



Fisheries New Zealand

Tini a Tangaroa

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

New Zealand

Prepared for the 13th Meeting of the Compliance Committee (CC13) and the Extended Commission for the 25th Annual Meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

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1 Summary of MCS improvements

1.1 IMPROVEMENTS ACHIEVED IN THE CURRENT FISHING SEASON

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

Electronic Catch Tagging Forms

As a Member of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), New Zealand implements the Catch Documentation Scheme for southern bluefin tuna (SBT) according to the, 'Resolution on the implementation of a CCSBT Catch Documentation Scheme'.

As of 1 January 2018, New Zealand replaced the paper Catch Documentation Scheme Catch Tagging Form with an electronic Catch Tagging Form. The electronic Catch Tagging Form captures the same information as the paper Catch Tagging Form, and complies with the requirements according to the Resolution.

New Zealand has made the change to an electronic format in order to address some of the issues related to duplicate tag numbers and to streamline its domestic management processes.

Monitoring, control, and surveillance

Following on from previous high seas monitoring exercises, New Zealand has undertaken additional monitoring of vessels operating in the Tasman Sea.

As part of monitoring, control, and surveillance operations in support of the Western and Central Pacific Fisheries Commission (WCPFC), New Zealand prioritised high seas boarding and inspection of vessels that had potentially harvested SBT as bycatch. No SBT was detected during the 12 New Zealand high seas inspections undertaken in 2017.

1.2 FUTURE PLANNED IMPROVEMENTS

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

Fisheries New Zealand 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. This data can then be used to inform the decisions of fisheries managers in government and industry.

The system will include:

- a) Electronic fisheries catch and effort reporting by fishers
- b) Automated position reporting from fishing operations, and over time
- c) Electronic monitoring using cameras on fishing vessels

1.3 IMPLEMENTATION OF THE COMMON CCSBT DEFINITION FOR THE “ATTRIBUTABLE SBT CATCH”

CCSBT 21 agreed on a common definition of the Attributable SBT Catch. Further, it agreed to implement this common definition as soon as practicable, but not later than the 2018 quota year. Members should report on progress on the action points for implementing the Attributable SBT catch as specified in Table 1 at paragraph 53 of the CCSBT 21 report (provided here as Attachment A).

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

For the 2016/17 fishing year, within New Zealand’s national allocation of 1,000 tonnes, there were the following allowances: a total allowable commercial catch (TACC) of 971 tonnes; a recreational allowance of eight tonnes; a customary non-commercial allowance of one tonne; and an allowance for other mortality caused by fishing of 20 tonnes.

For the 2018-2020 quota block, New Zealand’s national allocation increased by 88 tonnes to 1,088 tonnes. To give effect to this increase, the total allowable catch limit for the 2017/18 fishing year was increased in April 2018, to 1,088 tonnes for the remainder of the fishing year (up until 30 September 2018). At the same time, the allowances were reviewed in light of the increase in recreational catch seen in 2017 compared with previous years.

Further changes will be implemented from the start of the 2018/19 fishing year (which runs from 1 October 2018 to 30 September 2019).

2 SBT fishing and MCS arrangements

2.1 FISHING FOR 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	Authorised commercial - domestic	Authorised commercial - charter	Recreational charter vessel
	Number of vessels	Number of vessels	Number of vessels
2016/17	36 ¹	0	10
2015/16	32	0 ²	8
2014/15	26	4	2

¹ There were 32 longline vessels that caught SBT, of those, there were 31 longline vessels that targeted SBT. There were a further 4 vessels that used other fishing methods (mid-water trawl, tended line, and trolling).

² 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 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	National SBT allocation (t) (excluding carry-forward)	Unfished allocation carried forward to this fishing season (t)	SBT catch counted against the national allocation (t) ³					
			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 ⁴
2016/17	1,000	22	993	913.9	9	21.4 ⁵	20	4.8
2015/16	1,000	48	1,019	950.8	9	1.1 ⁶	20	3.1
2014/15	1,000	69	1,040	922.3	9	0.7	20	4.7

(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 quota is represented as a proportional share of the Total Allowable Commercial Catch (TACC). New Zealand's national allocation of SBT is used as the basis for setting the Total Allowable Catch (TAC) under the QMS.

The TAC is the total quantity of SBT taken by commercial, customary Māori, and recreational fishers, along with an allowance for other mortality caused by fishing. 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.

³ The figures provided for recreational catch and customary catch, and other sources of mortality are estimates based on available data. New Zealand applies the full allocation when calculating any potential carry-forward from its national allocation.

