted of an offence against this section is liable to a fine not exceeding \$250,000

- v. *Other relevant information:*

N/A.

1.3 PORT INSPECTIONS OF FOREIGN FVS/CVS WITH SBT/SBT PRODUCTS ON BOARD

This section provides for reporting with respect to the CCSBT's Scheme for Minimum Standards for Inspection in Port. It should be filled out by Port State Members that have authorised foreign Fishing Vessels/Carrier Vessels carrying SBT or SBT products to enter their designated ports for the purpose of landing and/or transhipment. Only information for landings/transhipments of SBT or SBT products that have NOT been previously landed or transhipped at port should be included in the table below.

- (a) *Provide a list of designated ports into which foreign FVs/ CVs carrying SBT or SBT product may request entry:*

Port of Whangarei	http://www.northport.co.nz
Port of Auckland	http://www.poal.co.nz
Port of Tauranga	http://www.port-tauranga.co.nz
Port of Gisborne	http://eastland.co.nz
Port of Napier	http://www/portofnapier.biz
Port of New Plymouth	http://www.porttaranaki.co.nz

Port of Wellington	http://www.centreport.co.nz
Port of Nelson	http://www.portnelson.co.nz
Port of Lyttelton	http://www.lpc.co.nz
Port of Dunedin	http://portotago.co.nz
Port of Bluff	http://portotago.co.nz

(b) Provide the minimum number of hours of notice required for foreign FVs/CVs carrying SBT or SBT product to request authorisation to enter these designated ports:

All foreign flagged fishing vessels are required under the Fisheries Act 1996 to give 72 hours prior notice of arrival into a designated New Zealand port, and 48 hours prior notice before entering the New Zealand EEZ.

1.4 LANDINGS OF DOMESTIC PRODUCT (FROM BOTH FISHING VESSELS AND FARMS)

Describe the system used for controlling and monitoring domestic landings of SBT. This should include details of:

(a) Rules for designated ports of landing of SBT:

There are no ports that are specifically designated for the landing of SBT. All landings must be made to a licensed fish receiver who, in turn, reports to Fisheries New Zealand.

(b) Inspections required for landings of SBT:

100% of New Zealand flagged vessels that fish on the high seas are required to have a monitored unload¹⁸. New Zealand undertakes risk-based profiling and continually allocates resources to in-port inspections and monitored unloads.

(c) Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being landed as a different species:

New Zealand can conduct genetic testing to verify that SBT are not being landed as a different species. This is only undertaken if suspicion is raised during an inspection, or there is information received that this might be occurring. Genetic testing has also been used to verify species declared by foreign vessels visiting New Zealand ports.

(d) Monitoring systems for recording the quantity of SBT landed:

In addition to the CDS requirements, fishers must fulfil a number of domestic reporting obligations that include detailed information on landings. The submitted forms include information on fish numbers, weight, processed state, licensed fish receiver details, and fisher details. This information is assessed against that submitted by the licensed fish receiver to ensure the continuity of the reports.

(e) Process for validating and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, and depending on circumstances, Catch Tagging Form):

Catch Monitoring Forms are completed by licensed fish receivers for landings of domestic product. Completed Catch Monitoring Forms are returned by the 15th of the month following the month of catch, in line with other domestic reporting requirements.

¹⁸ A New Zealand vessel can obtain an exemption from unload monitoring if a New Zealand observer has monitored the entire trip.

New Zealand delegates authority to validate CDS documents to authorised third parties. The delegated authority system is established under the New Zealand Government Qualifications Authority; personnel receive training and must achieve a specific qualification for validation. The authorised validators work under the direction and authority of Fisheries New Zealand.

(f) Reference to applicable legislation and penalties:

In 2016, New Zealand drafted new regulations to better enforce the requirements of the CDS. The Fisheries (Southern Bluefin Tuna Catch Documentation Scheme) Regulations 2017 came into effect on 27 April 2017.

The regulations detail a number of infringement offences with penalties ranging from \$400 NZD to \$1,000 NZD. The regulations also provide for one summary offence, the sale of SBT without a tag, with a fine upon conviction up to \$100,000 NZD.

