



# **Proposal to amend the Resolution on Limited Carry- forward of Unfished Annual Total Allowable Catch**

## **New Zealand**

Prepared for the 26<sup>th</sup> Annual Meeting of  
the Commission for the Conservation of Southern Bluefin Tuna (CCSBT26)

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# 1 Background

The Resolution on Limited Carry-forward of Unfished Annual Total Allowable Catch (the Carry-Forward Resolution) was adopted at the eighteenth meeting of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) in 2011. Defining the rules for carry-forward of unfished allocation was the focus of in-depth discussions during the establishment of the management procedure.

Ahead of adopting a new management procedure, and as of 2018, Members have been required to apply the definition of attributable catch when accounting for southern bluefin tuna (SBT) mortalities.

Attributable SBT catch is that part of a Member's or Cooperating Non-Members' (CNM) catch that is counted against its allocation. At the twenty-first meeting of the CCSBT, a common definition for the Attributable SBT Catch was agreed, as follows:

*A Member or CNM's attributable catch against its national allocation is the total Southern Bluefin Tuna mortality resulting from fishing activities within its jurisdiction or control including, inter alia, mortality resulting from:*

- *Commercial fishing operations whether primarily targeting SBT or not;*
- *Releases and/or discards;*
- *Recreational fishing;*
- *Customary and/or traditional fishing; and*
- *Artisanal fishing*

The existing Carry-Forward Resolution pre-dates this important improvement in the management of the stock, and the provisions do not clearly identify how these changes are to be considered when calculating potential carry-forward. We consider it is desirable for the Carry-Forward Resolution to clearly identify how attributable catch is to be considered when calculating potential carry-forward.

Currently, Section 2 of the Carry-Forward Resolution defines the procedure for calculating carry-forward of unfished allocation as follows:

*If a Member's annual total available catch is under-caught, that Member may carry forward the unfished quota to the following quota year. However, the total quota carried forward from one year to the next shall not exceed 20% of that Member's Effective Catch Limit for the year from which the quota is being carried forward.*

*A Member's total available catch for a quota year shall not exceed the sum of its national allocation for that year plus an amount equal to 20% of its national allocation for the previous quota year.*

Footnote 1 of the Carry-Forward Resolution defines total available catch as follows:

*Total available catch is a Member's effective catch limit allocation for that quota year plus any amount of unfished allocation carried forward to that year.*

Footnote 1 of the template for the annual report to the Compliance Committee and the Extended Commission defines effective catch limit as follows:

*This is the Member's allocation plus any adjustments for agreed short term changes to the National Allocation.*

As currently written, the Carry-Forward Resolution is not explicit in how non-commercial components of attributable catch should be taken into consideration when determining carry-forward. This creates needless uncertainty, and the potential for members to calculate carry-forward using dissimilar processes. Circulars notifying of Members' intent to carry-forward unfished quota from 2018 to 2019 has exemplified the latter point, with members using differing measures of non-commercial components of attributable catch (either full allowance, estimated mortalities, or none at all) in calculating carry-forward.<sup>1</sup>

## 2 Proposed changes

New Zealand is proposing that the wording of Section 2 is amended to clarify that the definition of attributable catch is taken into consideration, and that the carry-forward procedure used is uniformly applied by members.

The proposed changes explicitly state how members shall account for each component of attributable catch. For commercial fishing, the reported mortalities are to be used. For non-commercial components (releases and/or discards, recreational fishing, customary and/traditional fishing, and artisanal fishing) the full allowances set aside within national allocations are to be used.

## 3 Rationale

Using the full allowances set aside within national allocations for the non-commercial components of catch will take account of potential uncertainties and variability in mortality estimates of non-commercial components of attributable catch. By linking carry-forward calculations to the allowances rather than the most recent estimates, New Zealand considers this will result in greater consistency in how members calculate carry-forward. Additionally, New Zealand notes that this method has been used by a number of Members in calculating carry-forward of unfished allocation from 2018 to 2019.

## 4 Conclusion

New Zealand is asking Members to adopt the draft resolution provided in Appendix 1. The proposed text will clarify how attributable catch should be incorporated into carry-forward calculations, and ensure that the carry-forward procedure is uniformly applied by members.

