



## Phase 1 & 2 combined - Quality Assurance Review

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



Undertaken by Global Trust Certification Ltd.

**Member Report: New Zealand (Phase 2)**

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## Executive Summary

This Quality Assurance Review (QAR) report provides an evidence-based review of New Zealand's Southern Bluefin tuna (SBT) fishery and associated fisheries management against selected sections, as determined by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) Secretariat, of CCSBT's Compliance Policy 1, "Minimum performance requirements to meet CCSBT Obligations". New Zealand's QAR consists of two phases (Table 1);

- Phase 1: A desk-based consultation which was conducted between April - August 2013 (one of four Member reviews undertaken), with a consultation meeting held with key personnel within the Ministry of Primary Industries via phone conference on the 11<sup>th</sup> June GMT 2013.
- Phase 2: An on-site inspection of the Member's monitoring, control and surveillance (MCS) systems and processes documented in the Phase 1 QAR. The phase 2 site visit was conducted from 21<sup>st</sup> March – 2<sup>nd</sup> May 2016.

Member Phase 1 and 2 reviews can be conducted on separate occasions with a separate Phase 1 Report and a final combined Report to include Phase 2 or; Phase 1 and 2 reviews can be conducted concurrently and reported in a combined Report. In the case, of the New Zealand (NZ) report Phase 1 and 2 were conducted independently and combined for submission to CCSBT.

New Zealand monitors the SBT fishery in line with CCSBT's Minimum performance requirements (MPR) and have been shown to be compliant with an established fisheries regulatory management system in place. New Zealand's SBT fishery is managed under New Zealand's quota management system (QMS) in line with its primary fisheries legislation (*the Fisheries Act 1996*). The Ministry for Primary Industries (MPI) is the government authority responsible for the management of the SBT fishery. New Zealand's SBT fishery is caught predominantly by domestic vessels, with all catches made within New Zealand's Exclusive Economic Zone (EEZ). New Zealand's SBT fishery is primarily a fresh export fishery to Japan.

New Zealand's national allocated catch is allocated on an annual calendar year basis, with the fishery from 1<sup>st</sup> October – 30<sup>th</sup> September each year. New Zealand's SBT Allowable Catch (AC) is set as a national Total Allowable Catch (TAC) under the QMS. The national TAC for SBT is the total quantity of SBT that can be taken by all fishing sectors (commercial, recreational, customary Maori and other sources of fishing-related mortality). Once allocations of the recreational, customary and sources of other fishing mortality have been made the commercial TACC (total allowable commercial catch) is defined. Quota ownership of the TACC does not entitle the owner to catch fish but it entitles them to receive an Annual Catch Entitlement (ACE) which is commensurate with their quota shares. ACE represents the amount of a particular species that can legally be caught in a particular fishing year and is determined before the start of the fishing year (1<sup>st</sup> October – 30<sup>th</sup> September). Quota shares are a transferable property right representing the quota owner's share of the fishery. FishServe is contracted by MPI to undertake the administration required to allocate quota for stocks covered by the QMS.

New Zealand vessels in the SBT fishery are required to submit set by set tuna longlining catch and effort returns (or other method returns when SBT is caught as bycatch), whilst monthly catch reporting is also in place for permit holders (monthly harvest returns and landing return) and licensed fish receivers (LFRs) (licensed fish receiver returns). All reporting is submitted by the 15<sup>th</sup> of

the following month. New Zealand does not have any large scale tuna longlining vessels (LSTLVs) and does not conduct transhipments. Fisheries monitoring is conducted through at-sea observer coverage and in port inspections by fishery officials. There were no at-sea inspections reported in the 2015 season; however there is the capability to conduct at-sea inspections in future seasons. Aerial patrols also occur. While these have not specifically targeted the SBT fishery to date, they may encompass vessels fishing for tuna species.

New Zealand's SBT fisheries management systems have been shown to be effective in terms of the CCSBT MPRs with well-established fisheries legislation, a strong fisheries management regulatory system and established fisheries reporting and sanctions. The QAR has identified some weaknesses associated with the New Zealand management system and provided recommendations where appropriate. Given the level of at-sea observer coverage and at-sea inspections of domestic and recreational vessels potential risks have been identified associated with high grading/discards from vessels, although it should be noted that provision is made for this within the TAC, so any such high-grading is unlikely to result in NZ exceeding its country allocation under present conditions. Particular recommendations include improving knowledge of recreational and customary catch, increasing the amount of SBT fishing activity monitored (e.g. through at-sea inspection and more frequent port-side monitoring of unloads), and increasing the ability to identify duplicate tag numbers in a timely manner through implementing an integrated electronic reporting system.

**Table 1. Summary of Quality Assurance Review Implementation Information: New Zealand**

<b>QAR Phase</b>	<b>Dates</b>
Phase 1 Initiation	April 15 <sup>th</sup> 2013
Phase 1 Review	April – August 2013
Phase 1 Consultation	11 <sup>th</sup> June 2013
Site visit (Phase 2)	21 <sup>st</sup> March 2016 – 2 <sup>nd</sup> May 2016
Report to Member	May 30 <sup>th</sup> 2016
Report returned	July 31 <sup>st</sup> 2016
Draft Final Report for review	August 31 <sup>st</sup> 2016
Final Report	August 31 <sup>st</sup> 2016

## Phase 2 site visit outcomes

	Summary	Weaknesses	Threats (risks)	Recommendations
<b>Fishery Management</b>	<ul style="list-style-type: none"> <li>Phase 1 findings were supported. Most of the management responsibilities for the SBT fishery sit with MPI with some services contracted out. LFRs are integral to the system. They have been termed 'the gatekeepers' relating to their importance in the process. LFRs are often in a position to first detect issues.</li> </ul>	<ul style="list-style-type: none"> <li>The majority of the management responsibilities for the fishery fall to MPI's Highly Migratory Species team (HMS). The team is relatively small (and had been recruiting at the time of the Phase 2 visit). With a small team, there is the potential for over-reliance on the knowledge of key staff. In the absence of documentation describing roles and responsibilities, the departure of key staff has the potential to create problems for the continuity of fishery management.</li> <li>Lack of catch reporting from (non-charter) recreational and customary fisheries creates ambiguity around SBT take.</li> </ul>	<ul style="list-style-type: none"> <li>It is not yet clear how the requirement for all vessels fishing in New Zealand waters to be flagged to New Zealand will impact on the fishery.</li> <li>The fisheries plan covering SBT is due to be revised this calendar year. There is some uncertainty associated with this revision.</li> <li>While the Member sets aside a component of its national allocation for recreational and customary catch, the unknown levels of catch in these sectors creates a risk to the management regime.</li> </ul>	<ul style="list-style-type: none"> <li>Updating the documentation of management requirements and procedures conducted by the HMS team and other parts of MPI is recommended as part of succession planning.</li> <li>Conducting quantitative estimation or implementing catch reporting for all recreational and customary fishers of SBT is recommended to increase confidence in catch figures.</li> </ul>
<b>Compliance and Observer Services</b>	<ul style="list-style-type: none"> <li>There are established compliance and observer systems in place. These are broadly delivering against the requirements of MPRs but could be strengthened and better utilised.</li> </ul>	<ul style="list-style-type: none"> <li>Lack of at-sea inspections</li> <li>Not all charter vessels are reporting yet. This matter is under the attention of MPI's compliance staff currently.</li> <li>New Zealand's nationally imposed goals of one monitored port unload per vessel per year is not being met consistently. (Note that this is not a CCSBT requirement, but is a part of the Member's management approach).</li> </ul>	<ul style="list-style-type: none"> <li>Over all fishstocks including SBT, discrepancy analysis is conducted by compliance staff once per year. While this is positive, it does not provide for timely or proactive management of issues specific to SBT.</li> </ul>	<ul style="list-style-type: none"> <li>Increasing the priority for port-based monitoring of landings from non-observed vessels is recommended to address the greater risks to the management regime that these (otherwise unmonitored) vessels represent.</li> </ul>

	<b>Summary</b>	<b>Weaknesses</b>	<b>Threats (risks)</b>	<b>Recommendations</b>
<b>Industry Engagement and Communication</b>	<ul style="list-style-type: none"> <li>There is ongoing engagement between industry and MPI on the management of the SBT fishery including the Catch Documentation Scheme (CDS) requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Not all fishers may come to meetings. Awareness of fishery issues is likely to be lower amongst fishers who do not attend meetings.</li> </ul>	<ul style="list-style-type: none"> <li>Where new entrants come into the fishery, they will not be as familiar with its requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Encourage new entrants in particular to attend industry meetings, to augment written communications from MPI.</li> </ul>
<b>Data Management Systems</b>	<ul style="list-style-type: none"> <li>Experienced staff with a thorough knowledge of all reporting requirements.</li> <li>Established data entry systems with database processing processes are well documented.</li> </ul>	<ul style="list-style-type: none"> <li>Data entry is required into multiple systems requiring reconciliation between data sources i.e. spreadsheets and databases.</li> <li>For amateur charter vessels – data enterer and verifier can be the same person.</li> </ul>	<ul style="list-style-type: none"> <li>Automated cross-checking capabilities apparent within the databased used for data entry of Catch Tagging Forms (CTF) are not used. However, cross-checking is conducted manually by MPI.</li> <li>Over-reliance on information transmission chains with no feedback loops. There is the risk of database linkages and errors through time.</li> <li>Lack of refresher training for validators, no audit process.</li> <li>Data entry and validation processes differ between datasets.</li> </ul>	<ul style="list-style-type: none"> <li>Standardised approaches required with validation requirements and data entry requirements not standard across all systems.</li> <li>More formalisation for validator refresher training.</li> <li>An integrated system that centralises the data entry and validation process for CDS documentation would provide efficiencies.</li> </ul>
<b>Validation Systems</b>	<ul style="list-style-type: none"> <li>Established data entry system for domestic reporting.</li> <li>Robust validation processes for domestic reporting.</li> <li>Data validation processes in place demonstrated by the high compliance level associated with New Zealand's CDS reporting.</li> </ul>	<ul style="list-style-type: none"> <li>Lack of integrated system for CDS, with Catch Monitoring Form (CMF) and Catch Tagging Form (CTF) data entered in multiple places. Only select parts of the CMF data being entered. No other electronic records of the CMF available for cross-validation purposes.</li> <li>Capacity for identifying duplicate tag numbers at the point of data entry has been turned off to allow data entry.</li> </ul>	<ul style="list-style-type: none"> <li>Manual process relying on cross-checking of various sources.</li> <li>A lack of integration between the CTF registry maintained at the start of the season and the management of CMF and CTF during the season.</li> </ul>	<ul style="list-style-type: none"> <li>Electronic submission of CDS data, most notably CTF data to enable more timely monitoring and identification of duplicate tag numbers.</li> <li>Increased integration of CMF and CTF data would allow more efficient and timely data validation.</li> <li>Utilisation and centralisation of current database capabilities.</li> </ul>

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**ABBREVIATIONS**

AC	Allocated Catch (Individual Member quota)
ACE	Annual Catch Entitlement
ACV-ACR	Amateur Charter Vessel Activity and Catch returns
AOP	Annual Operating Plan
ASBTC	Attributable Southern Bluefin Tuna Catch
BIG	Bigeye tuna (New Zealand's species code)
CAS	Amateur-fishing catch activity system
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CDS	Catch Documentation Scheme
CMF	Catch Monitoring Form
CTF	Catch Tagging Form
DQZZ	Data quality standards and specifications
EDT	Electronic Data Transfer
EEZ	Exclusive Economic Zone
FAWG	Fisheries Assessment Working Group
FCV	Foreign Charter Vessel
FINNZ	FishServe Innovations New Zealand
FMA	Fishery Management Area
HSS	Harvest Strategy Standard
HMS	Highly Migratory Species
IUU	Illegal, unreported and unregulated
LFR	Licensed Fish Receiver
LSTLV	Large scale tuna longline fishing vessels
MCS	Monitoring, control and surveillance
MHR	Monthly Harvest Returns
MPI	Ministry for Primary Industries
MPR	Minimum Performance Requirement
MSY	Maximum Sustainable Yield
NIWA	National Institute of Water and Atmospheric Research
NZ	New Zealand
NZQA	New Zealand Qualifications Authority
QAR	Quality Assurance Review
QMS	Quota Management System
QWE	Quota Weight Entitlement
RFMO	Regional Fisheries Management Organisation
SBT	Southern Bluefin Tuna
SITO	Seafood Industry Training Organisation
STN	Southern Bluefin Tuna (New Zealand's species code)
SWOT	Strengths, weaknesses, opportunities and threats
TAC	Total Allowable Catch
TACC	Total Allowable Commercial Catch
VADE	Voluntary, Assisted, Directed and Enforced
VMS	Vessel Monitoring System

## 1 Quality Assurance Review

This is an evidence-based Quality Assurance Review (QAR) that forms the basis for the assessment of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) members against specific obligations from CCSBT's Compliance Policy 1, "Minimum performance requirements to meet CCSBT Obligations". Members were requested to demonstrate, by providing supporting documentation, that they meet the obligations of CCSBT's Compliance Policy, with particular emphasis on the presence of documented procedures. The scope of the assessment was limited to the obligations and associated Minimum Performance Requirements (MPR) in sections 1.1, 2.3, 3.1, 3.3 and 6.5 of this policy, which are aimed at ensuring Members and Co-operating Non-Members, have implemented adequate measures to ensure they do not exceed their Allocation of the global Southern Bluefin Tuna (SBT) catch, and are compliant with the Catch Documentation Scheme (CDS) and regulations associated with SBT transshipments. The obligations in this policy are derived from CCSBT Resolutions and Decisions, in particular:

- The "Resolution on the Allocation of the Global Total Allowable Catch"; and
- 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".

Additional Minimum Performance Requirements (MPRs) were included in 2014 which extend the scope of both Phase 1 and Phase 2 reviews. Specifically, these are:

- 3.1 Catch Documentation System (A-F)
- 2.3 Record of Authorized Carrier Vessels (part of Transshipment Resolution)
- 3.3 Transshipment (At sea) Monitoring Program (Resolution)
- 6.5 Annual Reporting to the Compliance Committee (Suite of Decisions/Resolutions/Recommendations).

The main body of this report provides an overview of the management of fisheries of the Member participating in the QAR and the effectiveness of their fisheries management in line with the MPRs within the scope of this report.

A step-by-step description of the processes and practices implemented by the Member is presented and the level of performance found against each MPR based on the evidence collected and assessed through the QAR. A detailed process map is provided to support the analysis which illustrates the operating systems and processes implemented by the Member. Any areas where it was felt by the reviewers, that the evidence reviewed did not fully substantiate full performance to the MPR are highlighted and recommendations for improvement are provided.

In assessing the suitability of systems QARs will take into account the particular circumstances and characteristics of each Member being reviewed. QARs will also take into account any issues identified by the Compliance Committee. All QARs provide an overall review of the Members monitoring, control and surveillance (MCS) systems however some areas may need particular attention based on the Members involved, including:

i) **Market States** – emphasis will be placed on the systems and processes in place to support requirements for the importation of SBT products;

ii) **Farm States** – emphasis will be placed on the systems and processes required for accurate reporting of catch, monitoring the introduction of SBT into farms including the effectiveness of the 100 fish sampling methodology and the harvesting of farmed SBT product;

iii) **Developing States** – emphasis will be placed on the systems and processes in place required to monitor, manage and accurately report artisanal and industrial catch including to address Indonesia’s request for consideration of its allocation; and

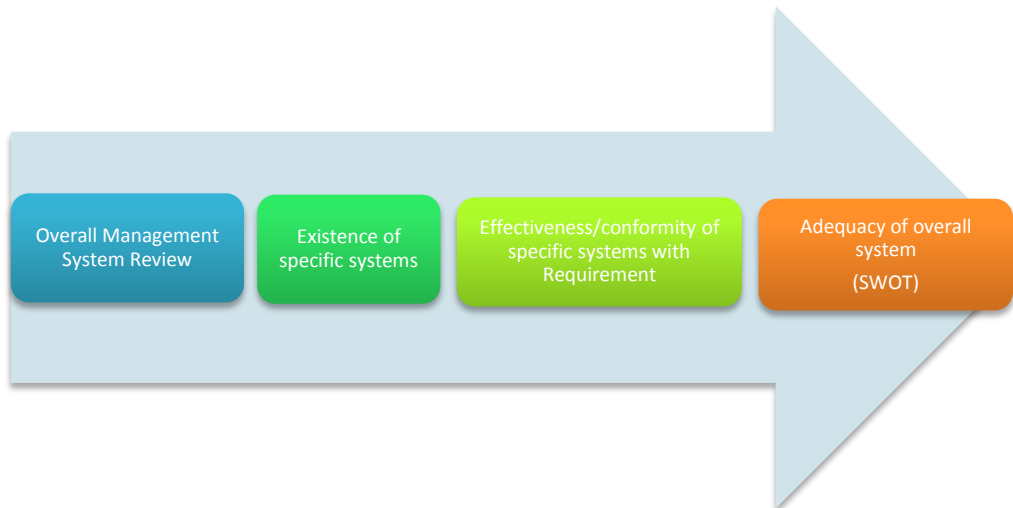
iv) **Distant Water Fishing States** – emphasis will be placed on the systems and processes in place for the accurate reporting of catch, recording/verifying of landing and/or transshipment and monitoring of direct exports of SBT.

## 1.1 Methodology

The standard format for the QAR is to conduct the review in two distinct phases, the first being a desk-based review and the second phase a site visit. The scope of the QAR has been extended since its inception in 2013 to encompass more CCSBT MPRs and include a phase two site visit. The methodology for each phase is shown below;

**Phase 1** - an independent desktop review conducted by a review team through remote consultation stages with Member authorities to gain further evidence, seek clarification and verification of performance against the Minimum Performance Requirements of Section 1.1 of the CCSBT Compliance Policy. The review method was undertaken in four steps.

- i. Management System Review – the overall framework for management of SBT to ensure compliance with allocations
- ii. 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). Evidence of implementation such as specimen records, reporting and recording documents will be requested to allow verification of the system’s effectiveness to be assessed.
- iii. Management System Effectiveness - the outcome of the analysis documented using a strengths, weaknesses, opportunities and threats (SWOT) analysis with regard to the extent that the management system implementation effectively demonstrates compliance to each of the minimum performance criteria.
- iv. Recommendations for Improvement- areas identified through the review that may result in improved Member compliance (or improved reporting effectiveness for purposes of subsequent QAR activities). This is presented using the Opportunities component of the SWOT analysis.



**Figure 1 Methodology process for the CCSBT quality assurance review**

**Phase 2 site visit** - designed to verify the extent that systems and processes described in documentation and records provided in Phase 1 and the Phase 1 extension are fully implemented and consistent with the procedure described by the Member. During the site visit the reviewers will determine the extent to which the processes and activities are effective in ensuring that Members meet their obligations specific to the MPR's within the scope of the current QAR framework.

A detailed process flow map of each Member is developed to provide a 'visual' description of allocation and catch accounting systems. The process flow maps are documented initially from the desk-based review and then finalized during the final reporting stage.

The report is presented in the following sections:

- Executive summary: This section summarises the report, provides a phase 2 summary and details the recommendations for improvement identified by the review team.
- Section 1: This section provides a short description of the process.
- Section 2: A background section that describes 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: Detailed description of the evidence that demonstrates conformity to the specific MPR requirement with a summary of outcome and key points (Phase 1)
- Section 4: Phase two Member site visit and associated summaries
- Section 5: A detailed flow chart to support the evaluation and provide specific details of the SBT Allocation, CDS and MCS in place.
- Section 6: Effectiveness of the Management Systems (SWOT analysis)
- Section 7: Recommendations for improvement
- Section 8: Phase 2 gap analysis
- Section 9: Member Comments
- Section 10: Appendices

## 2 Southern Bluefin Fishery

### 2.1 Introduction

Southern Bluefin tuna (SBT) is a highly migratory species that is seasonally present in New Zealand waters, with New Zealand's Exclusive Economic Zone (EEZ) catches representing the eastern most extent of the stock (

Figure 2)<sup>1</sup>. SBT is a valuable species caught by commercial and non-commercial fishers<sup>2</sup>. In the 1980s, SBT was predominantly fished in New Zealand using handlines and trolling. Since the 1990s, longlining has been the dominant method used to target SBT. Surface longlining accounted for 89% of fishing days with the remainder of days fished using handlines and trolling<sup>3</sup>. However, handlines and trolling accounted for a minimal catch proportion<sup>3</sup>. Within New Zealand there are two distinct fishing areas: the west coast of the South Island where fishers target SBT and the east coast of the North Island where fishers target a range of species including SBT. Before 1998, SBT catches from the east coast of the North Island accounted for a small proportion of the total SBT catch. More recently, SBT catches off the east coast of the North Island and the west coast of the South Island have accounted for approximately the same amount of the SBT catch. The change in spatial distribution of catches is attributed to the increase in domestic longline effort off the coast of the North Island<sup>4</sup>.



**Figure 2 Distribution of Southern Bluefin tuna within New Zealand waters<sup>2</sup>.**

<sup>1</sup> Ministry for Primary Industries. (2012). Southern bluefin tuna Annual Catch Entitlement carry-forward provisions; Regulatory Impact statement. ISBN No: 978-0-478-40494-4, November 2012.

<sup>2</sup> Ministry for Primary Industries. (2015) Southern Bluefin tuna fisheries: New Zealand country report. Paper presented to the 10<sup>th</sup> meeting of the Compliance Committee of the Commission for the Conservation of Southern Bluefin Tuna. CCSBT-CC/1510/SBT Fisheries - New Zealand (Rev.1); October 2015.

<sup>3</sup> Bentley, N., Langley, A.D., Middleton, D.A.J., and Lallemand, P. (2013). Fisheries of New Zealand, 1989/90-2011/12. Retrieved from <http://fonz.tridentsystems.co.nz>, 03/03/16.

<sup>4</sup> Ministry for Primary Industries. (2015). Southern Bluefin Tuna. Fisheries Assessment Plenary November 2015: stock assessments and stock status. Ministry for Primary Industries, Wellington.

## 2.2 Management Authorities

New Zealand has three levels of government: central, regional and local. Fisheries management is the responsibility of central government (the Ministry for Primary Industries (MPI)). The legislative act overarching the management of New Zealand fisheries is the Fisheries Act (1996). The purpose of the Fisheries Act 1996 is *“to provide for the utilisation of fisheries resources while ensuring sustainability”*. The Act provides interpretations of utilisation and sustainability: *“utilisation”* is defined as *“conserving, using, enhancing and developing fisheries resources to enable people to provide for their social, economic and cultural well-being”*, whilst *“ensuring sustainability”* is defined as *“maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations”* and *“avoiding, remedying or mitigating the adverse effects of fishing on the aquatic environment.”*

The purpose of the *Fisheries Act 1996* is achieved through:

- a) Protecting the health of the aquatic environment
- b) Enabling people to get best value from the sustainable and efficient use of fisheries
- c) Ensuring that obligations to Maori (New Zealand’s indigenous people) are met

MPI is responsible for the overall management of SBT caught by New Zealand flagged vessels both within New Zealand waters and on the high seas. To contribute to meeting the requirements of the Fisheries Act as they relate to this species, as well as international obligations, MPI articulates annual operational and management objectives, and a work plan<sup>5</sup>. The requirements of the work plan are met through work conducted internally by MPI staff and through the use of contractors for certain services, e.g., research service providers and FishServe (who maintain vessel registries and public registries of quota owners). Consultation with stakeholders including the public is a feature of New Zealand’s fisheries management regime and is required by the Fisheries Act. Therefore, fisheries management measures for SBT are consulted upon with a range of stakeholders including commercial, customary Maori, recreational and environmental groups.

The delineation of responsibilities associated with the SBT fishery is shown in Table 2, whilst a high-level organisational structure detailing the authorities responsible for the management of the SBT fishery is shown in Figure 3. Within MPI, several sections are involved with SBT, covering science, monitoring, compliance and management.

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<sup>5</sup> Ministry for Primary Industries. (2015). Annual Operational Plan for Highly Migratory Species Fisheries 2015/16. June 2015. MPI Technical Paper 2015/21. Ministry for Primary Industries, Wellington. ISBN: 978-0-908334-97-1.

**Table 2 Management Authority responsibilities for Minimum Performance requirements (MPRs)**

Management Authority	Department/Subsidiary	Responsibilities	CCSBT Obligations and MPRs
Ministry for Primary Industries (MPI)	International Policy	<ul style="list-style-type: none"> <li>Develop and provide policy and advice to ensure the effective management of New Zealand's international fisheries.</li> </ul>	1.1i (1)
	Fisheries Stock Assessment	<ul style="list-style-type: none"> <li>Provides scientific advice.</li> </ul>	1.1i (2b, 3)
	Highly Migratory Species Group (Fisheries Management Directorate)	<ul style="list-style-type: none"> <li>Conducts statutory and regulatory functions for the management of New Zealand's fisheries resources</li> <li>Implementation of fisheries operational plans</li> <li>Involvement in developing operational policy framework</li> <li>Management of CCSBT CDS documentation, tags, validator list and authorised vessel list.</li> </ul>	1.1i (1, 2a-b, 3); 1.1iii (1a -b) 3.1i-v (1a-c, 1e, 3); 3.1vi (2); 3.1x-xii (1a-e); 3.1xiii-xviii (1, 2) 3.1xix-xxi (1a-f, 2); 3.1xxii-xxv (1a-c, 2a-b); 3.1xxvi (1) 3.1xxvii-xxviii (1,2) 3.1xxix-xxxi (1,2a-f, 3) 6.5(1)
	Research Data Management	<ul style="list-style-type: none"> <li>Data checking and limited data entry from CDS catch monitoring forms.</li> </ul>	3.1xxix-xxxi (2b)
	Observer Services Unit	<ul style="list-style-type: none"> <li>Manage the daily service delivery of observer operations</li> <li>Maintains systems and processes to deliver observer services</li> </ul>	1.1i (2c, 3, 4)
	Compliance Directorate	<ul style="list-style-type: none"> <li>Operational delivery of compliance services</li> </ul>	1.1i (2c, 4) 3.1i-v (1a-b, 1e); 3.1vi (2); 3.1x-xii(1c) 3.1xiii-xviii (1, 2); 3.1xxix-xxxi (2a)
	Intelligence, Planning and Coordination Directorate	<ul style="list-style-type: none"> <li>Intelligence relating to fisheries activities and compliance risk.</li> </ul>	1.1i (1, 2c, 4) 3.1xiii-xviii (1)
New Zealand Customs Service		<ul style="list-style-type: none"> <li>Inspections of documentation for SBT imports.</li> </ul>	3.1i-v (1b); 3.1xiii-xviii (1); 3.1xxix-xxxi (3)
Commercial Fisheries Services Ltd (CFS)	FishServe	<ul style="list-style-type: none"> <li>Administration of allocation of new species into the QMS (administrative functions only. Decisions including, but not limited to, the introduction of new species and quota setting are made by the Minister for Primary Industries (with advice from MPI).</li> <li>Collection of Revenue on behalf of the Crown.</li> <li>Fishing Permit issue, vessel registrations and the associated management of these registries.</li> <li>Management of ACE &amp; Quota Share Registers, including registration of ACE and Quota Share Transfers and the registration of Caveats &amp; Mortgages over Quota Shares.</li> <li>Processing of fishing returns and SBT catch tagging forms.</li> </ul>	1.1i (2a-b, 3); 1.1iii (1a) 3.1xxix-xxxi (2b)
	FINNZ (FishServe Innovations New Zealand)	<ul style="list-style-type: none"> <li>Processing of recreational catch returns</li> <li>Processing of CCSBT CDS catch tagging forms</li> </ul>	1.1i (2a)



Figure 3 High-level organisational structure of the Ministry for Primary Industries<sup>6</sup>

<sup>6</sup> Source: Richards, Amanda. Ministry for Primary Industries. [29<sup>th</sup> March 2016]



## 2.3 Management System

New Zealand fisheries waters are divided into Fisheries Management Areas (FMAs). Fisheries management is focused at stock level, which can be across a number of FMAs. Figure 4 shows the FMA for SBT. Each stock has a Total Allowable Catch (TAC) determined by an assessment of the sustainable total amount of catch that can be taken from a stock in any one year. TACs are set by MPI and generally referenced to a maximum sustainable yield (MSY), except in cases where it is not possible to calculate MSY<sup>7</sup>. For example, for SBT there is no MSY set for the New Zealand portion of the stock due to the highly migratory nature of the species and the fact that ‘a national allocation for New Zealand has been determined as part of an international agreement’ as covered by Section 14 of the *Fisheries Act 1996*. Given an international agreement is in place, SBT is classified under Schedule 3 of the *Fisheries Act 1996*, as a stock managed with an alternative total allowable catch. Management of SBT includes all catch taken by New Zealand flagged vessels is counted against the TAC regardless of whether the catch occurs within its EEZ or not<sup>8</sup>.



