



CCSBT-CCWG/1305/04

## **Draft Minimum Performance Requirements (Compliance Policy 1) for the CCSBT's Catch Documentation Scheme**

The Seventh Meeting of the Compliance Committee (CC7) discussed options for development of a set of Catch Documentation Scheme (CDS) Minimum Performance Requirements.

Due to the complex nature of this task, it was agreed that these requirements should be discussed inter-sessionally in a small Compliance Committee Working Group (CCWG) to be held in Canberra from 14 – 16 May 2013. In addition, it was agreed that this working group meeting would use the consultant's original specifications for the draft CDS Minimum performance requirements as a starting point for discussion.

On 14 February 2013, the Secretariat circulated (CCSBT Circular #2013/006) a set of Draft CDS Minimum Performance Requirements and requested that Members provide comments on any substantial issues by 5 April 2013.

The attached Draft Minimum Performance Requirements document is the same document as provided in Circular #2013/006, but now also incorporates comments received from Members (Australia, Japan and New Zealand), as well as some small additional amendments made by the Secretariat.

Therefore, the attached document now includes all of the following:

- the currently agreed CDS Minimum Performance Requirements,
- the consultant's original specifications (highlighted in yellow),
- the subsequent amendments suggested by the Chair and Secretariat (indicated in tracked changes mode with associated comments prefixed by "CCSBT"),
- amendments and comments provided by Members following Circular #2013/006 (indicated by tracked changes and Member comment boxes as appropriate),
- an additional amendment made to the document text by the Secretariat since this document was provided to Members in Circular #2013/006 – this additional amendment is indicated by the comments labelled "CCSBT-add", and
- minor changes to some comments that do not change their meaning - these changes have not been tracked.

Note also that in both the attached document and in Circular #2013/006, the Secretariat made changes to both the currently agreed performance requirements and to the consultant's original specifications. However, for ease of reading, only amendments made to the agreed minimum performance requirements are shown in tracked changes mode. Any changes made to the consultant's original specifications are not tracked, but these are available from the Secretariat upon request.

**Minimum performance requirements to meet CCSBT Obligations**  
***Compliance Policy Guideline 1***  
*(Revised at the Seventh Meeting of the Compliance Committee)*

## **1. Introduction**

This policy sets out minimum performance requirements for Members and Cooperating Non Members (CNMs) of the Commission to meet their obligations in relation to CCSBT Conservation and Management measures. All obligations are assumed to apply to both Members and CNMs. Unless otherwise stated, all references to “Members” include CNMs and all references to the “Commission” include the Extended Commission. Obligations of the Commission and CCSBT Secretariat are not listed in this Policy.

The Conservation and Management measures and obligations in this Policy have been provided by the CCSBT Secretariat, and have been taken from the original resolutions, decisions and recommendations of the CCSBT. The full title (where applicable) and an internet link to the full text for each measure are provided at the start of the relevant section of this document. The description and order of some obligations has been changed to enable the obligations to be more easily understood in isolation to the original resolution, decision or recommendation.

This policy is a non-binding document. The original resolution, decision or recommendation should be consulted for an authoritative specification of the obligations. The original recommendation, resolution or decision prevails over this policy where there are any inconsistencies with this policy.

Some measures contain provisions for sharing of information or data. These sharing arrangements often have associated confidentiality provisions, either as part of the associated decision/resolution, and/or as part of the Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the CCSBT. The confidentiality arrangements are not included in this document.

## **2. Purpose**

The purpose of this policy is to improve implementation of CCSBT obligations. It enables all Members to have a common understanding of existing obligations and the core elements expected of quality implementation of these obligations. It also provides for transparency in terms of each Member’s implementation procedures. The policy requires Members to:

- a) develop, document and implement rules, operating systems, and processes to meet their CCSBT obligations; and
- b) report on the effectiveness of the rules, operating systems, and processes.

The degree of detail in the minimum performance requirements for particular obligations reflects compliance risks associated with implementation of obligations, and the consequential need for a more consistent and rigorous approach by all Members. Performance requirements could be further elaborated in future should further compliance risks—associated with implementation of obligations—emerge.

