

Ministry for Primary Industries
Manatū Ahu Matua



Annual Report of Southern Bluefin Tuna Fisheries

New Zealand Country Report

**Paper presented to the 12th Meeting of the Compliance
Committee**

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I. Summary of MCS Improvements

(1) Improvements achieved in the current fishing season

In 2016, New Zealand drafted new regulations to better enforce the requirements of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) catch documentation scheme (CDS), which was previously administered using a directive from the Ministry for Primary Industries (MPI). The *Fisheries (Southern Bluefin Tuna Catch Documentation Scheme) Regulations 2017* came into effect on 27 April 2017. The new regulations allow enhanced enforceability and greater awareness of CDS obligations across New Zealand's fishing industry.

(2) Future planned improvements

MPI is currently phasing in the implementation of an integrated system of electronic monitoring and reporting in New Zealand's commercial fishing fleet. The purpose of the new system is to provide verifiable, accurate, integrated, and timely data on commercial fishing activity to inform the decisions of fisheries managers in government and industry.

The system will include:

- a. Electronic fisheries catch and effort reporting by fishers (required from 1 April 2018),
- b. Automated position reporting from fishing operations (required from 1 April 2018), and
- c. Electronic monitoring using cameras on fishing vessels (required from 1 October 2018).

(3) Implementation of the common CCSBT definition for the "Attributable 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 (SBT)

(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>Authorised commercial - domestic</i>	<i>Authorised commercial - charter</i>	<i>Recreational charter vessel</i>
	Number of vessels	Number of vessels	Number of vessels
2015/16	32	0 ¹	8
2014/15	26	4	2
2013/14	34	4	0

¹ 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. This has resulted in significant changes to the New Zealand SBT fleet.

(b) Specify the historic national SBT allocation, together with any carry-forward of unfisher 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	National SBT allocation (t) (excluding carry-forward)	Unfisher allocation carried forward to this fishing season (t)	SBT catch counted against the national allocation (t) ²					
			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
2015/16	1000	48	1,019	949.4	9	1.1 ³	20	3.1 ⁴
2014/15	1000	69	1,040	923.1	9	0.7	20	4.7
2013/14	910	58	944	825.0	9	0.1	15	2.4

(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).

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 Māori, and recreational fishers, along with an estimate of other sources of fishing-related mortality. After making allowances for customary Māori 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.

² The figures provided below for recreational catch, customary catch, and other sources of mortality are estimates based on available data. New Zealand assumes that these allocations are fully caught when calculating any potential carry-forward from its national allocation.

³ This total weight does not include 6 recreationally-caught SBT for which no weights were recorded.

⁴ Estimates of 'Other Sources of Mortality' are based on scaled-up numbers of observed dead discarded SBT. Dead SBT can only be legally discarded when authorised by observers, so the scaled-up estimates should be treated with caution. Of the observed dead discarded SBT, a majority of SBT were discarded because of shark- or orca-inflicted damage.

(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
<i>Daily log book</i>	<p><i>Specify:</i></p> <p><i>i. Whether this was mandatory. If not, specify the % of SBT fishing that was covered:</i></p> <p>All operators of fishing vessels must complete reporting forms for each day in which fishing takes place. Tuna longlining vessels must record information for each set immediately following the end of the set on Tuna Longline Catch Effort Returns.</p> <p><i>ii. The level of detail recorded (shot by shot, daily aggregate etc.):</i></p> <p>Each Tuna Longline Catch Effort Return records information on individual sets.</p> <p><i>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:</i></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 MPI observers. Both retained and discarded catch must be recorded.</p> <p><i>iv. What information on ERS was recorded in logbooks:</i></p> <p>Information on interactions with non-fish and protected species is recorded for each trip. Information collected includes the date and time of incident, species involved, and health of the animal (i.e. uninjured, injured, or dead). For fish bycatch, including both retained and released or discarded catches, this information is reported on the Tuna Longline Catch Effort Return. Non-fish bycatch (e.g. seabirds, sea turtles) and protected species are reported on separate Non-fish and Protected Species Returns.</p> <p><i>v. Who were the log books submitted to:</i></p> <p>Information is submitted to MPI via a contracted third party.</p> <p><i>vi. What was the timeframe and method for submission:</i></p> <p>Returns must be submitted by the 15th of the month following the end of the fishing trip and are currently submitted by post. MPI has developed an electronic data transmission system that allows tuna longliners to submit their returns electronically. Operators can still report manually, and, to date, none have transitioned to the electronic system.</p> <p>MPI is currently phasing in the implementation of an integrated system of electronic monitoring and reporting in its commercial fishing fleet. As part of this, all New Zealand fishers will be electronically reporting on catch and effort by 1 April 2018.</p> <p><i>vii. The type of checking and verification that was routinely conducted for this information:</i></p> <p>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.</p>

