

Ministry for Primary Industries
Manatū Ahu Matua



Southern Bluefin Tuna Fisheries

New Zealand Country Report

**Paper presented to the 11th Meeting of the
Compliance Committee**

2016

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I. Summary of MCS Improvements

(1) Improvements achieved in the current fishing season

New Zealand is drafting specific regulations to better enforce the requirements of the CDS which are currently administered using a directive from the Ministry for Primary Industries. The changes should allow enhanced enforceability and greater awareness amongst the wider fishing industry.

(2) Future planned improvements

MPI is in the planning stages for the phased implementation of an integrated system of electronic monitoring and reporting in its commercial fishing fleet.

(3) Implementation of the common CCSBT definition for the “Attributable SBT Catch”

New Zealand currently attributes commercial catch, recreational catch, customary catch, and other sources of mortality to its national allocation. This longstanding approach is in line with the recent decisions of the Commission made in relation to the common definition of attributable catch.

II. SBT Fishing and MCS Arrangements

(1) Fishing for Southern Bluefin Tuna

(a) Specify the number of vessels that caught SBT in each sector (e.g. authorised commercial longline, authorised commercial purse seine, authorised commercial charter fleet, authorised domestic fleet) during the previous 3 fishing seasons.

Fishing Season <i>(e.g. 2011/12)</i>	Authorised commercial - domestic	Authorised commercial - charter	Recreational charter vessel
	Number of vessels	Number of vessels	Number of vessels
2014/15	26	4	2
2013/14	34	4	0
2012/13	51	4	4

(b) Specify the historic national SBT allocation, together with any carry-forward of unfished allocation and the total SBT catch counted against the national allocation (Attributable Catch) during the 3 previous fishing seasons. All figures should be provided in tonnes. Some CCSBT Members use slightly different definitions for the catch that is counted against the allocation, so in the space below the table, clearly define the catch that has been counted against the national allocation:-

Fishing Season <i>(e.g. 2011/12)</i>	National SBT allocation (t) <i>(excluding carry-forward)</i>	Unfished allocation carried forward to this fishing season (t)	SBT catch counted against the national allocation (t) ¹					
			Commercial Catch		Recreational and Customary		Other Sources of Mortality	
			Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation	Domestic allocation	Actual Catch Against Allocation
2014/15	1000	69	1,040	923.1	9	0.73	20	4.7
2013/14	910	58	944	825	9	0.08	15	2.4
2012/13	830	Nil	817	758.2	9	0.55	4	0.25

¹ The figures provide below in relation to recreational catch, customary catch and other sources of mortality include estimates based on available data however New Zealand applies the full allocation for those sectors when calculating any potential carry-forward from its national allocation.

(c) Describe the system used for controlling the level of SBT catch. For ITQ and IQ systems, this should include details on how the catch was allocated to individual companies and/or vessels. For competitive catch systems this should include details of the process for authorising vessels to catch SBT and how the fishery was monitored for determining when to close the fishery. The description provided here should include any operational constraints on effort (both regulatory and voluntary):-

The commercial fishing of SBT is managed under the New Zealand Quota Management System (QMS) in which fishers have a tradable property right in the stock represented as quota. The value of a quota share is a proportion of the Total Allowable Commercial Catch (TACC). New Zealand’s CCSBT SBT allocation is used as the basis for setting the Total Allowable Catch (TAC) under the QMS.

The TAC is the total quantity of SBT that can be taken by commercial, customary Maori, and recreational fishers, along with an estimate of other sources of fishing-related mortality. After making allowances for customary Maori interests, recreational fishery interests, and other sources of fishing-related mortality, the remainder of the catch limit is available for commercial exploitation with the setting of an annual TACC.

(d) Provide details of the methods used to monitor catching in the fishery by completing the table below. Details should also be provided of monitoring conducted of fishing vessels when steaming away from the fishing grounds (this does not include towing vessels that are reported in Section 2).