### 3. Policy Statement

1. Members are expected to meet, or exceed, the minimum performance and reporting requirements set out in Appendix 1 of this Compliance Policy as soon as possible, after this policy is adopted by the Commission. The Compliance Committee may agree to a specific later implementation date for particular Members, based on individual circumstances.
2. All rules, operating systems, and processes must be implemented.
3. All ~~rules~~ operating systems and processes for measures relating to Catch Management, Authorisation, and MCS (groups 1-3 in Appendix 1) must be documented. Members are also encouraged to document their ~~rules~~ operating systems and processes for measures relating to Science and Ecologically Related Species (groups 4 and 5 in Appendix 1).
4. All documentation must:
  - specify how compliance with rules will be monitored
  - specify sanctions for any non-compliance detected
  - assign responsibility to a competent authority or authorities for implementing all aspects of the operating systems and processes
  - include criteria and procedures to assess the effectiveness of the rules, systems and processes in achieving compliance with the obligations.
5. Annual performance reports must:
  - set out how minimum performance requirements are met and monitored
  - evaluate the effectiveness of the rules, operating systems, and procedures in meeting obligations and performance requirements
  - disclose any compliance risks or deficiencies in the rules, operating systems, or procedures.

Individual Members may propose variations to the minimum performance requirements for particular obligations. Variations must demonstrate that they are at least as rigorous as the minimum performance requirements in Appendix 1. Proposed variations must be submitted to the Commission for approval. Approved variations will be appended to this document and form part of this Compliance Policy.

Some CCSBT obligations contain minimum standards. These, and any updates, are incorporated by reference in this Policy. In particular this includes:

**Comment [CCSBT1]:** “Rules” had been omitted from this section so was added in by the Secretariat

**Comment [JP2]:** The inserted word “Rules” was then deleted by Japan with the comment:

“The main task of the WG is to develop minimum performance requirements for the CDS. Possible changes to the main text which relates to measures not only CDS should be discussed in the Compliance Committee”

**Comment [JP3]:** Deleted by Japan

- Appendix 2 (Minimum Procedural and Information Standards for CCSBT Member and Cooperating Non-Member Tagging Programmes), Resolution on the Implementation of a CCSBT Catch Documentation Scheme [CDS Resolution](#)
- Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels, Section 3 (At-Sea Transshipment), Annex 1 (CCSBT Transshipment Declaration), and Annex 2 (CCSBT Regional Observer Program) [Transshipment Resolution](#)
- CCSBT Scientific Observer Program Standards [Scientific Observer Program Standards](#)

### ***Definition of terms***

The following terms are used in this policy:

- *Attributable SBT Catch* – that part of a Member’s SBT fishing mortality that is counted against the Member’s allocation of the SBT Total Allowable Catch.
- *Operating systems and processes* – methods to deliver the services needed to meet the obligations and rules. Services include authorisation, validation, observers, enforcement, and research.
- *Rules* – legally binding or enforceable directions, obligations, or conditions. Rules include laws, regulations, and conditions on permits, licenses or authorisations.
- *Sanctions* – penalties or other corrective actions imposed in response to detected non-compliance or illegal activities.

In the context of the Catch Documentation Scheme (CDS), the following meanings are adopted in this policy:

- *Certification* means the first check and confirmation that details in a CDS form have been fully and accurately recorded. Certification is generally carried out by individuals who represent, or are responsible for, the relevant business operation (e.g. fishing, farming, importing or exporting) whose documentation is being certified.
  - *Validation* means the second check to confirm that details in a CDS form have been fully and accurately recorded. Validation procedures include:
    - (1) checking documentation, and
    - (2) inspecting SBT product or catch and relevant documentation in a random sample from the Member’s:
      - a. farms
      - b. vessels that are landing in, or re-exporting from, the Member’s ports
      - c. vessels that are landing in foreign ports, ~~or on~~
- ~~(3) monitoring transshipments by the Member’s vessels in foreign ports.~~  
 (3) monitoring transshipments by the Member’s vessels in foreign ports.

**Comment [JP4]:** Re-inserted by Japan

**Comment [CCSBT5]:** Item 3) better fits under the heading of “verification” rather than “validation” and was therefore moved to the next section which describes “verification”

**Comment [JP6]:** This item had been moved to the “verification” section by the Secretariat. It was re-inserted into this “validation” section by Japan with the comment:

“Possible changes to the main text which relates to measures not only CDS should be discussed in the Compliance Committee.”

Any inspections required must be completed prior to validating CDS forms. Validation is carried out by government officials or other individuals who have been duly delegated the authority to validate CDS documents.

- *Verification* means sampling, monitoring and investigation procedures to confirm or audit that SBT anywhere in the production chain, or entering the market, is compliant with CDS documentation requirements. Verification is carried out by a competent authority of the Member.

Verification includes:

(1) examining and analysing samples of CDS documentation and SBT product, and investigating any discrepancies or irregularities detected, and

(2) monitoring markets to detect and investigate any supply of SBT whose CDS documentation is incomplete or missing.

~~monitoring transshipments by the Member's vessels in foreign ports.~~

**Comment [CCSBT7]:** The Secretariat moved this item to this "Verification" section (from the "Validation" section) because it seemed to fit better here

**Comment [JP8]:** The item that had been moved to this section by the Secretariat was then moved back to the "validation" by Japan with the comment:

"Possible changes to the main text which relates to measures not only CDS should be discussed in the Compliance Committee."