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

viii. Reference to applicable legislation and penalties:

There is a range of relevant 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 level, through the issuing of an infringement notice (of either \$400NZD or \$750NZD depending on the lateness). Infringement offenses and penalties are defined in the *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. Summary offenses and penalties are defined in the *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*. Serious offences can lead to imprisonment (not exceeding 5 years) and/or a fine not exceeding \$250,000NZD, and can 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.

<p><i>Additional reporting methods (such as real time monitoring programs)</i></p>	<p><i>Amateur Charter Vessel Reporting</i></p> <p><i>Specify:</i></p> <p><i>i. Whether this is mandatory. If not, specify the % of SBT fishing to be covered:</i></p> <p>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 was 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><i>ii. The information that will be recorded (including whether it relates to SBT or ERS):</i></p> <p>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 for each fish caught.</p> <p><i>iii. Who the reports will be submitted to and by whom (e.g. Vessel Master, the Fishing Company etc.):</i></p> <p>The vessel operator will submit returns to MPI via a third party contractor.</p> <p><i>iv. What is the timeframe and method for submission:</i></p> <p>Each month's catch reporting forms must be submitted (by mail) by the 15th of the following month.</p> <p><i>v. The type of checking and verification that will routinely be conducted for this information:</i></p> <p>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><i>vi. Reference to applicable legislation and penalties:</i></p> <p>From 1 November 2010, the <i>Fisheries (Amateur Fishing) Regulations 1986</i> and the <i>Fisheries (Amateur Charter Fishing Reporting) Notice 2010</i> were enacted. The legislation includes infringements and summary proceeding penalties for various offences relating to failure to be registered as an amateur charter operator, as well as failure to report catch in a manner consistent with the regulations following amateur charter fishing.</p> <p><i>vii. Other relevant information:</i></p> <p>See below for description of reporting requirements for licensed fish receivers.</p>
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Scientific Observers

Specify:

i. The percentage of 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:

Fishing Season	Commercial Charter ⁵			Commercial Domestic		
	% effort obs.	% catch obs.	Obs. days deployed	% effort obs.	% catch obs.	Obs. days deployed
2015/16	N/A	N/A	N/A	19.3	22.9	646
2014/15	80.8	79.0	222	6.9	11.2	241
2013/14	83.5	78.8	228	14.2	9.9	399

ii. The system used for comparisons between observer data and other catch monitoring data in order to verify the catch data:

Discrepancy analysis between observer data and information reported by commercial fishers is currently done on a case by case basis when necessary. MPI Fisheries Officers also conduct observer briefings prior to trips and/or observer debriefs subsequent to trips, in accordance with priorities and/or risk assessments. Routine debrief documentation is completed by the observer programme where no formal debrief is carried out by a Fisheries Officer.

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:

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

There has been no exchange of observers between New Zealand and other countries.

iv. What information on ERS was recorded by observers:

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 bycatch mitigation methods in use and general observations, e.g. the presence of seabirds.

v. Who were the observer reports submitted to:

Observer reports are submitted to MPI; a summary of the trip report is provided to the operator.

vi. Timeframe for submission of observer reports:

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. MPI contracts out a third party to process biological data collected from observer trips. The

⁵ 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. This has resulted in significant changes to the New Zealand SBT fleet due to the departure of those foreign charter vessels.