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.

⁵ Recreational catch provided here was reported. There was a further three tonnes of estimated catch, which is not included here.

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

(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><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. Vessels longlining for SBT 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 collected by Fisheries New Zealand 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 to⁷:-</i></p> <p>Information is submitted to Fisheries New Zealand via a contracted third party.</p> <p><i>vi. What was the timeframe and method⁸ for submission:-</i></p>

⁷ 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.

⁸ In particular, whether the information is submitted electronically from the vessel.

Returns must be submitted by the 15th of the month following the end of the fishing trip and are currently submitted by post. Fisheries New Zealand 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.

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 Fisheries New Zealand to identify any discrepancies. For example, information submitted by fishers is compared with information submitted by the permit holder and information submitted by licensed fish receivers. Returns are always verified for completeness and accuracy during any form of inspection by Ministry for Primary Industries (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 legislation 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 five 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.

ix. Other relevant information⁹:

Fisheries New Zealand is currently phasing in the implementation of an integrated system of electronic monitoring and reporting in its commercial fishing fleet.

⁹ Including information on ERS, and comments on the effectiveness of the controls or monitoring tools and any plans for further improvement.

<p><i>Additional reporting methods (such as real time monitoring programs)</i></p>	<p><i>If multiple reporting methods exists (e.g. daily, weekly and/or month SBT catch reporting, reporting of tags and SBT measurements, reporting of ERS interactions etc), create a separate row in this table for each method. Then, for each method, specify:</i></p> <p><i>i. Whether this was mandatory. If not, specify the % of SBT fishing that was 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 was recorded (including whether it relates to SBT or ERS):-</i></p> <p>For each trip, amateur charter operators 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 SBT, operators also have to record the number caught, the number retained, and the best estimate of the weight in kilograms for each fish caught.</p> <p><i>iii. Who the reports were submitted to and by whom (e.g. Vessel Master, the Fishing Company etc)⁷:-</i></p> <p>Amateur charter operators submit returns to Fisheries New Zealand via a contracted third party.</p> <p><i>iv. What was the timeframe and method⁸ 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 was routinely 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 Fisheries (Amateur Fishing) Regulations 1986 and the Fisheries (Amateur Charter Fishing Reporting) Notice 2010 were enacted. The legislation includes infringements and summary proceeding penalties for various offences relating to failure to be registered as an amateur charter operator, as well as failure to report catch in a manner consistent with the regulations following amateur charter fishing.</p> <p><i>vii. Other relevant information⁹:-</i></p> <p>See section 2.5 for description of reporting for licensed fish receivers.</p>
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Scientific Observers

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:-

Fishing Season	Commercial Charter ¹⁰			Commercial Domestic		
	% effort obs.	% catch obs.	Obs. days deployed	% effort obs.	% catch obs.	Obs. days deployed
2016/17	-	-	-	20	21	594
2015/16	-	-	-	19	23	646
2014/15	81	79	222	7	11	241

- 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.

- iv. What information on ERS was recorded by observers:-

Observers collect information on a wide range of incidental catch, 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 Fisheries New Zealand; a summary of the trip report is provided to the operator.