#### 4. Policy implementation

This policy will be implemented over three years. During this period, the Compliance Committee will work through the CCSBT obligations and agree to the performance requirements. Appendix 1 will be updated as performance requirements are agreed.

When recommending any new obligations to the Commission, the Compliance Committee will include the performance requirements associated with the obligations. Once agreed by the Commission, any new obligations and performance requirements will be added to Appendix 1.

## 5. Roles and responsibilities under this Policy

<i>Who</i>	<i>Responsibility to:</i>
Commission	<ul style="list-style-type: none"> <li>• Approve policy</li> <li>• Approve performance requirements</li> </ul>
Compliance Committee	<ul style="list-style-type: none"> <li>• Recommend performance requirements (updates to Appendix 1)</li> <li>• Monitor Member compliance through review of annual reports</li> <li>• Review and recommend changes to this policy</li> </ul>
Members	<ul style="list-style-type: none"> <li>• Develop and implement rules, operating systems and processes</li> <li>• Report on progress and effectiveness</li> </ul>
Secretariat	<ul style="list-style-type: none"> <li>• Develop reporting template</li> <li>• Place this policy and annual reports on website</li> </ul>

## 6. Policy review

This Policy is to be reviewed every three years from the date of approval of the Policy. Performance requirements are to be reviewed every three years from the date on which they were agreed.

A Member may request a review of one or more of the minimum performance requirements at any time. The request, setting out the reason for the review, must be submitted to the annual meeting of the Compliance Committee. The request must be sent to the Executive Secretary for circulation to Members at least 4 weeks before the Compliance Committee annual meeting.

## 7. Approval

This policy was approved by the Commission:

\_\_\_\_\_  
Chair, Commission

\_\_\_\_\_  
Date

Review date: \_\_\_\_\_ (unless reviewed earlier)

## Revised CDS Minimum Performance Requirements

### 3.1 Catch Documentation System (Resolution)

**Title:** Resolution on the Implementation of a CCSBT Catch Documentation Scheme

**Link:** [http://www.ccsbt.org/userfiles/file/docs\\_english/operational\\_resolutions/Resolution\\_CDS.pdf](http://www.ccsbt.org/userfiles/file/docs_english/operational_resolutions/Resolution_CDS.pdf)

**Notes:** In the text below, the term “Member” includes CNMs as it does for the rest of this document, and the term “Member/OSEC” includes Members, CNMs and Other States/Fishing Entities Cooperating in the CDS.

To keep “like” tasks together the CDS obligations are grouped below as follows:

- A. General provisions and application
- B. Modification to standard CDS Documents
- C. Tagging
- D. Validation
- E. Retention and submission of documents to the Secretariat
- F. Verification of CDS documentation

3.1 Catch Documentation System	
A. Obligations (general)	Minimum performance requirements
<p>i. All Members shall implement the CCSBT CDS for southern bluefin tuna (SBT) to document the movement of all SBT as outlined in this resolution. The CCSBT CDS incorporates CCSBT CDS documentation and tagging of SBT.</p>	<p>1. Operating systems and processes <del>established</del> <b>implemented</b> to ensure <b>that</b>:</p> <p style="padding-left: 20px;">a. <b>all owners and operators of authorised farms, fishing vessels, and carrier vessels, and all SBT processors, importers, exporters and re-exporters, are aware of their CCSBT obligations<sup>1</sup>;</b></p>
<p>ii. For transshipments, landings of domestic product, exports, imports and re-exports under the jurisdiction of a Member/OSEC, all SBT</p>	

**Comment [CCSBT1]:** The Secretariat changed the word “established” to “implemented” throughout this document to make it clear that operating systems and processes need to be both established and implemented

<sup>1</sup> In the case of authorised carrier vessels that are not flagged to a Member, the carrier vessel masters need to be aware of the authorising Member’s obligations so that the carrier vessel can comply with these.