Monitoring Methods	Description
Daily log book	<p>Specify:</p> <p>i. Whether this was mandatory. If not, specify the % of SBT fishing that was covered:-</p> <p>All operators of fishing vessels must complete reporting forms for each day where fishing takes place. Tuna longlining vessels must record information for each set and do so immediately following the end of the set on Tuna Longline Catch Effort Returns.</p> <p>ii. The level of detail recorded (shot by shot, daily aggregate etc):-</p> <p>Each tuna longlining reporting form records information on individual sets.</p> <p>iii. Whether the effort and catch information collected complied with that specified in the “Characterisation of the SBT Catch” section of the CCSBT Scientific Research Plan (Attachment D of the SC5 report), including both retained and discarded catch. If not, describe the non-compliance:-</p> <p>The effort and catch information collected complies with that specified in the “Characterisation of the SBT Catch” section of the CCSBT Scientific Research Plan noting that length, sex, otoliths, and other biological information is primarily collected by Ministry for Primary Industries observers. Both retained and discarded catch must be recorded.</p> <p>iv. What information on ERS was recorded in logbooks:-</p> <p>Information on interactions with non-fish and protected species is recorded for each trip. Information collected includes the date and time of incident, species involved, and health of the animal (i.e. uninjured, injured or dead). For fish bycatch this information is reported on the logbook form (Tuna Longline Catch Effort Return) including both retained and released or discarded catches. Non-fish bycatch (e.g. seabirds, sea turtles) and protected species are reported on separate Non-fish and Protected Species Returns.</p>

v. Who were the log books submitted to²:-

Information is submitted to the New Zealand Ministry for Primary Industries via a contracted third party.

vi. What was the timeframe and method³ for submission:-

Returns must be submitted by the 15th of the month following the end of the fishing trip and are currently submitted by post. The Ministry for Primary Industries has developed an electronic data transmission system that now allows tuna longliners to submit their returns electronically. Operators can still report manually and to date none have made the change to the electronic system.

vii. The type of checking and verification that was routinely conducted for this information:-

Submitted returns are put through an initial validation test that screens each form for potential errors. Further clarification is often sought from fishers when possible errors are identified at this early stage.

Verification of returns is carried out through analysis of data within and across different return types by the Ministry for Primary Industries to identify any discrepancies. For example, information submitted by fishers is compared with that from fish receivers. Returns are always verified for completeness and accuracy during any form of inspection by Ministry for Primary Industries officials at all stages of the supply chain from catch to market.

viii. Reference to applicable legislation and penalties:-

There is a range of offences, with penalties set by Government policy based on the seriousness of the reported offending.

Penalties for late submissions of returns are often dealt with at an administrative levels through the issuing of an infringement notice (of either \$400NZD or \$750NZD depending on the lateness) – Fisheries (Infringement Offences) Regulations 2001.

Anyone failing to provide a return within one month of its due date or failing to meet the completion requirements at the end of each set is liable for a fine not exceeding \$100,000NZD on summary conviction – Fisheries (Reporting) Regulations 2001.

The most serious offences where an individual knowingly makes any false or misleading statement (including in a submitted return) in order to obtain a benefit are dealt with using the Fisheries Act 1996 and can lead to imprisonment (not exceeding 5 years) and/or a fine not exceeding \$250,000NZD and could include forfeiture of property including gear, vessels and quota. For foreign nationals, as imprisonment is not an available penalty under international law, the fine for serious offending including deliberate misreporting of any information is a fine not exceeding \$500,000NZD.

² If the reports are not to be submitted to the Member's or CNM's government fisheries authority, then also specify whether the information will later be sent to the fisheries authority, including how and when that occurs.

³ In particular, whether the information is submitted electronically from the vessel.