**Figure 4 New Zealand’s Southern Bluefin Tuna (SBT) Fisheries Management Area (FMA) (STN1 – is the code for the SBT FMA)<sup>9</sup>**

New Zealand’s fisheries, including SBT, are managed under the Harvest Strategy Standard (HSS)<sup>7</sup> which establishes a consistent and transparent decision-making framework to enable utilisation of New Zealand’s QMS species whilst ensuring sustainability. The HSS is a technical standard outlining the core standards for New Zealand’s fisheries management that are not envisaged to change substantively in the short term. The HSS is supported by a set of operational guidelines<sup>10</sup>. The HSS is a statement of how the Ministry intends to fulfil its obligations outlined in the *Fisheries Act 1996* in the context of the practical fisheries management. It details methods for setting fishery and stock

<sup>7</sup> Ministry of Fisheries. 2008. Harvest strategy standard for New Zealand fisheries. Ministry of Fisheries – October 2008. Ministry of Fisheries, Wellington.

<sup>8</sup> Vallieres, Dominic. Ministry for Primary Industries [Personal Communication, 19<sup>th</sup> August 2013]

<sup>9</sup> Ministry for Primary Industries. 2014. *Fisheries Assessment Plenary – Stock Assessment and Yield Estimates*. Compiled by the Fisheries Science Group

<sup>10</sup> Ministry of Fisheries. 2011. Operational guidelines for New Zealand’s harvest strategy standard: Revision 1. Ministry of Fisheries, Wellington.

targets for fisheries managed under New Zealand's Quota Management System (QMS)<sup>11</sup>. The QMS was introduced in 1986 with SBT managed under the QMS since 2004<sup>2</sup>. The QMS provides quota owners with exclusive tradable property rights to commercial catch<sup>11</sup>. The Operational Guidelines supporting the HSS provide interpretation, and technical and implementation guidance necessary to apply the HSS to fisheries management.

The HSS specifies evaluation measures used to assess the status of New Zealand's fish stocks and fisheries:

- *the soft limit – a biomass level below which a stock is deemed to be “overfished” or depleted and needs to be actively rebuilt;*
- *the hard limit – a biomass level below which a stock is deemed to be “collapsed” where fishery closures should be considered in order to rebuild a stock at the fastest possible rate;*
- *the overfishing threshold – a rate of extraction that, if exceeded, will lead to the stock biomass declining below management targets and/or limits; and*
- *the management target – usually a biomass level,<sup>1</sup> but sometimes a fishing mortality rate,<sup>2</sup> that stocks are expected to fluctuate around, with at least a 50 % probability of achieving the target.’<sup>12</sup>*

For highly migratory species managed under international agreements MPI relies on the international organisations to determine the stock status of the species. MPI advocates for the adoption of harvest strategies and rebuilding plans that meet or exceed the minimum harvest strategy standards. Corrective management actions are put into place for stocks that are below the soft or hard limit, with New Zealand contributing to the management procedure adopted by the CCSBT to rebuild the stock to interim and long-term target levels<sup>13</sup>.

## 2.4 Fishery sectors

### 2.4.1 Commercial fishery

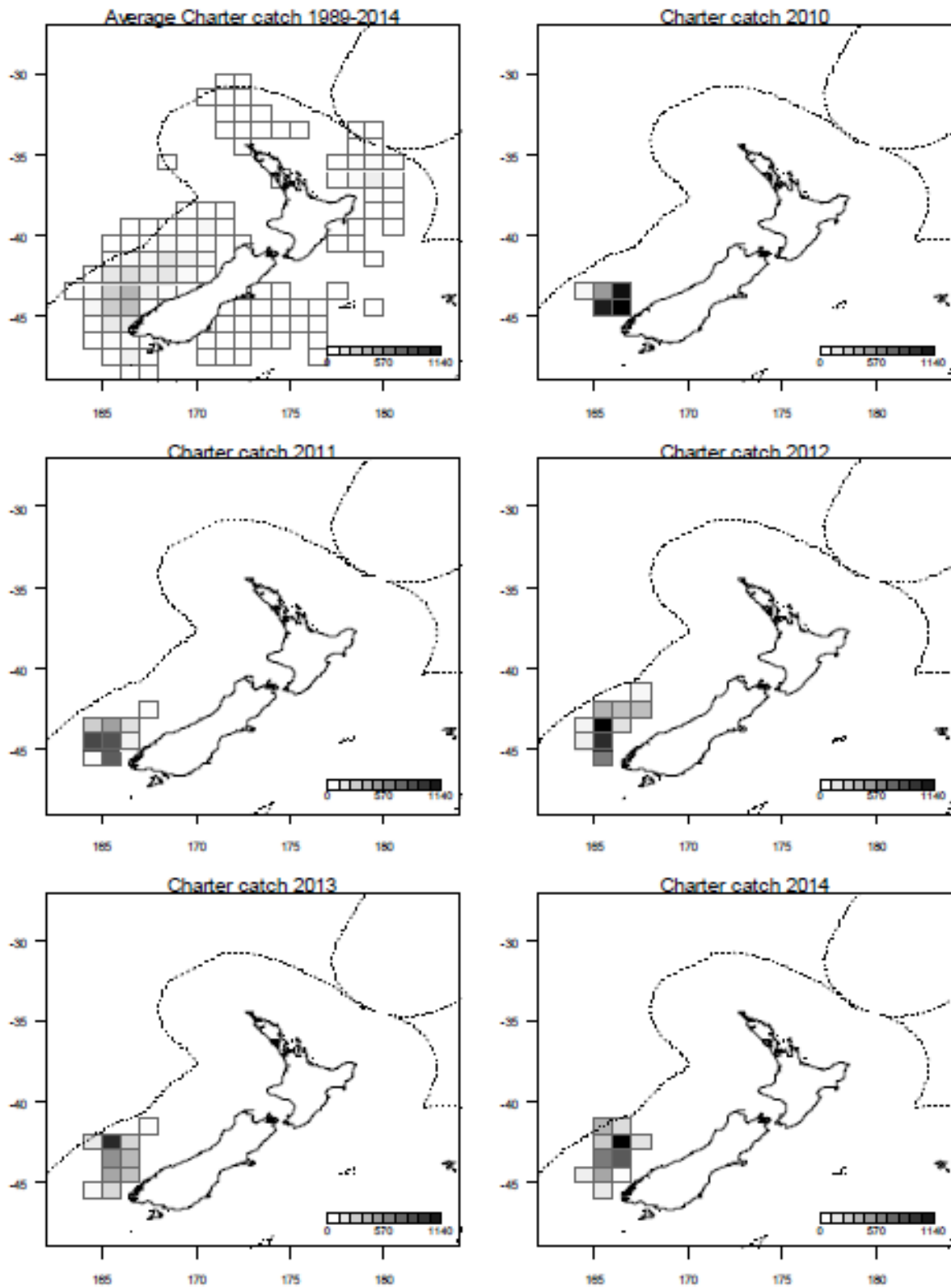
The distribution of SBT fishing catch for the charter and domestic fleet is shown in Figure 5 and Figure 6, whilst Figure 7 shows the SBT catch patterns in New Zealand by fisheries statistical areas for the fishing years 1989/90 - 2011/12. Figure 11 shows commercial catches of SBT from 1980/81-2014/15. SBT were the most commonly caught species for sets in which they were targeted. Percent of SBT catch and other species caught by weight are shown in Figure 12. The highest SBT catches per unit fishing effort occur from June through August, in contrast to other HMS species such as albacore and swordfish (Figure 13). There is no known illegal catch of SBT by New Zealand-flagged vessels, inside the EEZ or on the high seas<sup>4</sup>.

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<sup>11</sup> Lock, K. and Leslie, S. 2007. New Zealand's Quota Management System: a history of the first 20 years. Motu Working Paper 02-02. Motu Economic and Public Policy Research/Ministry of Fisheries, Wellington.

<sup>12</sup> Ministry of Fisheries. (2012) *The Status of New Zealand Fisheries 2012*. Ministry of Fisheries, Wellington.

<sup>13</sup> Ministry for Primary Industries. 2013. *The Status of New Zealand Fisheries 2013*. Ministry for Primary Industries, Wellington.



**Figure 5 Distribution of Southern Bluefin tuna catches within New Zealand waters by the charter fleet: average for the time series (1989 – 2014) and annually for 2010 - 2014<sup>14</sup>**

<sup>14</sup> MPI (2015) Annual Review of National SBT Fisheries – New Zealand. Prepared for the 20<sup>th</sup> Meeting of the CCSBT Extended Scientific Committee (ESC20). Incheon, South Korea, August 2015.

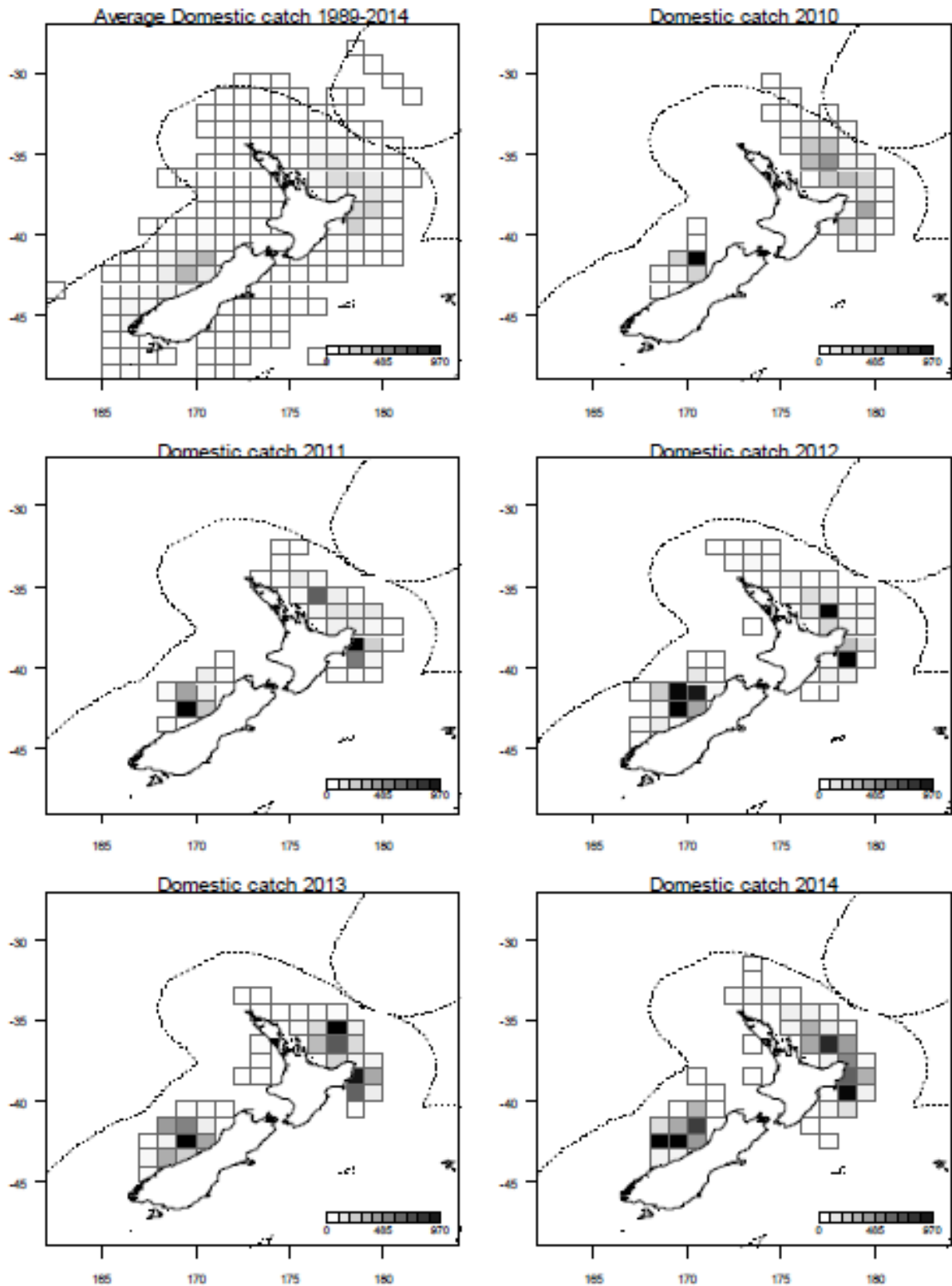


Figure 6 Distribution of Southern Bluefin tuna catches within New Zealand waters by the domestic fleet: average for the time series (1989 – 2014) and annually for 2010 - 2014<sup>14</sup>

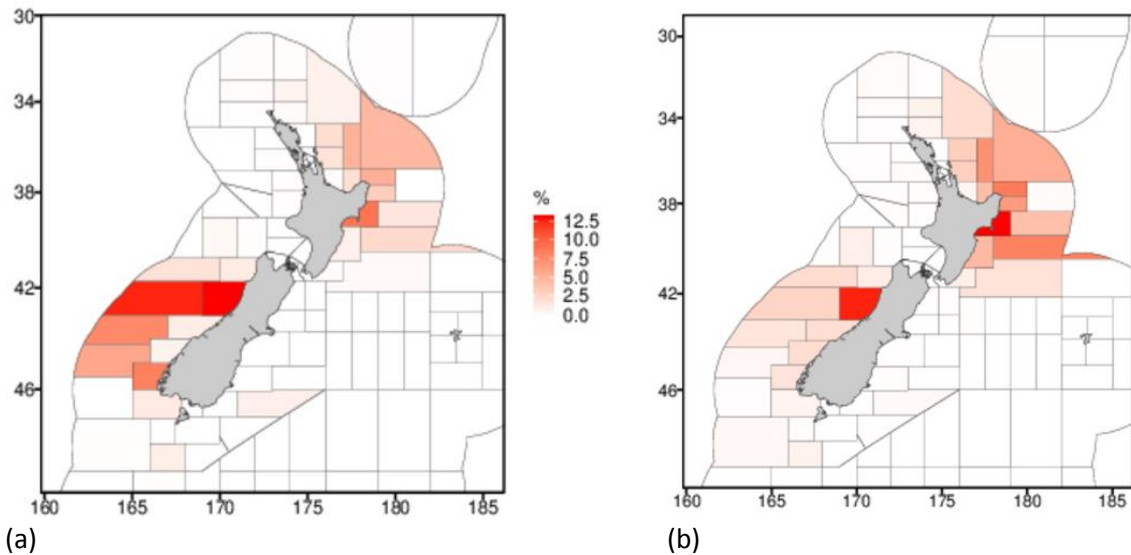


Figure 7 SBT catch patterns in New Zealand by fisheries statistical areas: (a) percentage of commercial catch, and (b) percentage of total commercial days fished<sup>3</sup>

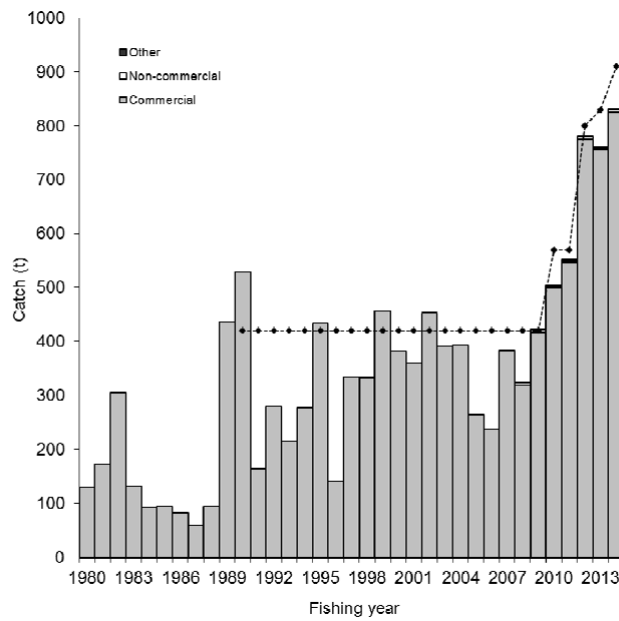


Figure 8 Commercial catch of Southern Bluefin tuna from fishing years (1 October – 30 September) 1980 to 2014/15 in NZ fisheries waters (STN1)<sup>14</sup>

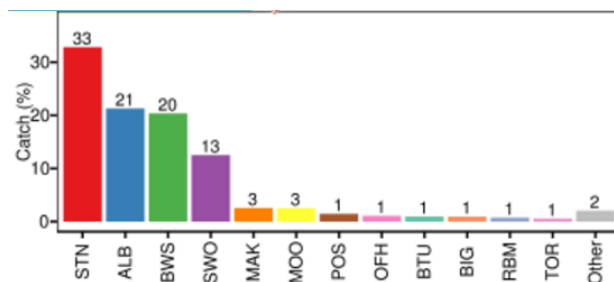
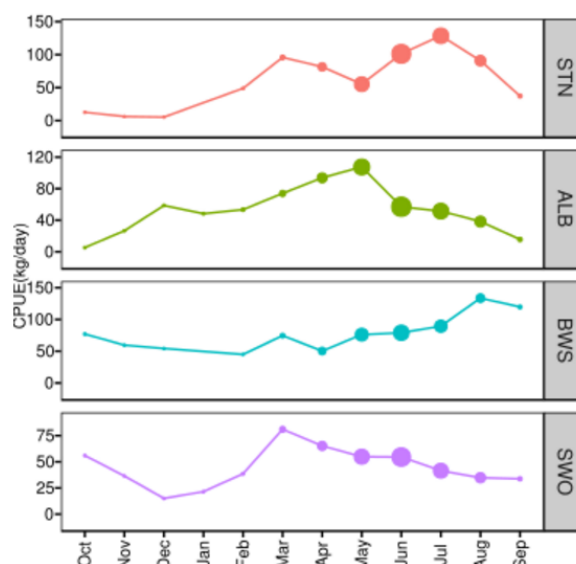


Figure 9 Species composition of the reported southern bluefin tuna target surface longline catch. The percentage by weight of each species is shown for all surface longline trips targeting southern bluefin tuna (STN)<sup>3</sup>



**Figure 10** Catch per unit fishing effort by month through the fishing year, for SBT (STN) and other key species caught in HMS fisheries (albacore, blue shark and swordfish)<sup>3</sup>

#### 2.4.2 Recreational fishery

Historically, a targeted recreational SBT fishery has operated in Milford Sound. The gamefish charter fishery targeting Pacific Bluefin tuna off the west coast of the South Island, based out of Greymouth and Westport, takes some SBT as bycatch. Catch estimates from this fishery based on voluntary reporting in 2007-08 indicate that 38 fish (4,425 kg) were caught. Twenty fish (2,171 kg) were also recorded to have been released alive, which has been attributed to tagging<sup>4&14</sup>. In 2013 the catch estimate of non-commercial SBT bycatch from the Pacific Bluefin tuna game fishery was 12 fish, and 550 kg<sup>4</sup>. The reduction in recreational charter catch over time is considered likely to be due to operational changes rather than availability of SBT with a number of operators exiting the fishery since mandatory reporting began<sup>15</sup>.

There is no quantification or reporting of recreational catch beyond the mandatory reporting for fishing charter operators that was made compulsory in November 2010. The latest update on New Zealand's SBT fishery reported that there were no non-commercial catches in 2014<sup>14</sup>.

#### 2.4.3 Customary fishery

It is possible that SBT were caught by Maori prior to European settlement, however given there is no Maori name for southern bluefin tuna, it is uncertain whether Maori historically caught this species<sup>4</sup>. There is currently no estimate available for customary catch<sup>4</sup>.

### 2.5 Economic Aspects

New Zealand's SBT fishery is predominantly an export fishery with limited domestic demand, in addition to which the industry receives better unit prices for exported fish. From January 2014 –

<sup>15</sup> CCSBT. 2015. Report of the twentieth meeting of the Scientific Committee. 5 September 2015. Incheon, South Korea.

Available at:

[https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs\\_english/meetings/meeting\\_reports/ccsbt\\_22/report\\_of\\_SC\\_20.pdf](https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_22/report_of_SC_20.pdf), accessed 16 March 2016.

December 2014 New Zealand exported 667,636 kg of SBT, worth \$12 023 392 NZD<sup>16</sup>. New Zealand's SBT exports comprise chilled and frozen fish which are primarily exported to Japan, with the United States becoming the second largest market in 2014 (Table 3).

**Table 3 New Zealand Southern Bluefin tuna exports (SBT) in 2014<sup>16</sup>**

Product	Export market	Weight (kg)	FOB* Value (\$NZ)	Unit value (\$NZ)
Chilled headed and gutted	Australia	222	1 575	7.09
Chilled whole	Australia	387	3 261	8.43
	Canada	268	4 868	18.16
	China, Peoples Republic	51	1 428	28.00
	Japan	429 550	5 992 346	13.95
	Singapore	57	1 441	25.28
	Thailand	126	3 213	25.50
	United States	5 071	47 584	9.38
Chilled other	Australia	950	12 889	13.57
	Japan	36 466	726 404	19.92
Frozen other	Japan	194 488	5 228 383	26.88
	<b>Total</b>	<b>667 636</b>	<b>12 023 392</b>	

\*Free on board - the value of export goods, including raw material, processing, packaging, storage and transportation up to the point where the goods are about to leave the country as exports. FOB does not include storage, export transport or insurance cost to get the goods to the export market.

<sup>16</sup> Seafood New Zealand. (2015) *New Zealand Seafood Exports - Report 7 Seafood exports by product type. Calendar year to December 2014*. Available at: [http://www.seafoodnewzealand.org.nz/fileadmin/documents/Export\\_data/14.12.7\\_02.pdf](http://www.seafoodnewzealand.org.nz/fileadmin/documents/Export_data/14.12.7_02.pdf), accessed 16 March 2016.

### 3 Member Management System Implementation of CCSBT Minimum Performance Requirements

This section is based on historical Member Compliance Action Plans, data that demonstrates performance of compliance to date against the 2015 quota, including reference to 2014 allocation, and direct consultation with the Member.

#### 3.1 Compliance with National Allocations 1 (CCSBT section 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** - Catch in the New Zealand SBT fishery is limited by the application of a national Total Allowable Catch (TAC), which is set in line with the CCSBT Allocated Catch (AC). During the time period under scrutiny in this review (2010 – 2015), the total Attributable SBT Catch (ASBTC) reported by New Zealand has been below both the national TAC and the CCSBT AC for that period.

##### **Key points**

- New Zealand fishing year is October 1<sup>st</sup> – 30<sup>th</sup> September;
- Historically New Zealand has used in season TAC adjustments following the CCSBT meeting in October;
- New Zealand enacted the CCSBT carry-forward procedure in the 2013/14 fishing season;
- Legislative amendment was required to do this (Section 3.2.1);
- Recreational catch is not fully quantified but is recognised using an annual catch allocation.
- Customary catch is unknown but considered unlikely to be significant and is recognised using an annual catch allocation.

New Zealand fisheries management seeks to ensure that the total Attributable SBT Catch (ASBTC) does not exceed New Zealand’s allocated catch through the existence of a national quota. New Zealand’s CCSBT Allocated catches (AC) are allocated on an annual calendar year basis, following the CCSBT Annual Commission meeting, which is held in October each year. The New Zealand fishing year is October 1<sup>st</sup> – 30<sup>th</sup> September so given the timing of the CCSBT meeting the New Zealand quota is set based on the provisional quotas. Following the finalisation of the CCSBT ACs, New Zealand provide an in-season change to the originally issued quotas, as required.

Table 4 details New Zealand’s AC from 2010 to 2015, showing that the AC has increased from just over 500 t in 2010 to 1000 t for 2014/15. Across recent fishing years, New Zealand has caught within its allocated catch and was not required to pay back any quota.

Catches for the 2014/15 fishing year include a carry forward from the previous fishing year (2013/14). New Zealand did not enact the CCSBT carry-forward procedure into their fisheries legislation prior to the 2014/15 fishing year (Section 3.2.1).



**Table 4 New Zealand's Allocated Catch, National Total Allowable Catch (TAC) and total Attributable SBT Catch (ASBTC) for each SBT fishing season since 2010<sup>2</sup>**

CCSBT Year	New Zealand SBT Season	Allocated Catch (+ carry forward) (t)	National TAC (+ mortality allowance) (t)	ASBTC (t)
2010	Oct 2009 – Sept 2010	570	529 (+ 3)	502.13
2011	2010/11	570	567 (+ 3)	549.25
2012	2011/12	800	796 (+ 4)	778.13
2013	2012/13	830	826 (+ 4)	758.75
2014	2013/14	910 (+ 58)	826 (+ 4)	827.5
2015	2014/15	1000 (+ 48)	980 (+ 20)	922

### 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** - Each year the New Zealand national TAC is divided between customary, recreational, other sources of mortality and commercial catches. Commercial quota holders are issued an Annual Catch Entitlement (ACE) based on the proportion of quota they hold. The amount of ACE owned determines how much a fisher can catch within the season. ACE can be transferred at any time during the fishing season, or up to 15 days after the season ends. Within the recreational and customary sectors, there are no specific allocations of catch. However, a portion of the New Zealand national allocation is set aside for these sectors.

#### **Key points**

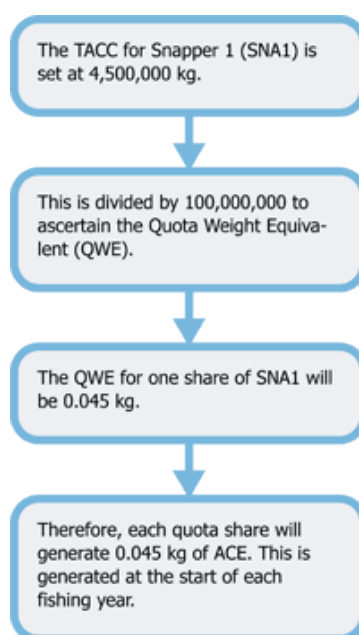
- Commercial allocation is by quota holder;
- FishServe maintain the vessel and fishing permit registries;
- FishServe are contracted by MPI to maintain registries of commercial quota and ACE owners;
- FishServe perform the administrative tasks for quota and ACE transfers;
- There are no specific allocations for recreational or customary catch but these are recognised using a portion of the Member's allocated catch.

New Zealand's SBT allocation, as defined by CCSBT, forms the basis by which the Total Allowable Catch (TAC) is determined under the QMS<sup>2&4</sup>. MPI sets the national quotas annually for the fishing season which is 1<sup>st</sup> October – 30<sup>th</sup> September. National quotas are set taking into account New Zealand's AC, with the national TAC SBT allocation being the total quantity of SBT that can be taken by all fishing sectors. The fishing sectors are split into four groups; commercial, recreational, customary and other sources of fishing-related mortality<sup>4</sup>. The recreational allowance is set based on historical catch figures, with an additional amount provided to customary fisheries. Sources of other fishing mortality can include research mortality if required, but bycatch is covered in the TACC (total allowable commercial catch). Over time, an allowance of 3 t – 20 t in the TAC has been made for other sources of SBT mortality including discards. Once the recreational, customary and sources of other fishing mortality allowances have been allocated the commercial TACC is defined.

Quota shares are a transferable property right representing the quota owner's share of the fishery. As per the *Treaty of Waitangi (Fisheries Settlement) Act 1992* and the *Fisheries Act 1996* Maori are entitled to 20% of the commercial quota which is allocated to a central body (Te Ohu Kai Moana

Trustee Limited), which further allocates it to Maori in accordance with the 16 fisheries protocols that have been signed between the government and recognised iwi, under the *Maori Fisheries Act 2004*<sup>17</sup>.

Quota ownership does not entitle the owner to catch fish but it entitles them to receive an Annual Catch Entitlement (ACE). Quota owners receive an ACE commensurate with their quota shares of the TACC. ACE is determined by multiplying the quota shares by the TACC to determine a Quota Weight Equivalent (QWE) (each TACC has a 100 million quota shares) to give the quantity of ACE each quota owner may use or sell<sup>22</sup>) (**Figure 11**). ACE owned by a quota owner cannot be less than 1 kilogramme. ACE represents the amount of a particular species that can physically be caught in a particular fishing year and is determined before the start of the fishing year (1<sup>st</sup> October – 30<sup>th</sup> September).



**Figure 11 Schematic outlining the process for determination of Annual Catch Entitlement for quota holders within New Zealand**<sup>18</sup>

FishServe is contracted by MPI to undertake the administration required to allocate quota for stocks covered by the Quota Management System (QMS). FishServe is a long standing contractor to MPI and it was noted that no alternative suppliers have been identified so there is limited competition for this role. Information held by FishServe is subject to standard Ministry guidelines and protocols to protect the confidentiality of commercially sensitive information<sup>19</sup>. MPI contracts FishServe to deal with the administrative aspects of SBT quota allocations and ACE.