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<sup>1</sup> Australia, Korea, New Zealand, and the Fishing Entity of Taiwan used the reported commercial mortalities and the full allowances provided for non-commercial components of attributable catch. Japan used the reported commercial mortalities and the estimated mortalities of discards. South Africa and Indonesia only used the reported commercial mortalities. (Circular #2019/010, Circular #2019/012, Circular #2019/021, Circular #2019/030, Circular #2019/039, Circular #2019/040, Circular #2019/044)

**Resolution on Limited Carry-forward of Unfished Annual Total Available Catch  
of Southern Bluefin Tuna**

*(Revised at the Twenty Fourth Annual Meeting: 12 October 2017)*

The Extended Commission for the Conservation of Southern Bluefin Tuna,

*Noting* the “Resolution on the Adoption of a Management Procedure” was adopted at the eighteenth annual meeting in 2011;

*Further noting* that the above resolution adopted a management procedure that sets the global total allowable catch (TAC) for southern bluefin tuna in three year blocks;

*Considering* the need for Members to effectively manage their total available catch within each quota year and to allow limited carry-forward of Member’s annual total available catch;

*Recognising* that a provision to carry-forward undercatch can benefit the fishery by providing catch flexibility between quota years;

*Informed* that such a provision will not have a negative effect on the operation of the current Management Procedure and the setting of global TACs;

*Mindful* that this carry-forward provision may present administrative complexities for some Members, and that it should therefore be up to each Member whether it wishes to implement the provision for its vessels;

Agrees in accordance with paragraph 3(b) of Article 8, that:

**Section 1: Establishment of a Carry-forward Procedure**

1. The Extended Commission hereby establishes a procedure for limited carry forward of Members’ un-fished annual total available catch<sup>1</sup>.
2. Members shall decide whether or not to carry-forward un-fished total available catch. However, if a Member decides to carry-forward unfished quota, such carry-forward shall be conducted in accordance with the procedures defined in sections 2 – 4 below.

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<sup>1</sup> Total available catch means a Member’s Effective Catch Limit allocation for that quota year plus any amount of unfished allocation carried forward to that quota year.

## Section 2: Carry-Forward Procedure

3. If a Member's annual total available catch is under-caught, that Member may carry forward the unfished quota to the following quota year. However, the total quota carried forward from one year to the next shall not exceed 20% of that Member's Effective Catch Limit<sup>1</sup> for the year from which the quota is being carried forward.

3bis To determine if a Member's annual total available catch is under-caught, that Member must compare the total of all mortalities attributed to that Member with total available catch. The total of all mortalities attributed to that Member should include the:

- Mortality resulting from commercial fishing operations, whether primarily targeting SBT or not; and the
- Member's full allowances set aside within their national allocations for:
  - Releases and/or discards;
  - Recreational fishing;
  - Customary and/or traditional fishing; and
  - Artisanal fishing.

3.4. A Member's total available catch for a quota year shall not exceed the sum of its national allocation for that year plus an amount equal to 20% of its national allocation for the previous quota year.

## Section 3: Notification and Reporting of Carry-Forward Procedure

5. The Secretariat shall seek confirmation from Members at the end of the quota year as to whether they intend to carry forward unfished quota to the next quota year. Members that have elected to carry forward unfished quota shall provide confirmation to the Secretariat within 90 days of receipt of the request and shall include a revised total available catch limit for the new quota year.
6. Members shall report on their use of the procedure in their annual reports to the Extended Commission, regardless of whether the procedure was in fact used by the Member during that quota year.

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<sup>1</sup> This is the Member's allocation plus any adjustments for agreed short term changes to the National Allocation.

**Section 4: Circumstances When Carry-Forward Is Not Applicable**

7. If, on the basis of advice from the Extended Scientific Committee that exceptional circumstances exist that necessitate additional management action, the Extended Commission agrees to reduce the global total allowable catch within a three year quota block, the carry-forward procedures provided in this resolution shall not be applied by any Member.
8. If the Extended Commission agrees within a three year quota block to reduce the national allocation of one or more Members, that Member or those members shall not apply the carry- forward procedures provided in this resolution unless decided otherwise by the Extended Commission taking into account the circumstances of the reduction.
9. If either the Management Procedure recommends, or the Extended Commission decides on a lower Global TAC, then the carry-forward procedures provided for in this Resolution shall not be applied by any Member unless decided otherwise by the Extended Commission.
10. If a Member exceeds its national allocation for the 2017 fishing season or later without paying back its excess catch for those seasons, the carry-forward procedures provided in this resolution shall not be applied by that Member until those catches have been paid back, unless otherwise agreed by the Extended Commission.

**Section 5: General Provisions**

11. The procedures in this Resolution shall take effect immediately upon adoption.
12. Following the adoption of a new Management Procedure the Extended Commission shall review and amend, if necessary, this Resolution taking into account the advice of the Extended Scientific Committee.
13. This resolution replaces and supersedes the “Resolution on Limited Carry-forward of Unfished Annual Total Allowable Catch of Southern Bluefin Tuna” that was adopted at the Twenty-First Annual Meeting.

## Appendix 1

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