<p>Additional reporting methods (such as real time monitoring programs)</p>	<p>Amateur Charter Vessel Reporting Specify: i. Whether this is mandatory. If not, specify the % of SBT fishing to be covered:- Mandatory Amateur Charter Vessel Reporting was phased in regionally; coverage started on 1 November 2010 in selected regions including the area in which the main recreational game fishery for SBT is based. The full roll-out is now complete with all regions reporting SBT as of 1 October 2012. Voluntary reporting on recreational tagging activities continues to occur across the wider recreational fishery (e.g. provision of tag release information).</p> <p>ii. The information that will be recorded (including whether it relates to SBT or ERS):- Each operator must record their target species, fishing method, number of people actively fishing, the latitude and longitude of the activity, and the time spent fishing for each fishing trip. For SBT, they also have to record the number caught, the number retained and the best estimate of weight in kilograms of each fish caught.</p> <p>iii. Who the reports will be submitted to and by whom (e.g. Vessel Master, the Fishing Company etc):- The vessel operator will submit returns to the Ministry for Primary Industries via a third party contractor.</p> <p>iv. What is the timeframe and method for submission:- Each month's fishing trips must be submitted (by mail) by sending in the catch reporting form by the 15th of the following month.</p> <p>v. The type of checking and verification that will routinely be conducted for this information:- Validation of information will occur for each form. Verification audits will be carried out of any discrepancies that may be found between reported information and information collected during fishery officer inspections.</p> <p>vi. Reference to applicable legislation and penalties:- From 1 November 2010, the Fisheries (Amateur Fishing) Regulations 1986 (s26A, 26B) and the Fisheries (Amateur Charter Fishing Reporting) Notice 2010 were enacted. The legislation includes infringements and summary proceeding penalties for various offences relating to failure to be registered as an amateur charter operator, and failure to report catch in a manner consistent with the regulations following amateur charter fishing.</p> <p>vii. Other relevant information:- Other reporting methods—see below for description of reporting requirements for licensed fish receivers</p>																																		
<p>Scientific Observers</p>	<p>Specify: i. The percentage of the SBT catch and effort observed and the total number of days that observers were actually deployed for in the three previous seasons for each sector (e.g. longline, purse seine, commercial charter fleet, domestic fleet). The unit of effort should be hooks, sets and tows for longline, purse seine and towing respectively:-</p> <table border="1" data-bbox="574 1619 1232 1818"> <thead> <tr> <th rowspan="2">Fishing Season (e.g. 2011/12)</th> <th colspan="3">Commercial Charter</th> <th colspan="3">Commercial Domestic</th> </tr> <tr> <th>% effort obs.</th> <th>% catch obs.</th> <th>Obs. days deployed</th> <th>% effort obs.</th> <th>% catch obs.</th> <th>Obs. days deployed</th> </tr> </thead> <tbody> <tr> <td>2014/15</td> <td>80.8</td> <td>79.0</td> <td>222</td> <td>6.9</td> <td>11.2</td> <td>241</td> </tr> <tr> <td>2013/14</td> <td>83.5</td> <td>78.8</td> <td>228</td> <td>14.2</td> <td>9.9</td> <td>399</td> </tr> <tr> <td>2012/13</td> <td>78.0</td> <td>84.0</td> <td>180</td> <td>4.0</td> <td>5.0</td> <td>259</td> </tr> </tbody> </table>	Fishing Season (e.g. 2011/12)	Commercial Charter			Commercial Domestic			% effort obs.	% catch obs.	Obs. days deployed	% effort obs.	% catch obs.	Obs. days deployed	2014/15	80.8	79.0	222	6.9	11.2	241	2013/14	83.5	78.8	228	14.2	9.9	399	2012/13	78.0	84.0	180	4.0	5.0	259
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	<p>ii. The system used for comparisons between observer data and other catch monitoring data in order to verify the catch data:-</p> <p>Discrepancy analysis between observer data and information reported by commercial fishers is currently done on a case by case basis when necessary. Ministry for Primary Industries fisheries officers also, as required, conduct briefings of observers prior to trips and/or debriefs after trips are completed as required in accord with priorities and/or risks assessments. Routine debrief documentation is completed where no formal debrief is carried out by a fisheries officer.</p> <p>iii. Excluding the coverage, specify whether the observer program complied with the CCSBT Scientific Observer Program Standards. If not, describe the non-compliance. Also indicate whether there was any exchange of observers between countries:-</p> <p>New Zealand's observer program will continue to comply with the CCSBT Scientific Observer Program Standards. There has been no exchange of observers between New Zealand and other countries</p> <p>iv. What information on ERS was recorded by observers:-</p> <p>Observers collect information on a wide range of bycatch including sharks, turtles, seabirds, and marine mammals. That information can include length, weight, sex, and other biological data, as well as information on the mitigation methods in use and observations e.g. on the presence of seabirds.</p> <p>v. Who were the observer reports submitted to:-</p> <p>Observer reports are submitted to the Ministry for Primary Industries; a summary of the trip report is provided to the operator.</p> <p>vi. Timeframe for submission of observer reports:-</p> <p>Observer trip reports are submitted upon completion of the trip. Weekly summaries of ERS interactions are also compiled based on reports from observers on board vessels. The Ministry for Primary Industries contracts out a third party to process biological data collected from observer trips. That contract stipulates that the information can be made available from the Centralised Observer Database to the Ministry for Primary Industries within 40 days of receipt.</p> <p>vii. Other relevant information (including plans for further improvement – in particular to reach coverage of 10% of the effort):-</p> <p>Observer coverage targets are set in annual operational plans. While New Zealand exceeds the 10% target overall, the annual operational plan outlines a 10% target for domestic effort as well as full coverage for foreign owned vessels.</p> <p>New Zealand has expanded its recruitment in the observer program to ensure that additional resources are available to meet our coverage targets within the domestic fleet.</p> <p>As of 1 May 2016, all foreign charter vessels fishing within New Zealand were required to reflag to New Zealand in order to continue operating, and this will influence future observer resource allocations</p>
<p>VMS</p> <p>The items of "ii" are required in association with the Resolution on</p>	<p>Specify:</p> <p>i. Whether a mandatory VMS for SBT vessels that complies with CCSBT's VMS resolution was in operation. If not, provide details of non-compliance and plans for further improvement:-</p>