New Zealand's QMS is considered to have resulted in a high level of quota and ACE transferability. Quota shares are freely bought and sold with ownership records<sup>22</sup>, whilst quota shares can also be

<sup>17</sup>

[http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM395969.html?search=sw\\_096be8ed80b457eb\\_Te+Ohu+Kai+Moana+Trustee+Limited\\_25\\_se&p=1](http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM395969.html?search=sw_096be8ed80b457eb_Te+Ohu+Kai+Moana+Trustee+Limited_25_se&p=1) [Accessed 20/03/16]

<http://www.legislation.govt.nz/act/public/2004/0078/latest/DLM311464.html> [Accessed 20/03/16]

<sup>18</sup> <https://www.fishserve.co.nz/information/quota-shares> [Accessed 20/03/16]

<sup>19</sup> Ministry for Primary Industries. (2013) *Fisheries Policy* [Online] Available from: <http://www.fish.govt.nz/en/info/aboutus/Organisation/policy/Adding+value+to+fisheries+sectors.htm#dvr> [Accessed 04/06/13]

transferred between individuals using an approved quota transfer form<sup>20</sup> as supplied by FishServe. All quota transfers must be registered with FishServe, maintaining a public registry of quota share ownership detailing the number of shares an individual has<sup>22</sup>. Restrictions are imposed on ownership of quota shares and the number of shares owned by one individual, entity or its associates are outlined in *Section 59 of the Fisheries Act 1996* which states;

*'Aggregation limits - (1) Notwithstanding the provisions of this Act relating to the transfer of quota, no person shall be entitled to own— (e) in any other case, a number of quota shares for any one species the total quota weight equivalent of which is more than 35% of the combined total allowable commercial catches for every stock of that species.'*<sup>21</sup>

Restrictions on quota ownership include overseas ownership which requires specific consent from MPI for quota ownership and ACE, with quota transferring not allowed to foreign persons. With the exception of these restrictions there is no restriction on the activity of quota trading. Quota share transfers are also restricted if there is a caveat over the shares. There are three forms of caveats that relate to quota shares and are defined as;

- *'A consensual caveat that can be registered by any person with the consent of the owner of the shares.*
- *A court may order a caveat be lodged upon application to the court.*
- *A Crown caveat can be registered over quota shares by the Ministry for Primary Industries for either:*
  - *an alleged breach of foreign ownership provisions;*
  - *an alleged breach of aggregation limit provisions;*
  - *failure to pay cost recovery levies; or*
  - *an alleged commission of an offence for which one of the penalties is forfeiture of quota.'*<sup>22</sup>

The transfer of quota shares does not entitle the purchaser to any catch rights until the beginning of the next fishing year when the ACE is generated. However, ACE can be obtained within fishing years through separate ACE transfers<sup>22</sup>.

Limits in place for the level of aggregation of quota shares can be exceeded if consent is obtained from the Minister under *section 60 of the Fisheries Act 1996*. ACE transfers are not subject to these aggregation limits with no restrictions in place apart from the owner being required to have sufficient ACE to transfer<sup>23 &24</sup>.

There are no restrictions on vessel numbers and any person can commercially fish as long as they hold a commercial fishing permit and use a registered fishing vessel as registered under the *Fisheries Act 1996*. All New Zealand-flagged vessels registered in New Zealand are technically authorised to take SBT, although only a small proportion do so. All fishers operating within New Zealand's SBT

<sup>20</sup>

<https://www.fishserve.co.nz/Media/Default/forms/Application%20to%20Register%20Transfer%20of%20quota%20shares.pdf> [Accessed 13/05/2016]

<sup>21</sup>[http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM396334.html?search=sw\\_096be8ed809ee433\\_ownership\\_ip\\_25\\_se&p=1&sr=6](http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM396334.html?search=sw_096be8ed809ee433_ownership_ip_25_se&p=1&sr=6) [Accessed 28/06/2013]

<sup>22</sup><https://www.fishserve.co.nz/information/quota-shares> [Accessed 28/05/2013]

<sup>23</sup>

[http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM396334.html?search=sw\\_096be8ed809ee433\\_ownership\\_25\\_se&p=1&sr=6](http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM396334.html?search=sw_096be8ed809ee433_ownership_25_se&p=1&sr=6) [Accessed 20/03/16]

<sup>24</sup><https://www.fishserve.co.nz/information/annual-catch-entitlement>

fishery or on the high seas must hold the relevant domestic or high seas fishing permit and operate from registered fishing vessels.

Legislation regarding foreign-flagged charter vessels in New Zealand was reviewed in 2014<sup>25</sup>, as a result of a ministerial inquiry<sup>26</sup>. As of May 1 2016, all vessels fishing in New Zealand waters must be flagged to New Zealand.

Maintenance of the vessel registry is a devolved service which is executed by FishServe<sup>27</sup>. FishServe conduct automated systems validation on the fishing permits and vessel registries, although given the registries do not change much this primarily involves ensuring that the entity doesn't already have a permit in that name<sup>28</sup>.

A list of the current quota shares owned is publicly available from FishServe who maintain the public registries for both the quota shares owned and the ownership of ACE. Table 5 details the current quota shares associated with the southern Bluefin tuna fishery for the 2015/16 fishing year, for all those quota holders whose SBT quota equates to more than 1% of SBT ACE. Table 5 shows the allocation of quota in line with *section 59 of the Fisheries Act 1996* with the largest % share of ACE 21.03%.

On the last day of the current fishing year FishServe run the ACE administrative process to determine allocations for the following fishing year. Following the legislative mandate of SBT allocation, FishServe conduct validation checks to ensure there are no changes to the TACC and update their database accordingly. Following reconciliation of the FishServe database with the latest TACC FishServe run the ACE allocation process in line with the process described above. The outputs of this process are checked to ensure that the total allocation equals the TACC<sup>28</sup>.

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<sup>25</sup> <http://www.legislation.govt.nz/act/public/2014/0060/latest/DLM4794406.html> [Accessed 25/05/16]

<sup>26</sup> Ministerial Inquiry Panel. 2012. Report of the Ministerial Inquiry into the use and operation of Foreign Charter Vessels. Available at: <https://www.mpi.govt.nz/document-vault/4008> [Accessed 20/03/16]

<sup>27</sup> <https://www.fishserve.co.nz/information/vessels> [Accessed 25/05/16]

<sup>28</sup> Vallieres, Dominic. Ministry for Primary Industries. (Personal Communication, 20<sup>th</sup> June 2013)

**Table 5 SBT quota allocation to New Zealand quota holders, showing those quota holders with over 1% of the SBT Annual Catch Entitlement (ACE) at 1 October 2015<sup>29</sup>**

Legal Name	Total Shares	Restricted Shares	Restriction Type	Regular ACE	% of ACE
New Zealand Japan Tuna Company Limited	21,027,925			204,181	21.03%
Talley's Group Management Limited	7,588,230			73,682	7.59%
Solander Maritime Limited	7,365,514			71,519	7.37%
Duart Quota Holdings Limited	6,337,867	6,337,867	Mortgage	61,541	6.34%
Leigh Fisheries Limited	3,932,661			59,178	6.09%
Benjamin Newsome Turner, Neil Finlay McNab	4,065,902			39,480	4.07%
Ngapuhi Asset Holding Company Limited	3,158,106			30,665	3.16%
Gisborne Fisheries 1955 Limited	2,948,938			28,634	2.95%
Altair Fishing Limited	2,323,437			22,561	2.32%
Pupuri Taonga Limited	1,889,392	1,889,392	Mortgage	18,346	1.89%
Ngati Porou Seafoods Limited	1,873,301			18,190	1.87%
Petromont Export Limited	1,730,349			16,802	1.73%
Gallagher Fishing Company Limited	1,585,314			15,393	1.59%
Kahungunu Asset Holding Company Limited	1,574,842			15,292	1.57%
Mark Ronald Aislabie, Lorraine Florence Aislabie	1,457,136			14,149	1.46%
Tainui Group Holdings Limited	1,370,115			13,304	1.37%
Ngai Tahu Fisheries Settlement Limited	1,221,991			11,866	1.22%
Te Arawa Fisheries Holding Company Limited	1,193,632			11,590	1.19%
Ngati Tuwharetoa Fisheries Holdings Limited	1,007,901			9,787	1.01%

<sup>29</sup> Source: A. Richards, MPI. 29<sup>th</sup> March 2016

### 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** - All New Zealand longline vessels targeting tunas and swordfish (i.e. including SBT) are required by law to complete a tuna longline catch effort return detailing the date, time, location of each set and an estimate of weight caught.

#### Key points

- Tuna longlining catch and effort returns include fish bycatch information for both retained and released or discarded catches;
- Reporting may be done on paper forms or electronically. While electronic catch reporting is available, it has not been picked up by SBT fishers;
- Recreational charter vessel operators are required to record SBT catches in Amateur Charter Vessel Activity and Catch returns (ACV-ACR).
- For the non-charter sector of the recreational fishery, and for any customary fishery that may exist, there is no reporting requirement.

Catches of SBT are monitored by New Zealand through the analysis of catch data which commercial fishers are required to submit on a monthly basis (in addition to daily logbook reporting). Catch reporting of SBT commercial catch is defined by the *Fisheries Commercial Fishing Regulations 2001*, *Fisheries Recordkeeping Regulations 1990*, *Fisheries (Reporting) Regulations 2001* and *Section 190 of the Fisheries Act 1996*.

Tuna longlining catch and effort returns are completed by the fishers, with the submission of these mandatory for all tuna longlining vessels that catch SBT under *section 13 of the Fisheries (Reporting) Regulations 2001*<sup>30</sup>. Vessel tuna longline catch effort returns record information on individual sets including fish bycatch information for both retained and released or discarded catches, and must be;

- *Completed for every set made from the vessel on a fishing trip immediately after the set is completed; and*
- *Provided at the return for a fishing trip that ends on any day in a calendar month ..... not later than 15 days after the last day of that calendar month.*<sup>30</sup>

Fishers that catch SBT as bycatch are required to record SBT in the relevant catch effort returns used for their type of fishing method, for example mid-water trawl or trolling<sup>31</sup>.

All catch effort returns are currently submitted physically to FishServe, who are under contract to process the data and enter it into MPI's catch effort database. A computerised validation process is in place for the catch effort returns, with an automated validation error detection process operating following data entry. This process flags any records with errors detected and FishServe validation staff subsequently process these flagged events. Staff will contact the permit holder as required, to correct the return in the event of validation errors being identified<sup>28</sup>.

Performance standards and quality assurance measures include a required error rate of less than 1% for FishServe's manual entry of catch effort data and a complete check for correctness of 20 randomly selected catch effort forms entered every month (with these forms selected by MPI). Annually, where there are 10 or more errors of the same type, this is investigated in more detail.

<sup>30</sup>[http://www.legislation.govt.nz/regulation/public/2001/0188/latest/DLM61856.html?search=sw\\_096be8ed809ee519\\_section+13\\_200\\_se&p=1&sr=10](http://www.legislation.govt.nz/regulation/public/2001/0188/latest/DLM61856.html?search=sw_096be8ed809ee519_section+13_200_se&p=1&sr=10) [Accessed 28/06/2013]

<sup>31</sup> Hill, Stephanie. Ministry for Primary Industries [Personal Communication 19<sup>th</sup> August 2013]

In addition, FishServe's internal audit processes include a 4-year cycle covering every process relevant to data entry.

Electronic catch reporting is available for fishers through the system known as Catch Effort Electronic Data Transfer (EDT)<sup>32</sup>. There has been limited uptake of the electronic system by New Zealand vessels in general and none within the tuna fishing fleet<sup>33</sup>.

In addition to the tuna longline catch effort returns fishers are required to complete Non-fish and Protected Species Catch Returns for each trip where a non-fish/protected species is caught. The information captured on these returns includes the date of capture, species, and state the animal (i.e. uninjured, injured or dead). These returns must be submitted no later than the catch effort report they are associated with, as per the Fisheries (Reporting) Regulations 2001<sup>34</sup>.

All amateur-fishing charter vessel operators must register their operations with MPI before they run any trips. The registration process is managed by FINNZ (FishServe Innovations New Zealand) (a subsidiary of FishServe) on behalf of MPI<sup>35</sup>. In addition to registering their operations, recreational charter vessels are also required to submit SBT catch reports. Mandatory recreational reporting, as per the *Fisheries (Amateur Fishing) Regulations 1986 (s26A, 26B)* and the *Fisheries (Amateur Charter Fishing Reporting) Notice 2010*, has been in place since 1 November 2010 for selected regions and has been in place nationally since 1 October 2012. This is in line with the *Fisheries (Amateur Fishing) Regulations 1986 (s26A, 26B)* and the *Fisheries (Amateur Charter Fishing Reporting) Notice 2010*. All recreational charter operators need to complete an Amateur Charter Vessel Activity and Catch return (ACV-ACR) form<sup>36</sup> for each charter vessel trip to record the following information; their target species, fishing method, number of people actively fishing, location and fishing time for each fishing trip. The number of SBT caught, retained and a best weight estimate for each fish caught must also be recorded. Vessel operators are required to physically submit the ACV-ACR forms by the 15<sup>th</sup> of the following month to FINNZ, who are contracted by MPI to enter the paper returns into a web form user interface which incorporates the data into MPI's amateur-fishing catch activity system (CAS)<sup>37</sup>. Data validation is also conducted by FINNZ, and may be conducted by the same staff member. MPI is responsible for reporting and hosting the CAS, with automatic cross-checking built into the database with FINNZ required to adhere to the data quality standards and specifications (DQZZ) set out in their contract with MPI.

As per the *Fisheries Act 1996*, both FishServe and FINNZ are required to provide information and reports relating to their responsibilities as per their specific DQZZs set out in their contract with MPI.

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<sup>32</sup> <https://www.fishserve.co.nz/information/catch-effort-edt-cedric>

<sup>33</sup> Vallieres, Dominic. Ministry for Primary Industries. [Personal Communication, 11<sup>th</sup> June 2013]

<sup>34</sup>

[http://www.legislation.govt.nz/regulation/public/2001/0188/latest/DLM1650342.html?search=sw\\_096be8ed809ee519\\_Non-fish+and+Protected+Species+Returns\\_200\\_se&p=1&sr=15](http://www.legislation.govt.nz/regulation/public/2001/0188/latest/DLM1650342.html?search=sw_096be8ed809ee519_Non-fish+and+Protected+Species+Returns_200_se&p=1&sr=15) [Accessed 28/06/13]

<sup>35</sup> <http://www.fish.govt.nz/en-nz/Recreational/Amateur+Charter+Vessel+Reporting/default.htm> [Accessed 04/06/13]

<sup>36</sup> <https://www.mpi.govt.nz/document-vault/1375> [Accessed 13/05/16]

<sup>37</sup> Vallieres, Dominic. Ministry for Primary Industries [Personal Communication 16<sup>th</sup> July 2013]

### 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 and monthly reporting of catches by coastal fishing vessels**

**Summary** – New Zealand does not have any domestically owned large scale tuna longlining freezer vessels. Monthly reporting of catches is submitted by vessels, permit holders and licensed fish receivers. All reports have to be submitted to FishServe no later than 15 days after the last day of that calendar month.

#### **Key points**

- Catch effort reporting requirements are specified in New Zealand law;
- Tuna longlining catch and effort returns are submitted by permit holders;
- Catch landing returns are submitted by permit holders;
- Monthly harvest returns are submitted by permit holders;
- Monthly licensed fish receiver returns submitted by licensed fish receivers;
- Recreational charter vessel operators required to submit Amateur Charter Vessel Activity and Catch returns (ACV-ACR) forms by the 15<sup>th</sup> of the following month to FINNZ.

New Zealand does not have any domestically owned large scale tuna longlining freezer vessels targeting SBT<sup>14</sup>.

New Zealand fishers must complete the CCSBT's Catch Documentation Scheme (CDS) requirements. Domestic sales of finfish including SBT exceeding 10 kg (in any 24-hour period) must be made to a Licensed Fish Receiver (s 191, Fisheries Act 1996). CCSBT catch monitoring forms are completed by Licensed Fish Receivers (LFRs) and are validated by authorised third parties who are typically associated with the LFRs. MPI-authorised third parties receive training established through the New Zealand Government Qualifications Authority (NZQA). The use of authorised third parties who are delegated authority by MPI is the preferred method for validating documentation given the nature of the NZ fishery. MPI consider this the best approach and believe it would be difficult to validate the documents any other way given the sporadic nature and timing of SBT landings<sup>38</sup>.

Authorised third parties are trained through the Seafood Industry Training organisation (SITO) (Unit Standard 17573 – Complete the documentation requirements for the Ministry of Fisheries Trade Information and Catch Documentation Scheme) which requires candidates to be assessed against company procedures and industry guidelines<sup>39</sup>. Training materials are developed by a third-party training provider. The list of authorised third parties is maintained by the CCSBT Secretariat with MPI providing updates regarding any changes to the list, as required<sup>40</sup>. A member of the Highly Migratory Species team authorises any requests received from the training provider for additional training and receives the documentation associated with the training. Upon successful completion validators provide MPI with an example of their signature and receive material provided by MPI detailing their obligations along with their individual validator number and stamp<sup>40</sup>. When a validator is removed from the list, a fishery officer retrieves the individuals stamp and MPI subsequently informs the Secretariat<sup>40&41</sup>. The same stamp may be reissued to subsequent validators.

<sup>38</sup> Vallieres, Dominic. Ministry for Primary Industries. [Personal Communication, 11<sup>th</sup> June 2013]

<sup>39</sup> Seafood ITO Assessment Guide: Unit Standard 17573 - *Complete the documentation requirements for the Ministry of Fisheries Trade Information and catch Documentation Scheme*

<sup>40</sup> Vallieres, Dominic. Ministry for Primary Industries. [Personal Communication 2<sup>nd</sup> May 2016]

<sup>41</sup> Vallieres, Dominic. Ministry for Primary Industries. [Personal Communication 14<sup>th</sup> July 2013]



Completed CCSBT Catch Monitoring Forms are returned by the 15<sup>th</sup> of the following month, in line with other domestic reporting requirements. The domestic reporting obligations require commercial fishers and receivers to complete four mandatory reporting forms; the tuna longlining catch and effort return, catch landing return, monthly harvest return and licensed fish receiver return. These returns are balanced against quota on a monthly basis for the management of catch reporting incorporating information on fish numbers, weight, processed state, licensed fish receiver and fisher details.

Reporting requirements for fish catch and landings are specified in the Fisheries Reporting Regulations 2001<sup>42</sup>, Fisheries Recordkeeping Regulations 1990<sup>43</sup>, and Fisheries (Amateur Charter Fishing Reporting) Notice 2010 and 2012<sup>44</sup>. There are no specified landing ports for SBT, although all commercial landings must be made to a licensed fish receiver who, in their monthly reporting, is required to report the landing to MPI. For each landing event a catch landing return must be submitted by the permit holder to MPI. These are required to be completed and submitted by the 15<sup>th</sup> of the following month.

Monthly harvest returns (MHRs) are completed by the permit holders detailing all the fish that have been taken during one calendar month and submitted to FishServe. These are required to be completed and submitted by the 15<sup>th</sup> of the following month<sup>42</sup>. MHRs are the only forms that are allowed to be sent in by fax, with all other returns submitted physically by mail or electronically through CEDRIC. Submissions of hardcopy MHR's are scanned and entered in FishServe's database and then validated, whilst electronic submissions have an auto validation when the electronic form is completed.

Licensed fish receivers are required to submit licensed fish receiver returns which detail all the fish that has been received during the calendar month<sup>45</sup>. These returns are required by the 15<sup>th</sup> of the following month and may be sent electronically or as physical copies to FishServe.

All amateur-fishing charter vessel operators must report their SBT catches monthly as per the ACV-ACR form for each charter vessel trip<sup>44</sup>. SBT bycatch caught in the Pacific Bluefin tuna (*Thunnus orientalis*) off the west coast of the South Island has been monitored since the 2007 season to provide a more accurate estimate of the levels of SBT recreational catch. Voluntary reporting estimated SBT catch to be 4,025 kg (35 fish) in 2007 and 400 kg (3 fish) in 2008, with 20 fish (2,171 kg) recorded to have been released alive, probably after tagging<sup>9</sup>. Since November 2010 compulsory charter boat reporting has been in place providing detailed monitoring of the fishery. In 2013 the catch estimate of non-commercial SBT bycatch from the Pacific Bluefin tuna game fishery was 12 fish, and 550 kg<sup>4</sup>.

There are no revised recreational catch estimates since the most recent survey conducted in 2011/12. However, MPI is working towards a national panel survey of recreational fishers in the 2017/18 fishing year, commissioning the work to start in the 2016/17 financial year. In advance of this upcoming survey, MPI has conducted preparatory work on survey design improvements and evaluation of alternative data collection tools<sup>46</sup>.

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<sup>42</sup> <http://www.legislation.co.nz/regulation/public/2001/0188/latest/whole.html> [Accessed 13/05/2016]

<sup>43</sup> <http://www.legislation.govt.nz/regulation/public/1990/0219/latest/DLM139498.html> [Accessed 13/05/2016]

<sup>44</sup> <https://www.gazette.govt.nz/notice/id/2010-go8274>; <https://www.gazette.govt.nz/notice/id/2012-go6688> [Accessed 13/05/2016]

<sup>45</sup> <https://www.fishserve.co.nz/information/licensed-fish-receivers> [Accessed 13/05/2016]

<sup>46</sup> Vallieres, Dominic. Ministry for Primary Industries. [Personal Communication 20<sup>th</sup> April 2016]

### 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** – New Zealand has established operating systems and processes for commercial and recreational catches to be estimated in mandatory daily logbooks and submitted on a monthly basis. Commercially landed fish weights are accurately recorded at landing.

#### Key points

- Commercial discard mortality is estimated and recorded on the tuna longline catch effort returns;
- SBT bycatch in other fisheries, e.g. in mid-trawl fisheries SBT is recorded as non-target catch;
- Chartered recreational fishery catches are recorded in the ACV-ACR form;
- No estimates exist for SBT fishing-related mortality for the (non-charter) recreational and customary fisheries.

MPR 2b states that New Zealand should monitor all fishing-related SBT mortality. All fishing related mortality associated with commercial catch is estimated and recorded on the vessel tuna longline catch effort return which records information on individual sets including fish bycatch information for both retained and released or discarded catches<sup>47</sup>. In addition to fishers recording discards on the tuna longline catch effort return; discards are estimated from scaled observer data. Observer data estimates the overall incidental mortality rate to be 0.54% of the catch with an average discard rate of 0.86% of which 50% are discarded dead, based on observer data. Fish lost at the surface is estimated to be 1.47% of the total catch with 95% thought to have escaped alive<sup>48</sup>.

SBT bycatch is monitored across all fisheries that have small levels of bycatch. Commercial SBT bycatch is recorded as non-target catch in the hoki (*Macruronus novaezelandiae*) midwater trawl fishery and there are occasional small catches by trolling. Recreational bycatch of SBT in the Pacific bluefin fishery is recorded in the ACV-ACR form<sup>44</sup> for each charter vessel trip.

There have been no recent estimates for releases of SBT within the sport fishery and SBT catches by Maori non-commercial fishing (customary fishing), although customary catch is believed to be negligible.

<sup>47</sup> CCSBT. (2012) *Compliance Action Plan – New Zealand*. CCSBT-CC/1209

<sup>48</sup> CCSBT. (2012) *Annual Review of National SBT Fisheries – New Zealand*. CCSBR-CC/1209/SBT Fisheries-New Zealand

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

**Summary** - New Zealand allows for recreational and customary catch, other sources of fishing mortality and sets a total allowable commercial catch limit. Efforts to ensure the accuracy of commercial catch estimates include data validation through reporting, an at-sea observer scheme, port-based vessel inspections, and a risk based management approach to fisheries monitoring, control and surveillance (MCS).

#### Key points

- An established catch monitoring and catch balancing system;
- 10% target of fishing effort covered by the national observer programme for domestic vessels;
- 100% observer coverage on foreign charter vessels up to 1 May 2016, from which point all vessels must be New Zealand-flagged;
- A target of one monitored unload per vessel per year
- No at-sea inspections have been conducted in the years since 2011/2012, however, night and day aerial surveillance operations occur and may encompass vessels fishing for SBT;
- MPI have a compliance strategy which identifies and prioritises key compliance risk areas associated with highly migratory species (HMS) fisheries.

As described elsewhere in this report there are established data analysis and validation processes in place that monitor the data submitted through mandatory catch effort returns. Mandatory catch effort returns are matched against the individual quota-based entitlements as part of an established catch monitoring and catch balancing system to ensure accuracy with the “Attributable SBT Catch”<sup>49</sup>. Discrepancy analyses can be conducted across the various forms on which catch information is documented. This is done case by case as deemed necessary by fishery managers or compliance staff and once per year for all QMS fish stocks.

#### 3.1.6.1 Observer Program

The New Zealand observer programme complies with the CCSBT Scientific Observer Programme Standards in terms of coverage levels. Observer programme planning to achieve these levels is implemented annually, alongside observer planning for coverage of other fish stocks.

All observers deployed on vessels targeting SBT have briefings that include information on SBT-specific issues. Where possible, experienced observers who have worked on vessels catching SBT are redeployed within the SBT fishery. Observers collect biological data on SBT and bycatch as required by the CCSBT Scientific Observer Programme with length, weight (both processed and whole weights) and sex regularly recorded. In addition, as many otoliths as possible were collected by observers deployed onboard charter vessels, with 258 otoliths aged in 2010<sup>50</sup>. Currently otoliths are not collected on domestic vessels. This is in part due to the product damage inherent in otolith removal. The observer programme within New Zealand is representative of the New Zealand fishery in terms of the sizes of SBT caught. **Figure 12** shows the length distribution of SBT reported on CDS forms in 2011 whilst **Figure 13** shows length distribution of SBT sampled by observers during the same period.