	<p>contract stipulates that the information is to be made available from the Centralised Observer Database to MPI 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, which outline a 10% target for the 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. Although New Zealand exceeded its observer targets in 2016, the resulting changes to the fleet will continue influence future observer resource allocations.</p>
<p><i>Vessel Monitoring System (VMS)</i></p> <p><i>The items of “ii” are required in association with the Resolution on establishing the CCSBT Vessel Monitoring System</i></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>The following types of vessels are required, under New Zealand legislation, to fit and continuously operate Automatic Location Communicators (ALC) reporting to the New Zealand VMS:</p> <ul style="list-style-type: none"> • all New Zealand vessels over 28 metres in length; • all New Zealand flagged or registered vessels operating outside of New Zealand waters; • all vessels issued with a foreign licence to fish in New Zealand waters; and • vessels in some specific high risk fisheries <p>In accordance with CCSBT’s VMS resolution, New Zealand vessels fishing for highly migratory species beyond the New Zealand Exclusive Economic Zone (EEZ) in the Western and Central Pacific report to the Western and Central Pacific Fisheries Commission (WCPFC) VMS as well as to the New Zealand VMS.</p> <p>MPI is currently phasing in the implementation of an integrated system of electronic monitoring and reporting in its commercial fishing fleet. As part of this, changes to New Zealand’s vessel position monitoring requirements will mean that more vessels registered to CCSBT will be required to report in the future.</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>25 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 25 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 were two incidents of non-compliance. In both cases, vessels failed to comply with the VMS requirements due to the vessels being taken out of the water for repair. In both cases, the operator was advised that they must notify MPI prior to turning off their ALC.</p>

- ***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:***

Not applicable.

- ***The procedures used for manual reporting in the event of a VMS failure (e.g. “manual position reporting on a 4 hourly basis”):***

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.

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.

On 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.

- ***A description of any investigations initiated in accordance with paragraph 3(b) of CCSBT’s VMS resolution including progress to date and any actions taken:***

No investigations initiated.

iii. Reference to applicable legislation and penalties:

Penalties relating to VMS are outlined in the *Fisheries (Satellite Vessel Monitoring) Regulations 1993*:

Every person commits an offence who,—

- (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*
- (b) Interferes with any automatic location communicator to such an extent that the device—*
 - (i) No longer complies with the type approval granted in respect of the device; or*
 - (ii) No longer operates in accordance with the manufacturer’s specifications; or*
- (c) Fails to notify the chief executive of any matter required by or under these regulations to be notified to the chief executive; or*
- (d) Supplies false or misleading information to the chief executive for the purposes of these regulations; or*
- (e) Fails to comply with any other provision of these regulations.*

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.

<p><i>At-Sea Inspections</i></p>	<p>Specify:</p> <p><i>i. The coverage level of at sea inspections (e.g. % of SBT trips inspected):</i></p> <p>The New Zealand fleet is now made up entirely of small, domestic vessels, which typically operate short trips in order to access the fresh tuna market. This makes at-sea inspections difficult. New Zealand instead focuses its efforts on port inspections and other domestic reporting requirements that enable it to monitor product throughout the supply chain.</p> <p><i>ii. Other relevant information:</i></p> <p>All inspections, whether at sea or elsewhere, are conducted based on risk assessment of the entities involved.</p>
<p><i>Other (use of masthead cameras etc.)</i></p>	<p>New Zealand conducts regular aerial surveillance to monitor the activity of fishing vessels in its national jurisdiction.</p> <p>New Zealand also imposes financial 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 helps to ensure that New Zealand remains within its national allocation.</p> <p>MPI is currently phasing in the implementation of an integrated system of electronic monitoring and reporting in its commercial fishing fleet. The purpose of the new system is to provide verifiable, accurate, integrated, and timely data on commercial fishing activity to inform decisions of fisheries managers in government and industry.</p> <p>The system will include:</p> <ol style="list-style-type: none"> Electronic fisheries catch and effort reporting by fishers (from 1 April 2018), Automated position reporting from fishing operations (from 1 April 2018), and Electronic monitoring using cameras on fishing vessels (from 1 October 2018).

(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	Percentage of the annual SBT catch transhipped at sea	Percentage of the annual SBT catch transhipped in port
2015/16	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 laws 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 on board are required to apply for an approval to possess fish in New Zealand fisheries waters and are inspected upon arrival by MPI 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 on-board is required under section 113(1)(a)(ii) of the *Fisheries Act 1996*. Any person convicted of an offence against this section is liable to a fine 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 MPI. 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) Port Inspections of Foreign FVs/CVs with SBT/SBT Products on Board