<p>establishing the CCSBT Vessel Monitoring System</p>	<p>The following types of vessels are required, under New Zealand legislation, to fit and continuously operate Automatic Location Communicators reporting to the New Zealand VMS:</p> <ul style="list-style-type: none"> <i>all New Zealand vessels over 28m in length;</i> <i>all foreign charter vessels registered to fish in New Zealand waters;</i> <i>all New Zealand flagged and registered vessels operating outside of New Zealand waters;</i> <i>all vessels issued with a foreign licence to fish in New Zealand waters; and</i> <i>vessels in some specific high risk fisheries</i> <p>In accordance with the CCSBT VMS Resolution, New Zealand vessels fishing for highly migratory species beyond the NZ EEZ in the Western and Central Pacific report to the WCPFC VMS in addition to the NZ VMS</p> <p>ii. For the most recently completed fishing season, specify:</p> <ul style="list-style-type: none"> • The number of its flag vessels on the CCSBT Authorised Vessel List that were required to report to a National VMS system:- <p>15 vessels were required to report.</p> <ul style="list-style-type: none"> • The number of its flag vessels on the CCSBT Authorised Vessel List that actually reported to a National VMS system:- <p>All 15 vessels reported.</p> <ul style="list-style-type: none"> • Reasons for any non-compliance with VMS requirements and action taken by the Member:- <p>There was one incident of non-compliance. One vessel failed to comply with the VMS requirements due to the vessel being taken out of the water for repair. Operator was advised they must notify MPI prior to turning off their ALC.</p> <ul style="list-style-type: none"> • In the event of a technical failure of a vessel's VMS, the vessel's geographical position (latitude and longitude) at the time of failure and the length of time the VMS was inactive should be reported:- <p>N/A</p> <ul style="list-style-type: none"> • The procedures used for manual reporting in the event of a VMS failure (e.g. "manual position reporting on a 4 hourly basis"):- <p>The vessel is given a reasonable period of time to repair the ALC, usually 12 to 24 hours depending on the fishery risk. The vessel is then required to return to port.</p> <p>If the vessel already has observers on board, the vessel is asked to start manual position reporting usually using two hour intervals. The vessel may then be allowed further time to repair the ALC but subject to an assessment of risk it may be required to return to port.</p> <p>Under rare occasions, a vessel may be allowed to sail without a working ALC if it carries observers and manually reports but this is subject to an assessment of the risk to the fishery.</p> <ul style="list-style-type: none"> • A description of any investigations initiated in accordance with paragraph 3(b) of the CCSBT VMS resolution including progress to date and any actions taken:- <p>No investigations initiated.</p>
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	<p>iii. Reference to applicable legislation and penalties:-</p> <p><i>Penalties relating to VMS are outlined in the Fisheries (Satellite Vessel Monitoring) Regulations 1993.</i></p> <p><i>Every person commits an offence who,—</i></p> <p><i>(a) Without the approval of the chief executive, removes from a fishing vessel any automatic location communicator that is required to be carried and operated on board the vessel; or</i></p> <p><i>(b) Interferes with any automatic location communicator to such an extent that the device—</i></p> <p style="padding-left: 40px;"><i>(i) No longer complies with the type approval granted in respect of the device; or</i></p> <p style="padding-left: 40px;"><i>(ii) No longer operates in accordance with the manufacturer’s specifications; or</i></p> <p><i>(c) Fails to notify the chief executive of any matter required by or under these regulations to be notified to the chief executive; or</i></p> <p><i>(d) Supplies false or misleading information to the chief executive for the purposes of these regulations; or</i></p> <p><i>(e) Fails to comply with any other provision of these regulations.</i></p> <p><i>Every person who commits an offence against these regulations is liable on summary conviction to a fine not exceeding \$100,000NZD and, if the offence is a continuing one, to a further fine not exceeding \$1,000NZD for each day during which the offence is continued.</i></p>
<p><i>At-Sea Inspections</i></p>	<p>Specify:</p> <p>i. The coverage level of at sea inspections (e.g. % of SBT trips inspected):-</p> <p><i>New Zealand has relied on 100% observer coverage within the charter fleet to ensure high levels of compliance and conducts inspections of these vessels at port following vessel arrival and prior to departure.</i></p> <p><i>The domestic fleet typically operate with much shorter trips in order to access the fresh tuna market making at-sea inspections difficult. New Zealand instead focuses its efforts on port inspections and other domestic reporting requirements that enable it to monitor product throughout the supply chain.</i></p> <p>ii. Other relevant information:-</p> <p><i>All inspections, whether at sea or elsewhere, are conducted based on risk assessment of the entities involved.</i></p>
<p><i>Other (use of masthead cameras etc.)</i></p>	<p><i>New Zealand conducts regular aerial surveillance to monitor the activity of fishing vessels in its national jurisdiction. New Zealand also imposes penalties (called deemed values) on catches in excess of quota. Catch against quota is monitored on a monthly basis and the penalties are applied throughout the year as required. This system ensures that New Zealand remains within its national allocation.</i></p> <p><i>MPI is in the planning stages for the phased implementation of an integrated system of electronic monitoring and reporting in its commercial fishing fleet</i></p>