<sup>49</sup> <https://www.fishserve.co.nz/information/annual-catch-entitlement>

<sup>50</sup> CCSBT. (2012) *Annual Review of National SBT Fisheries – New Zealand*. CCSBR-CC/1209/SBT Fisheries-New Zealand

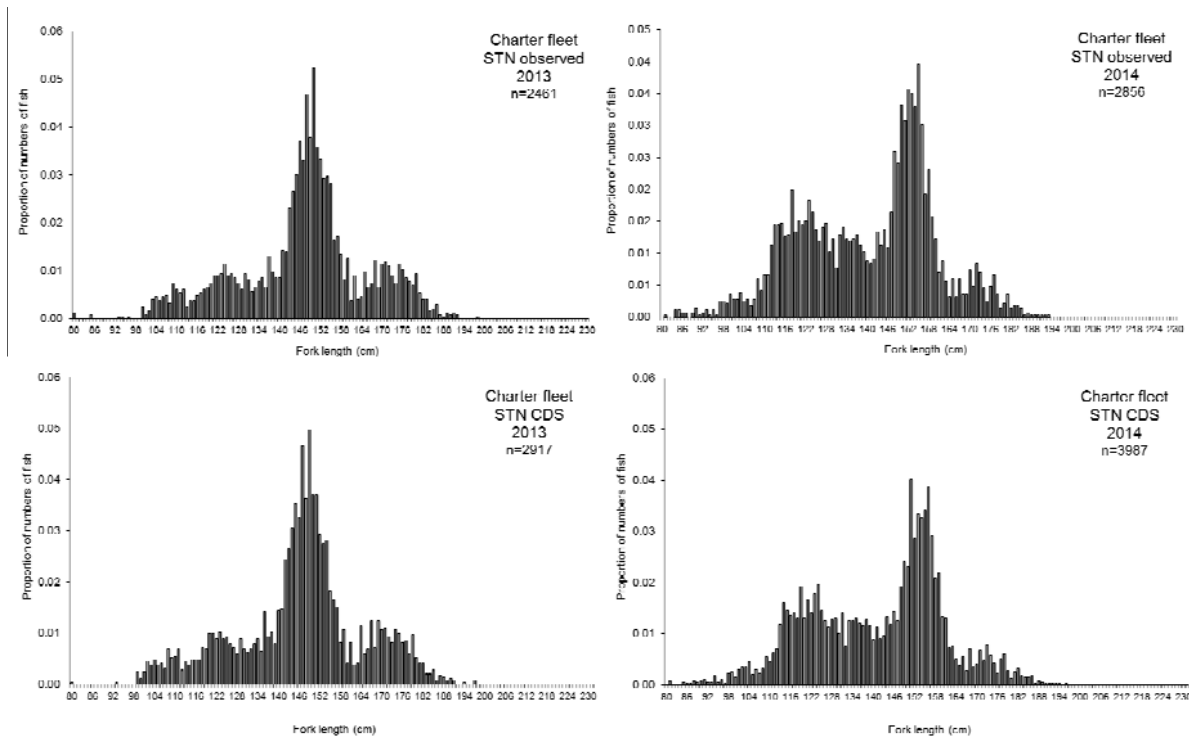


Figure 12 Proportion at length (1 cm bins) for the SBT catches from 2013 and 2014 for the charter fleet measured by observer and reported on CDS forms<sup>51</sup>

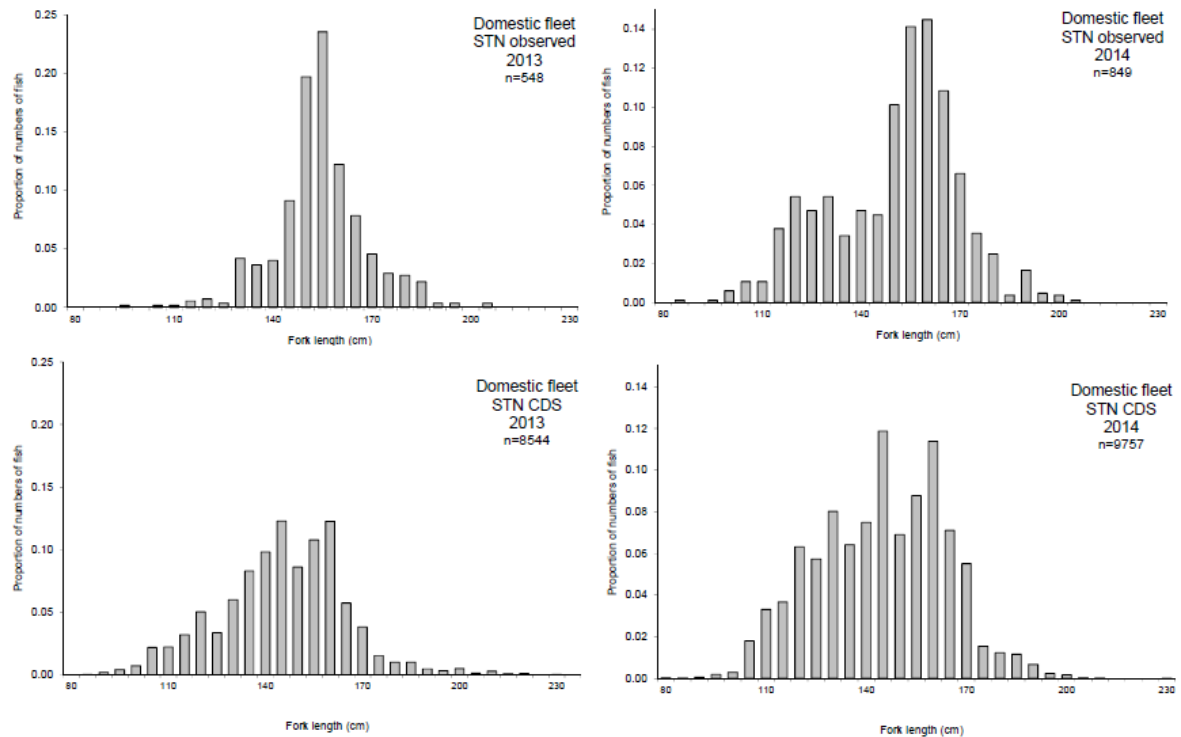


Figure 13 Proportion at length (5 cm bins) for the SBT catches from 2013 and 2014 for the domestic fleet measured by Observers and reported on CDS forms<sup>51</sup>

<sup>51</sup> MPI (2015) Annual Review of National SBT Fisheries – New Zealand. Prepared for the 20<sup>th</sup> Meeting of the CCSBT Extended Scientific Committee (ESC20). Incheon, South Korea, August 2015.

At-sea monitoring to ensure accuracy of the catches being reported is achieved through observer coverage of the New Zealand SBT fishery. Observer coverage of the SBT fishery is designed as part of the wider New Zealand observer programme, with there being no specific SBT observers. Approximately 60-70% of vessels fishing for SBT are able to carry a full crew and an observer<sup>52</sup>. Some vessels are restricted due to safe ship management requirements on how many people they can carry which can hinder observer placement. MPI fishery observer officers conduct observer briefings outlining the requirements and priorities for each observer deployment. On completion of the observer deployment a report is submitted to MPI and a trip summary provided to the vessel operator as registered with FishServe. Observers are also debriefed by MPI staff. The biological data associated with the observer deployment is then processed by a contractor and incorporated into MPI's Centralised Observer Database within 40 days of receipt by the National Institute for Water and Atmospheric Research.

A range of criteria including perceived risk and international obligations (e.g. CCSBT observer programme standards) are taken into consideration when MPI sets its target observer coverage levels in their annual observer plans. Target observer coverage of the SBT fishery is 10% of effort fleet-wide. For foreign charter vessels fishing in New Zealand waters until 1 May 2016, target observer coverage was 100%.

While targets are in place for observer coverage, fishers are not directed to catch any particular target species. Therefore, if a trip for which a fisher declared the intent to catch SBT, and did not land any fish of that species, the trip will not be included as part of the percentage of observed SBT fleet effort.

In the 2013/14 fishing year, 84% of foreign charter vessel effort and 79% of catch was observed. For domestic vessels, these figures were 14.2% and 9.9% respectively. In total for the 2013-14 fishing year, 399 observer days were achieved<sup>53</sup>.

**Table 6 Planned observer days for the 2015/16 fishing year<sup>54</sup>. EC = east coast, WC = west coast, STN – southern bluefin tuna, BIG = bigeye tuna, SWO = swordfish, ET = Out of New Zealand's EEZ, WCPFC = Western and Central Pacific Fisheries Commission.**

	Total of months	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
FCV - includes Tuna Charter	6000	500	500	500	500	500	500	500	500	500	500	500	500
Tuna longline ET – WCPFC	10										5	5	
Domestic tuna longline -EC STN	180	72	29									24	55
Domestic tuna longline - WC STN	120	14	14							21	21	25	25
Domestic tune longline - EC BIG/SWO	225	5	15	10	10	15	15	20	30	40	35	25	5
Domestic tune longline -WC BIG/SWO	45	5	10	5				5	5	5	5	5	
Domestic purse seine – SKJ	70							25	25	20			
Domestic purse seine - SKJ Super Seiner	30									30			
<b>TOTAL HMS (without FCV)</b>	<b>680</b>	<b>96</b>	<b>68</b>	<b>15</b>	<b>10</b>	<b>15</b>	<b>15</b>	<b>50</b>	<b>60</b>	<b>116</b>	<b>66</b>	<b>79</b>	<b>85</b>

<sup>52</sup> France, Andrew and Clement, Justin. Ministry for Primary Industries [Personal communications 21<sup>st</sup> March 2016]

<sup>53</sup> Ministry for Primary Industries. (2015) Southern Bluefin tuna fisheries: New Zealand country report. Paper presented to the 10<sup>th</sup> meeting of the Compliance Committee of the Commission for the Conservation of Southern Bluefin Tuna. CCSBT-CC/1510/SBT Fisheries - New Zealand (Rev.1); October 2015.

<sup>54</sup> Ministry for Primary Industries. (2015) *Annual Operational Plan for Highly Migratory Species Fisheries 2015/16*. MPI Technical Paper No. 2015/21 June 2015.

### 3.1.6.2 At-sea and portside inspections

At-sea monitoring of the SBT fishery is primarily conducted through government fishery observer programmes. Until May 1<sup>st</sup> 2016, all foreign charter vessels targeting SBT were subject to a mandatory port inspection upon arrival into and exit from New Zealand waters<sup>55</sup>. From May 1<sup>st</sup> 2016 all fishing vessels must be New Zealand-flagged. New Zealand also conducts some aerial surveillance to monitor the activity of fishing vessels in its national jurisdiction<sup>75</sup>.

Port-side inspections are conducted at the point of landing by MPI fishery officers. The monitoring target is for compliance officers to attend one unload of every vessel every year. If a vessel is being targeted for portside inspection, compliance officers will first review the documented information on that vessel. On arrival at the vessel, catch landing documentation is checked. SBT are examined for tags and the officer confirms that the vessel is registered with CCSBT. The number of fish reported caught is cross-checked with the number documented during the unload. Species identification is also confirmed at that point. Most cases of misidentification are 'false positives', i.e. fish are mistakenly identified as SBT when in fact they are not that species. Compliance officers also cross-check LFR unload receipts with the catch that they observed leave the vessel. Reports from port-side inspections are filed at MPI<sup>56</sup>.

Fishery officers conduct in-port inspections of LFRs engaged in the SBT fishery and as part of routine six-monthly inspections the weighing equipment is tested to ensure it is correctly calibrated in line with the *Weights and Measures Act 1987*. Checking the calibration of LFR weighing equipment ensures the accuracy of reported SBT weights is maintained.

Whilst there are no transshipments of SBT at-sea management systems are in place should this become a requirement. Transshipments involving New Zealand flagged vessels subject to prior approval from MPI with all transshipments monitored by an observer or Fishery Officer to ensure verification of the quantities transhipped<sup>79</sup>.

### 3.1.6.3 Risk based fisheries monitoring, control and surveillance (MCS)

MPI have a compliance strategy which identifies and prioritises key compliance risk areas associated with HMS fisheries, including SBT, both within and outside New Zealand fisheries waters<sup>57</sup>. MPI's compliance strategy aims to coordinate compliance and fisheries management to effectively target high risk areas and develop long term strategies to address lower priority risks<sup>57</sup>.

MPI use their compliance strategies to provide input into the annual operational plans for SBT which reflects the operational implementation of the National Fisheries Plan for Highly Migratory Species<sup>57</sup>. The compliance strategy was finalised in March 2012 and includes a number of performance indicators targeting key risks in the HMS fisheries. MPI have identified the following as potential risks associated with the SBT fishery;

- Seasonal influx of vessels to the high seas around New Zealand could result in SBT bycatch, which may potentially impact on New Zealand's SBT fishery;
- Inaccurate and/or incomplete catch reporting;
- Duplication of tag numbers in reporting;
- It is particularly important for the SBT fishery to avoid discarded catches that are not accounted for as part of the TAC;
- Species misidentification<sup>57</sup>.

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<sup>55</sup> Ministry of Fisheries. (2012) *The Status of New Zealand Fisheries 2012*.

<sup>56</sup> McAneny, Gary. Ministry for Primary Industries [Personal communication 11<sup>th</sup> April 2015]

<sup>57</sup> Ministry for Primary Industries. (2012) *Compliance Strategy for HMS Fisheries*. May 2012.

Where compliance officers detect issues during inspections, these are raised with fishery managers. Decisions are then made about whether to proceed to evidence collection if a fisheries offence appears to have occurred<sup>56</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** - New Zealand complies with the requirement to submit annual reports to CCSBT's Extended Scientific Committee detailing both documented and assumed fishing-related SBT mortality.

New Zealand provides SBT mortality data to CCSBT as required and remains an active member of the CCSBT Scientific Committee<sup>58</sup>. New Zealand reports annually on its SBT fishery detailing all fishing-related mortality, including TACC catch records and estimates for recreational and customary catches. The mandatory reporting of recreational charter vessels will result in more detailed information being obtained from the recreational fishing in terms of catch and effort information over time.

Scientific data collected by the national observer programme is submitted to CCSBT. In the past, a significant body of information, including biological samples, was collected by observers on foreign charter vessels. Observers on domestic vessels are sometimes less able to collect scientific data such as otoliths.

There have been no incidences identified where the NZ authorities did not provide this information to the CCSBT Secretariat within the required timeframe.

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<sup>58</sup> Ministry for Primary Industries. (2012) *Annual Review Report (ARR) 2012 – Highly Migratory Species*. MPI Technical Paper 2012/51

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

**Summary** - Compliance is monitored using scientific observers, portside inspections, and analysis such as discrepancy checking of reported catch. Sanctions are applied under the *Fisheries Act 1996* with the penalty imposed broadly commensurate with the severity of infringement. Sanctions range from fines through to imprisonment, forfeiture of vessels and/or quota. MPI also conducts compliance risk assessments to identify potential areas under which compliance may be at risk.

#### Key points

- Fisheries compliance is the responsibility of the Compliance Directorate within MPI;
- All domestic vessels have a target of one monitored unload per year
- Foreign charter vessels were inspected upon entry into and exit from NZ waters up to 1<sup>st</sup> May 2016.
- A Customs Import Prohibition on SBT without CDS documentation came into force on 1<sup>st</sup> October 2013.
- Imports of SBT into New Zealand are rare. As a result, these are addressed *ad hoc* rather than using routine inspections.
- One infringement during the 2011-2012 fishing season that was attributable to the SBT fishery. This was related to a record-keeping breach.

Monitoring fisheries compliance within the SBT fishery is the responsibility of the compliance team within MPI. New Zealand has a well-established national observer programme which encompasses the SBT fishery. This programme, combined with domestic catch reporting, provides information to MPI's compliance team to monitor compliance with annual catching arrangements. Observers returning from a SBT trip are debriefed and raise any compliance issues identified during the deployment. This information is provided to the Observer services team and then the information is disseminated to the relevant teams (such as the HMS fisheries management team and compliance teams when further action is required). Fleet analysis is also undertaken to compare observer data with the CDS information reported, the results of which have been submitted to the CCSBT scientific committee. In addition, the compliance team conduct fisheries monitoring, control and surveillance (MCS) across all New Zealand fisheries including the SBT fishery, utilising a range of MCS tools such as regular aerial surveillance and port inspections<sup>59</sup>.

#### 3.1.8.1 Observers' role in compliance

In addition to collecting information on fishing operations, observers can provide compliance support in accordance with MPI's VADE (Voluntary, Assisted, Directed, Enforced) model for compliance interventions<sup>60&65</sup>. Where observers detect non-compliant actions, they are able to alert the crew to their observation and explain the rules relevant to the non-compliant act observed to skippers and crew. Where the same action occurs, observers are able to speak with skippers and crew again. For any subsequent incidence of the non-compliant action, observers revert to evidence collection to formally document the breach they have observed. Their reporting at the end of the trip conveys these observations to MPI, for circulation amongst fisheries managers and compliance staff, and for further action as deemed appropriate.

<sup>59</sup> Ministry of Fisheries. (2012) *The Status of New Zealand Fisheries 2012*.

<sup>60</sup> [https://www.planning.org.nz/Attachment?Action=Download&Attachment\\_id=750](https://www.planning.org.nz/Attachment?Action=Download&Attachment_id=750) [Accessed 20/05/2016]



### 3.1.8.2 Vessel Monitoring Systems (VMS)

Vessels in the fishery of greater than 28 m in overall length are required to have VMS on-board. This encompassed foreign charter vessels in the fishery but not domestic vessels (which do not exceed 28 m in length).

The *Fisheries (Satellite Vessel Monitoring) Regulations 1993* outlines offences with offenders liable for a fine not exceeding \$100,000 NZD and, if the offence is a continuing one, to a further fine not exceeding \$1,000 NZD for each continuing day.

There have been four reported incidences of non-compliance associated with the *Fisheries (Satellite Vessel Monitoring) Regulations 1993* which have been attributed to the VMS unit becoming locked and/or requiring resetting. Information provided by MPI indicates that these non-compliances were not considered serious and were rectified in conjunction with the vessels.

### 3.1.8.3 At-sea and portside inspections

Port inspections are conducted for the SBT fishery. MPI set a target that all domestic vessels have one unload monitored per year<sup>57</sup>. Where vessels are not monitored in this way in port, operators are spoken to at MPI's office at some stage during the fishing year. Until 1<sup>st</sup> May 2016 when vessels were required to be flagged to New Zealand, all foreign charter vessels were inspected upon arrival and departure from New Zealand waters (*Regulation 17 of the Fisheries (Commercial Fishing) Regulations 2001*). In-port inspections cover catch landing documentation, fish tagging, and inspection of the CCSBT-CDS documents with all exports required to have accompanying CDS documentation. Inspections of SBT exports are not mandatory and Customs agents do not check CDS documentation at export. SBT exports are summarized by the Department of Statistics with the New Zealand Seafood Industry Council responsible for maintaining economic evaluations of New Zealand's SBT fishery<sup>16</sup>. There are no overseas landings of SBT by domestic vessels. In the event that a vessel wished to land overseas then the vessel requires approval from the Chief Executive as per *section 110 of the Fisheries Act*<sup>61</sup>.

There are negligible amounts of SBT imports (<5 t) into New Zealand. New Zealand has implemented a Customs Import Prohibition Order under the *Customs and Excise Act 1996* prohibiting the importation of any SBT that is not accompanied by the appropriate CDS documentation. Customs officers obtain copies of all documentation accompanying imports and this is forwarded to fishery managers at MPI. This Order came into force on 1<sup>st</sup> October 2013.

While imports to date have occurred by air, all foreign vessels entering New Zealand are subject to inspection upon arrival and require prior approval to enter New Zealand with fish onboard (*section 113(1)(a)(ii) of the Fisheries Act 1996*).

### 3.1.8.4 Sanctions

In the event of identified non-compliances associated with the SBT fishery MPI impose sanctions depending on the offence. The *Fisheries Act 1996* outlines a range of offences which are detailed in *section 252 of the Fisheries Act 1996* with Government policy the basis for setting penalties. The severity of penalties is based on the seriousness of the offence for example; '(3) Every person convicted of an offence against any of the following provisions of this Act is liable to a fine not exceeding \$250,000: (section 190(2) (failure to comply with specification of chief executive in relation to records, returns, etc.):<sup>62</sup>, whilst offences related to individuals obtaining a benefit through knowingly making false or misleading statements (including in submitted returns) can lead to imprisonment (not exceeding 5 years) and/or a fine not exceeding \$250,000 NZD. This offence can

<sup>61</sup> Hill, Stephanie. Ministry for Primary Industries [Personal Communication 19<sup>th</sup> August 2013]

<sup>62</sup> [http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM398820.html?search=sw\\_096be8ed809ee433\\_penalties\\_25\\_se&p=1](http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM398820.html?search=sw_096be8ed809ee433_penalties_25_se&p=1) [Accessed 28/06/2013]

also result in the forfeiture of quota and their vessel. Foreign nationals operating within the SBT fishery cannot be imprisoned under international law but can still be liable for a fine of not exceeding \$500,000 NZD. The NZ Company that has chartered the FCV can still be held liable and be prosecuted for any breaches associated with that vessel.

The *Fisheries Act 1996* also outlines infringement offences which relate to reporting and the late submission of fishery returns and are covered at an administrative level by the *Fisheries (Infringement Offences) Regulations 2001*. The *Fisheries (Infringement Offences) Regulations 2001* which specified that infringement notices are issued for late fishery return submissions with the severity of the infringement fee dependent on the lateness of the reporting. For infringements related to a return not being provided within one month of its due date or incomplete reporting at the end of each set on the tuna longlining catch return form, a fine not exceeding \$100,000 NZD is in place. Details of the CCSBT CDS and fishers' obligations under the scheme have been outlined to permit holders and licensed fish receivers by the Chief Executive of MPI, with instructions issued under *section 190 of the Fisheries Act 1996*. Sanctions under *section 190 of the Fisheries Act 1996* can lead to fines not exceeding \$250,000 NZD.

In addition to sanctions associated with fishery offences *section 75 of the Fisheries Act 1996* outlines the use of deemed values (penalties) associated with fishers failing to cover their catches with sufficient ACE. Deemed values are in place to encourage fishers to hold ACE commensurate with catches, such that catch is kept within the TACC. Commercial fishers receive deemed values on a monthly basis for exceeding their ACE; non-payment of deemed values or the fisher failing to obtain additional ACE can possibly result in fishing permit suspensions.

Deemed values are penalty fees set at a level designed to encourage fishers to acquire ACE to cover their catch. Deemed values set at a high level for SBT in particular, in order to ensure catches remain within the catch limit (which is a national allocation set by the CCSBT)<sup>57</sup>. Whilst over catches of SBT are rare the deemed values for SBT are still kept at a high level with the current annual deemed value set at \$46.92/kg (Table 7).

**Table 7 Differential deemed values set for the SBT fishery<sup>63</sup>**

Basic annual deemed value rate where catch is ≤ 120 % of ACE	Annual Deemed Value (\$/kg) where catch is > 120 % but ≤ 140 % of ACE	Annual Deemed Value (\$/kg) where catch is > 140 % but ≤ 160 % of ACE	Annual Deemed Value (\$/kg) where catch is > 160 % but ≤ 180 % of ACE	Annual Deemed Value (\$/kg) where catch is > 180 % but ≤ 200 % of ACE	Annual Deemed Value (\$/kg) where catch is > 200 % of ACE
46.9200	56.3040	65.6880	75.0720	84.4560	93.8400

### 3.1.8.5 Recent infringements and sanctions

There is no known illegal catch of SBT by New Zealand vessels in the EEZ or from the high seas. There have been few reported instances of other infringements in recent years, with a significant reduction in the amount of deemed value payments received for SBT<sup>57</sup>.

In the last five fishing years, no annual deemed value payments have been required except for one payment in 2010/11 (a payment of \$4,832.76 NZD)<sup>37</sup>. Information provided indicates that there was one breach in 2011/12 that was attributable for the SBT fishery, related to a recordkeeping breach. The offender pleaded guilty and was subsequently fined<sup>64</sup>.

<sup>63</sup> Richards, A. Ministry for Primary Industries [Personal Communication, 29<sup>th</sup> March 2016]

<sup>64</sup> Vallieres, Dominic. Ministry for Primary Industries [Personal Communication, 9<sup>th</sup> July 2013]

### 3.1.8.6 Compliance risk assessment

Whilst there have been no reported transgressions in recent years MPI has developed its compliance strategy in line with perceived risks based on risk assessments and is currently evaluating potential improvements for monitoring compliance. SBT is covered under the HMS compliance strategy within which management objectives that may prevent transgressions are identified. Risks associated with the SBT fishery identified in the 2012 HMS compliance strategy include IUU activity, breach of RFMO measures, meeting catch documentation requirements and high-grading/discard<sup>57</sup>. Compliance staff report that current risks for the SBT fishery relate to species misidentification (predominantly non-SBT identified as SBT), duplication of CDS tag numbers in reporting, estimation of tail length in fish with tails removed, and high-grading of catch.<sup>65</sup>

MPI are assessing potential development such as the use of genetic testing to lower the risk of species misidentification of SBT exports and are reviewing the management and fisheries monitoring associated with SBT imports.

MPI is in the early stages of considering the introduction of electronic reporting for all commercial fishers, VMS on all vessels, and camera monitoring<sup>66</sup>. This will be important for the SBT fishery as it will significantly increase the level of fisheries monitoring in place and fishery managers' ability to verify reported catch information.

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<sup>65</sup> McAneny, Gary. Ministry for Primary Industries [Personal Communication, 11 April 2016]

<sup>66</sup> <http://www.mpi.govt.nz/law-and-policy/legal-overviews/fisheries/the-health-of-new-zealands-fisheries/> [Accessed 4 August 2016].

### 3.2 Compliance with National Allocations 2 (CCSBT Obligation 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: [Operating systems and processes must be in place to ensure that] (i) **An accurate, verified and robust figure for the final Attributable Catch is available before the notification to the Secretariat of the carry-forward, and (ii) a report on the adoption and use of the carry-forward procedure is included in each annual report to the Extended Commission.**

**Summary** – New Zealand did not utilise the CCSBT carry-forward provision from the 2011/12 fishing season to the 2012/13 year and as such was not required to notify the Secretariat. New Zealand has amended its fisheries legislation to allow the carry-forward to be used for the 2012/13 fishing season onwards.

##### Key points

- Carry-forward provisions came into force at the start of the 2012/13 fishing year.
- MPI believe the carry-forward will enable New Zealand to gain the maximum value from their AC.
- MPI envisage the increased flexibility resulting from these carry-forward provisions will further reduce the risk of individuals exceeding their annual catch entitlements.
- Catch figures used to determine carry-forwards are derived from Monthly Harvest Returns.
- The full allocation from recreational and customary catch and other sources of mortality are assumed and added to commercial catch when calculating carry-forwards.

The 2012/13 fishing year was the first year for which New Zealand carried forward its undercaught catch entitlement for SBT (Table 4). The carry-forward of ACE under *the Fisheries Act 1996 (s. 67A)* is done for a number of other fisheries species and is part of the routine administration of ACE by FishServe.

The carry-forward provisions have been assessed by MPI, who recognise that this voluntary provision can be implemented based on the dynamics of the New Zealand SBT fishery. Whilst New Zealand's fisheries legislation allows for a carry forward of quota under the *Fisheries Act 1996*, historically SBT has been listed under *Schedule 5A of the Fisheries Act 1996*. SBT's inclusion under Schedule 5A was due to MPI mitigating the potential risk that any carry forward may have resulted in New Zealand exceeded its national AC within any given year. The introduction of CCSBT's carry forward provision has mitigated against any over catch being required to be paid back in subsequent years<sup>67</sup>.

Subsequently, MPI have reconsidered the inclusion of SBT under *Schedule 5A of the Fisheries Act 1996* and have since removed it from this Schedule, allowing the SBT fishery to utilise under fishing provisions outlined in *section 67A of the Act*<sup>67</sup>;

*'67A Allocation of additional annual catch entitlement in case of underfishing*

<sup>67</sup> Ministry for Primary Industries. (2012) *Southern Bluefin tuna Annual Catch Entitlement carry forward provisions – Regulatory Impact Statement*.

(2) If the amount of annual catch entitlement .... is greater than the reported catch ..... the chief executive must—

- (a) calculate the difference between that annual catch entitlement and that reported catch; and
- (b)..... allocate to the person an amount of annual catch entitlement for the stock for the fishing year after the first fishing year (**the second fishing year**) that is the lesser of the following:
  - (i) the amount calculated under paragraph (a):
  - (ii) 10% of the amount of annual catch entitlement.....<sup>68</sup>

The rationale behind the change is that the former domestic legislation limited New Zealand's potential to fully exploit its AC due to a lack of transferability that would reflect the stock's seasonal variability and the fleet's vulnerability to limited access based on inclement weather in a given year.

Carry forwards have been used by New Zealand in CCSBT fishing years 2013, 2014 and 2015 (Table 4).

Carry-forwards are calculated using figures from Monthly Harvest Returns. The full allocation from recreational and customary catch and other sources of mortality are assumed and added to commercial catch when calculating carry-forwards. Implementation of carry forwards and how they are calculated is included in New Zealand's country reports<sup>69</sup>.

### **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** – New Zealand fisheries legislation has allowed for SBT carry-forwards since the 2012/13 fishing season. New Zealand uses Monthly Harvest Returns to calculate total catch and any carry-forward, and notifies the Executive Secretary of these within 60 days of the new CCSBT

New Zealand did not utilise the CCSBT carry-forward provision until the 2012/13 fishing year (Table 4). Therefore, prior to that year, New Zealand was not required to provide information on the available catch limit including carry-forward.

Since then, New Zealand has used Monthly Harvest Returns as a basis for determining catch and any carry-forward that may occur. The Executive Secretary has been notified of catch allocation and carry-forward since, i.e., for CCSBT years 2013, 2014 and 2015, within 60 days of the start of the new quota year.

<sup>68</sup> <http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM396396.html> [Accessed 27<sup>th</sup> June 2013]

<sup>69</sup> Ministry for Primary Industries. (2015) Southern Bluefin tuna fisheries: New Zealand country report. Paper presented to the 10<sup>th</sup> meeting of the Compliance Committee of the Commission for the Conservation of Southern Bluefin Tuna. CCSBT-CC/1510/SBT Fisheries - New Zealand (Rev.1); October 2015.

### **3.3 Record of Authorised Carrier Vessels 1 (CCSBT Obligation 2.3(i) + (ii))**

The aim of this obligation is to ensure that Members have processes in place to effectively and accurately manage a record of authorised carrier vessels to receive transshipments-at-sea in areas beyond national jurisdiction.

*NOTE: This obligation applies only to Members which have carrier vessels conducting transshipments in the high seas*

**Summary** – This MPR is not applicable to New Zealand, as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

### **3.4 Record of Authorised Carrier Vessels 2 (CCSBT Obligation 2.3(iii))**

The aim of this obligation is to ensure that Members have processes in place to ensure VMS is on board all transshipment vessels.

*NOTE: This obligation applies only to Members which have carrier vessels conducting transshipments in the high seas*

**Summary** – This MPR is not applicable to New Zealand, as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

During the QAR no evidence of illegal carrier vessel activity was noted during either phase 1 or 2 of the review.