Prior to 27 April 2017, the Director General of the Ministry for Primary Industries issued guidance to permit holders and licensed fish receivers instructing them on the details of the CDS and their obligations under the scheme. The instructions were issued under section 190 of the Fisheries Act 1996. Breaches under this section of the Fisheries Act 1996 can lead to fines up to \$250,000 NZD.

Failure to meet other domestic reporting requirements can lead to the penalties described in section II(1)(d)(viii) of this report.

(g) Other relevant information:

N/A.

1.5 MONITORING OF TRADE OF SBT

1.5.1 SBT Exports

Describe the system used for controlling and monitoring exports of SBT (including of landings directly from the vessel to the foreign importing port). This should include details of:

(a) Inspections required for export of SBT:

Inspections for exporting SBT are not mandatory, but occur as part of routine enforcement activities.

(b) Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being exported as a different species:

New Zealand provides significant training in species identification, including tuna species, and uses a number of guiding documents. New Zealand does not conduct regular genetic testing but has the capability to do so as required. Genetic testing kits have been successfully used in investigations where misreporting of species has occurred.

(c) Monitoring systems for recording the quantity of SBT exported:

Statistics on the export of SBT are compiled by New Zealand Customs and summarised by the Department of Statistics. Export statistics are further summarised by Seafood New Zealand and maintained as a database for economic evaluations of New Zealand fisheries. CDS documents are required for all SBT exports.

(d) Process for validating and collecting the relevant CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Catch Tagging Form or Re-export/Export after landing of domestic product Form):

The process for validating Catch Monitoring Forms is as outlined in section 1.4(e) of this report.

(e) Reference to applicable legislation and penalties:

Regulation 17 of the Fisheries (Commercial Fishing) Regulations 2001 deals with the requirement for inspection prior to departure from New Zealand waters. Non-compliance carries a maximum fine of \$100,000 NZD.

(f) Other relevant information:

N/A.

1.5.2 SBT Imports

Describe the system used for controlling and monitoring imports of SBT. This should include details of:

(a) Rules for designating specific ports for the import of SBT:

All foreign vessels carrying fish into New Zealand waters must obtain prior approval to do so. The approval to land fish is given for a limited number of ports that are suitable for both fisheries and customs inspections on arrival.

(b) Inspections required for imports of SBT:

On 1 October 2019, new regulations under the Fisheries Act 1996 came into force, prohibiting the import of SBT unless accompanied by the appropriate catch documentation. The regulations will replace existing prohibition orders that were administered under the Customs and Excise Act 2018.

The same processes will remain in place in terms of notification and inspection (i.e. inspection of imports is undertaken by Customs officials and they notify Fisheries New Zealand whenever SBT is imported into New Zealand).

It should be noted that imports of SBT into New Zealand are rare and generally involve minimal quantities.

(c) Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being imported as a different species:

New Zealand does not conduct genetic testing on imported fish unless information is received, or analysis determines, that misreporting may be occurring. New Zealand utilises trade data and other analytical tools to determine if an importation is considered to be at a risk level warranting further examination. The New Zealand Customs Service is responsible for all commercial importation of fish and for the application of the correct tariff code. Ministry for Primary Industries would be requested to support any investigation.

(d) Process for checking and collecting CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Re-export/Export after landing of domestic product Form):

Customs officials collect CDS documentation for imports of SBT. Fisheries New Zealand officials then verify the information.

(e) Reference to applicable legislation and penalties:

Approval to enter New Zealand waters with fish on-board is required under section 113(1)(a)(ii) of the Fisheries Act 1996. Any person convicted of an offence against this section is liable to a fine up to \$250,000 NZD.

The prohibitions orders are enforced under the powers found within section 297 of the Fisheries Act 1996. Fines of up to \$100,000 NZD are applied to breaches.

(f) Other relevant information:

N/A.

1.5.3 SBT Markets

(a) Describe any activities targeted at points in the supply chain between landing and the market:

Ministry for Primary Industries conducts inspections at numerous points throughout the supply chain including at the point of landing and the final market. Fish receivers must be licensed and have reporting obligations to Ministry for Primary Industries that allow for cross-validation with information submitted by fishers. Dealers in fish (e.g. restaurants and fish and chip shops) must also maintain accounts of their transactions which provide additional information against which to corroborate earlier records.