(e) Report on the review of internal actions and measures taken in relation to the authorised vessel requirements provided at Attachment B, including any punitive and sanction actions taken.

No actions taken this year.

(2) SBT Towing and transfer to and between farms (farms only)

New Zealand does not currently farm any SBT.

(3) SBT Transhipment (in port and at sea)

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

i. The quantities of SBT transhipped during the previous fishing season:-

Fishing Season <i>(e.g. 2011/12)</i>	Percentage of the annual SBT catch transhipped at sea	Percentage of the annual SBT catch transhipped in port
2014/15	0	0

ii. The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped at sea during the previous fishing season:-

New Zealand does not currently have any LSTLVs

iii. A comprehensive report assessing the content and conclusions of the reports of the observers assigned to carrier vessels which have received transhipment from their LSTLVs:-

Not applicable

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

i. Rules for and names of designated foreign ports of transhipment for SBT and for prohibition of transhipment at other foreign ports:-

New Zealand does not currently designate or prohibit specific foreign ports for transhipment of SBT. However, if any such activity by New Zealand vessels was to occur in future, the vessel would require prior approval and be subject to specific conditions. Further, any such transhipment must be conducted in accordance with the requirements of the Port State. Failure to do this can result in action being taken under New Zealand law (s113A of the Fisheries Act 1996 – control of nationals and New Zealand vessels).

ii. Port State inspections required for transhipments of SBT (include % coverage):-

All foreign fishing vessels arriving with fish onboard are required to apply for an approval to possess fish in New Zealand fisheries waters and are inspected upon arrival by Ministry for Primary Industries fisheries officers.

iii. Information sharing with designated port states:-

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

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

Not applicable

*v. Process for validating **Error! Bookmark not defined.** and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, Catch Tagging Form):-*

Not applicable

vi. Reference to applicable legislation and penalties:-

Approval to enter New Zealand waters with fish onboard is required under section 113(1)(a)(ii) of the Fisheries Act 1996. Any person convicted of an offence against this section is liable to a fine not exceeding \$250,000NZD.