### 3.5 Catch Documentation System 1 (CCSBT Obligation 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).

#### 3.5.1 **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** – MPI ensures that all participants within the SBT fishery are aware of their CCSBT obligations.

**Key points**

- Instructions on CCSBT obligations and CDS requirements are issued in accordance with section 190 of the Fisheries Act.

The Director General of MPI makes permit holders and licensed fish receivers aware of their CCSBT obligations and instructs them on the details of the CDS. These instructions are issued in accordance with section 190 of the Fisheries Act<sup>70</sup>. Ongoing liaison is conducted with stakeholders in New Zealand's Highly Migratory Species fisheries. Biannual meetings are held by MPI's HMS management team, during which any areas related to SBT requiring discussion are addressed. Updates on CCSBT and SBT are provided through 'pelagic update' newsletters that MPI publishes<sup>71</sup>. In addition to these general newsletters, fishers and LFRs are sent letters at the start of each season providing information on CCSBT requirements and reminding them of their obligations. Information is also available through MPI's webpages where information is provided for fishers, LFRs and validators<sup>71&72</sup>.

<sup>70</sup> MPI (2015) Southern Bluefin Tuna Fisheries – New Zealand Country Report. Paper presented to the 10<sup>th</sup> Meeting of the Compliance Committee (CCSBT-CC/1510/SBT Fisheries – New Zealand (Rev.1)

<sup>71</sup> MPI (2014) <http://www.fish.govt.nz/NR/rdonlyres/593C8290-BD7E-46B0-A636-4CD1B807E955/0/PelagicupdateJul2014web.pdf> (accessed 17/03/16)

<sup>72</sup> MPI (2015) Annual Operational Plan for Highly Migratory Species Fisheries 2015/16. MPI Technical Paper No:2015/21. Prepared by the Highly Migratory Species Team. ISBN No: 978-0-908334-97-1 (online)

**3.5.2 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 transhipments, 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** – New Zealand implements the CDS and has established systems and processes to implement and monitor the use of CDS documents across the SBT fishery.

**Key points**

- No domestic sale, export or import can be accepted without verified CCSBT CDS documentation.

The CDS was first introduced in January 2010 to provide for tracking and validation of legitimate SBT product from catch to the point of first sale<sup>73</sup>. Since 1<sup>st</sup> January 2010, no SBT can be accepted for domestic sale, export or import, without verified CCSBT CDS documentation. Fishing vessels and licensed fish receivers are required to complete CCSBT CDS documentation in addition to national reporting requirements. New Zealand fishers must complete the CCSBT’s CDS requirements with domestic sales greater than 10 kg required to go through Licensed Dealers of Fish (LFRs may also be Dealers in Fish)<sup>74</sup>. CCSBT catch monitoring forms are completed by LFRs and are validated by trained authorised personnel who have been approved by MPI (section 3.5.3).

**3.5.3 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** – MPI provides documentation to all entities within the SBT fishery outlining their CDS requirements, including the requirement to certify and validate the CMF and CTF forms.

In line with CCSBT requirements, New Zealand requires that CDS documentation is certified and validated by the appropriate personnel or authorities. In the case of validators, LFRs nominate individuals and arrange for them to be trained in conjunction with MPI. MPI then provide these

<sup>73</sup> CCSBT (2013) <https://www.ccsbt.org/en/content/monitoring-control-and-surveillance> (accessed 29/6/13)

<sup>74</sup> CCSBT. (2012) *Compliance Action Plan – New Zealand*. CCSBT-CC/1209



individuals with validator seals for certifying documents and maintains a list of those authorised and their assigned stamp numbers.

The authorised validators list is updated on a needs basis. Those authorised are not required to go through any formal refresher training process, however if any issues are identified these are addressed with the individual in question by MPI and the respective LFR.

In circumstances when MPI is informed the authorised validator is no longer involved, local compliance officers will retrieve the validator seal. Alternatively, if a replacement within the LFR has been identified then the validator seal will be provided to them and the list of authorised validators updated<sup>75</sup>.

**3.5.4 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** – This MPR is not applicable to New Zealand as New Zealand does not have any SBT farms.

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

**Summary** – New Zealand monitors compliance with the CCSBT CDS as part of generic compliance activities.

The Member notes that the catch monitoring and balancing system provides cross-validation and analysis of forms throughout the supply chain. The cross-validation in place is supported by an at-sea observer scheme, vessel inspections and a risk-based management approach. New Zealand monitors compliance with the CCSBT CDS as part of generic compliance activities which include port and licensed fish receiver inspections. Validation and cross-checking of CDS documentation against other sources of information includes catch reports and observer records. Fleet analysis is conducted to compare observer data with the CDS information reported, and the results submitted to the CCSBT scientific committee<sup>15</sup>. Discrepancies between observer data and catch reporting are monitored with analysis conducted on a case by case basis as required<sup>75</sup>. Observers returning from a SBT trip are debriefed and raise any compliance issues identified during the deployment.

Fishery officers conduct in-port inspections of LFRs engaged in the SBT fishery and as part of routine six-monthly inspections of LFR premises, the weighing equipment is tested to ensure it is correctly calibrated in line with the *Weights and Measures Act 1987*<sup>76</sup>. Checking the calibration of LFR weighing equipment ensures the accuracy of reported SBT weights is maintained.

<sup>75</sup> Vallieres, Dominic. Ministry for Primary Industries [Personal communications 21<sup>st</sup> March 2016]

<sup>76</sup> Vallieres, Dominic. Ministry for Primary Industries [Personal Communication 5<sup>th</sup> July 2013]

**3.5.6 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** – No specific exemptions identified to the CDS documentation.

The review team did not identify any specific exemptions to the CDS documentation requirements.

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

**Summary** – All CDS documentation is pre-printed and uniquely numbered by an established MPI provider.

All CDS documentation is uniquely numbered with CDS documentation printed by a third party supplier, who provides all of MPI's logbooks. Pre-printed books of CMFs and CTFs, which have unique numbering, are provided to LFRs.

CDS documentation is completed in accordance with CCSBT requirements with LFRs provided guidance and instructions on completing the documentation through letters provided to LFRs and fishers at the start of each season. In addition, LFRs are provided with information on their role in completing CDS documentation through MPI's website (which identifies that LFRs must send one copy of the form with the fish shipment, one to MPI's Auckland offices and retain one copy themselves)<sup>77</sup>.

For domestic sales, instructions are also provided on completing the documentation, and recommendations are made that for ease of reporting the seller retains both copies of the countersigned CMF and forwards them to MPI, rather than handing a copy of the CMF to buyers to submit<sup>77</sup>.

<sup>77</sup> Ministry for Primary Industries (2010) <http://www.fish.govt.nz/en-nz/International/High+Seas+Fishing/forms/CCSBT+Information+for+LFRs.htm> (accessed March 2016)

### 3.6 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).

#### 3.6.1 **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.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

#### 3.6.2 **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, and (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** – MPI maintains lists of vessels authorised to catch SBT. Updates are provided to CCSBT.

- **Key points** Landing of fish products is prohibited from foreign vessels without prior approval and there have been no incidences of SBT noted in recent years.

There are no restrictions on vessel numbers in New Zealand fisheries and any person can commercially fish as long as they hold a commercial fishing permit and use a registered fishing vessel (registered under the *Fisheries Act 1996*). All New Zealand-flagged vessels registered in New Zealand are technically authorised to take SBT, although only a small proportion do so. All fishers operating within New Zealand's SBT fishery or on the high seas must hold the relevant domestic or high seas fishing permit and operate from registered fishing vessels.

New Zealand maintains records of all New Zealand-flagged vessels and authorised LFRs. This information is provided to CCSBT as required. Maintenance of the vessel registry is a devolved service hosted on FishServe's FMS database with data exchanges to MPI's database overnight. FishServe conduct automated systems validation on the fishing permits and vessel registries, although given the registries do not change much this primarily involves ensuring that the entity doesn't already have a permit in that name<sup>28</sup>.

Landing of fish and fish products by foreign vessels is prohibited unless written approval is given by the New Zealand Government. However, since the 1<sup>st</sup> May 2016 all foreign charter vessels fishing in NZ waters are required to have reflagged to NZ.

### 3.7 Catch Documentation System 3 (CCSBT Obligation 3.1 (vii) – (ix))

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

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

**Summary** – This MPR is not applicable to New Zealand as New Zealand has not proposed or implemented any modifications to the CDS documents.

**3.7.2 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** – This MPR is not applicable to New Zealand as New Zealand has not proposed or implemented any modifications to the CDS documents.

**3.7.3 MPR 3: Modified documents are provided to the Executive Secretary in electronic format at least 4 weeks prior to the use of such documents and with proposed modifications clearly highlighted.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand has not proposed or implemented any modifications to the CDS documents.

### 3.8 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.

**3.8.1 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 paragraph 3 of Appendix 2 of the CDS Resolution.**

**Summary** – SBT tags are produced by a Japanese supplier and provided by CCSBT to New Zealand in line with the CDS Resolution.

**Key points**

- As the tags New Zealand uses are ordered through the Secretariat they can be considered to meet the minimum specifications as specified in Appendix 2 of the CDS Resolution.

Uniquely pre-numbered tags are produced per annum by a Japanese tag manufacturer that CCSBT contracts to produce tags. New Zealand then orders tags through the CCSBT Secretariat. Given the

tags New Zealand are ordered through the CCSBT Secretariat, they can be considered to meet the minimum specifications as specified in appendix 2 of the CDS Resolution.

**3.8.2 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** – MPI maintain a record of the distribution of SBT tags and reconcile the issued tags against CDS documentation.

**Key points**

- MPI instructs all SBT fishery participants to either return unused tags to MPI at the end of the season or dispose of them.

MPI issues tags to fishers based on previous and expected fishing in the upcoming season. Fishers who express an intention to catch SBT to MPI are provided with tags. The distribution of SBT tags is maintained by MPI. Additional tags are provided to LFRs to cover circumstances when fish need tagging on arrival at the LFR. In the event that additional tags are required, fishers request these from MPI.

At the end of the season fishers and LFRs are requested to either send unused tags back to MPI or fishers are requested to dispose of them. At the start of the new fishing year all participants are informed of the new tags being used and provided tags accordingly.

**3.8.3 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** – New Zealand has established systems and processes to ensure tagging is conducted in accordance with CCSBT CDS documentation.

**Key points**

- During the 2014 calendar year there were 246 duplicate tags submitted in tagging data to CCSBT.

It has been a requirement since January 2010 that no SBT may be accepted for domestic sale, export or import without the verified CCSBT CDS documentation. This includes the requirement to have a valid CCSBT tag attached to each SBT caught and retained. MPI maintains the records of issued tags on an Excel sheet and also records particular fields from CMFs on spreadsheets that are used in the

cross-checking of CMF information with CTF data. CTFs are submitted to MPI who then provide these to FINNZ with the data entered quarterly. FINNZ single enter the CTFs into MPI's catch documentation database. Data validation capabilities to detect tag duplication exist in the database, however currently these are disabled to enable data entry. Once entered into the database a report is generated and the data submitted to MPI for validation. MPI check the data and subsequently submit the data to the CCSBT Secretariat.

**3.8.4 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** – MPI has pre-season guides that are issued to participants in the fishery that provide the required information related to the requirements for tagging fish. This documentation specifies the required timeframes for tagging.

Letters, website information and engagement with the industry are provided to all participants in the SBT fishery. All fishers involved in the fishery are informed of their CDS requirements including their reporting obligations and the timeframes associated with attaching tags to fish.

**3.8.5 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** – MPI has pre-season guides that are issued to participants in the fishery that provide the required information related to the requirements for tagging fish. This documentation specifies the required timeframes for tagging.

MPI ensures that all participants in the SBT fishery have been informed of the CDS requirements and specifically the requirements for recording information on the CTF and the associated timeframes. Information is provided through letters to fishers and LFRs involved in the fishery and also information on MPI's website.

CDS documentation (CMF and CTF) is provided in hardcopy to MPI by the 15<sup>th</sup> of the following month, which is in line with domestic reporting requirements. This information is then reviewed and submitted to the CCSBT Secretariat on a quarterly basis. For CTFs the data is entered and validated before submission to the Secretariat.

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

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

**3.9.1 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** – MPI has operating systems and processes in place to meet the procedural and information standards required by CCSBT’s CDS resolution.

**Key points**

- 246 duplicate tags were recorded in 2014.
- MPI have a risk management strategy that includes the assessment of risks associated with CDS documentation and the risks of illegal SBT being marketed.

MPI utilises a spreadsheet for recording who tags have been issued to and their tag numbers. A separate tagging database is used to collect the data recording on the CTFs. This is an MPI tagging database but the data are entered by FINNZ. Validation capabilities are apparent with range checks and duplicate tag checks, however some of these (such as the duplicate tag check) are turned off to enable data entry. Once entered by FINNZ the CTF data is submitted to MPI who conduct data checking and validation using spreadsheets to ensure there are no unauthorised SBT tags being used and to identify discrepancies in the data such as duplicate tag numbers. There is a recognised issue with duplicate tags, with 246 duplicate tags recorded in 2014<sup>70</sup>.

MPI’s risk management strategy includes the assessment of risks associated with CDS documentation and the risks of illegal SBT being marketed. MPI’s compliance prioritises high risk areas and this is constantly being assessed and reviewed (see section 3.1.8.6).

**3.9.2 MPR 2 Operating systems and processes established and implemented to (a) monitor compliance by operators with control measures in section 3.9.1, above; (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** – Compliance operations primarily focused on port inspections in conjunction with cross-validation of domestic reporting requirements.

**Key points**

- The latest CCSBT compliance report showed New Zealand had 100% compliance with catch tagging forms submitted to CCSBT.

There is no specific compliance strategy for HMS species, with compliance planned at a general level<sup>78</sup>. Given the nature of the fishery, MPI's compliance team is primarily focused on targeting its effort towards port inspections in conjunction with data validation through cross-checking with domestic reporting requirements<sup>70</sup>. Compliance activities are based on risk assessments<sup>70</sup>. Compliance is monitored in accordance with the "National Fisheries Plan for Highly Migratory Species (HMS)" with all participants in the fishery provided with information describing procedures related to the requirements of the CDS and associated tagging of fish.

The latest compliance report from CCSBT (CCSBT-CC/1510/04 (Rev2)) reported that 100% of the catch tagging forms submitted to CCSBT by New Zealand exactly matched the fish numbers recorded in the catch monitoring forms and 99.8% matched the fish weights.

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<sup>78</sup> MPI (2010). National Fisheries Plan for Highly Migratory Species (HMS 2010—2015). Approved by the Minister of Fisheries under s.11A of the Fisheries Act 1996 (<http://www.fish.govt.nz/NR/rdonlyres/C2A22B9D-2C84-4A33-A1C8-F8E35F22FE70/0/HMSNationalPlan.pdf>)



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

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

#### **3.10.1 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** – Authorised validator lists are maintained by MPI and provided to CCSBT. The authorised list is updated and amended as required and amendments sent to CCSBT as necessary.

**Key points**

- Validators provided with unique numbers.

New Zealand delegates the authority to validate CDS documents to authorised third parties<sup>79</sup>. The use of third parties who are delegated authority by MPI is the preferred method for validating documentation given the nature of the NZ fishery. MPI believes it would be difficult to validate the documents any other way given the sporadic nature and timing of SBT landings<sup>79</sup>. Authorised third parties are required to have completed the Primary Industry Training Organisation (NZITO – Seafood) standard 'Complete the documentation requirements for the Ministry of Fisheries Trade Information and Catch Documentation Scheme' (Unit standard - 17573)<sup>80</sup>. The standard is recognised by the New Zealand Government Qualifications Authority (NZQA). Following completion of unit standard 17573 authorised validators work under the direction and authority of MPI and are provided with validator seals for validating the CDS documentation<sup>70</sup>. Validated CDS documents are returned in line with other domestic reporting requirements on the 15<sup>th</sup> of the following month.

Compliance reports for 2014 and the first quarter of 2015 showed that 100% of New Zealand's forms were submitted where validators were correctly authorised to validate the form<sup>81</sup>.

<sup>79</sup> Vallieres, Dominic. Ministry for Primary Industries. [Personal Communication, 11<sup>th</sup> June 2013]

<sup>80</sup> New Zealand Qualifications Authority (2014) Unit Standard 17573 – Complete the documentation requirements for the Ministry of Fisheries Trade Information and Catch Documentation Scheme

<sup>81</sup> CCSBT (2015) Compliance with CCSBT Management Measures (CCSBT-CC/1510/04 Rev2)

**3.10.2 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** – Validators are required to complete a training programme before becoming authorised by MPI. The training provides details on the responsibilities of a CCSBT validator.

**Key points**

- Electronic authorised validator list maintained by MPI.
- Validators are provided with information confirming the requirements and responsibilities of being a CCSBT authorised CDS validator.

As outlined in Section 3.10.1 validators are required to complete the Primary Industry Training Organisation (NZITO – Seafood) standard ‘Complete the documentation requirements for the Ministry of Fisheries Trade Information and Catch Documentation Scheme’ before becoming authorised validators<sup>80</sup>. Upon successful completion validators provide MPI with an example of their signature and receive material provided by MPI detailing their obligations along with their individual validator number and stamp<sup>41</sup>. The validator provides their signature recognising that they are aware of their commitments having read and understood the requirements and responsibilities of an SBT validator. When a validator is removed from the list, an MPI compliance officer retrieves the individual’s stamp and MPI subsequently inform the Secretariat. Or, alternatively, the validator stamp is passed onto the authorised staff member taking over this role and the list maintained by MPI is updated<sup>82</sup>.

**3.10.3 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.**

**Summary** – All CDS documentation is required to be completed and certified by appropriate individuals.

**Key points**

- New Zealand has demonstrated high levels of compliance for authorised validators completing CDS documentation (100% for 2014 calendar year and 1<sup>st</sup> quarter of 2015).

New Zealand requires that all CDS documents are signed by appropriate individuals, as required by CCSBT. These forms are submitted to MPI by the 15<sup>th</sup> of the following month in line with New Zealand’s domestic reporting and are subsequently submitted to CCSBT. Each CMF form is visually checked to identify fields that haven’t been completed correctly. MPI pass the CTF forms to FINNZ who enter the data onto a database and submit electronic reports to MPI, who cross check this with key fields from the CMF form that have been entered into a spreadsheet maintained by MPI.

<sup>82</sup> Vallieres, Dominic. Ministry for Primary Industries. [Personal Communication 14<sup>th</sup> July 2013]

Only key fields of the CMF are entered, details from the whole form are not entered into a database or Excel spreadsheet.

CCSBT's latest compliance report showed that New Zealand's CDS document was 100% compliant for the 2014 calendar year and the 1<sup>st</sup> quarter of 2015 in relation to forms being completed by authorised validators.

### **3.10.4 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** – MPI have data checking processes in place to check that the same individual does not certify and validate information on the same CDS form.

#### **Key points**

- In 2014 100% of the CMF documentation submitted by New Zealand was correct. This includes ensuring the same individual did not certify and validate the same CDS form.

As per Section 3.10.3 in 2014 and the 1<sup>st</sup> quarter of 2015 New Zealand's CMF documentation was 100% compliant. This encompasses the requirement that the same individual does not certify and validate information on the CDS form. MPI visually checks all CDS documentation and this process includes identifying discrepancies in the documentation such as the same individual signing the same CDS form as certifier and validator.

### **3.10.5 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** – Electronic list of all authorised validators maintained by MPI and provided to CCSBT as required.

Authorised third parties are required to have completed the Primary Industry Training Organisation (NZITO – Seafood) standard 'Complete the documentation requirements for the Ministry of Fisheries Trade Information and Catch Documentation Scheme' (Unit standard - 17573)<sup>80</sup>. The standard is recognised by the New Zealand Government Qualifications Authority (NZQA). Following completion of unit standard 17573 authorised validators work under the direction and authority of MPI and are provided with validator seals for validating the CDS documentation<sup>70</sup>. Validated CDS documents are returned in line with other domestic reporting requirements on the 15th of the following month. MPI maintains the details of all validators and provides this information to the Secretariat as required. When a validator is removed from the list, an MPI Compliance Officer retrieves the individual's stamp and MPI subsequently informs the Secretariat of changes to the list of validators<sup>83</sup>.

<sup>83</sup> Vallieres, Dominic. Ministry for Primary Industries. [Personal Communication 14<sup>th</sup> July 2013]

**3.10.6 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** – An electronic list of all authorised validators is maintained by MPI and provided to CCSBT as required.

CCSBT's latest compliance report showed that New Zealand's CDS document was 100% compliant for the 2014 calendar year and the 1<sup>st</sup> quarter of 2015 in relation to forms being completed by authorised validators<sup>69</sup>. As detailed in Section 3.10.5, MPI maintains electronic lists of all authorised validators. These lists are updated as required. Each time an update is required the updated information is submitted to the CCSBT Secretariat.

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

**Summary** – All CDS documentation is checked to ensure the validator is authorised and has complied with their obligations.

All CDS documentation provided to MPI is checked to ensure the validators is authorised and has complied with their obligations. Checking of these documents is a manual process with any issues addressed with individuals by MPI. CCSBT's latest compliance report showed that New Zealand's CDS document was 100% compliant for the 2014 calendar year and the 1<sup>st</sup> quarter of 2015 in relation to forms being completed by authorised validators<sup>69</sup>.

**3.11 Catch Documentation System 7 (CCSBT Obligation 3.1 (xxii) - (xxv))**

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

**3.11.1 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** – MPI monitors all CDS documentation and checks are conducted on the paperwork as it is received.

MPI monitors all validated documentation to ensure it has been completed correctly. On receipt of documentation MPI checks the data and any discrepancies are followed up with individuals before submitting the information to CCSBT. Any discrepancies in the CTFs identified by MPI following

entry by FINNZ are followed up with individuals to rectify the issue if possible before submitting the information to CCSBT.

**3.11.2 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 validation documentation.**

**Summary** – All SBT consignments are required to have the associated CCSBT CDS documentation that has been correctly validated.

**Key points**

- For the 2014 calendar year New Zealand had a 100% compliance rate for providing complete documentation for domestic landings and 99.7% for exports.
- For the first quarter of 2015 New Zealand had a 100% compliance rate for domestic landings and 100% for exports.

CDS documentation is required for the first point of domestic sale as well as being required for all exports or imports. The latest CCSBT compliance report showed that New Zealand had a 100% compliance rate for providing complete documentation for domestic landings and 99.7% compliance rate for exports for the 2014 calendar year<sup>81</sup>. Whilst for the first quarter of 2015 there was 100% compliance for both domestic and export landings<sup>81</sup>. The review team acknowledges that the compliance rates for 2015 reflect the first quarter of the year and may not reflect the final compliance rates for all of 2015.

**3.11.3 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** – New Zealand has systems and processes to check the accuracy and validity of their CDS documentation.

New Zealand has systems and processes to check the accuracy and validity of their CDS documentation.

**3.11.4 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.**

**Summary** – New Zealand has systems and processes are in place to monitor compliance with catching restrictions. Legal instruments allow sanctions to be imposed upon transgressions.

New Zealand monitors compliance with the CCSBT CDS as part of generic compliance activities including port and licensed fish receiver inspections. The Member notes that the catch monitoring and balancing system provides cross-validation and analysis of forms throughout the supply chain. Cross-validation of CMF and CTF data is conducted manually by MPI staff. CMF data is not entered into a database that can be automatically compared to domestic mandatory reporting, although there is the capability to access all mandatory reporting and conduct manual checks as necessary.

Established operating systems and processes are in place for New Zealand to effectively monitor catch against quota allowances. Validation and cross-checking of catches can be conducted using mandatory catch reports and observer records. Discrepancies between observer data and catch reporting are monitored with analysis conducted on a case by case basis as required. Information from observers is provided to the fishery managers where SBT issues have been identified and fishery managers will be invited to attend observer debriefs as appropriate<sup>52</sup>.

Fishery officers conduct in-port inspections of vessels within the fishery and LFRs engaged in the SBT fishery. Compliance reports and data that informs the compliance risk management procedures are stored in a new centralised system (FOCUS). FOCUS records compliance activities and where appropriate MPI fisheries management will be informed of any issues arising from compliance activities<sup>76</sup>.

**3.11.5 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** – New Zealand has operating systems and processes in place to monitor compliance with catching restrictions. Legal instruments allow sanctions to be imposed upon transgressions.

**Key points**

- Compliance is monitored using port inspections, LFR inspections, audits and reviewing domestic and CDS reporting documents.

Compliance is monitored in accordance with “National Fisheries Plan for Highly Migratory Species (HMS)” with all participants in the fishery provided with information describing procedures related to the requirements of the CDS and associated tagging of fish. There is no specific compliance strategy for HMS species, with compliance planned at a general level using a risk based approach<sup>56&84</sup>. Given the nature of the fishery MPI fisheries compliance is primarily focused on targeting its effort towards port inspections in conjunction with data validation through cross-checking with domestic reporting requirements<sup>70</sup>.

The *Fisheries Act 1996* outlines a range of offences which are detailed in *section 252 of the Fisheries Act 1996* with Government policy the basis for setting penalties. The severity of penalties is based on the seriousness of the offence<sup>85</sup>. Details of the CCSBT CDS and fishers’ obligations under the scheme have been outlined to permit holders and licensed fish receivers by the Chief Executive of MPI, with instructions issued under *section 190 of the Fisheries Act 1996*. Sanctions under *section 190 of the Fisheries Act 1996* can lead to fines not exceeding \$250,000 NZD. In addition to sanctions associated with fishery offences, *section 75 of the Fisheries Act 1996* outlines the use of deemed values (penalties) associated with fishers failing to cover their catches with sufficient ACE. Deemed values are in place to encourage fishers to hold ACE sufficient to cover their catches, with all catches and landings required to be recorded and reported for all QMS stocks.

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

The aim of this obligation is to ensure that CDS documents are retained and submitted as required.

#### 3.12.1 **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** – New Zealand stores both hardcopy and electronic copies of SBT documentation and data in secure locations as required by CCSBT’s MPRs.

##### **Key points**

- All records are kept by MPI, with no records discarded and LFRs are required to keep documents for a minimum of seven years. Electronic systems are maintained and backed up in line with MPI’s data management regulations.

The storage of all SBT documents and/or scanned electronic copies is the responsibility of FishServe devolved by MPI. Hardcopy records are initially kept on site and then archived documents kept in off-site storage facilities. CDS documentation is maintained and archived for the statutory requirements by MPI on site at its offices.

All electronic information is recorded on MPI’s databases and servers. The electronic system is maintained and is regularly backed up in line with MPI data management regulations.

<sup>84</sup> MPI (2010). National Fisheries Plan for Highly Migratory Species (HMS 2010—2015). Approved by the Minister of Fisheries under s.11A of the Fisheries Act 1996 (<http://www.fish.govt.nz/NR/rdonlyres/C2A22B9D-2C84-4A33-A1C8-F8E35F22FE70/HMSNationalPlan.pdf>)

<sup>85</sup> [http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM398820.html?search=sw\\_096be8ed809ee433\\_penalties\\_25\\_se&p=1](http://www.legislation.govt.nz/act/public/1996/0088/latest/DLM398820.html?search=sw_096be8ed809ee433_penalties_25_se&p=1) [Accessed 28/06/2013]

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

The aim of this obligation is to ensure that CDS documents are retained and submitted as required.

#### **3.13.1 MPR1: Copies of all completed CDS documents issued by catching Members or received by importing or receiving Members, sent to Executive Secretary in accordance with timeframes specified in the CCSBT documentation.**

**Summary** – New Zealand provides CCSBT CDS documents to CCSBT within the required timeframes (quarterly). New Zealand compiles and submits national documentation to CCSBT on a quarterly basis.

**Key points**

- No incidences identified where New Zealand has not provided the required information within the required timeframes.

There have been no incidences identified where the New Zealand authorities did not provide this information to the CCSBT Secretariat within the required timeframe. The latest CCSBT report on compliance with CCSBT Management Measures (CCSBT-CC/1510/04 (Rev2)) noted that New Zealand submitted all completed CDS documents to the Executive Secretary in accordance with the specified timeframes during the reported 2014 calendar year and the first quarter of 2015.

#### **3.13.2 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** – Catch tagging data provided to CCSBT as required and submitted to the Executive Secretary at the end of the season.

**Key points**

- Catch tagging information provided electronically.
- Submitted to the Secretariat on a quarterly basis as required.

Catch tagging form information is provided electronically by MPI to the Executive Secretary within the defined reporting timeframes.



### 3.14 Catch Documentation System 10 (CCSBT Obligation 3.1 (xxix) + (xxxi))

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

**3.14.1 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** – MPI have operating systems and processes in place to maintain a list of authorised individuals involved in the verification of CDS documentation.