- vi. Timeframe for submission of observer reports:-

¹⁰ 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>Observer trip reports are submitted upon completion of the trip. Weekly summaries of ERS interactions are also compiled based on reports from observers on board vessels. Fisheries New Zealand contracts out a third party to process biological data collected from observer trips. The contract stipulates that the information is to be made available from the Centralised Observer Database to Fisheries New Zealand within 40 days of receipt.</p> <p>vii. <i>Other relevant information (including plans for further improvement – in particular to reach coverage of 10% of the effort):-</i></p> <p>Observer coverage targets are set in annual operational plans, which outline a 10% target for the fleet.</p>
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<p>VMS</p> <p><i>The items of “ii” are required in association with the Resolution on establishing the CCSBT Vessel Monitoring System</i></p>	<p><i>Specify:</i></p> <p>i. <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:-</i></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 • 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>Fisheries New Zealand 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. <i>For the most recently completed fishing season, specify:</i></p> <ul style="list-style-type: none"> • <i>The number of its flag vessels on the CCSBT Authorised Vessel List that were required to report to a National VMS system:-</i> <p>29 vessels were required to report.</p> <ul style="list-style-type: none"> • <i>The number of its flag vessels on the CCSBT Authorised Vessel List that actually reported to a National VMS system:-</i>
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	<p>All 29 vessels report to the New Zealand VMS system.</p> <ul style="list-style-type: none"> • <i>Reasons for any non-compliance with VMS requirements and action taken by the Member:-</i> <p>There were no incidents of non-compliance with VMS requirements.</p> <ul style="list-style-type: none"> • <i>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:-</i> <p>Not applicable.</p> <ul style="list-style-type: none"> • <i>The procedures used for manual reporting in the event of a VMS failure (e.g. "manual position reporting on a 4 hourly basis):-</i> <p>The vessel is given a reasonable period of time to repair the ALC, usually 12 to 24 hours depending on the fishery risk. If the ALC is not repaired within the timeframe, then the vessel is required to return to port.</p> <p>If the vessel already has an observer 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>On rare occasions, a vessel may be allowed to sail without a working ALC if it carries an observer and manually reports, but this is subject to an assessment of the risk to the fishery.</p> <ul style="list-style-type: none"> • <i>A description of any investigations initiated in accordance with paragraph 5(b) of the CCSBT VMS resolution including progress to date and any actions taken:-</i> <p>No investigations were initiated.</p> <p><i>iii. Reference to applicable legislation and penalties:-</i></p> <p>Penalties relating to VMS are outlined in the Fisheries (Satellite Vessel Monitoring) Regulations 1993:</p> <p>Every person commits an offence who,—</p> <ol style="list-style-type: none"> (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— <ol style="list-style-type: none"> (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
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	<p>(e) Fails to comply with any other provision of these regulations.</p> <p>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>
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<p><i>At-Sea Inspections</i></p>	<p><i>Specify:</i></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 information⁹:-</i></p> <p>All inspections, whether at sea or elsewhere, are conducted based on risk assessment of the entities involved.</p>
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<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>Fisheries New Zealand is currently phasing in the implementation of an integrated system of electronic monitoring and reporting for 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. This data can then be used to inform the decisions of fisheries managers in government and industry.</p> <p>The system will include:</p> <p>a. Electronic fisheries catch and effort reporting by fishers b. Automated position reporting from fishing operations, and c. Electronic monitoring using cameras on fishing vessels.</p>
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(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.

There were no actions were taken this year.

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

New Zealand does not farm SBT.

2.3 SBT TRANSHIPMENT (IN PORT AND AT SEA)

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

i. *The quantities of SBT transhipped at sea and in port 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
2016/17	0	0

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

New Zealand does not have LSTVs operating in the fleet.

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

Not applicable.

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

i. *Flag State rules for and names of:*

- *Designated foreign ports where SBT may be transhipped, and*
- *Foreign ports where in-port transhipments of SBT are prohibited:-*

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

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

All foreign fishing vessels arriving in New Zealand 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 validating¹¹ 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.

vii. Other relevant information⁹:-

Not applicable.

(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 in section *i*, above.

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

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

iv. Reference to applicable legislation and penalties:-

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

v. Other relevant information⁹:-

Not applicable.

¹¹ Including the class of person who conducts this work (e.g. government official, authorised third party)

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

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

- 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 Lyttelton	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
2017	N/A	0	0	0
	TOTAL NUMBER	0	0	0

2.5 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.

In 2017, 2% of SBT catch was landed as domestic product.

(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:-

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

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

100% of New Zealand flagged vessels that fish on the high seas are required to have a monitored unload¹². New Zealand undertakes risk based profiling and continually allocates resources to in port inspections and monitored unloads.

iii. Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being landed as a different species:-

New Zealand can conduct genetic testing to verify that SBT are not being landed as a different species. This is only undertaken if suspicion is raised during an inspection, or there is information received that this might be occurring.

iv. 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.

v. 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 achieve a specific qualification for validation. The authorised validators work under the direction and authority of Fisheries New Zealand.

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

¹² A New Zealand vessel can obtain an exemption to not have a monitored unload, if a New Zealand observer has monitored the entire trip.

vi. 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 SBT without a tag, with a fine upon conviction not exceeding \$100,000NZD.

The new regulations will allow enhanced enforceability of requirements 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 1996. Breaches under this section of the Fisheries Act 1996 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.

vii. Other relevant information⁹:-

Not applicable.

2.6 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.