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

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

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

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

As described above

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

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

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

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

(4) Landings of Domestic Product (from both fishing vessels and farms)

(a) Specify the approximate percentage of the annual SBT catch that was landed as domestic product.

The majority of New Zealand's SBT catch is destined for export with only a small amount consumed domestically (less than 1% in 2014/15).

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

- i. Rules for designated ports of landing of SBT:-*

Because of the nature of the New Zealand fishery, no ports are specifically designated for the landing of SBT. All landings must be made to a licensed fish receiver who, in turn, reports the landing to the Ministry for Primary Industries.

- ii. Inspections required for landings of SBT (including % coverage):-*

As stated above, domestic product landings make up a minimal portion of the New Zealand fishery and are therefore rare events. However, New Zealand has a target of one monitored unload each year for every domestic vessel targeting SBT as part of its compliance strategy.

iii. Monitoring systems for recording the quantity of SBT landed:-

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

*iv. Process for validating **Error! Bookmark not defined.** and collecting the relevant CCSBT CDS documents (Catch Monitoring Form, and depending on circumstances, Catch Tagging Form):-*

Domestic sales greater than 10 kilograms in weight must occur through licensed Dealers of Fish; Licensed Fish Receivers may also be Dealers in Fish. Catch Monitoring Forms are completed by Licensed Fish Receivers for landings of domestic product. New Zealand delegates authority to validate CDS documents to authorised third parties. The delegated authority system is established under the New Zealand Government Qualifications Authority; non-Ministry for Primary Industries personnel receive training and must achieve a specific qualification for validation. The authorised validators work under the direction and authority of the Ministry for Primary Industries. Completed Catch Monitoring Forms are returned by the 15th of the following month, in line with other domestic reporting requirements.

v. Reference to applicable legislation and penalties:-

The Director General of the Ministry for Primary Industries has issued instructions to permit holders and licensed fish receivers instructing them on the details of the Catch Documentation Scheme and their obligations under the scheme. The instructions are issued under section 190 of the Fisheries Act. Breaches under this section of the Act can lead to fines not exceeding \$250,000NZD.

Failure to meet domestic reporting requirements can lead to the penalties described in section 1(d).

(5) SBT Exports

(a) Specify the quantity of the domestic catch that was exported and provide an estimate of the total quantity of the domestic SBT catch (in tonnes to 1 decimal place) that was retained within the country/fishing entity (i.e. the

quantity can be estimated by subtracting the total export from domestic catch) during each of the last 3 fishing seasons to each country/fishing entity.

Fishing Season (e.g. 2011/12)	Estimate of retained within the country/fishing entity (Domestic catch-Export) ⁴	SBT Exported to					
		Japan	Australia	United States	China	Singapore	Thailand
2014/15	16.8	765.8	2.6	0.9	0.4	0.0	0.0
2013/14	8.7	692.4	1.4	6.0	0.1	0.1	0.1
2012/13	17.4	636.1	2.5	5.3	-	-	0.3

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

i. Inspections required for export of SBT (including % coverage):-

In general, inspections for exporting SBT are not mandatory but can occur as part of regular enforcement activities. However, foreign charter vessel landing catch at foreign ports are subject to mandatory inspection prior to departing New Zealand waters.

ii. Monitoring systems for recording the quantity of SBT exported:-

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

iii. Process for validating **Error! Bookmark not defined.** and collecting the relevant CCSBT CDS documents (Catch Monitoring Form and depending on circumstances, Catch Tagging Form or Re-export/Export after landing of domestic product Form):-

The process for validating Catch Monitoring Forms is as outlined above.

iv. Reference to applicable legislation and penalties:-

As described earlier for the CDS. Regulation 17 of the Fisheries (Commercial Fishing) Regulations 2001 deals with the requirement for inspection prior to departure from New Zealand waters. That regulation carries a maximum fine of \$100,000NZD.