3.1 Catch Documentation System	
A. Obligations (general)	Minimum performance requirements
<p>shall be accompanied by a Catch Monitoring Form, and where required<sup>2</sup> at least one Re-export/Export after landing of domestic product Form as well. There is no waiver of this requirement. However:</p> <ul style="list-style-type: none"> <li>the exportation/import of fish parts other than the meat (i.e. head, eyes, roe, guts, tails) may be allowed without the document</li> <li>Members that prohibit the sale of fish caught by recreational fishers may exempt their recreational fisheries from the requirements of the CCSBT CDS</li> </ul>	<p><del>b. CDS documents are uniquely numbered, and completed fully and in accordance with the document's instructions;</del></p> <p>b. CDS documents accompany SBT as relevant, including:</p> <ol style="list-style-type: none"> <li>a Catch Monitoring Form (CMF) for all transshipments, landings of domestic product, exports, imports and re-exports</li> <li>a Re-export/Export After Landing of Domestic Product (REEF) for all exports of SBT landed as domestic product <u>then exported</u>, and for all re-exports <u>of imported SBT</u>. <u>Any REEF must also be accompanied by a copy of the associated CMF and copies of any previously issued REEFs for the SBT being exported</u></li> <li>a Farm Transfer Form (FTF) for all transfers of SBT between authorised farms within the Member's jurisdiction;</li> </ol> <p>c. all entities with CDS certification obligations have certification requirements, including:</p> <ol style="list-style-type: none"> <li>that the certifier for the Catch Tagging Form (CTF) should be the Vessel Master or other appropriate authority for any wild harvested SBT, and the Farm Operator or other appropriate authority for any farmed SBT</li> </ol> <p>d. all entities involved in towing and farming SBT have procedures to:</p> <ol style="list-style-type: none"> <li><del>determine record, for the following items about</del> the catch from each catching vessel: <ol style="list-style-type: none"> <li>the <u>daily</u> mortality of SBT during <u>catching and towing</u>.</li> </ol> </li> </ol>
<p>iii. Transfers of SBT into and between farms under the jurisdiction of a Member shall be documented on the Farm Stocking Form and Farm Transfer Form as applicable.</p>	
<p>iv. CCSBT CDS documents must be uniquely numbered.</p>	

Comment [CCSBT2]: This item has been moved to become item 3 on page 8

<sup>2</sup> For all re-exports of SBT, and any exports of SBT that were landed as domestic product.



3.1 Catch Documentation System	
A. Obligations (general)	Minimum performance requirements
	<p><u>and</u></p> <p>b) the quantity (number and weight <u>in kilograms</u>) of SBT transferred to each farm</p> <p>ii. use these records to complete the Farm Stocking Form at the end of each fishing season <u>and before the SBT are recorded on a CMF</u>;</p> <p>e. <u>compliance with certification procedures is monitored</u>;</p> <p>2. Any use of specific exemptions to CDS documentation (allowed for under obligation 3.1 A (ii) for recreational catch or for exports or imports of fish parts other than meat) must be:</p> <p>a. explicitly allowed and this decision advised to the Executive Secretary; and</p> <p>b. have associated documented risk-management strategies to ensure that associated mortalities are accounted for and that recreational catches do not enter the market.</p> <p>3. <u>Operating system and processes implemented to ensure all CDS documents are uniquely numbered, and completed fully and in accordance with the document's instructions</u>;</p>
v. Members/OSECs shall not permit the landing as domestic product, transshipment, import, export and/or re-export of SBT caught by vessels not authorised to catch SBT and (if SBT farming is conducted under their jurisdiction) the transfer of SBT to or between, and harvest of SBT from, farms not authorised to farm SBT.	<p>1. Operating systems and processes implemented to ensure that:</p> <p>a. <u>at all times only carrier vessels currently entered into the authorised on the CCSBT Record of Carrier Vessels for the transshipment date are permitted</u> <del>authorised</del> to receive at-sea transshipments from the Member's LSTLVs; and</p> <p><del>2. no transshipment of SBT takes place until the carrier vessel and any updated details are entered into the Record.</del></p> <p><del>2. Rules implemented to prohibit:</del></p>

Comment [JP3]: Please indicate what is monitored and how

Comment [CCSBT4]: This item has been moved from deleted item 1b at the top of page 7

Comment [CCSBT5]: Item 1a was re-worded to clarify this requirement. Once 1a was re-worded, the item previously labelled as 2) appeared unnecessary and so was deleted

Comment [CCSBT6]: This item was added by the Secretariat to clarify that any SBT covered by these scenarios should not be accepted by Members or OSECs

3.1 Catch Documentation System	
A. Obligations (general)	Minimum performance requirements
	<p>a. <u>the landing, transshipment, import, export or re-export of SBT caught or transhipped by non-authorized fishing/carrier vessels;</u></p> <p>b. <u>the transfer of SBT to, between or harvested from farms which were not authorized to farm SBT on the date(s) of the transfers/ harvests.</u></p>

3.1 Catch Documentation System	
B. Obligations (modification to CDS documents )	Minimum performance requirements
vi. Only minimal modifications, such as the addition of translations, may be made to the approved forms <sup>3</sup> . No information field may be omitted from the standard form, except where the field is not applicable.	<p>1. Modified documents remain compatible with approved forms to ensure data series remain continuous and so they can be uploaded by the Secretariat.</p> <p>2. Modified documents are provided to the Executive Secretary in electronic format at least 4 weeks prior to the use of such documents and with proposed modifications clearly highlighted.</p>
vii. Any documentation modified, as described above <sup>4</sup> , shall be provided to the Executive Secretary for distribution to other Members/OSECs.	
viii. Significant amendments to the forms and form content may be made only with the agreement of the Commission at its annual meeting based on recommendations from the CCSBT Compliance Committee.	