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

Port of Whangarei	http://www.northport.co.nz
Port of Auckland	http://www.poal.co.nz
Port of Tauranga	http://www.port-tauranga.co.nz
Port of Gisborne	http://eastland.co.nz
Port of Napier	http://www/portofnapier.biz
Port of New Plymouth	http://www.porttaranaki.co.nz
Port of Wellington	http://www.centreport.co.nz
Port of Nelson	http://www.portnelson.co.nz
Port of Lyttleton	http://www.lpc.co.nz
Port of Dunedin	http://portotago.co.nz
Port of Bluff	http://portotago.co.nz

- ii. Provide the minimum number of hours of notice required for foreign FVs/CVs carrying SBT or SBT product to request authorisation to enter these designated ports:*

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

- iii. *For the most recent whole calendar year, provide information about the number of landing/transshipment operations that foreign FVs/CVs carrying SBT or SBT product made in port, the number of those landing/transshipment operations that were inspected, and the number of inspections where infringements of CCSBT's measures were detected:*

Calendar Year	Foreign Flag	No. of Landing/Transshipment Operations (that occurred)	No. of Landing/Transshipment Operations Inspected	No. of Landing/Transshipment Operations where an Infringement of CCSBT's Measures was Detected
2016	N/A ⁶	0	0	0
	TOTAL	0	0	0

(5) 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 2% in 2014/15⁷).

- (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 MPI.

- ii. *Inspections required for landings of SBT:*

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 reports.

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

Catch Monitoring Forms are completed by licensed fish receivers for landings of domestic product.

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-MPI personnel receive training and must

⁶ A total of 23 foreign flagged fishing vessels arrived in New Zealand. All 23 vessels were inspected, however, no product was landed or transhipped while in New Zealand waters.

⁷ Based on CDS figures.

achieve a specific qualification for validation. The authorised validators work under the direction and authority of MPI.

Completed Catch Monitoring Forms are returned by the 15th of the month following the month of catch, in line with other domestic reporting requirements.

v. *Reference to applicable legislation and penalties:*

In 2016, New Zealand drafted new regulations to better enforce the requirements of the CDS. The *Fisheries (Southern Bluefin Tuna Catch Documentation Scheme) Regulations 2017* came into effect on 27 April 2017. The regulations were issued under section 297 of the *Fisheries Act 1996*.

The regulations detail a number of infringement offences with penalties ranging from \$400NZD to \$1,000NZD. The regulations also provide for one summary offence, the sale of southern bluefin tuna without tag, with a fine upon conviction not exceeding \$100,000NZD.

The new regulations will allow enhanced enforceability and greater awareness across the New Zealand fishing industry.

Prior to 27 April 2017, the Director General of MPI had issued instructions to permit holders and licensed fish receivers instructing them on the details of the CDS and their obligations under the scheme. The instructions were issued under section 190 of the Fisheries Act. Breaches under this section of the Act can lead to fines not exceeding \$250,000NZD.

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

(6) SBT Exports

(a)i. Specify the quantity of the domestic catch that was exported and provide an estimate of the total quantity of the domestic SBT catch (weight 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 full calendar years to each country/fishing entity. All weights provided in this table should be net weights, not whole weights.

Fishing Season	Estimate of retained within New Zealand	Japan	Australia	United States	China	Singapore	Thailand	Canada	Wallis and Futuna
2016	13.7	779.7	13.1	8.0	0.2	0.0	0.0	0.3	0.6
2015	16.8	765.8	2.6	0.9	9.6	0.0	0.0	0.0	0.0
2014	8.8	692.4	1.4	6.0	0.3	0.1	0.1	0.0	0.0

ii. Specify the quantity of imported catch that was re-exported.

Calendar Year Error! Bookmark not defined.	SBT Re-exported to							
	Croatia	China	Wallis and Futuna Islands...	⋮	⋮	⋮	⋮	⋮
2016	0.03	0.2	0.5	-	-	-	-	-
2015	-	0.2	-	-	-	-	-	-
2014	-	-	-	-	-	-	-	-

(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 will occur as part of regular enforcement activities.