⁴ Domestic landing figures taken from CDS totals for 2015 Calendar Year, as provided in Secretariat Report.

(6) SBT Imports

(a) Specify the total quantity of SBT (in tonnes to 1 decimal place) imported during each of the last 3 fishing seasons from each country/fishing entity.

Fishing Season	SBT Imported from
	Australia
2014/15	0.2
2013/14	0.1
2012/13	0.1

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

i. Rules for designated ports for import of SBT:-

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

ii. Inspections required for import of SBT (including % coverage):-

The New Zealand Customs Service has put in place a Customs Prohibition Order which prevents SBT without CDS documentation to enter New Zealand. Inspection of these imports is determined using risk assessment of the consignment involved. However it should be noted that imports of SBT into New Zealand are extremely rare and usually involve minimal quantities.

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

Customs officials collect CDS documentation for imports of SBT and have the information verified by Ministry for Primary Industries officials.

iv. Reference to applicable legislation and penalties:-

Approval to enter New Zealand waters with fish onboard is required under section 113(1)(a)(ii) of the Fisheries Act 1996. Any person convicted of an offence against this section is liable to a fine not exceeding \$250,000NZD.

The Customs Prohibition Order is enforced under the powers found within the Customs and Excise Act 1996. Fines of up to \$5,000NZD for individuals and \$10,000NZD for corporations are applied to breaches.

(7) SBT Markets

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

The New Zealand Ministry for Primary Industries conducts inspections at numerous points throughout the supply chain including at the point of landing and the final market. Fish receivers must be licensed and have reporting obligations to the Ministry that allow for cross-validation with information submitted by fishers. Dealers in fish must also maintain accounts

of their transactions which provide additional information against which to corroborate earlier records.

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

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

(8) Other

New Zealand also imposes controls on its nationals through specific provisions of the Fisheries Act which require all nationals (or those using a ship registered in New Zealand) operating in a foreign country to abide by the laws of that jurisdiction when taking or transporting fish. Failure to do so may result in a fine not exceeding \$250,000NZD.

III. Additional Reporting Requirements

(1) Coverage and Type of CDS Audit undertaken

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

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

(2) Ecologically Related Species

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

- i. *Specify whether each of the following plans/guidelines have been implemented, and if not, specify the action that has been taken towards implementing each of these plans/guidelines:-*
- *International Plan of Action for Reducing Incidental Catches of Seabirds in Longline Fisheries:*

Implemented. New Zealand updated its National Plan of Action for Seabirds in 2013. Copies of this plan can be obtained from the MPI website:

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

Implemented. An NPOA-Sharks was adopted in 2008 and revised in 2013.

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

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

- ii. *Specify whether all current binding and recommendatory measures⁵ aimed at the protection of ecologically related species⁶ from fishing of the following tuna RFMOs are being complied with. If not, specify which measures are not being complied with and the progress that is being made towards compliance:-*
- *IOTC, when fishing within IOTC's Convention Area:*

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

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

New Zealand currently complies with all ERS requirements of the WCPFC. Changes were made to domestic seabird mitigation rules in 2014 in line with the revised measure adopted by the WCPFC (CMM 2012-07).

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

⁵ Relevant measures of these RFMOs can be found at: http://www.ccsbt.org/site/bycatch_mitigation.php.

⁶ Including seabirds, sea turtles and sharks.

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

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

- **CCSBT⁷:**

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

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

Not applicable

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

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

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

Not applicable

(b) Specify the number of observed ERS interactions including mortalities, and describe the methods of scaling used to produce estimates of total mortality (information should be provided by species –including the scientific name – wherever possible⁸):