MPI have operating systems and processes in place to maintain a list of authorised individuals involved in the verification of CDS documentation. As part of the required training to become an authorised validator, validators are made aware of their responsibilities associated with verifying CDS documentation. Data checking and validation processes are in place to ensure that no verification is carried out by unauthorised individuals.

**3.14.2 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** – MPI conducts a risk assessment across all Highly Migratory Species fisheries to identify priority areas requiring targeted compliance and enforcement. This incorporates identifying the risks associated with the completion and submission of CDS documentation.

Compliance is monitored in accordance with “National Fisheries Plan for Highly Migratory Species (HMS)” with all participants in the fishery provided with information describing procedures related to the requirements of the CDS and associated tagging of fish. There is no specific compliance strategy for SBT, with compliance planned using a risk based approach<sup>86</sup>. Priorities are taken into account and in the 2015/16 Annual Operating Plan (AOP) the compliance priorities directly associated with SBT were the risk of high-grading of SBT and compliance with SBT CDS requirements<sup>47</sup>.

<sup>86</sup> MPI (2010). National Fisheries Plan for Highly Migratory Species (HMS 2010—2015). Approved by the Minister of Fisheries under s.11A of the Fisheries Act 1996 (<http://www.fish.govt.nz/NR/rdonlyres/C2A22B9D-2C84-4A33-A1C8-F8E35F22FE70/0/HMSNationalPlan.pdf>)

**3.14.3 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** – MPI have data checking and validation processes and systems in place which are used to provide cross-checking of data before submission to CCSBT. The latest CCSBT compliance report has reported on New Zealand’s high levels of compliance in terms of the completeness of data on CDS forms.

MPI have data checking and validation processes and systems in place which are used to provide cross-checking of data before submission to CCSBT. These systems are in place to identify discrepancies and where required these are addressed directly with the individuals/companies in question. The latest CCSBT compliance report has reported on New Zealand’s high levels of compliance in terms of the completeness of data on CDS forms.

**3.14.4 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** – All suspected or detected irregularities are addressed through an iterative process with stakeholders whereby MPI engage with the people involved to ascertain the source of the irregularities.

All irregularities are addressed through either MPI or FishServe as required by MPI identify an issue and then highlight this with the fisher and/or company involved. The forms in question are then sent back to the source for corrections to be made and signed. MPI have open engagement with the industry to allow for iterative changes to be made and irregularities to be addressed through discussion with industry to determine the source of the issue.

**3.14.5 MPR 2e: [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** – MPI have data checking, validation and audit processes and systems in place to identify potential or identified discrepancies. Where required these are reported to the CCSBT Executive Secretary.

Data checking, validation and audit processes and systems are in place to enable MPI to identify potential or identified discrepancies and subsequently report these to the CCSBT Executive Secretary. The completion of CDS documentation is a requirement enforced by MPI and penalties are in place associated with misreporting, which acts a deterrent to incomplete or incorrect reporting.

**3.14.6 MPR 2f: [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. Notifications should include reporting (i) the commencement of an investigation if doing so will not impede that investigation; (ii) progress, within 6 months of starting the investigation if doing so will not impede that investigation; and (iii) the final outcome within 3 months of completing the investigation.**

**Summary** – MPI have data checking, validation and audit processes and systems in place to identify potential or identified discrepancies. Where required these are reported to the CCSBT Executive Secretary.

As per section 0, data checking, validation and audit processes and systems are in place to enable MPI to identify potential or identified discrepancies. The completion of CDS documentation is a requirement enforced by MPI and penalties are in place associated with misreporting, which act as a deterrent to incomplete or incorrect reporting.

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

**Summary** – The latest CCSBT compliance report has documented New Zealand's high levels of compliance in terms of the completeness of data on CDS forms.

MPI has processes and systems in place to ensure that no SBT is accepted without the required CCSBT validated documentation. As per CCSBT's latest compliance report, New Zealand has exhibited a high level of compliance related to ensuring the correct complete CDS documentation is provided to CCSBT.

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

**3.15.1 MPR1a:** [Operating systems and processes to ensure] **The authorisation document(s) from the Coastal State Fishing Entity (where applicable) and/or Fishing State Entity, including details of the intended transshipment provided by the master or owner of the LSTLV, is/are available on the LSTLV prior to the transshipment occurring.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

**3.15.2 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, section 2.3).**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

**3.15.3 MPR2a-d:** [Rules in place to ensure] **(a) all SBT transshipments 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 transshipments occur; (d) a named CCSBT observer is on board the Carrier Vessel; and (e) no SBT transshipment occurs without an observer onboard except in the case of ‘force majeure’ (as notified to the Executive Secretary).**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

- 3.15.4 MPR2f:** [Rules in place to ensure] **Transshipment declarations are completed, signed and transmitted by the fishing vessel and the carrier vessel, in accordance with paragraphs 15-148of the Transshipment Resolution, in particular that i) the LSTLV shall transmit its CCSBT Registration Number and a completed CCSBT Transshipment Declaration to its flag State / Fishing Entity, not later than 15 days after the transshipment.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

- 3.15.5 MPR3a,b:** [Operating systems and processes to] **Issue transshipment authorisations and verify the date and location of transshipments.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

- 3.15.6 MPR3c-f:** [Operating systems and processes to] **Request placement of observers on board Carrier Vessels; notify any cases of ‘force majeure’ (where transshipment occurs without an observer on the Carrier Vessel) to the Executive secretary within 15 days of the event occurring; ensure observers can board the LSTLV (provided it is safe to do so) before transshipment takes place, and have access to personnel and areas necessary to monitor compliance with paragraph 6(a) of Annex 2 of the Transshipment Resolution; enable observers to report any concerns about inaccurate documentation or obstruction, intimidation, or influence in relation to carrying out their duties.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

- 3.15.7 MPR3g,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** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transshipments beyond national jurisdiction areas.

### **3.16 Transhipment (at sea) Monitoring Program 2 (CCSBT Obligation 3.3 (vi))**

- 3.16.1 MPR1:** Operating systems and processes are in place to (a) provide a list of designated foreign ports where SBT transhipments are permitted to occur to the Executive Secretary on an annual basis before the annual meeting of the Compliance Committee.

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transhipments beyond national jurisdiction areas.

### **3.17 Transhipment (at sea) Monitoring Program 3 (CCSBT Obligation 3.3 (vii - x))**

- 3.17.1 MPR1:** Rules, systems and procedure to ensure (a) Port State authorities are notified at least 48 hours prior to (or immediately after) any pending in-port transhipment by the LSTLV master, and this notification includes key details about the intended transhipment; (b) 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; (c) Carrier Vessels are authorised on the CCSBT authorised Carrier Vessel register on the date(s) any transhipment/ transportation of SBT occurs; (d) 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: i) 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** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transhipments beyond national jurisdiction areas.

- 3.17.2 MPR2: Operating systems and processes in place to (a) verify the date and location of transhipments; (b) monitor compliance with the control measures, and (c) impose sanctions or corrective action programmes for any non-compliance detected.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transhipments beyond national jurisdiction areas.

### **3.18 Transhipment (at sea) Monitoring Program 3 (CCSBT Obligation 3.3 (xi - xiv))**

- 3.18.1** [Operating systems and processes and rules to ensure that LSTLVs are only to be authorised to conduct transhipments if:] **a) The LSTLV already has an operational VMS installed, or the LSTLV undertakes to install an operational VMS before any authorisation/ transhipments of SBT take place, and b) The VMS transmits at frequency sufficient to show transhipping operations, and c) The VMS will function effectively in the expected operating conditions.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transhipments beyond national jurisdiction areas.

- 3.18.2** [Operating systems and processes are in place to:] **(a) identify and resolve any discrepancies between the LSTLV's reported catches, CDS documents, transhipment declarations and the amount of fish counted as transhipped, b. 100% supervision of all fish transhipped at sea.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transhipments beyond national jurisdiction areas.

- 3.18.3** [Operating systems and processes are in place to:] **2. Operating systems and processes are in place to allow any CDS forms for domestically landed SBT that were transhipped at sea to be validated at the time of landing.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transhipments beyond national jurisdiction areas.

**3.18.4 Rules, systems and procedures to ensure: a. all transhipped product is accompanied by a signed Transhipment Declaration until the first point of sale.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transhipments beyond national jurisdiction areas.

**3.19 Annual Reporting to the Compliance Committee (CCSBT Obligation 6.5)**

The aim of this obligation is to ensure that Members have processes in place to ensure information and reports are submitted to the CCSBT in a timely fashion.

**3.19.1 MPR1: Submit information and report electronically to Executive Secretary at least 4 weeks before the annual Compliance Committee meeting.**

**Summary** – New Zealand authorities provide the required compliance committee information electronically to the Executive Secretary in accordance with the reporting requirements.

There have been no incidences identified where the New Zealand authorities did not provide this information to the CCSBT Secretariat within the required timeframe. The CC10 CCSBT compliance report records New Zealand having provided all the member reports in 2014 as required and that these reports included all the information required by templates<sup>81</sup>81.

**3.19.2 MPR 2: The report for the previous calendar year must (a) include the quantities of SBT transhipped; (b) list the LSTLVs on the CCSBT Authorised Vessel List that transhipped; (c) analyse the observers reports received including assessing the content and conclusions of the reports of observers assigned to carrier vessels.**

**Summary** – This MPR is not applicable to New Zealand as New Zealand does not have any authorised carrier vessels that are authorised to receive at-sea transhipments beyond national jurisdiction areas.



## 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 and the Phase 1 extension are fully implemented and consistent with the procedure described by the Member. The objective of the site visit was to verify the effectiveness of the processes and activities in ensuring that Members meet their obligations specific to the MPR's covered by the scope of the QAR.

Consultation meetings were planned in conjunction with Dominic Vallieres (DV) and Amanda Richards (AR), based on the availability of key management personnel and industry representatives, to enable a site visit to observe processes under the scope of the Member's QAR. The site visits were not designed to be inclusive of all organizations and representatives of the fishery. However, the consultation plan was designed to strategically capture sufficient information on Member processes to allow for verification of information reviewed and presented during the Phase 1 review with the objective of determining to what extent Member's meet their obligations specific to the MPR's covered.

All consultation meetings were conducted by Mr. Oliver Wilson and Dr. Johanna Pierre.

### **Overview of Meeting Plan:**

Meetings were held on four different dates between the 21<sup>st</sup> March and 2<sup>nd</sup> May 2016, in Auckland, Leigh, and Wellington, New Zealand.

**Table 8 Schedule of Site visit Meetings**

<b>Date</b>	<b>Attendees</b>	<b>Itinerary</b>
21/03	Dominic Vallieres (MPI) Amanda Richards (MPI)	Opening meeting <ul style="list-style-type: none"> <li>• Outlining scope, objectives and purpose of CCSBT QARs</li> </ul>
21/03	Dominic Vallieres (MPI) Amanda Richards (MPI)	Fishery management review <ul style="list-style-type: none"> <li>• Systems and processes overview</li> <li>• Review of phase 1 information</li> <li>• Update on SBT specific management system developments since the Phase 1 audit</li> </ul>
21/03	Dominic Vallieres (MPI) Amanda Richards (MPI) Andrew France (MPI – Manager Fisheries Monitoring) Justin Clement (Observer Services Team Manager)	Observer programme <ul style="list-style-type: none"> <li>• Systems and processes overview</li> <li>• Integration of CCSBT requirements within observer programme</li> <li>• Implementation of SBT processes onboard vessels</li> </ul>
21/03	Dominic Vallieres (MPI) Amanda Richards (MPI) Kim George (MPI) and MPI data management team (Toby Marsh and John Moriarty)	MPI domestic reporting and catch documentation systems <ul style="list-style-type: none"> <li>• Systems and processes review (Roles and Responsibilities), both domestic as related to SBT and CCSBT CDS</li> <li>• CDS recording/reporting and validation processes</li> <li>• Internal audit/review mechanisms</li> <li>• External reporting</li> </ul>
21/03	Dominic Vallieres (MPI) Amanda Richards (MPI) Wayne Lowther (FishServe)	<ul style="list-style-type: none"> <li>• Systems and processes review of FishServe’s roles and responsibilities for both domestic and CCSBT CDS related reporting.</li> <li>• Review of registries managed by FishServe and associated systems.</li> <li>• Review of FishServe involvement with CDS recording/reporting</li> <li>• Internal audit/review mechanisms</li> <li>• External reporting</li> </ul>

01/04	Amanda Richards (MPI) Wayne Lowther (FishServe)	FishServe / FINNZ site visit <ul style="list-style-type: none"> <li>• Sighting of FishServe and FINNZ systems and processes in place for both domestic and CCSBT CDS related reporting</li> <li>• Review of registry databases (as managed by FishServe) and associated systems</li> <li>• Review of FishServe involvement with CDS recording/reporting</li> </ul> Sighting of FishServe validation and reporting processes
11/04	Dominic Vallieres (MPI) Amanda Richards (MPI) Gary McAneny (MPI Regional Senior Compliance Officer)	Compliance systems <ul style="list-style-type: none"> <li>• Overview of MPI compliance processes associated with SBT</li> <li>• Outline of MPI risk based framework systems and implementation of compliance inspections associated with CCSBT</li> <li>• Reporting and follow up processes for identified risks</li> </ul>
02/05	Dominic Vallieres (MPI) Tom Searle (Leigh Fisheries)	Industry meeting <ul style="list-style-type: none"> <li>• Discussion with Licensed Fish Receiver (LFR) representative to review the implementation of SBT processes onboard vessels</li> <li>• Discuss with LFR regarding CDS process, validator training and role/responsibilities</li> <li>• Discussion around engagement and interaction of LFRs with fishers and MPI regarding CCSBT processes</li> </ul>

## 4.1 Fishery management review

The Member's fisheries management system is supported by well-developed legislation and regulatory provisions. These relate to catch limits and allocation, reporting, observer services, and include management requirements specific to CCSBT (including implementation of MPRs). MPI's role as the fisheries management agency is extremely broad, although most responsibilities relating to MPRs are homed with the Highly Migratory Species team. This team liaises with others across the Ministry including the Observer Services Unit and compliance staff located regionally. MPI is also supported in its management role by external agencies including FishServe. MPI's HMS team also maintains frequent contacts with LFRs and fishers involved in SBT harvest.

Beyond government, LFRs are a critical part of the implementation of management measures for the SBT fishery. For example, LFRs would be the first to discover SBT that are not tagged, they confirm identifications, facilitate CDS paperwork, and can direct fishers to government HMS fishery managers when uncertainties or issues arise.

MPI's HMS team communicates with industry and fishers in several ways. First, fishers are able to contact fishery managers directly by letter, phone or email throughout the year. Second, there are two workshops held per year for HMS fishers and industry in the port of Tauranga. These meetings cover issues of particular interest and relevance for the fishery and are also a forum for fishers to engage with managers on any other matters relevant to the fishery. In addition, letters are sent annually to permit holders and also to LFRs documenting updates to requirements for SBT fisheries. A newsletter is also sent by MPI to HMS fishers. MPI also operates extensive consultation processes with all stakeholders, and including fishers and industry, relating to significant fishery management events, e.g. changes in reporting requirements, TACCs, and regulations.

During the Phase 2 site visit the review team broadly confirmed the information collected in Phase 1 on the management of the fishery. The site visit was of particular value for emphasising the strengths and identifying the weaknesses and opportunities in the management system's implementation.

## 4.2 Data management

During the phase two site visit MPI demonstrated the paperwork and systems that are in place which relate to the information provided in the Phase 1 report. Documentation identified in the Phase 1 report was sighted with explanations/demonstrations provided as to the processes and systems used to process the data. Subsequent reporting processes to CCSBT were also demonstrated.

The CDS validation systems demonstrated to the review team during the Phase 2 site visit reflected the information provided during the Phase 1 review. MPI have devolved and contracted services that are conducted by FishServe and FINNZ, related to the management and validation of the NZ SBT fishery and associated CDS. The distinction between devolved and contracted services is shown in

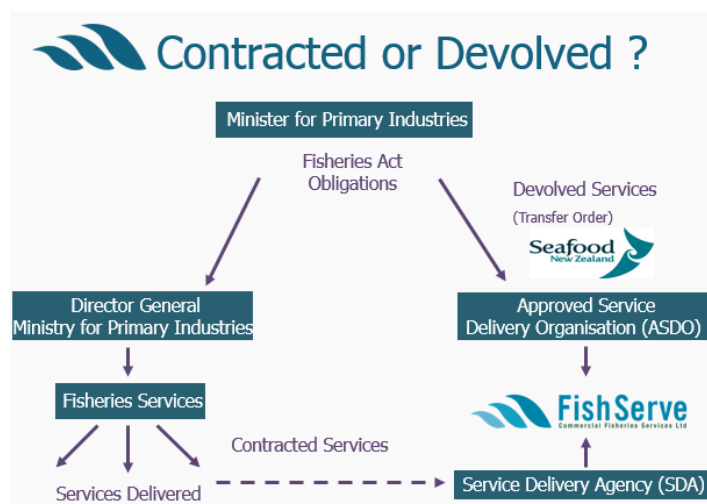


Figure 14 Distinction between contracted and devolved services conducted by FishServe<sup>87</sup>

Table 9 Contracted and devolved services conducted by FishServe

Contracted (Crown Responsibility)	Devolved (FishServe Responsibility)
Quota Allocation	Quota
Fishing Permits	ACE
Crown Revenue Management <ul style="list-style-type: none"> <li>• Cost Recovery</li> <li>• Deemed Values</li> </ul>	Clients
Special Approvals	ACE Balancing
Foreign Licensed Access	LFR Licensing
High Seas Fishing Permits	Fishing Vessel Registrations
Catch Effort Returns	ALC Registrations
Fish Farmer Register <u>Mnagement</u>	Caveats and Mortgages

### 4.3 Validation systems

The Phase 2 site visit demonstrated the data checking and validation processes in place. Table 9 details the different data systems used by both MPI and FishServe and the way that these systems are used in related to domestic reporting.

As detailed in the Phase 1 report, FishServe provide the administrative services for mandatory catch effort reports including those completed by the SBT fishery. The data is predominantly received in hardcopy and is subsequently scanned and date stamped and then single-entered by FishServe staff into the catch effort database, Surimi, which is the literal version of the database. Overnight the data entered into Surimi is automatically validated, which has predefined validation rules which can be changed by MPI as needed to reflect fishing practice<sup>88</sup>. When issues are identified these are flagged

<sup>87</sup> FishServe (2016) About FishServe – Registry Services in support of the fishing industry. Presented by Wayne Lowther

<sup>88</sup> George, Kim. Ministry for Primary Industry [Personal communication, 21<sup>st</sup> March 2016]

with the validation team at FishServe who address the issues as per defined specifications and record actions against their actions in the Surimi database<sup>88</sup>. All engagement with fishers on corrections to forms is letter-based, with predefined actions that have not been recently updated. Surimi was set up in the early 1990s and MPI manage the access rights to the database. FishServe has no access to the database tables, only to the front interface of the database<sup>89</sup>.

Data successfully validated are uploaded through a virtual pipeway to MPI's Warehou database, which is the interpreted version of the catch effort data taking into account the validation rules in place. For data that is electronically submitted the data goes directly into Surimi via FishServe's electronic reporting system (CEDRIC)<sup>88</sup>. Within MPI the Warehou database is accessible through MPI's Fisheries Information Services (FIS) interface that MPI staff can access to review wider MPI databases and run status reports. This system is in the process of being upgraded to a new internal BI Hub (Business intelligence tool).

FishServe conducts internal audits for quality assurance reviewing data entry accuracy levels. In addition, monthly randomised sampling is conducted by MPI to check errors in the catch effort data. The random sample is selected by MPI and sent to FishServe to check as part of quality assurance processes. Audit summaries are also completed by MPI data management staff; these are done on request and are ideally completed every six months<sup>90</sup>.

CDS documentation is managed separately to the previous databases. CMF data is received by MPI monthly and validating of CMFs is initially done visually by MPI staff with minor changes made by MPI staff (and initialled) without requiring a revised version by LFRs. Any recurring minor issues are detailed in the internal MPI spreadsheet and for each LFR relevant corrective actions are requested<sup>91</sup>. For more significant changes such as any changes to catch numbers or weights these are returned to the LFR for corrections. Following the initial validation, CMF data is entered into spreadsheets maintained by MPI. The CTF is sent to FINNZ who enter the data into the catch documentation system database. This data is entered once and whilst there is the capacity for data validation checks some of these, such as identifying duplicate tags, have been removed to enable data to be entered<sup>88</sup>. MPI is informed by FINNZ of any issues identified with the CTF forms and follows these up with the LFRs/fishers directly<sup>91</sup>. Once data is entered by FINNZ this data is sent electronically in a spreadsheet format back to MPI who then use spreadsheets to check the electronic CMF and CTF data for any discrepancies. This data is then submitted to the CCSBT Secretariat quarterly.

For Amateur Charter Vessel Activity and Catch returns (ACV-ACR) completed by recreational charter vessel operators are entered into FINNZ's amateur Catch Activity System (CAS). This data is single-entered and goes through a validation process before being submitted to MPI via the same data exchange as the Surimi database. Validation rules are set by MPI and implemented by FINNZ. Once two letters have been issued to follow up validation issues, incident files are submitted to MPI compliance for further action as required<sup>89</sup>.

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<sup>89</sup> Lowther, Wayne. FishServe [Personal communication, 1<sup>st</sup> April 2016]

<sup>90</sup> Moriarty, John. Ministry for Primary Industry [Personal communication, 21<sup>st</sup> March 2016]

<sup>91</sup> Toby Marsh. Ministry for Primary Industry [Personal communication, 21<sup>st</sup> March 2016]

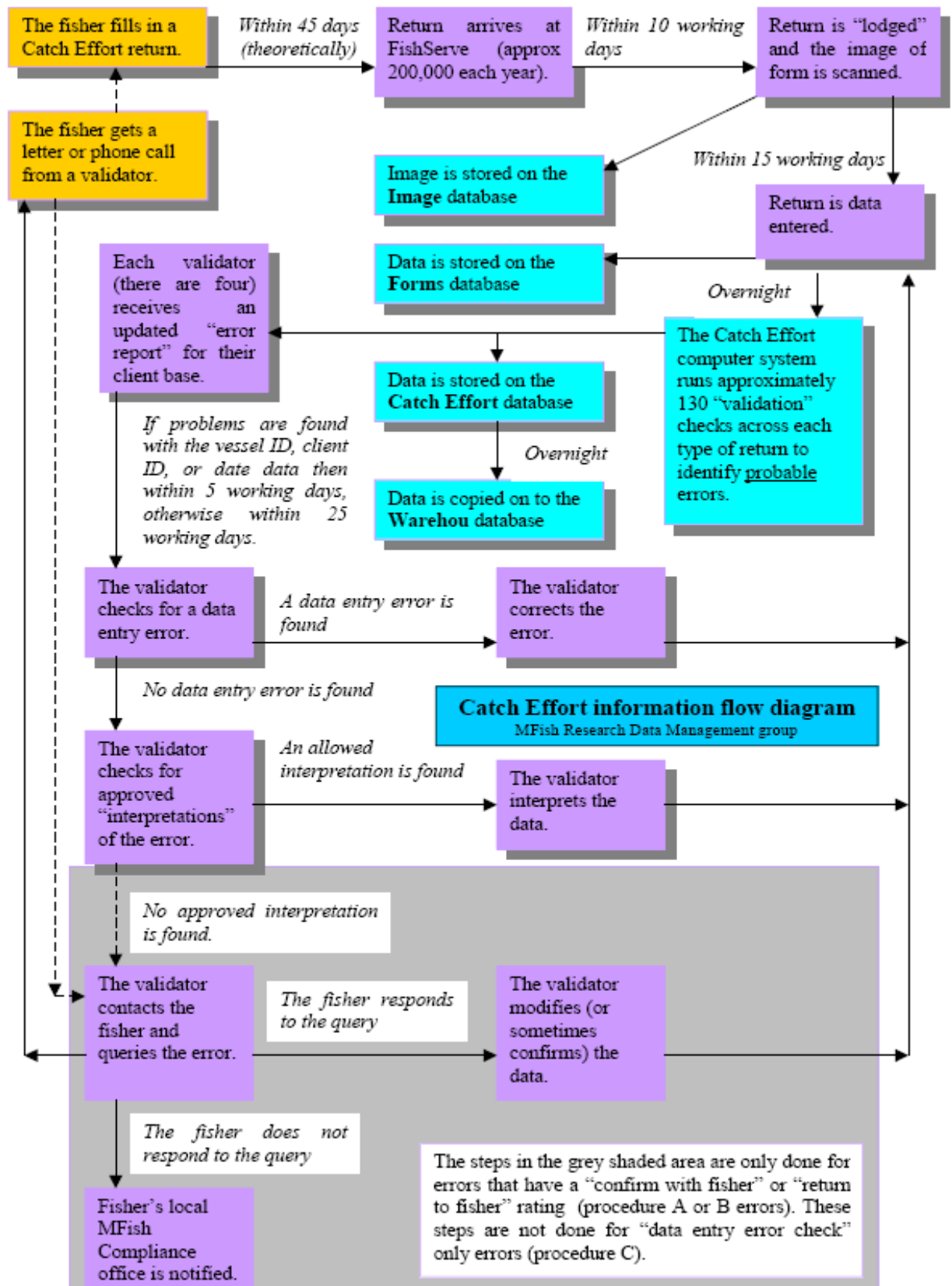


Figure 15 MPI Catch Effort information flow diagram<sup>92</sup>

<sup>92</sup> MPI (2006) New Zealand's CPUE data preparation documentation to CCSBT