Calendar Year ¹³	Estimate of SBT catch retained within New Zealand	SBT Exported to				
		Australia	Canada	China	Japan	United States
2017	7.5	4.4	0.3	-	763.3	5.0
2016	13.7	13.1	0.3	0.2	779.7	8.0
2015	16.8	2.6	-	9.6	765.8	0.9

¹³ "Calendar year" refers to the calendar year of the (re-)export date

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

Calendar year	SBT Re-exported to				
	Australia	Croatia	China	Hong Kong	Wallis and Futuna
2017	0.25	-	-	0.03	-
2016	-	0.03	0.20	-	0.50
2015	-	-	0.20	-	-

(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):-

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

ii. Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being exported as a different species:-

New Zealand provides significant training in species identification, including tuna species and uses a number of guiding documents. New Zealand does not conduct regular genetic testing, but has the capability available to do if required. Genetic testing kits have been successfully used in investigations where misreporting of species has been occurring. New Zealand deploys genetic sampling kits to each regional office, investigation unit and at sea inspection teams.

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

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

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

The process for validating Catch Monitoring Forms is as outlined in section 2(5)(b)(v) of this report.

v. Reference to applicable legislation and penalties:-

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

vi. Other relevant information⁹:-

Not applicable.

2.7 SBT IMPORTS

(a) Specify the total quantity of SBT (weight in tonnes to 1 decimal place) imported during each of the last 3 full calendar years from each country/fishing entity. All weights provided in this table should be net weights, not whole weights.

Calendar Year	SBT Imported from
	Australia
2017	0.1
2016	0.2
2015	0.2

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

i. Rules for designating specific ports for the import of SBT:-

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

ii. Inspections required for imports 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 Fisheries New Zealand 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. Details of genetic testing conducted and any other techniques that are used to verify that SBT are not being imported as a different species:-

New Zealand does not conduct genetic testing on imported fish unless information is received or analysis determines that the species may have been misreported. New Zealand utilises trade data and other analytical tools to determine if an importation is considered to be of a level of risk that requires further examination. The New Zealand Customs Service is responsible for all commercial importation of fish and the correct tariff code applied. MPI would be requested to support any investigation.

iv. 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.

v. 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.

vi. *Other relevant information*⁹:-

Not applicable.

2.8 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.

*(c) Other relevant information*⁹

Not applicable.

2.9 OTHER

Description of any other MCS systems of relevance.

New Zealand also imposes controls on its nationals through specific provisions of the Fisheries Act 1996 which require all nationals (or those using a ship registered in New Zealand) operating in a foreign country to abide by the laws of that jurisdiction when taking or transporting fish. Failure to do so may result in a fine not exceeding \$250,000NZD.

3 Additional reporting requirements

3.1 COVERAGE AND TYPE OF CDS AUDIT UNDERTAKEN

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

New Zealand continues to carry out inspection activity to monitor the information contained in the CDS documentation. This is undertaken through port and licensed fish receiver

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

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.

3.2 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:*

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

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

New Zealand implemented the first National Plan of Action for the conservation and management of sharks in 2008. This plan was revised in 2013, and will undergo review in 2019. Copies of this plan can be obtained from the Fisheries New Zealand website.

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

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

ii. Specify whether all current binding and recommendatory measures¹⁵ aimed at the protection of ecologically related species¹⁶ from fishing of the following tuna RFMOs are being complied with. If not, specify which measures are not being complied with and the progress that is being made towards compliance:-

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

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

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

New Zealand currently complies with all ERS requirements of WCPFC. The current domestic seabird mitigation rules are being updated to be in line with the revised conservation and management measure adopted by WCPFC (CMM 2017-06).

¹⁵ Relevant measures of these RFMOs can be found at: http://www.ccsbt.org/site/bycatch_mitigation.php.

¹⁶ Including seabirds, sea turtles and sharks.

- *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:-

- *CCSBT¹⁷:*

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.

¹⁷ 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.

(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 possible¹⁸):

Most Recent Calendar Year (2017)	Authorised Commercial Domestic	
Total number of hooks (shots for PS)	1,400,749	
Percentage of hooks (shots) observed	20	
	<i>Total number of observed interactions/mortality</i>	
	<i>Interactions</i>	<i>Mortalities</i>
Seabirds	44	23
Sharks	9,353	1,448
Sea turtles	1	0

Previous Calendar Year (2016)	Authorised Commercial Domestic	
Total number of hooks (shots for PS)	1,392,652	
Percentage of hooks (shots) observed	19	
	<i>Total number of observed interactions/mortality</i>	
	<i>Interactions</i>	<i>Mortalities</i>
Seabirds	115	105
Sharks	10,298	1,665
Sea turtles	1	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 of seabird captures

New Zealand's Protected Species Liaison Officer Programme assists surface longline vessel operators in mitigating incidental capture of protected species (namely seabirds and turtles). A key initiative by the programme are the vessel-specific risk management plans, in place on every vessel operating in the fleet. The plans set out procedures specific to the vessel to meet statutory requirements and use additional voluntary measures to reduce the risk of incidental capture of protected species.