<sup>3</sup> However the Catch Tagging Form may be amended to include additional information at the discretion of the Member .

<sup>4</sup> With the exception of additions to the Catch Tagging Form.

3.1 Catch Documentation System	
C. Obligations (Tagging )	Minimum performance requirements
ix. <del>Members shall require that an SBT tag be attached to each whole SBT at the time of kill except in the three circumstances described at paragraph 3.1 C “xiii” below.</del>	1. Operating systems and processes <del>to be implemented to ensure that</del> CCSBT Catch Tagging Program requirements <del>are met</del> , including: <ol style="list-style-type: none"> <li>ensuring all SBT tags meet the minimum specifications in paragraph 3 of Appendix 2 of the <a href="#">CDS Resolution</a>;</li> <li>recording the distribution of SBT tags to:               <ol style="list-style-type: none"> <li>entities authorised to fish for, or farm, SBT, and</li> <li>entities <del>that may authorised to receive SBT<sup>5</sup></del>;</li> </ol> </li> <li>requiring a valid tag to be attached to each SBT brought on board a fishing vessel and killed (including SBT caught as incidental bycatch) or landed and killed from a farm (unless the special circumstances in 3.1C(xiii) apply);</li> <li>requiring tags to be attached to each fish as soon as practicable after the time of kill;</li> <li>requiring details for each fish to be recorded on the Catch Tagging Form as soon as practicable <del>after the time of kill,</del> <del>including month, area, and method of capture, as well as with</del> weight and length measurements carried out before <del>the</del> SBT is frozen <del>and/or tailed for length, and before the SBT is frozen for weight;</del></li> </ol>
x. A Catch Tagging Form shall be filled in as soon as practicable after the time of kill. Length <del>and weight</del> measurements shall be conducted before the SBT is frozen <del>and/or tailed.</del> <u>Weight measurements shall be conducted before the SBT is frozen.</u> Where measurements cannot be accurately done on board the vessel, they may be made at the time of landing or transshipment, provided the measurements and the associated Catch Tagging Form are filled in before any further transfer of the SBT.	

Comment [JP7]: Deleted by Japan

Comment [CCSBT-add8]: Additional amendment made by the Secretariat

Comment [JP14]: Amendments to this section made by Japan were accompanied by the comment:

“As I understand, the CDS resolution requires to measure only length before tailing.”

Comment [CCSBT15]: The Secretariat added in ‘tailed’ to reflect the revision of the CDS resolution made at CCSBT19

Comment [JP9]: Deleted by Japan with the comment:

“As long as details of tags are reported to relevant authority soon after the time of kill, immediate recording on the CTF should not be required. In Japan, details of each fish are forwarded to the authority by facsimile once a day, and then recorded on the CTF before landing or transshipping.”

Comment [JP10]: Amended by Japan

Comment [CCSBT11]: Added in ‘tailed’ to reflect the revision of the CDS resolution made at CCSBT19

<sup>5</sup> Note that most SBT receivers only have tags for use in the exceptional circumstances outlined in 3.1 C “xiii”

3.1 Catch Documentation System	
C. Obligations (Tagging )	Minimum performance requirements
	<p>f. requiring tag details and data to be forwarded electronically or by facsimile to Flag Member at least once a day;</p> <p>g. requiring that where weight and length measurements are done at the time of landing or transshipment, these tag details are forwarded electronically or by facsimile to the Flag Member within 24 hours; and</p> <p>h. requiring that Catch Tagging Form certification be completed before the Catch/Harvest Section of the associated Catch Monitoring Form(s) is validated.</p>
xi. A tagging programme shall meet the minimum procedural and information standards set out in Appendix 2 of the CDS resolution <sup>6</sup> .	<p>1. <u>Operating systems and processes implemented to:</u></p> <p>1. <u>Rules to:</u></p> <p>a. meet procedural and information standards set out in Appendix 2 of the <u>CDS Resolution</u>;</p> <p>b. prohibit unauthorised use of SBT tags;</p> <p>c. prohibit the use of duplicate tag numbers;</p> <p>d. prohibit whole SBT to be landed, transhipped, exported, imported or re-exported without a tag (except in the circumstance set out in obligations “3.1C(xiii)”);</p> <p>e. require tags to be retained on whole SBT to at least the first point of sale for landings of domestic product;</p> <p>f. require a risk management strategy (including random or risk-based sampling) to minimise the opportunity of illegal SBT being marketed to be adopted <u>where tags are not required on whole SBT beyond the first point of sale.</u></p>
xii. Members shall prohibit unauthorised use of SBT tags.	
xiii. Members/OSECs shall not permit whole SBT to be landed as domestic product, transhipped, exported, imported or re-exported without a tag, except that: <ul style="list-style-type: none"> <li>a) in the case of farming operations, the SBT may be landed without a tag provided a tag is attached within 30 hours of kill;</li> <li>b) in exceptional circumstances, where a vessel on the CCSBT Record of Authorised Vessels does not have sufficient tags on board the vessel, the tag may be attached at landing;</li> <li>c) in exceptional circumstances, where a vessel catches SBT as unexpected bycatch and has no or insufficient tags on board, the tag may be attached at landing.</li> </ul>	