	Authorised Commercial Charter		Authorised Commercial Domestic	
Most Recent Calendar Year (2015)				
Total number of hooks (shots for PS)	622,300		1,095,224	
Percentage of hooks (shots) observed	100		6.8	
	<i>Total number of observed interactions/mortality</i>			
	<i>Interactions</i>	<i>Mortality</i>	<i>Interactions</i>	<i>Mortality</i>
Seabirds	23	8	14	13
Sharks	8065	553	4245	971
Sea Turtles	0	0	0	0
Previous Calendar Year (2014)				
Total number of hooks (shots for PS)	653,330		1,017,505	
Percentage of hooks (shots) observed	83.5		9.8	
	<i>Total number of observed interactions/mortality</i>			
	<i>Interactions</i>	<i>Mortality</i>	<i>Interactions</i>	<i>Mortality</i>
Seabirds	16	8	19	17
Sharks	8638	2543	7025	790
Sea Turtles	0	0	0	0

(c) Mitigation – describe the current mitigation requirements:

⁷ Current CCSBT requirements are those in the Scientific Observer Program Standards and those necessary for completing the template for the annual report to the ERSWG.

⁸ Where species specific information is available, insert additional line(s) for each species below the relevant Seabird, Sharks, and/or Sea Turtles sub headings.

Tori lines are mandatory as a mitigation measure in place to avoid capture of seabird species for tuna longliners in New Zealand waters. The use of tori lines was regulated in 1993. Specifications of the required minimum tori line refer to its length and attachment point, as well as the number, size and distance between streamers. These specifications were updated in 2014 to bring them in line with agreements reached in the Western and Central Pacific Fisheries Commission. In addition, fishers must set their lines at night, or, if fishing during the daytime, use approved line weighting.

Similar provisions are also outlined in high seas permit conditions for any New Zealand vessels fishing on the high seas.

Voluntary seabird measures for each fleet

Voluntary mitigation measures stipulated in any formal way are done so through Codes of Practice. A Code of Practice emphasising best practice is in place for domestic tuna vessels. For charter vessels operated through the New Zealand Japan Tuna Co. Ltd., a Code of Practice is also in place that stipulates a range of additional measures that can be used to reduce seabird captures. The specific measures used vary both from vessel to vessel, and in response to specific circumstances (e.g. in response to seabird captures), but include:

- One or two additional tori lines, which can help maximise the coverage of tori lines over the baited hooks;
- Various line weighting regimes;
- Bait casters (these are not a mitigation device per se but can help distribute hooks within the zone covered by the tori line);
- Offal retention;
- Particular attention to the need for and importance of mitigation measures over the period of the full moon, when captures are most likely;
- Haul mitigation including water cannons or hoses and bird curtains; and
- A catch limit for 'at risk' species of birds.

In addition, vessels are encouraged to try out mitigation methods they believe may be effective. It is also noted that vessels may need to deploy additional mitigation devices at times of high risk such as immediately before and after the full moon.

Compliance with voluntary measures is not currently recorded as part of inspection reports and therefore it is not possible to estimate the level of uptake amongst the fleet. The Code of Practice does, however, have the support of relevant commercial fishing organisations that encourage their members to abide by the measures.

(d) Monitoring usage of bycatch mitigation measures:

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

Compliance with these measures is monitored through at sea and in port inspections from Fisheries Officers, aerial surveillance from military aircraft, and the placement

of observers on board vessels. Observer reports indicating problems with use of mitigation equipment are prioritised for follow-up with vessel operators.

In the 2015 calendar year, the inspections undertaken found four incidents where breaches of seabird mitigation regulations may have occurred across the New Zealand surface longline fleet. Each of these breaches resulted in an official warning.

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

Fishery Officers collect information about tori line and line-weighting gear that is present on vessels. Observer reports provide information about mitigation gear usage, gear descriptions, and fisher attitudes toward seabird mitigation.

(3) Historical SBT Catch (retained and non-retained)

Fishing Season <i>(e.g. 2011/12)</i>	Retained and Non-Retained SBT					
	Commercial Charter		Commercial Domestic		Recreational and Customary	
	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT	Retained SBT	Non-Retained SBT
2014-15	222,062 [4196]	[41]	511,054 [10,596]	[458]	725 [5]	325 [5]
2013-14	193,928 [3983]	[73]	467,577 [9668]	[438]	80 [2]	0
2012-13	159,868 [2925]	[129]	422,705 [8651]	[445]	550 [12]	0
2011-12	207,444 [3995]	[49]	414,699 [9278]	[899]	130 [4]	160 [2]