(b) Describe the system used for controlling and monitoring of SBT at markets (e.g. voluntary or mandatory requirements for certain documentation and/or presence of tags, and monitoring or audit of compliance with such requirements):

As stated above, all dealers in fish are required by law to maintain records of their transactions; this requirement includes SBT. These records are subject to regular inspection and audit by Ministry for Primary Industries officials.

(c) Other relevant information:

N/A.

1.6 OTHER

Description of any other MCS systems of relevance.

New Zealand also imposes controls on its nationals through specific provisions of the Fisheries Act 1996 which require all nationals (or those using a ship registered in New Zealand) operating in a foreign country to abide by the laws of that jurisdiction when taking or transporting fish. Failure to do so may result in a fine up to \$250,000 NZD.

On 1 June 2019, a bag limit was introduced to the SBT recreational fishery of one fish per person per day. The management measure was implemented under section 11 of the Fisheries Act 1996. The management measure was introduced in response to increased

interest in the recreational fishery. The Ministry for Primary Industries Fisheries Officers enforce these rules, and Fisheries New Zealand continues to monitor the recreational fishery to estimate recreational take.

2 Additional Reporting Requirements - Ecologically Related Species

(a) Reporting requirements in relation to implementation of the 2008 ERS Recommendation:

i. Specify whether each of the following plans/guidelines have been implemented, and if not, specify the action that has been taken towards implementing each of these plans/guidelines:

- *International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries:*

New Zealand implemented the first National Plan of Action to reduce the incidental catch of seabirds in New Zealand fisheries in 2004. This plan was revised in 2013 and 2020. Copies of this plan can be obtained from the Fisheries New Zealand website.

- *International Plan of Action for the Conservation and Management of Sharks:*

New Zealand implemented the first National Plan of Action for the conservation and management of sharks in 2008. This plan was revised in 2013 and is currently undergoing additional revision. Copies of this plan can be obtained from the Fisheries New Zealand website.

- *FAO Guidelines to reduce sea turtle mortality in fishing operations:*

New Zealand has implemented the FAO guidelines on sea turtles as applicable.

ii. Specify whether all current binding and recommendatory measures¹⁹ aimed at the protection of ecologically related species²⁰ from fishing of the following tuna RFMOs are being complied with. If not, specify which measures are not being complied with and the progress that is being made towards compliance:

- *IOTC, when fishing within IOTC's Convention Area:*

Not applicable (New Zealand-flagged vessels are prohibited from fishing IOTC waters since New Zealand is not a member of the Commission).

- *WCPFC, when fishing within WCPFC's Convention Area:*

New Zealand currently complies with all ERS requirements of WCPFC

- *ICCAT, when fishing within ICCAT's Convention Area:*

Not applicable (New Zealand-flagged vessels are prohibited from fishing ICCAT waters since New Zealand is not a member of the Commission).

¹⁹ Relevant measures of these RFMOs can be found at: http://www.ccsbt.org/site/bycatch_mitigation.php.

²⁰ Including seabirds, sea turtles and sharks.

iii. Specify whether data is being collected and reported on ecologically related species in accordance with the requirements of the following tuna RFMOs. If data are not being collected and reported in accordance with these requirements, specify which measures are not being complied with and the progress that is being made towards compliance:

- CCSBT²¹:

New Zealand has met its reporting obligation as part of the ERS data exchange.

- IOTC, for fishing within IOTC's Convention Area:

N/A.

- WCPFC, for fishing within WCPFC's Convention Area:

New Zealand reports to WCPFC in accordance with the requirements of that Commission.

- ICCAT, for fishing within ICCAT's Convention Area:

N/A.

(b) Mitigation – describe the current mitigation requirements:

The Fisheries (Seabird Mitigation Measures – Surface Longlines) Circular 2019 requires that when setting surface longlines, fishers use tori lines, set lines at night, and/or use line weighting. The Circular now also provides for the use of hook shielding devices as an additional standalone measure. The use of tori lines has been regulated since 1993. Specifications for tori lines refer to its length and attachment point, as well as the number, size, and distance between streamers.