Figure 16 Member Process Flow

### 5 Member Process Flow Map

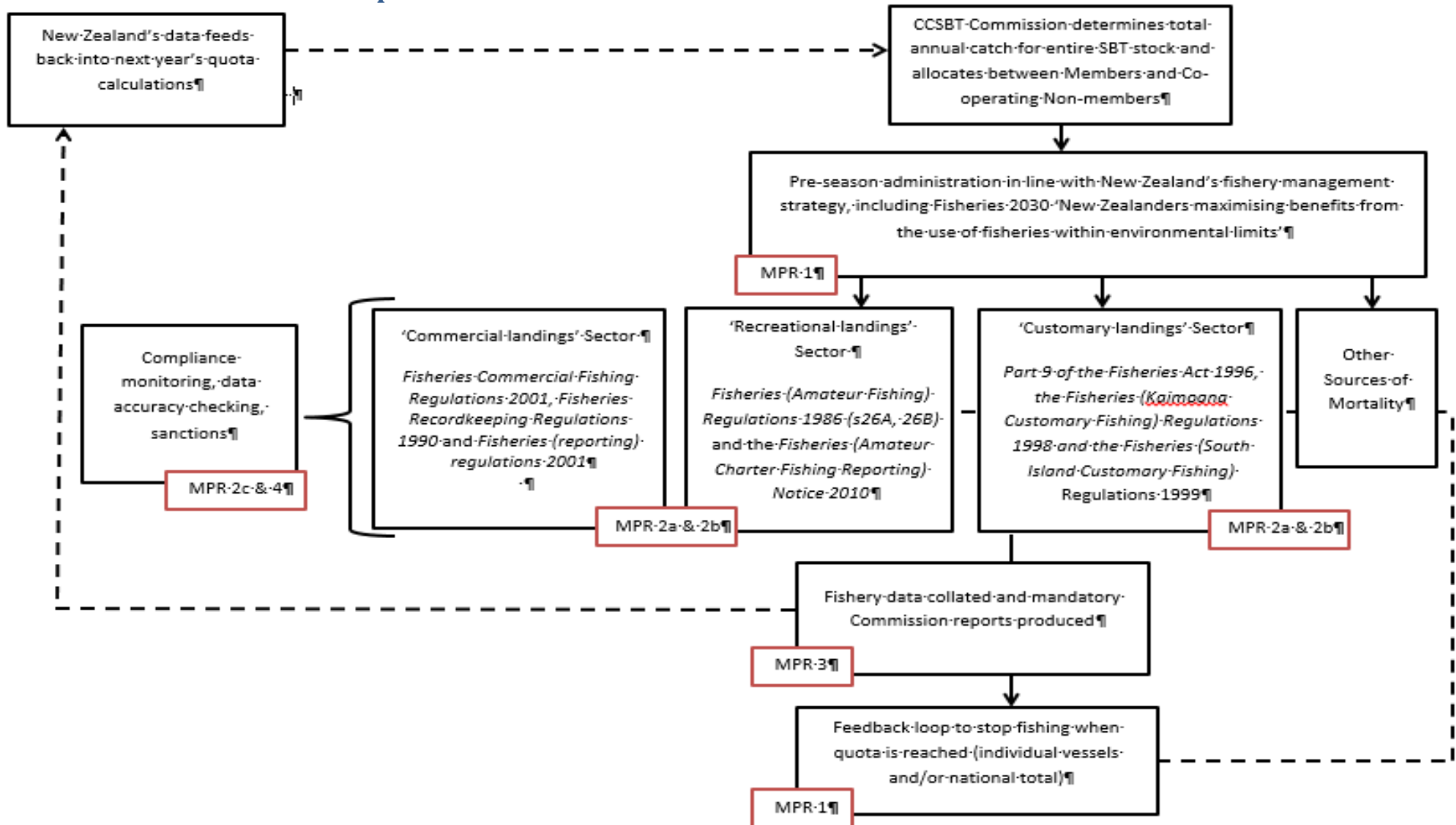


Figure 17 Overview of Process Flow



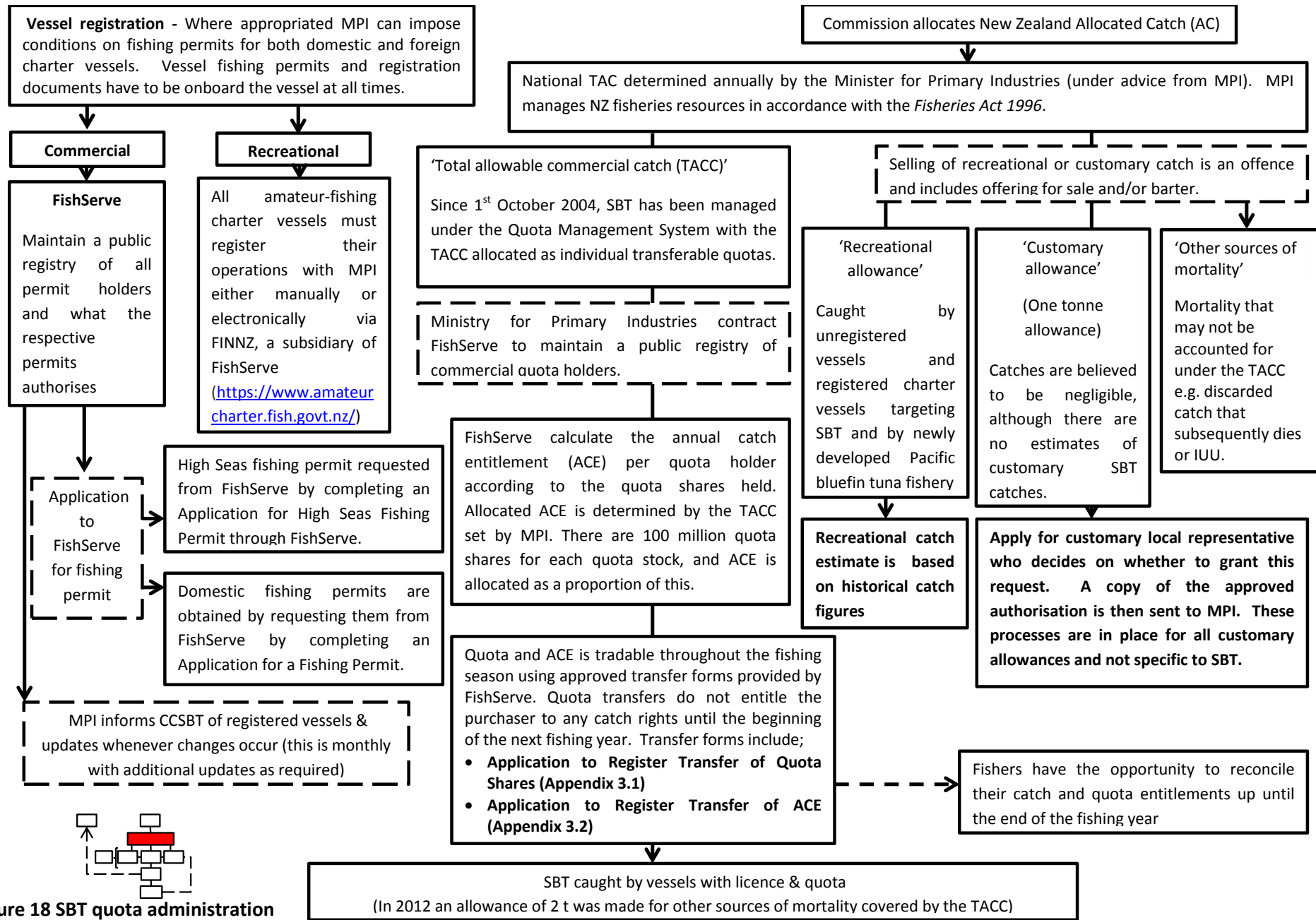


Figure 18 SBT quota administration  
MPR 1

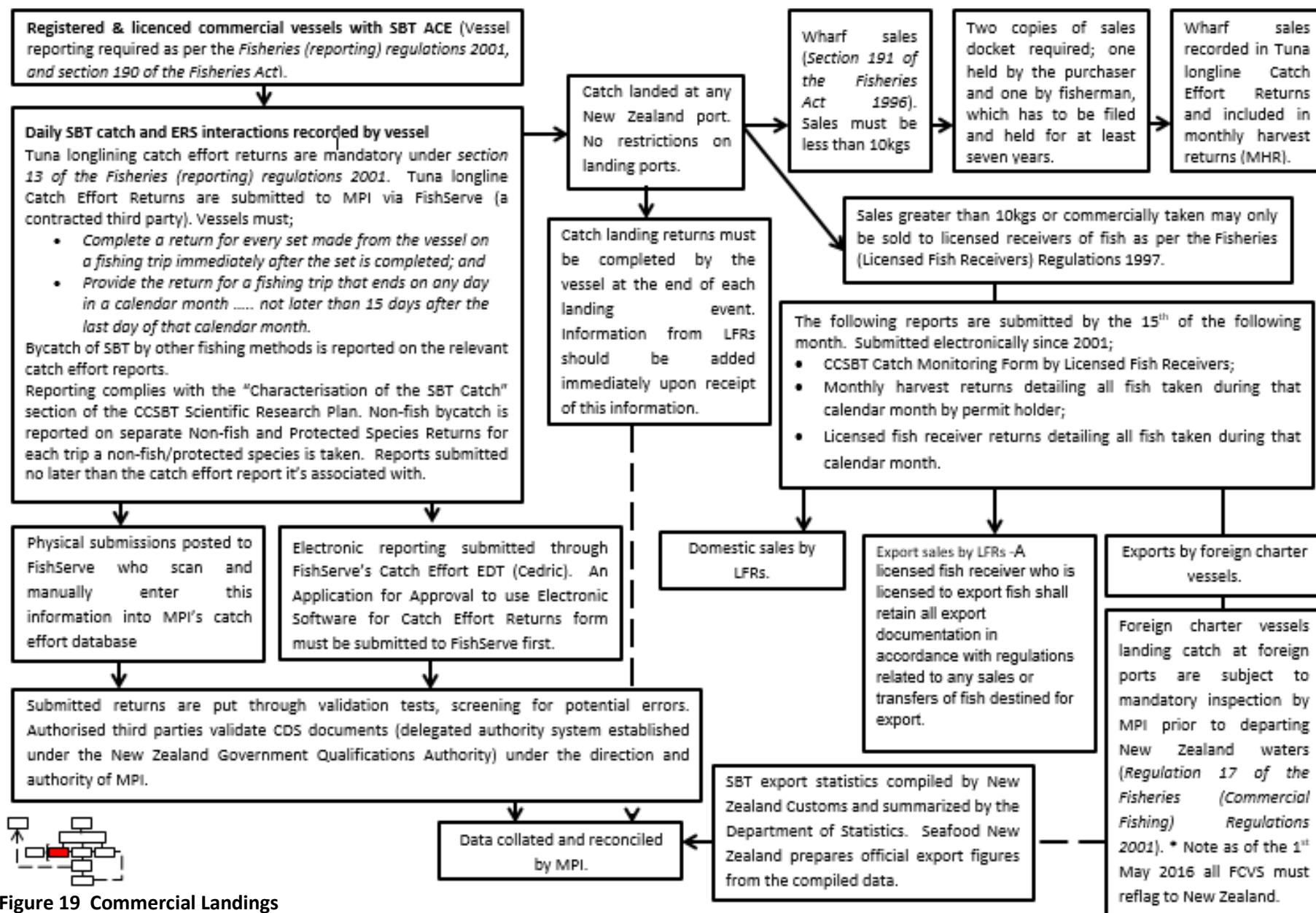
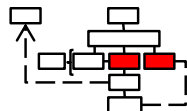
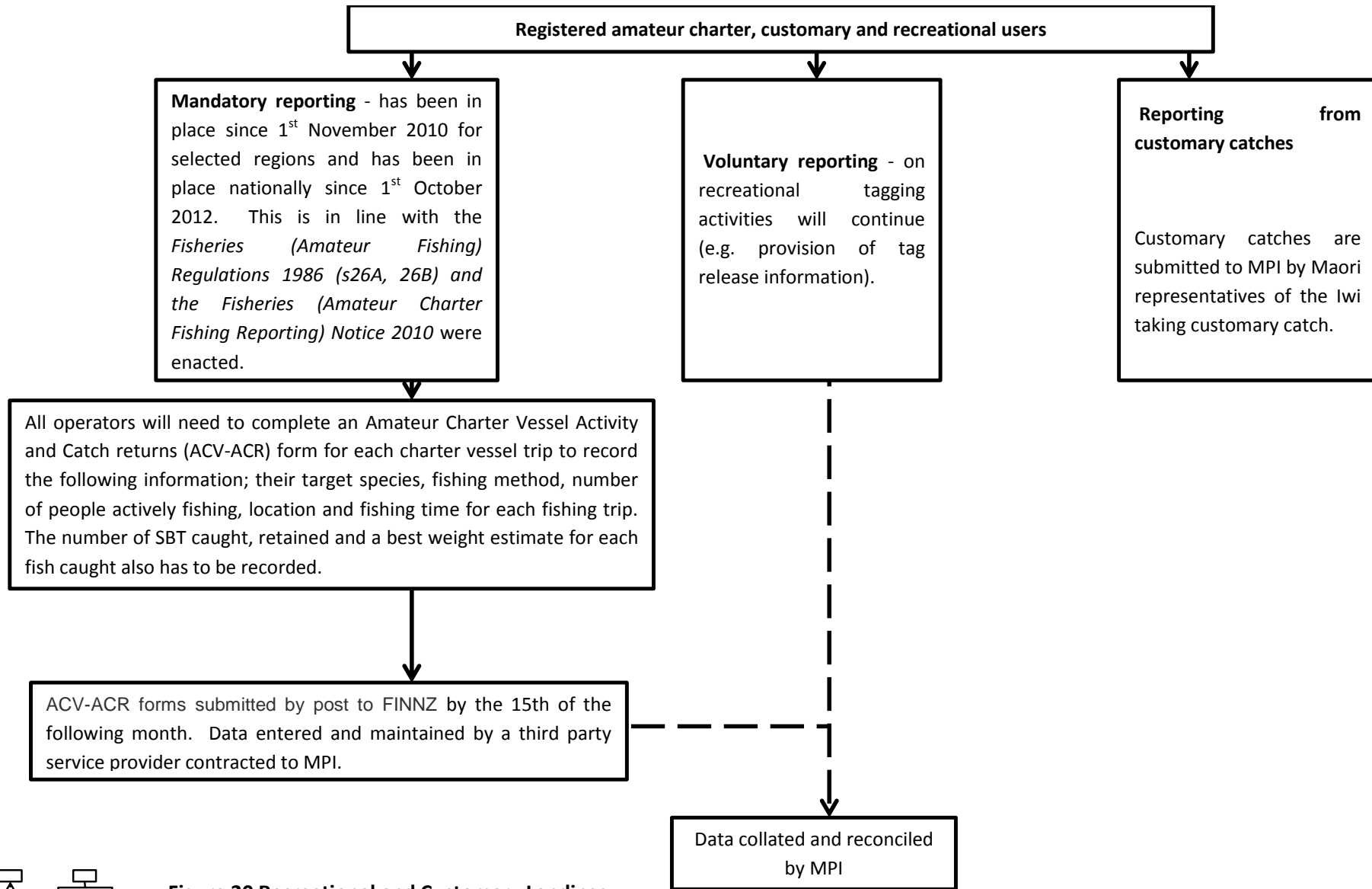
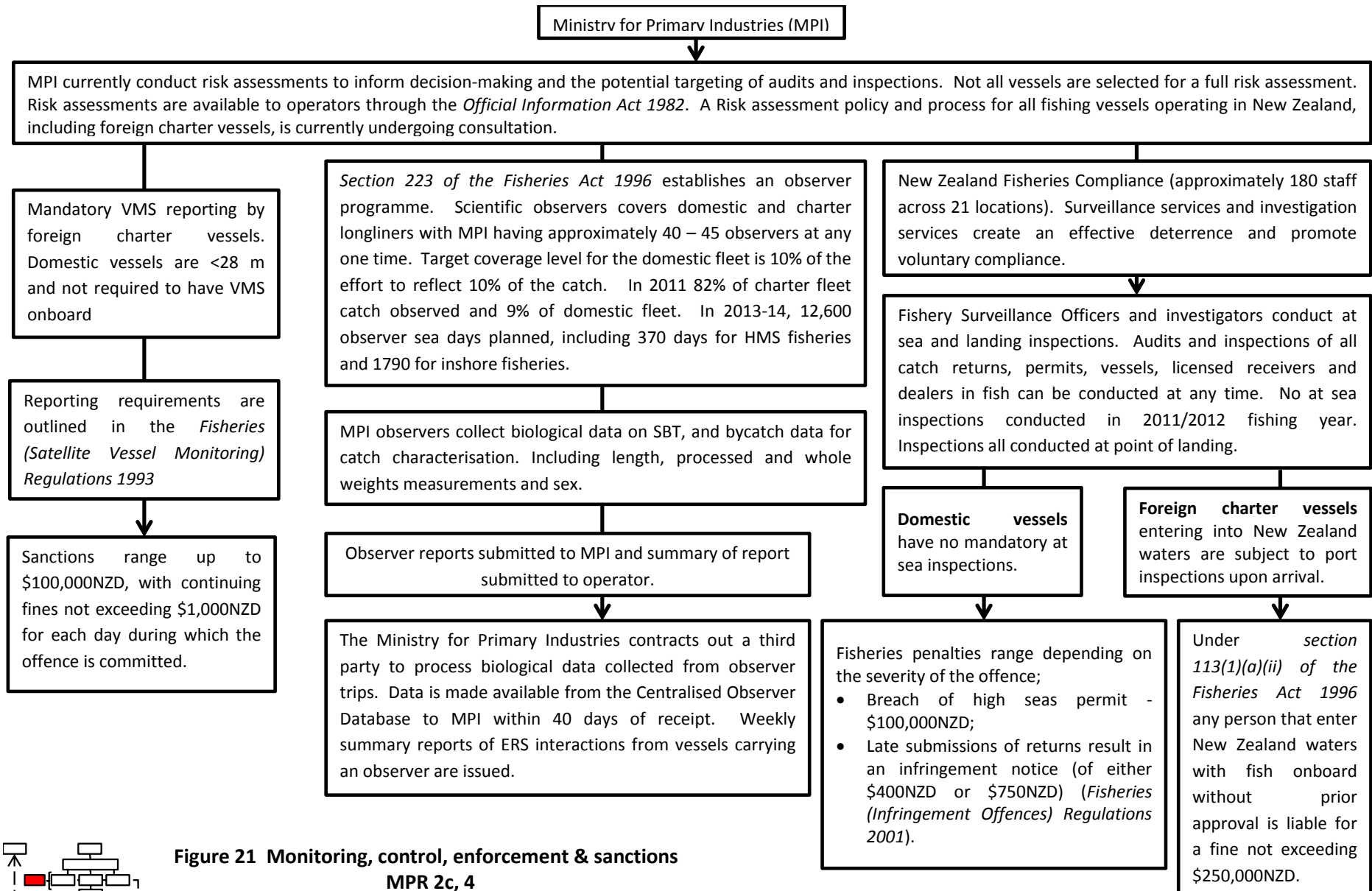


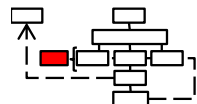
Figure 19 Commercial Landings  
MPR 2a(ii); 2a(iii); 2b



**Figure 20 Recreational and Customary Landings**  
MPR 2a(ii); 2a(iii); 2b



**Figure 21 Monitoring, control, enforcement & sanctions**  
MPR 2c, 4



## 6 Management System Effectiveness

New Zealand's SBT fisheries management systems have been shown to be effective in terms of the CCSBT minimum performance requirements outlined in Section 3. Utilising information provided by the member state during consultation as well as information provided by a review of the available documentation, an analysis of strengths, weaknesses, opportunities and threats (SWOT) has been conducted. The SWOT has been conducted to provide information on the strengths, weaknesses and risks (threats) associated with New Zealand's SBT fishery in Table 10, whilst the recommendations (opportunities) of the SWOT are displayed in Section 7.

Table 10a lists New Zealand's strengths as identified by the QAR. The key strengths identified by the QAR are;

- **Well established fisheries legislation;** New Zealand's SBT fishery is managed in accordance with the overarching fisheries legislation of the *Fisheries Act 1996*. In addition to the primary legislation New Zealand has clearly defined legislation associated with reporting requirements which include *Fisheries Commercial Fishing Regulations 2001*, *Fisheries Recordkeeping Regulations 1990* and *Fisheries (Reporting) Regulations 2001*.
- **Strong fisheries management regulatory system;** MPI have a well-established fisheries management system that operates in accordance with New Zealand's fisheries legislation. The allocation of quota and ACE are clearly defined processes as are the subsequent transfer of these. FishServe is an established service provider that undergoes ongoing performance monitoring (both internal and by MPI) to ensure standards are maintained.
- **Established mandatory reporting;** Mandatory commercial and recreational charter catch reporting is in place in accordance with CCSBT MPR requirements. New Zealand's reporting system is well established, with validation processes utilised in the process to ensure the accuracy of data.
- **Fisheries MCS of foreign charter vessels;** There was a high level of monitoring of foreign charter vessels with 100% observer coverage. The presence of foreign charter vessels has recently been reviewed. Since May 1 2016, all vessels fishing in New Zealand waters must be flagged to New Zealand.
- **Fishery sanctions;** An effective regulatory system is established within New Zealand's SBT fishery which provide a deterrent for misreporting, as deemed values and penalties are set significantly higher than the market price for ACE.

Table 10 shows that New Zealand's SBT fishery and associated management systems complied with CCSBT's MPRs, although the QAR has identified some weaknesses associated with the New Zealand management system. The key weaknesses identified by the QAR in Table 10b are;

- **Catch estimates for the SBT recreational and customary fisheries;** There are no catch estimates for the SBT sport and customary fisheries. While these catches may be negligible, more rigorous reporting and catch estimates from these sectors would increase confidence.
- **Lack of at-sea inspections;** there were no at-sea inspections during the 2014/15 fishing season, and no out of zone patrols conducted.
- **Monitoring of discards;** Historically New Zealand's observer coverage has met or exceeded the 10% required by CCSBT, relying predominantly on observer coverage of FCVs. Legislative changes mean observer coverage will now be met by domestic vessels which is a risk given the acknowledged difficulty achieving the required observer coverage for inshore vessels. The level of coverage onboard the domestic vessels combined with the fact there were no at-sea inspections means there cannot be certainty related to the frequency of high grading/discards occurring onboard the vessels when an observer is not present.

- **Port-side monitoring is relatively infrequent;** Compliance staff have a target of monitoring one unload from every vessel per year. However, this is not consistently met.

The weaknesses identified by the QAR have been used to determine potential risks associated with the New Zealand SBT fishery in Table 10b. The key risks identified by the QAR are;

- **Misidentification of SBT catches within the recreational fishery;** in the recreational fishery both for the registered charter vessels and unregistered fishers. Given the negligible amounts caught by the recreational charter fleet this is considered to be a low risk.
- **Misidentification of exports;** MPI recognised this as a potential risk for the SBT fishery, however note that the risk often manifests as a false positive where other species (e.g. northern Bluefin) are identified as being SBT<sup>33</sup>.
- **High grading/discarding;** given the high value of the species and the fact that recreational fishers cannot sell their catch, this is considered a negligible risk in the recreational fishery. Within the commercial fishery there is the potential for high grading/discarding, as highlighted in the 2015/16 AOP.
- **Inaccurate catch reporting by foreign charter vessels not unloading in New Zealand;** This was identified as a potential risk in Phase 1. However, all vessels must now be flagged to New Zealand.
- **Port-side monitoring is relatively infrequent;** Increasing the consistency with which vessels are monitored in port (i.e. in the first instance, meeting the one monitored unload per year target) and increasing the priority of port-side monitoring for unobserved vessels would contribute to addressing broad risks around potential non-compliance.

**Table 10 Strengths, weaknesses, opportunities and risks (threats) (SWOT) analysis conducted for New Zealand's systems determining compliancy to CCSBT Minimum Performance requirements (MPR's)**

**a) Strengths associated with New Zealand's SBT fishery and associated management in relation to CCSBT's MPRs**

Obligation	MPR	Strengths
1.1 (i)	1	<ul style="list-style-type: none"> <li>• Legal requirement that TAC be set in line with CCSBT AC;</li> <li>• Reported landings have been below CCSBT AC in the years examined by this review (2010-2013).</li> </ul>
	2a (i)	<ul style="list-style-type: none"> <li>• Well established regulatory system that regulates the allocation of quota, ACE;</li> <li>• Transfer and sale between quota holders of quota and ACE well regulated, with official documentation used;</li> <li>• Restricted ability for additional capacity to enter the fishery with vessels required to obtain SBT ACE to cover catches.</li> </ul>
	2a (ii)	<ul style="list-style-type: none"> <li>• Mandatory fisher recording of catch and effort on a set by set basis by commercial fishers.</li> <li>• Recreational charter operators are also required by law to record catch.</li> </ul>
	2a (iii)	<ul style="list-style-type: none"> <li>• New Zealand has no LSTLVs;</li> <li>• Mandatory monthly reporting by all parts of the supply chain within New Zealand, i.e. permit holders, licensed fish receivers and dealers in fish;</li> <li>• Mandatory monthly reporting for recreational charter vessels.</li> </ul>
	2b	<ul style="list-style-type: none"> <li>• Commercial retained and discarded catch mandatorily recorded in daily logbooks;</li> <li>• Recreational charter vessels are required to report all fishing mortality in vessel logbooks.</li> </ul>
	2c (i)	<ul style="list-style-type: none"> <li>• Observer coverage of domestic vessels was 9.9% of fishing effort in the 2013/14 fishery. For the same year, coverage of foreign charter vessels was 14.2% (From 1 May 2016, all vessels must be flagged to New Zealand).</li> </ul>
	2c (ii)	<ul style="list-style-type: none"> <li>• This MPR is not applicable to New Zealand</li> </ul>
	3	<ul style="list-style-type: none"> <li>• New Zealand is compliant with the requirements of this MPR.</li> </ul>
	4	<ul style="list-style-type: none"> <li>• Strong well defined sanctions in place with high deterrents through deemed values and penalty system;</li> <li>• Clear processes in place for monitoring compliance with annual catching arrangements;</li> <li>• Target of inspecting all domestic commercial vessels at least once a year.</li> </ul>
1.1 (iii)	1a	<ul style="list-style-type: none"> <li>• Carry forward has been established in fisheries legislation since the 2012/13 fishing year.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>• Monthly Harvest Returns are used to calculate total catch and any carry-forward, and the Executive Secretary notified of these within 60 days of the new CCSBT quota year</li> </ul>
2.3		<ul style="list-style-type: none"> <li>• This MPR is not applicable to New Zealand</li> </ul>
3.1 (i-v)	1a	<ul style="list-style-type: none"> <li>• Pre-season documentation provided to participants of the fishery outlining their reporting obligations. Biannual meetings held that provide opportunities to discuss changes to reporting obligations.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>• CDS reporting requirements outlined in pre-season documentation and engagement with the industry.</li> </ul>

	1c	<ul style="list-style-type: none"> <li>• Authorised validators required to undertake mandatory training to become recognised by MPI. Validator list maintained by MPI and updates provided to CCSBT.</li> </ul>
	1d	<ul style="list-style-type: none"> <li>• This MPR is not applicable as New Zealand does not farm SBT.</li> </ul>
	1e	<ul style="list-style-type: none"> <li>• New Zealand is compliant with the requirements of this MPR, with registries in place to keep a record of authorised validators.</li> </ul>
	2	<ul style="list-style-type: none"> <li>• No exemptions were noted by the review team</li> </ul>
	3	<ul style="list-style-type: none"> <li>• Uniquely numbered documentation is provided by suppliers that provide all MPI's mandatory domestic reporting logbooks.</li> </ul>
3.1 (vi)	1	<ul style="list-style-type: none"> <li>• This MPR is not applicable to New Zealand</li> </ul>
	2	<ul style="list-style-type: none"> <li>• This MPR is not applicable to New Zealand</li> </ul>
3.1 (vii–ix)	1-3	<ul style="list-style-type: none"> <li>• This MPR is not applicable to New Zealand</li> </ul>
3.1 (x-xii)	1(a) – 1(e)	<ul style="list-style-type: none"> <li>• New Zealand purchase tags through the CCSBT Secretariat.</li> <li>• Operating systems and processes are in place to issue CCSBT tags and ensure stakeholders are aware of their requirements.</li> </ul>
3.1 (xiii – xviii)	1 - 2	<ul style="list-style-type: none"> <li>• Tagging database maintained to identify the use of unauthorised tags and the presence of duplicate tag numbers.</li> <li>• Risk based compliance framework in place.</li> </ul>
3.1 (xix-xxi)	1a – 1f & 2	<ul style="list-style-type: none"> <li>• Electronic authorised validator lists are maintained by MPI with unique identifier numbers for each validator.</li> <li>• Validators must complete mandatory training before being recognised by MPI as a CCSBT authorised CDS validator.</li> </ul>
3.1 (xxii – xxv)	1a -1d & 2a – 2b	<ul style="list-style-type: none"> <li>• Operating systems and processes are in place to monitor compliance with legal instruments in place to allow sanctions to be imposed upon transgressions.</li> </ul>
3.1 (xxvi)	1	<ul style="list-style-type: none"> <li>• CCSBT requirements are met and records are stored in excess of CCSBT timeframes and in line with national requirements.</li> </ul>
3.1 (xxvii-xxviii)	1 - 2	<ul style="list-style-type: none"> <li>• Established processes for reporting CDS documents to CCSBT.</li> </ul>
3.1 (xxix – xxxi)	1, 2a – 2f & 3	<ul style="list-style-type: none"> <li>• Risk-based compliance monitoring in place</li> </ul>
3.3 (i-v)	1a	<ul style="list-style-type: none"> <li>• This obligation and its associated MPRs is not applicable to New Zealand</li> </ul>
6.5	1	<ul style="list-style-type: none"> <li>• Established reporting processes, with no incidences reported of New Zealand not providing the required information within the specified timeframes.</li> </ul>
	2	<ul style="list-style-type: none"> <li>• This MPR is not applicable to New Zealand</li> </ul>



**b) Weaknesses associated with New Zealand's SBT fishery and associated management in relation to CCSBT's MPRs**

Obligation	MPR	Weaknesses
1.1 (i)	1	<ul style="list-style-type: none"> <li>Reported catch has been below New Zealand's CCSBT AC however recreational and customary catch have not been empirically estimated and are managed through a set-aside provision.</li> </ul>
	2a (i)	<ul style="list-style-type: none"> <li>None specific to this MPR.</li> </ul>
	2a (ii)	<ul style="list-style-type: none"> <li>Observer coverage was 9.9% of the domestic fishery effort for 2013/14. This means that most fishery information is from fisher reporting which cannot be verified. It is noted that the foreign charter vessels had 100 % observer coverage. All vessels in the fishery must now be flagged to New Zealand.</li> <li>For the non-charter sector of the recreational fishery, and for any customary fishery that may exist, there is no reporting requirement.</li> </ul>
	2a (iii)	<ul style="list-style-type: none"> <li>There is no reporting requirement for the recreational and customary sectors (excluding recreational charter fishers).</li> </ul>
	2b	<ul style="list-style-type: none"> <li>No recent release estimates within the (non-charter) sport fishery and no catches of SBT from customary fishing on record;</li> <li>Discard weights and sizes measures are fisher-recorded in most incidences (and cannot be verified except where observers are present).</li> </ul>
	2c (i)	<ul style="list-style-type: none"> <li>No at-sea inspections from fishery authorities during 2014/15.</li> <li>Target of one monitored unload per vessel per year is not consistently met.</li> </ul>
	2c (ii)	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
	3	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	4	<ul style="list-style-type: none"> <li>No at-sea inspections from fishery authorities during 2013/14;</li> <li>Target of one monitored unload per vessel per year is not consistently met</li> <li>No cross-checking of observer records of tags attached to SBT at sea with records contained in CTFs</li> </ul>
1.1 (iii)	1a	<ul style="list-style-type: none"> <li>None identified as specific to this MPR .</li> </ul>
	1b	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
2.3		<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand</li> </ul>
3.1 (i-v)	1a – 1e	<ul style="list-style-type: none"> <li>None identified as specific to this MPR as MPI has mandatory reporting timeframes in which catch estimates and logbooks must be returned.</li> </ul>
	2	<ul style="list-style-type: none"> <li>None identified as specific to this MPR, with no specific exemptions identified to the CDS documentation.</li> </ul>
	3	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (vi)	1	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand..</li> </ul>
	2	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
3.1 (vii–ix)	1-3	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
3.1 (x-xii)	1(a) – 1(e)	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (xiii – xviii)	1 - 2	<ul style="list-style-type: none"> <li>246 duplicate tags identified in 2014.</li> </ul>
3.1 (xix-xxi)	1a – 1f & 2	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (xxii – xxv)	1a -1d & 2a –	<ul style="list-style-type: none"> <li>None specific to this MPR with no incidences of New Zealand authorities not providing the required information within the specified timeframes.</li> </ul>