**Comment [NZ12]:** With respect to 1.f and g New Zealand commented that: “This requirement appears to go well beyond the original wording of the resolution and would create a significant administrative burden for members. From a compliance perspective, it is unlikely that the information would significantly improve NZ’s domestic enforcement efforts. Looking at the broader CDS, the benefits of daily tag data reporting become even less apparent when assessed against the timing obligations of other reporting obligations such as the quarterly tagging submissions to the Secretariat and the 6-monthly consolidation work. NZ does not currently conduct any analysis that would require daily provision of tagging information and feels that this requirement would add a significant imposition on both Members’ administrations and the commercial stakeholders which supply the information. For these reasons, NZ would not support daily tag reporting as a minimum performance requirement.”

**Comment [AU13]:** With respect to 1.f and g Australia commented that: “Australia requires that for the wild caught sector catch tagging forms (with tag details, weights and lengths) be provided to the Flag Member within 3 business days of landing the catch and, for the farm sector, within 3 business days of final harvest. The 24 hour requirement suggested under (f) and (g) would not be practical for Australian operations.”

**Comment [JP16]:** Amended by Japan with the comment:

“Operating system and processes should deal with these items.”

**Comment [JP17]:** Deleted by Japan with the comment:

“A risk management strategy would be necessary even before the first point of sale.”

<sup>6</sup> This includes minimum standards for the tag and requirements for tag related information.

3.1 Catch Documentation System	
C. Obligations (Tagging )	Minimum performance requirements
xiv. In exceptional circumstances, where a tag becomes accidentally detached and cannot be reattached, a replacement tag shall be attached as soon as possible and no later than the time of landing, transshipment or export.	2. Operating systems and processes implemented to: <ol style="list-style-type: none"> <li>monitor compliance with control measures in 1. a-g above;</li> <li>impose sanctions where non-compliance is detected;</li> <li>report any cases of whole SBT being landed without tags (due to exceptional circumstances in “3.1Cxiii” and “xiv”) <u>to the Executive Secretary</u>, and minimise their occurrence in future.</li> </ol>
xv. Members shall report any exceptional circumstances referred to in “3.1Cxiii(b)”, “xiii(c)” or “xiv” of this measure to the Executive Secretary within 7 days of the landing. The report shall provide details of the exceptional circumstances, the number of SBT tagged and for “3.1Cxiv” of this measure, the old (where known) and new tag number(s).	
xvi. Members shall require that tags be retained on whole SBT to at least the first point of sale for landings of domestic product, and shall encourage the retention of tags on whole fish thereafter.	

3.1 Catch Documentation System	
D. Obligations (Validation )	Minimum performance requirements
xvii. The authority to validate CDS documents may be delegated to an authorised person by an official of the relevant State/fishing entity. Members/OSECs who utilise delegated person/s shall submit a certified copy of such delegation/s to the Executive Secretary. The individual who certifies a CCSBT CDS Document shall not be the same person who validates the Document.	1. Operating systems and processes implemented to: <ol style="list-style-type: none"> <li>authorise validators <u>to validate Farm Stocking, Catch Monitoring and Re-Export/Export after Landing of Domestic Product Forms</u>;</li> <li>demonstrate that all persons with authority to validate CDS documents:               <ol style="list-style-type: none"> <li>are government officials or other individuals who have been duly delegated authority to validate</li> <li>are aware of their responsibilities, including inspection, monitoring and reporting requirements</li> <li>are aware of penalties applicable should the authority be</li> </ol> </li> </ol>
xviii. Members/ OSECs shall provide to the Executive Secretary information on validation (including type of validation, name of the organization which validates the documents, title and name and signature of officials who validate the documents, sample impression of stamp or seal, and a list of all persons holding	