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 Seafood New Zealand and maintained as a database for economic evaluations of New Zealand fisheries. 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 in section II(5)(b)(iv) of this report.

iv. Reference to applicable legislation and penalties:

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

(7) 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
2015/16	0.2
2014/15	0.2
2013/14	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. Customs officials also notify the Ministry for Primary Industries whenever SBT is imported into 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 MPI officials.

iv. Reference to applicable legislation and penalties:

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

(8) SBT Markets

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

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

(9) Other

New Zealand also imposes controls on its nationals through specific provisions of the *Fisheries Act 1996* which require all nationals (or those using a ship registered in New Zealand) operating in a foreign country to abide by the laws of that jurisdiction when taking or transporting fish. Failure to do so may result in a fine 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 monitor the information contained in the CDS documentation. This is undertaken through port and licensed fish receiver inspections in conjunction with other supporting Compliance activity. 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 (ERS)

(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 – Seabirds in 2013. Copies of this plan can be obtained from the MPI website.⁸ A review of this document is currently underway.

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

Implemented. A National Plan of Action – Sharks was adopted in 2008 and revised in 2013. A review of this document will take place in 2018.

- *Food and Agriculture Organisation of the United Nations (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 measures aimed at the protection of ecologically related species 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:*

- *Indian Ocean Tuna Commission (IOTC), when fishing within IOTC's Convention Area:*

⁸ <http://www.mpi.govt.nz/document-vault/3962>

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

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

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

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

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

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:*

- *CCSBT:*

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 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 possible):

	<i>Authorised Commercial Charter</i>		<i>Authorised Commercial Domestic</i>	
<i>Most Recent Calendar Year (2016)</i>				
<i>Total number of hooks (shots for PS)</i>	N/A		1,392,652	
<i>Percentage of hooks (shots) observed</i>	N/A		19.1	
	<i>Total number of observed interactions/mortality</i>			
	<i>Interactions</i>	<i>Mortality</i>	<i>Interactions</i>	<i>Mortality</i>
<i>Seabirds</i>	N/A	N/A	115	105
<i>Sharks</i>	N/A	N/A	10,298	1665
<i>Sea Turtles</i>	N/A	N/A	1	0

	<i>Authorised Commercial Charter</i>	<i>Authorised Commercial Domestic</i>		
<i>Previous Calendar Year (2015)</i>				
<i>Total number of hooks (shots for PS)</i>	622,300	1,095,224		
<i>Percentage of hooks (shots) observed</i>	100	6.8		
	<i>Total number of observed interactions/mortality</i>			
	<i>Interactions</i>	<i>Mortality</i>	<i>Interactions</i>	<i>Mortality</i>
<i>Seabirds</i>	23	8	14	13
<i>Sharks</i>	8065	553	4245	971
<i>Sea Turtles</i>	0	0	0	0

(c) Mitigation – describe the current mitigation requirements:

The Fisheries (Seabird Mitigation Measures – Surface Longlines) Circular 2014 requires that when setting surface longlines, fishers use tori lines, as well as set lines at night and/or use line weighting. The use of tori lines has been regulated since 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 at WCPFC.

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

Voluntary initiatives to mitigate the risk seabird captures

New Zealand’s Seabird Liaison Officer Programme assists surface longline vessel operators to create vessel-specific seabird management plans. The plans include effective and easy-to-follow procedures for meeting all statutory requirements relating to seabird mitigation. The plans also empower vessel operators to use voluntary mitigation in addition to the statutory requirements. Vessels are encouraged to try out mitigation that they believe may be effective.

Examples of voluntary mitigation used are:

- 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)
- Managed offal discharge
- Deployment of additional mitigation devices at times of high risk, such as immediately before and after the full moon.

The Seabird Liaison Officer Programme also recently introduced seabird trigger point reporting to the surface longline fleet. A trigger point is reached when a certain number of seabirds are caught, and the skipper must contact a Liaison Officer to get advice on what course to take to avoid further captures.

The Seabird Liaison Officer Programme has the support of relevant commercial fishing organisations, who encourage their members to participate.

Use of voluntary measures is not currently included as part of statutory reporting, and, therefore, it is not possible to estimate the level of uptake amongst the fleet. However, anecdotal reporting to date indicates that these initiatives are having a positive effect and are resulting in improved seabird mitigation.

(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 2016 calendar year, the inspections undertaken found five incidents where breaches of seabird mitigation regulations may have occurred across the New Zealand surface longline fleet. Two breaches resulted in prosecution (one successfully completed, and one currently underway), and the remainder are being assessed for possible prosecution.

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

Fisheries 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	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
2015/16	N/A	N/A	785,252 [19,223]	[1,440]	1,096 ⁹ [42]	30 [1]
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

⁹ This total weight does not include 6 recreationally-caught SBT for which no weights were recorded.