	2b	
3.1 (xxvi)	1	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (xxvii-xxviii)	1 - 2	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (xxix – xxxi)	1, 2a – 2f & 3	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.3 (i-v)	1a	<ul style="list-style-type: none"> <li>This obligation and its associated MPRs is not applicable to New Zealand.</li> </ul>
6.5	1	<ul style="list-style-type: none"> <li>None specific to this MPR with no incidences of New Zealand authorities not providing the required information within the specified timeframes.</li> </ul>
	2	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>

**c) Risks associated with New Zealand’s SBT fishery and associated management in relation to CCSBT’s MPRs**

Obligation	MPR	Risks (Threats)
1.1 (i)	1	<ul style="list-style-type: none"> <li>The New Zealand fishing season does not match the accounting period used by CCSBT; however, this does not appear to cause any difficulties. In season quota adjustments are applied where required.</li> <li>Recreational and customary catch is provided for using a set-aside within New Zealand’s allocation. Estimates of catch from these two sectors would build confidence that this set-side is not exceeded.</li> </ul>
	2a (i)	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	2a (ii)	<ul style="list-style-type: none"> <li>There is potential for under-reporting of discards by commercial vessels without observers onboard. This is exacerbated by the lack of at-sea inspections.</li> </ul>
	2a (iii)	<ul style="list-style-type: none"> <li>There is a low risk of non-approved validators being involved, however this is negated by industry training and the deterrent for falsifying documents given the high penalties associated with this.</li> </ul>
	2b	<ul style="list-style-type: none"> <li>Potential for under-reporting of discards by vessels without an observer onboard. This is exacerbated by the lack of at-sea inspections, although the Member noted that a provision is made with the TAC for any such discards so risk of exceeding country allocation remains low.</li> <li>There are no estimates for SBT fishing-related mortality for the (non-charter) recreational and customary fisheries, creating the risk of underestimating the effects of these sectors. Based on what is known about catch in these sectors, this risk is low.</li> </ul>
	2c (i)	<ul style="list-style-type: none"> <li>Inaccurate and/or incomplete catch reporting;</li> <li>Potential for high grading/discarding by vessels when observers are not onboard. The level of risk is exacerbated by the lack of at-sea inspections.</li> </ul>
	2c (ii)	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
	3	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	4	<ul style="list-style-type: none"> <li>Misidentification of exports (manifested as false positives in known instances) and therefore of minimal risk to the regime;</li> <li>Potential for non-compliance as a result of a lack of at-sea inspections and low levels of port-side monitoring.</li> </ul>
1.1 (iii)	1a	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
2.3		<ul style="list-style-type: none"> <li>Not applicable to New Zealand.</li> </ul>
3.1 (i-v)	1a – 1e	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	2	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	3	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (vi)	1	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
	2	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
3.1 (vii–ix)	1-3	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
3.1 (x-xii)	1(a) – 1(e)	<ul style="list-style-type: none"> <li>Potential for non-compliance as a result of a lack of at-sea inspections and low levels of port-side monitoring. However, this risk is negated by industry training and the active role of LFRs being able to tag fish as fish arrive at their premises if required.</li> </ul>

3.1 (xiii – xviii)	1 - 2	<ul style="list-style-type: none"> <li>Systems used for recording CDS documentation are not integrated and make it difficult for MPI to identify and address duplicate tag issues in a timely manner.</li> </ul>
3.1 (xix – xxi)	1a – 1f & 2	<ul style="list-style-type: none"> <li>No monitoring or refresher training conducted on validators. There is a low risk of errors appearing in the process as a result of a lack of update changes reflecting changes to CDS requirements.</li> </ul>
3.1 (xxii – xxv)	1a -1d & 2a – 2b	<ul style="list-style-type: none"> <li>There is a low risk of non-approved validators being involved, however this is negated by industry training and the deterrent for falsifying documents given the high penalties associated with this.</li> </ul>
3.1 (xxvi)	1	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (xxvii – xxviii)	1 - 2	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (xxix – xxxi)	1, 2a – 2f & 3	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.3 (i-v)	1a	<ul style="list-style-type: none"> <li>This obligation and its associated MPRs is not applicable to New Zealand.</li> </ul>
6.5	1	<ul style="list-style-type: none"> <li>None specific to this MPR.</li> </ul>
	2	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>

## 7 Recommendations for Improvement

Based on the SWOT analysis and review of the effectiveness of management systems against the CCSBT minimum performance requirements, the review team has provided recommendations for improvement of New Zealand's fishery management systems (Table 11). The key recommendations proposed by the QAR are;

- **Increased observer coverage and at-sea inspections of all vessels to reduce the potential risk of high grading/discarding (while noting that current levels of coverage meet CCSBT requirements)**
- **Increased port-side monitoring especially for non-observed vessels**
- **Conducting quantitative estimation of (non-charter) recreational and customary catch, or implementing catch reporting from these sectors**
- **CDS database integration – specifically addressing CMF and CTF cross validation and timely identification of CTF duplicate numbers**

**Table 11 Recommendations (opportunities) identified by the strengths, weaknesses, opportunities and threats (SWOT) analysis conducted for New Zealand's systems determining compliance with CCSBT Minimum Performance requirements (MPRs)**

Obligation	MPR	Recommendations
1.1 (i)	1	<ul style="list-style-type: none"> <li>• Improve knowledge of levels of recreational and customary catch (to increase confidence that set-asides to account for these sectors are at appropriate levels), e.g., through conducting quantitative estimation or implementing mandatory catch reporting in these sectors.</li> </ul>
	2a (i)	<ul style="list-style-type: none"> <li>• None identified as specific to this MPR.</li> </ul>
	2a (ii)	<ul style="list-style-type: none"> <li>• Move to electronic reporting system to increase efficiency and remove potential delays of data submissions that are posted;</li> <li>• Increased observer coverage and at-sea inspections of domestic vessels would reduce the risk of high grading/discarding.</li> <li>• Extend reporting in place to include (all) recreational and customary catches.</li> </ul>
	2a (iii)	<ul style="list-style-type: none"> <li>• Extend reporting in place to include (all) recreational and customary catches.</li> </ul>
	2b	<ul style="list-style-type: none"> <li>• Increased monitoring of commercial vessels to strengthen verification of fisher-reported information (while noting that the 10% requirement for coverage was exceeded for 2014/15).</li> </ul>
	2c (i)	<ul style="list-style-type: none"> <li>• Increased observer coverage and at-sea inspections to reduce the potential risk of high grading/discarding of SBT at sea.</li> <li>• Increase levels and consistency of port-side monitoring (currently targeted at one per vessel per year, but not consistently implemented)</li> </ul>
	2c(ii)	<ul style="list-style-type: none"> <li>• N/A New Zealand does not farm SBT.</li> </ul>
	3	<ul style="list-style-type: none"> <li>• None identified as specific to this MPR.</li> </ul>
	4	<ul style="list-style-type: none"> <li>• Increase levels and consistency of port-side monitoring (currently targeted at one per vessel per year, but not consistently implemented)</li> </ul>
1.1 (iii)	1a	<ul style="list-style-type: none"> <li>• None identified as specific to this MPR.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>• None identified as specific to this MPR.</li> </ul>
2.3		<ul style="list-style-type: none"> <li>• This MPR is not applicable to New Zealand.</li> </ul>
3.1 (i-v)	1a – 1e	<ul style="list-style-type: none"> <li>• None identified as specific to this MPR.</li> </ul>

	1b	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	2	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	3	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
3.1 (vi)	1	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
	2	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
3.1 (vii–ix)	1-3	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>
3.1 (x-xii)	1(a) – 1 (e)	<ul style="list-style-type: none"> <li>Potential for non-compliance as a result of a lack of at-sea inspections and low levels of port-side monitoring. However, this risk is negated by industry training and the active role of LFRs being able to tag fish as fish arrive at their premises if required.</li> </ul>
3.1 (xiii – xviii)	1 - 2	<ul style="list-style-type: none"> <li>Move to electronic reporting system to increase efficiency and remove potential delays of data submissions that are posted;</li> <li>Increased integration of CDS documentation databases to enable to increase efficiency and remove potential delays in identifying duplicate tags.</li> </ul>
3.1 (xix-xxi)	1a – 1f & 2	<ul style="list-style-type: none"> <li>The standard of third party validators should be monitored systematically over time, with retraining required where issues are identified.</li> </ul>
3.1 (xxii – xxv)	1a – 1b & 2a – 2b	<ul style="list-style-type: none"> <li>Increased integration of CDS documentation databases to enable to increase efficiency and remove potential delays in identifying duplicate tags.</li> </ul>
3.1 (xxvi)	1	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (xxvii-xxviii)	1 - 2	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.1 (xxix – xxxi)	1, 2a – 2f & 3	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
3.3 (i-v)	1a	<ul style="list-style-type: none"> <li>This obligation and its associated MPRs is not applicable to New Zealand.</li> </ul>
6.5	1	<ul style="list-style-type: none"> <li>None identified as specific to this MPR.</li> </ul>
	2	<ul style="list-style-type: none"> <li>This MPR is not applicable to New Zealand.</li> </ul>

## 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 New Zealand during Phase 1 was inconsistent with the information sighted/provided during the Phase 2 site visit. Table 12 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.

During the Phase 1 audit New Zealand provided comprehensive information and a variety of documents that outlined the SBT fishery. Observations from Phase 2 of the QAR supported the key points identified during Phase 1. However, the Phase 2 visit was valuable to gain a more detailed understanding of the workings of systems and processes documented in Phase 1. In particular, data management processes and staff roles and responsibilities were clarified in detail.

Table 12 GAP analysis of information obtained during phase 1 and the information sighted/provided during the phase 2 site visit.

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
1.1 (i)	1	<ul style="list-style-type: none"> <li>New Zealand fishing year is October 1<sup>st</sup> – 30<sup>th</sup> September;</li> <li>Catch in the New Zealand SBT fishery is limited by the application of a national Total Allowable Catch (TAC), which is set in line with the CCSBT Allocated Catch (AC).</li> <li>Recreational catch is not fully quantified but is recognised using an annual catch allocation.</li> <li>Customary catch is unknown but considered unlikely to be significant but is also recognised using an annual catch allocation.</li> </ul>	<ul style="list-style-type: none"> <li>MPI databases were shown to the review team highlighting the systems and processes used to record and monitor SBT quota.</li> <li>The reporting system used for quota reports was shown.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Additional information was provided in the Phase 2 site visit providing a comprehensive demonstration of the systems used.</li> <li>Information observed during Phase 2 was consistent with Phase 1 information.</li> </ul>
	2a (i)	<ul style="list-style-type: none"> <li>Allocation is by quota holder;</li> <li>FishServe maintain the vessel and fishing permit registries;</li> <li>FishServe are contracted by MPI to maintain registries of commercial quota and ACE owners;</li> <li>FishServe perform the administrative tasks for quota and ACE transfers;</li> <li>There are no specific allocations for recreational or customary catch but these are recognised using a portion of the Member's allocated catch.</li> </ul>	<ul style="list-style-type: none"> <li>Review team was shown the database systems used to monitor quota.</li> <li>Review team were shown how the process works</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>



Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
	2a (ii)	<ul style="list-style-type: none"> <li>All New Zealand longline vessels targeting tunas and swordfish (i.e. including SBT) are required by law to complete a tuna longline catch effort return detailing the date, time, location of each set and an estimate of weight caught.</li> <li>Reporting may be done on paper forms or electronically. While electronic catch reporting is available, it has not been picked up by SBT fishers;</li> <li>Recreational charter vessel operators are required to record SBT catches in Amateur Charter Vessel Activity and Catch returns (ACV-ACR).</li> </ul>	<ul style="list-style-type: none"> <li>Review team was shown completed examples of reporting logbooks and data validation processes</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
	2a (iii)	<ul style="list-style-type: none"> <li>Monthly reporting of catches is submitted by vessels, permit holders and licensed fish receivers. All reports have to be submitted to FishServe no later than 15 days after the last day of that calendar month.</li> <li>Recreational charter vessel operators required to submit Amateur Charter Vessel Activity and Catch returns (ACV-ACR) forms by the 15<sup>th</sup> of the following month to FINNZ.</li> </ul>	<ul style="list-style-type: none"> <li>Review team was shown completed examples of reporting logbooks and data validation processes.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
	2b	<ul style="list-style-type: none"> <li>Commercial retained catch and discard mortality is estimated in mandatory daily logbooks</li> </ul>	<ul style="list-style-type: none"> <li>Review team was shown completed examples of reporting logbooks and data validation processes</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
		<ul style="list-style-type: none"> <li>• SBT bycatch in other fisheries, e.g. in midwater trawl fisheries SBT is recorded as non-target catch;</li> <li>• Chartered recreational fishery catches are recorded in the ACV-ACR form;</li> <li>• No estimates for SBT fishing-related mortality for the (non-charter) recreational and customary fisheries.</li> </ul>			during Phase 1.
	2c	<ul style="list-style-type: none"> <li>• Target of 10 % of fishing effort covered by the national observer programme for domestic vessels</li> <li>• No at-sea inspections have been conducted</li> <li>• MPI have a compliance strategy which identifies and prioritises key compliance risk areas associated with highly migratory species (HMS) fisheries.</li> </ul>	<ul style="list-style-type: none"> <li>• Review team discussed rationale for compliance activities with fisheries management, observer and compliance staff.</li> </ul>	<ul style="list-style-type: none"> <li>• Yes: references relating to observer planning and effort.</li> </ul>	<ul style="list-style-type: none"> <li>• Observations in Phase 2 supported those in Phase 1 and highlighted areas for strengthening the regime (specifically monitoring of unloads and at-sea inspections)</li> </ul>
	3	<ul style="list-style-type: none"> <li>• Requirement is met for submission of annual reports detailing both documented and assumed fishing-related SBT mortality.</li> </ul>	<ul style="list-style-type: none"> <li>• Reporting templates and the data sources were shown to the review team with the reporting process run through.</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<ul style="list-style-type: none"> <li>• Observations in phase 2 were consistent with the information obtained during phase 1.</li> </ul>
	4	<ul style="list-style-type: none"> <li>• A compliance risk assessment program is used to identify potential areas under which compliance may be at risk.</li> </ul>	<ul style="list-style-type: none"> <li>• Review team discussed compliance activities with fisheries management, observer and compliance staff.</li> </ul>	<ul style="list-style-type: none"> <li>• No, however staff described the approaches used.</li> </ul>	<ul style="list-style-type: none"> <li>• Observations in Phase 2 were consistent with the information obtained during Phase 1 and highlighted new developments.</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
1.1 (iii)	1a – 1b	<ul style="list-style-type: none"> <li>Carry-forward provisions came into force at the start of the 2012/13 fishing year;</li> <li>MPI envisage carry-forward provisions will further reduce the risk of individuals exceeding their annual catch entitlements;</li> <li>Proposed changes in line with FishServe current responsibilities and practices.</li> </ul>	<ul style="list-style-type: none"> <li>The review team was shown the system that would be used to calculate carry forwards.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations highlighted that systems exist to manage carry forward calculation and therefore implement this measure effectively.</li> </ul>
2.3		<ul style="list-style-type: none"> <li>Not applicable to New Zealand</li> </ul>			
3.1 (i-v)	1a	<ul style="list-style-type: none"> <li>MPI ensures that all participants within the SBT fishery are aware of their CCSBT obligations.</li> <li>Instructions on CCSBT obligations and CDS requirements are issued in accordance with section 190 of the Fisheries Act.</li> </ul>	<ul style="list-style-type: none"> <li>Examples of the engagement processes with participants of the SBT fishery were demonstrated to the review team.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
	1b	<ul style="list-style-type: none"> <li>CDS introduced in 2010</li> <li>No domestic sale, export or import can be accepted without verified CCSBT CDS documentation.</li> </ul>	<ul style="list-style-type: none"> <li>An example of the CDS documentation required by New Zealand to accompany SBT was shown to the review team.</li> <li>The review team was shown examples of the documentation maintained by companies during the industry site visit.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
	1c	<ul style="list-style-type: none"> <li>See MPR 3.1 (i-v) 1a</li> </ul>	<ul style="list-style-type: none"> <li>See MPR 3.1 (i-v) 1a</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
	1d	<ul style="list-style-type: none"> <li>Not applicable to New Zealand</li> </ul>			
	1e	<ul style="list-style-type: none"> <li>New Zealand monitors compliance with the CCSBT CDS as part of generic compliance activities.</li> </ul>	<ul style="list-style-type: none"> <li>The review team observed the documentation highlighting the compliance priorities.</li> <li>Information on the compliance database tools and risk based frameworks were provided but were not sighted.</li> <li>No observations or information provided during the site visit contradicted the information provided within Phase 1 of the QAR.</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Observations and information provided during the Phase 2 site visit were consistent with the information obtained during Phase 1.</li> </ul>
	2	<ul style="list-style-type: none"> <li>During Phase 1 there were no specific exemptions identified to the CDS documentation.</li> </ul>	<ul style="list-style-type: none"> <li>During Phase 2 there were no specific exemptions identified to the CDS documentation.</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>During both phases no specific exemptions related to the CDS documentation requirements were identified.</li> </ul>
	3	<ul style="list-style-type: none"> <li>CDS documentation printed by established provider. Documentation is pre-printed with unique numbers.</li> </ul>	<ul style="list-style-type: none"> <li>Review team was shown the domestic and CDS reporting pre-printed books used.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
3.1 (vi)	1	<ul style="list-style-type: none"> <li>Not applicable to New Zealand</li> </ul>			
	2	<ul style="list-style-type: none"> <li>MPI maintains lists of authorised vessels authorised to catch SBT. This information is maintained and updates</li> </ul>	<ul style="list-style-type: none"> <li>Review team was shown the authorised lists maintained.</li> <li>Information on foreign vessels was</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
		<p>are provided to CCSBT.</p> <ul style="list-style-type: none"> <li>Landing of fish products is prohibited from foreign vessels without prior approval and there have been no incidences of SBT noted in recent years.</li> </ul>	<p>consistent with phase 1 report and additional information provided on updates to NZ legislation regarding foreign charter vessels.</p>		<p>information obtained during Phase 1.</p>
3.1 (vii-ix)	1-3	<ul style="list-style-type: none"> <li>Not applicable to New Zealand</li> </ul>			
3.1 (x-xii)	1(a)	<ul style="list-style-type: none"> <li>SBT tags are produced by a Japanese supplier and provided by CCSBT to New Zealand in line with the CDS Resolution.</li> <li>As the tags New Zealand uses are ordered through the Secretariat they can be considered to meet the minimum specifications as specified in Appendix 2 of the CDS Resolution.</li> </ul>	<ul style="list-style-type: none"> <li>Documentation provided during the site-visit emphasised the information provided to participants regarding CCSBT tagging requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
	1(b)	<ul style="list-style-type: none"> <li>MPI maintain a record of the distribution of SBT tags and reconcile the issued tags against CDS documentation.</li> </ul>	<ul style="list-style-type: none"> <li>The tagging systems used by MPI and FINNZ was shown to the review team demonstrating the reconciliation and recording of tag numbers.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
	1(c)	<ul style="list-style-type: none"> <li>New Zealand has established systems and processes to ensure tagging is conducted in accordance with CCSBT CDS documentation.</li> <li>However, in the 2014 calendar year there were 246 duplicate tags submitted in tagging data to CCSBT.</li> </ul>	<ul style="list-style-type: none"> <li>The tagging systems used by MPI and FINNZ was shown to the review team.</li> <li>Cross-checking and validation of the tag numbers used within SBT were demonstrated to the review team.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
	1(d)	<ul style="list-style-type: none"> <li>MPI has pre-season guides that are issued to participants in the fishery that provide the required information related to the requirements for tagging fish. This documentation specifies the required timeframes.</li> </ul>	<ul style="list-style-type: none"> <li>Documentation sighted in the Phase 2 site visit corresponded with information identified during Phase 1.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
	1(e)				
3.1 (xiii – xviii)	1	<ul style="list-style-type: none"> <li>MPI have operating systems and processes in place as required by the procedural and information standards required by CCSBT's CDS resolution.</li> </ul>	<ul style="list-style-type: none"> <li>Review team sighted the tagging systems used by MPI and FINNZ.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
	2	<ul style="list-style-type: none"> <li>MPI have operating systems and processes in place as required by the procedural and information standards required by CCSBT's CDS resolution.</li> </ul>	<ul style="list-style-type: none"> <li>At-sea inspection reports were not sighted.</li> <li>No observations or information provided during the site visit contradicted the information provided within Phase 1 of the QAR.</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
3.1 (xix-xxi)	1a – 1f & 2	<ul style="list-style-type: none"> <li>Authorised validator lists are maintained by MPI and provided to CCSBT. The authorised list is updated and amended as required and amendments sent to CCSBT as necessary</li> <li>Validators are required to complete a training programme before becoming authorised by MPI. The training provides details on the responsibilities as a CCSBT validator.</li> </ul>	<ul style="list-style-type: none"> <li>Letter provided to validators confirming responsibilities also sighted.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
3.1 (xxii – xxv)	1a – 1d &	<ul style="list-style-type: none"> <li>Operating systems and processes are in place to monitor compliance with</li> </ul>	<ul style="list-style-type: none"> <li>Review team were shown the systems and processes in place as</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were</li> </ul>

Obligation	MPR	Phase 1	Phase 2		
		Key points	Observations	Documents / Systems sighted	Summary
	2a – 2b	catching restrictions.	described in Phase 1.		consistent with the information obtained during Phase 1.
3.1 (xxvi)	1	<ul style="list-style-type: none"> <li>Hardcopy forms are stored and archived by MPI.</li> <li>Electronic systems are maintained and backed up in line with MPI's data management regulations.</li> </ul>	<ul style="list-style-type: none"> <li>No observations or information provided during the site visit contradicted the information provided within Phase 1 of the QAR.</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>Observations and information provided during the Phase 2 site visit were consistent with the information obtained during Phase 1.</li> </ul>
3.1 (xxvii-xxviii)	1	<ul style="list-style-type: none"> <li>New Zealand provides CCSBT CDS documents to CCSBT within the required timeframes (quarterly).</li> <li>New Zealand compiles and submits national documentation to CCSBT on a quarterly basis.</li> </ul>	<ul style="list-style-type: none"> <li>Review team were shown the reporting facilities to provide reports to CCSBT.</li> <li>No observations contradicted the information provided within Phase 1 of the QAR.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
3.1 (xxix – xxxi)	1, 2a – 2f & 3	<ul style="list-style-type: none"> <li>No SBT may be accepted for domestic sale, export or import without the verified CCSBT CDS documentation</li> <li>Operating systems and processes in place to maintain a list of authorised validators.</li> </ul>	<ul style="list-style-type: none"> <li>Review team were shown the systems and processes in place as described in Phase 1.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>
3.3 (i-v)	1a	<ul style="list-style-type: none"> <li>Not applicable to New Zealand</li> </ul>			
6.5	1	<ul style="list-style-type: none"> <li>New Zealand provide the required compliance committee information electronically to the Executive Secretary in accordance with the reporting requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Reporting processes were outlined and demonstrated to the review team.</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<ul style="list-style-type: none"> <li>Observations in Phase 2 were consistent with the information obtained during Phase 1.</li> </ul>

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

### **9.1 Additional Member Comment Attachment**

Members may wish to provide additional comments to the outcome of the review below.



## 10 Appendices

### 10.1 Appendix 1: Consultation Process

Organisation	Person	Action	Date
SAI Global	Dave Garforth	Introduction and Overview of the QAR	22/04/2013
Ministry for Primary Industries (MPI)	Dominic Vallieres,	Consultation arrangements	24/05/2013 – 11/06/2013
SAI Global	Dave Garforth and Oliver Wilson		
Ministry for Primary Industries (MPI)	Dominic Vallieres	Providing documentation prior to consultation	07/06/2013 – 11/06/2013
Ministry for Primary Industries (MPI)	Dominic Vallieres and Stephanie Hill	Consultation	12/06/2013 (10pm 11/06/2013 - BST)
SAI Global	Dave Garforth, Oliver Wilson and Sam Peacock		
Ministry for Primary Industries (MPI)	Dominic Vallieres	Providing additional documentation	12/06/2013 – 16/07/2013
SAI Global	Oliver Wilson	Additional information request	02/07/2013
SAI Global	Oliver Wilson	Additional information request	15/07/2013
Ministry for Primary Industries (MPI)	Dominic Vallieres and Amanda Walsh	Phase 2 site visit arrangements	March 2016 – April 2016
SAI Global	Giles Bartlett, Oliver Wilson and Johanna Pierre		
Ministry for Primary Industries (MPI)	Dominic Vallieres and Amanda Walsh	Phase 2 site visit	21/03/2016 – 02/05/2016
SAI Global	Oliver Wilson and Johanna Pierre		
SAI Global	Oliver Wilson and Johanna Pierre	Additional information request	21/03/2016 – 02/05/2016
Ministry for Primary Industries (MPI)	Dominic Vallieres and Amanda Walsh	Providing additional documentation	21/03/2016 – 02/05/2016

## 10.2 Appendix 2: Sources for fishery logbooks & other paperwork

Form	Source
Application to Register Transfer of quota shares	FishServe ( <a href="https://www.fishserve.co.nz/Media/Default/forms/Application%20to%20Register%20Transfer%20of%20quota%20shares.pdf">https://www.fishserve.co.nz/Media/Default/forms/Application%20to%20Register%20Transfer%20of%20quota%20shares.pdf</a> )
Application to Register Transfer of ACE	FishServe ( <a href="https://www.fishserve.co.nz/Media/Default/forms/Application%20to%20Register%20Transfer%20of%20ACE.pdf">https://www.fishserve.co.nz/Media/Default/forms/Application%20to%20Register%20Transfer%20of%20ACE.pdf</a> )
Warehou Database Documentation Catch Effort Base Views and Fields	MPI ( <a href="http://www.fish.govt.nz/NR/rdonlyres/53499660-15B3-42A2-92BE-71379A6DE63A/0/Warehou_Database_Documentation_V9.pdf">http://www.fish.govt.nz/NR/rdonlyres/53499660-15B3-42A2-92BE-71379A6DE63A/0/Warehou_Database_Documentation_V9.pdf</a> )
Tuna longlining catch, effort return	Fisheries (Reporting) Regulations 2001 ( <a href="http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62947.html">http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62947.html</a> )
Non-fish/protected species catch return	Fisheries (Reporting) Regulations 2001 ( <a href="http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM1650383.html">http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM1650383.html</a> )
Catch effort landing return	Fisheries (Reporting) Regulations 2001 ( <a href="http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62925.html">http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62925.html</a> )
Catch landing return	Fisheries (Reporting) Regulations 2001 <a href="http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62930.html">http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62930.html</a>
Monthly harvest return	Fisheries (Reporting) Regulations 2001 ( <a href="http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62932.html">http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62932.html</a> )
Licensed fish receiver return	Fisheries (Reporting) Regulations 2001 ( <a href="http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62958.html">http://legislation.govt.nz/regulation/public/2001/0188/latest/DLM62958.html</a> )
Amateur Charter Vessel Activity Catch Return	MPI ( <a href="https://www.mpi.govt.nz/travel-and-recreation/fishing/charter-fishing-vessel-operators/">https://www.mpi.govt.nz/travel-and-recreation/fishing/charter-fishing-vessel-operators/</a> )