Comment [CCSBT18]: These are the only forms with validation requirements, so they should be specified explicitly

3.1 Catch Documentation System	
D. Obligations (Validation )	Minimum performance requirements
<p>delegated authority to validate CCSBT CDS documentation prior to those officials and persons exercising the authority). Members/OSECs shall inform the Executive Secretary of any changes in a timely fashion.</p>	<p><del>mis-used</del></p> <p>iv. <del>have no conflict of interest.</del></p> <p>vi. <del>have not certified the relevant CDS form;</del></p> <p><u>c. appropriate individuals certify each CDS form type by each signing and dating the required fields;</u></p> <p><u>d. the same individual does not both certify and validate information on the same CDS document</u></p> <p><del>e-e.</del> inform the Executive Secretary of:</p> <p>i. the details for all validators (including the information specified in obligation 3.1D xviii) and <u>keep maintain</u> this information up to date</p> <p>ii. <u>any removals from the list of validators no later than the end of the quarter in which the removal occurred;</u></p> <p><del>d-f.</del> ensure that no individual conducts validations</p> <p>i. <u>prior to the Executive Secretary being fully informed of his/her current validation details, or</u></p> <p>ii. <u>after that individual's authority to validate has been removed.</u></p> <p><del>ii-iii.</del> <u>for SBT that is not physically inspected by the authority at least once before the first point of sale.</u></p> <p>2. <u>Operating systems and processes implemented to monitor performance (compliance and effectiveness) of validators.</u></p>
<p>xix. <del>The CCSBT CDS documentation must be validated (or signed in the case of transshipments at sea) as applicable by:</del></p> <ul style="list-style-type: none"> <li>for landings of domestic product, an official of the flag Member of the catching vessel or, when the fishing vessel is operating under a charter arrangement, by a competent authority or institution of the chartering Member; and</li> <li>for all SBT transshipments subject to CCSBT Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels, the observer required by that resolution; and</li> <li>for all export of SBT, an official of the exporting Member; and</li> <li>for all re-export of SBT, an official of the re-exporting Member/OSEC.</li> </ul>	

- Comment [CCSBT19]:** This item is replaced by item 1d immediately below
- Comment [CCSBT20]:** This requirement d) replaces the deleted requirement 1.b. vi) immediately above. Items c) and d) were added by the Secretariat and moved to this location (from the now blank block below) by Japan
- Comment [CCSBT24]:** The Secretariat had moved this requirement xix to the next block (now blank). However, in their feedback, Japan moved this requirement back to its original position in this block. Therefore, for ease of reading, this requirement is now shown back in its original position with no tracked changes.
- Comment [JP21]:** Does “the list of validators” mean the list of validation authority? If so, revision should be informed to the Secretariat and shared with members immediately. Further, addition to the list should also be informed and shared.
- Comment [JP22]:** iii) was added by Japan with the comment: “An official should physically inspect all SBT at least once before the first point of sale.”
- Comment [JP23]:** Please indicate what is assumed as the operating system and processes to monitor validators.
- Comment [CCSBT25]:** In the previous version of this document, the Secretariat had suggested moving requirement xix and its associated performance measure to this new block. However, in this revised document, item xix and its associated performance measure have been re-inserted back into the block above due to Japan’s feedback that these items should remain there.

3.1 Catch Documentation System	
D. Obligations (Validation )	Minimum performance requirements
xx. Full or partial consignments of untagged whole SBT must not be validated or accepted for transshipment, landing of domestic product, export (including export after landing of domestic product), import or re-export (except where the tag is no longer required to be attached to the SBT because it has undergone processing such as filleting or loining and the SBT is no longer whole).	<p>1. <u>Operating systems and processes</u> <del>Rules to ensure:</del></p> <p>a. <del>validation only occurs</del> <u>CDS forms are only validated:</u></p> <p>i. <del>for tagged where all of the</del> <u>SBT on the form are tagged</u> (except <u>in cases</u> where tags <u>are</u> no longer required due to processing <u>having occurred</u>)</p> <p>ii. <u>in the case of farmed SBT, for SBT harvested from farms on a date that the farm was authorised on the CCSBT record of Authorised Farms</u></p> <p>iii. <u>in the case of Wild Harvest SBT, for SBT taken by FVs on a date when that FV was authorised on the CCSBT Record of Authorised Vessels;</u></p> <p>b. <u>validated documentation accompanies all SBT consignments whether transhipped, landed as domestic product, exported, imported or re-exported</u></p> <p>c. <u>no SBT is accepted (for landing of domestic product, export, import or re-export) without validated documentation;</u></p> <p>d. validation does not occur where:</p> <p>i. <u>validation</u> <del>or</del> <u>authorisation</u> procedures <u>were not correctly</u> followed or</p> <p>ii. <u>any deficiency or discrepancy is found with the CDS form.</u></p> <p><del>iii.</del> <u>the SBT concerned is not physically inspected by the authority at least once before the first point of sale.</u></p> <p>2. Operating systems and processes <u>established implemented for a Member to validate relevant SBT product against</u> CDS documents, including:</p> <p>a. requirements to check accuracy of information <u>, including, at a minimum: by</u> ensuring <u>every</u> CDS documentation <del>is</del> complete, valid and <u>contains</u> <del>has</del> no obviously incorrect information <u>by:</u></p>
xxi. No Member/OSEC shall accept any SBT for transshipment, landing of domestic product, export, import, or re-export where any or all required documents do not accompany the relevant consignment of SBT, where fields of information required on the form are not completed, or where the form has not been validated as required by this resolution.	
xxii. Members/OSECs shall not validate any CCSBT CDS document that is not complete, has obviously incorrect information, or has not been validated as required by this resolution.	
xxiii. 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.	