¹⁸ Where species specific information is available, insert additional line(s) for each species below the relevant Seabird, Sharks, and/or Sea Turtles sub headings.

Examples of voluntary mitigation measures 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 Protected Species Liaison Officer Programme 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 Protected Species Liaison Officer Programme has the support of relevant commercial fishing organisations, which 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 2017 calendar year, the inspections undertaken found six incidents where breaches of seabird mitigation regulations may have occurred across the New Zealand surface longline fleet. Four cases resulted in warnings, while two cases are being assessed for possible prosecution.

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

Fisheries Officers collect information about tori line 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.

3.3 HISTORICAL SBT CATCH (RETAINED AND NON-RETAINED)

Specify the best estimate (weight and number as available) of the historical fishing amounts of SBT for each sector (e.g. commercial longline, commercial purse seine, commercial charter fleet, domestic fleet, recreational) in the table below. The table should include the most recently completed fishing season. Figures should be provided for both retained SBT and non-retained SBT. For longline and recreational, "Retained SBT" includes SBT retained on vessel and "Non-Retained SBT" includes those returned to the water. For farming, "Retained SBT" includes SBT stocked to farming cages and "Non-Retained SBT" includes towing mortalities. If possible, provide both the weight in tonnes and the number of individuals in square brackets (e.g. [250]) for each sector. Table cells should not be left empty. If the value is zero, enter "0". It is recognised that for some sectors, the information requested in this table may not yet be available. Therefore, if the value is unknown, enter "?". However, estimates are preferred over unknown entries. Cells containing estimates with a high degree of uncertainty should be shaded in light grey. A description of any estimation methods should be provided below the table.

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
2016/17	-	-	761 [18,781]	[562]	21 [317]	1 [15]
2015/16	-	-	785 [19,223]	[1,440]	1 ¹⁹ [42]	0.03 [1]
2014/15	222 [4,196]	[41]	511 [10,596]	[458]	0.7 [5]	0.3 [5]
2013/14	194 [3,983]	[73]	468 [9,668]	[438]	0.08 [2]	0
2012/13	160 [2,925]	[129]	423 [8,651]	[445]	0.6 [12]	0

¹⁹ This total weight does not include 6 recreationally-caught SBT for which no weights were recorded.

Attachment A

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53. The action points shown in Table 1 were agreed by Members, noting that within the table, “External” refers to non-Member catches, while “Internal” relates to Members’ attributable catches.

Table 1: Action points in relation to implementing the Attributable SBT Catch.

	External	Internal	ESC work schedule
2015	<p>The EC initiates discussion on the principles and process for taking account of non-member catch in the 2018-20 TAC period.</p> <p>The ESC, CC and Members to undertake analyses to provide estimates of non-member catch. Commission market analyses on significant markets to contribute to estimating non-member catch.</p>	<ol style="list-style-type: none"> 1. Individual Member research on applicable sources of mortality and report back to ESC and CC for discussion and review. 2. Members shall endeavour to set allowances to commence for 2016-17 quota years for all sources of attributable mortality based on best estimates and notify other Members by CCSBT22. If Members can't they will notify CCSBT22 and explain why they are unable to and set a date by which they can set the allowance. 3. The EC initiate discussion and agreement to a process for dealing with attributable catch within the next quota block (2018-20). 	<p>Collation of information on unreported mortalities and categorising this information in accordance with OM “fleets” (ESC19 Report).</p>
2016	<p>The ESC, CC and Members continue analyses to provide estimates of non-member catch. The EC decides on the adjustment to take account of non-member catch in the 2018-20 TAC period.</p>	<ol style="list-style-type: none"> 1. The EC if necessary continue discussion so as to agree on a process for dealing with attributable catch within the next quota block (2018-20). 2. Individual Members continue research on applicable sources of mortality and report back to the ESC and CC for discussion and review. 	<p>ESC scheduled to run MP to recommend TAC for 2018-2020.</p>
2017	<p>The ESC, CC and Members continue analyses to provide estimates of non-member catch.</p>	<p>Individual Members continue research on applicable sources of mortality & report back to the ESC and CC for discussion review.</p>	<p>ESC scheduled to conduct full stock assessment and the first formal review of MP.</p>
2018		<p>Full implementation of the common definition of attributable catch.</p>	

Attachment B

CCSBT Authorised Vessel Resolution

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

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