The Circular has gone through a number of iterations, aligning the requirements with those of WCPFC. Similar provisions are also outlined in high seas permit conditions for any New Zealand vessels fishing on the high seas.

Voluntary initiatives to mitigate the risk of seabird captures

Since 2016, the Department of Conservation's Protected Species Liaison Officer Programme has been working with the surface longline fleet to mitigate incidental capture of seabirds. A key output of the programme has been to assist in the development of risk management plans specific to the individual vessel operations. The programme also encourages fishers to seek advice from liaison officers when a certain number of captures of certain species occur. The risk management plans include mandatory and voluntary seabird mitigation measures. Voluntary measures include:

- Reporting seabird bycatch events to Liaison Officers
- Using all three prescribed measures (rather than just two)
- Using thawed bait (rather than frozen bait)
- Offal and bait retention or batching during hauling and setting
- Using a line shooter

²¹ Current CCSBT requirements are those in the Scientific Observer Program Standards and those necessary for completing the template for the annual report to the ERSWG.

- Reducing deck lighting when setting a night
- Aiming to increase sink rate of baited hooks during setting (for example, by reducing setting speed)

The use of voluntary measures is not included as part of statutory reporting.

The Protected Species Liaison Officer Programme has recently received turtle de-hooker kits, which they have provided to surface longline vessels. Kits include de-hookers of three sizes (small, medium, and large), a long-handled line-cutter and spare blades, bolt cutters, and scissors.

(c) Monitoring usage of bycatch mitigation measures:

- i. Describe the methods being used to monitor compliance with bycatch mitigation measures (e.g. types of port inspections conducted and other monitoring and surveillance programs used to monitor compliance). Include details of the level of coverage (e.g. proportion of vessels inspected each year):*

Compliance with these measures is monitored through at-sea and in-port inspections by Fisheries Officers, aerial surveillance from military aircraft, and the placement of observers on board vessels. Observer reports indicating problems with use of mitigation equipment are prioritised for follow-up with vessel operators. These are then followed up by Fishery Officers. Additionally, new electronic reporting requirements that will come into effect in 2021 will require additional reporting for the surface longline (SLL) fleet on seabird mitigation measures and line weighting regimes.

During the 2020 calendar year, inspections of vessels in port found incidents where breaches of seabird mitigation regulations occurred. The majority of these breaches were in relation to tori lines not meeting specifications as per domestic law. A graduated enforcement was applied to this noncompliance, ranging from commercial advice and aiding fishers to bring seabird mitigation up to specification, through to conviction of one vessel for failure to deploy seabird mitigation.

- ii. Describe the type of information that is collected on mitigation measures as part of compliance programmes for SBT vessels:*

Fisheries Officers collect information about tori line, line-weighting and hook shielding devices that are present on vessels. For each vessel that uses a tori line, a 'tori line details' form is filled out which records information on:

- Tori line total length
- Attachment point
- Aerial extent
- Number of streamers
- Spacing of streamers
- Streamer length
- Streamer material

Observer reports provide information about mitigation gear usage, gear descriptions, and fisher attitudes toward seabird mitigation.

Appendix 1. CCSBT Authorised Vessel Resolution

The flag Members and Co-operating Non-members of the vessels on the record shall:

- a) authorize their FVs to fish for SBT only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the CCSBT Convention and its conservation and management measures;
- b) take necessary measures to ensure that their FVs comply with all the relevant CCSBT conservation and management measures;
- c) take necessary measures to ensure that their FVs on the CCSBT Record keep on board valid certificates of vessel registration and valid authorization to fish and/or tranship;
- d) affirm that if those vessels have record of IUU fishing activities, the owners have provided sufficient evidence demonstrating that they will not conduct such activities anymore;
- e) ensure, to the extent possible under domestic law, that the owners and operators of their FVs on the CCSBT Record are not engaged in or associated with fishing activities for SBT conducted by FVs not entered into the CCSBT Record;
- f) take necessary measures to ensure, to the extent possible under domestic law, that the owners of the FVs on the CCSBT Record are citizens or legal entities within the flag Members and Co-operating Non-members so that any control or punitive actions can be effectively taken against them.

Appendix 2. Infographic for on-board camera rollout