Comment [JP26]: Operating system and processes should deal with these items.

Comment [CCSBT27]: This item was formerly labelled as bi.

Comment [JP28]: d.iii) was added by Japan with the comment:

"An official should physically inspect all SBT at least once before the first point of sale."

3.1 Catch Documentation System	
D. Obligations (Validation )	Minimum performance requirements
	<p>i. cross-checking data on the form being validated against:</p> <ol style="list-style-type: none"> <li>1. data on preceding CDS forms (if applicable)</li> <li>2. relevant lists of authorised farms, vessels or carriers</li> <li>2-3. result of physical inspection by the authority</li> </ol> <p>ii. ensuring that for at least 10% of all CDS forms, the validator inspects and thoroughly checks all SBT product against the associated CDS documents prior to validation</p> <p>ii-iii. taking into account any results from relevant inspections carried out by the validator or under the verification programme;</p> <p>b. reporting requirements, including:</p> <ol style="list-style-type: none"> <li>i) identification of any inconsistencies or inaccuracies found in the CDS documentation</li> </ol> <p>notification of any inconsistencies or inaccuracies to the Member's enforcement authorities.</p>

- Comment [JP29]: Added by Japan
- Comment [CCSBT30]: This item replaces the more complex requirements that had originally been added by the contractor (but now removed)
- Comment [JP31]: What does the phrase "inspects and thoroughly check" mean? What are the numerator and the denominator for "10%"? All CMF and REEF to be validated are checked up with relevant CTF in Japan.
- Comment [CCSBT32]: This requirement was deleted as it doesn't appear to add anything new to the existing requirements
- Comment [CCSBT33]: Deleted as already included as part of 2a above

3.1 Catch Documentation System	
E. Obligations (Retention and submission of documents )	Minimum performance requirements
xxiv. Members/OSECs shall retain all original CCSBT CDS Documents (or scanned electronic copies of the original documents) received by them. Members/OSECs shall also retain a copy of any CCSBT CDS Documents issued by them	1. Documents and/or scanned electronic copies stored in a secure location under conditions that avoid damage to the legibility of the documents or the data files.
xxv. Copies of these CDS Documents shall be forwarded to the Executive Secretary on a quarterly basis.	1. Copies of all completed CDS documents issued by catching Members or received by importing or receiving Members, sent to Executive Secretary in accordance with the following timeframes: <ol style="list-style-type: none"> <li>a. documents issued or received in Jan-Mar - due 30 June</li> <li>b. documents issued or received in Apr-Jun - due 30 September</li> </ol>
xxvi. Completed Catch Tagging Forms shall be provided to the flag Members which shall provide the information in the Catch Tagging Form to the Executive Secretary in an electronic format.	

Comment [AU34]: Electronic copies of CDS documents compliant with footnote 5 of the CDS Resolution should also be acceptable.



<b>3.1 Catch Documentation System</b>	
<b>E. Obligations (Retention and submission of documents )</b>	<b>Minimum performance requirements</b>
All other forms shall be forwarded to the Executive Secretary either as a copy of the original form or in electronic format containing all the information in the forms.	<ul style="list-style-type: none"><li>c. documents issued or received in Jul-Sep - due 31 December</li><li>d. documents issued or received Oct-Dec - due 31 March.</li></ul> <p>2. Catch Tagging Form information provided to the Executive Secretary using the electronic Data Provision Form developed by the Secretariat and in accordance with the Data Provision Form's instructions.</p>

3.1 Catch Documentation System	
F. Obligations (Verification of CDS documentation)	Minimum performance requirements
xxvii. Each Member shall ensure that its competent authorities, or other authorised individual or institution, take steps to identify each consignment of SBT landed as domestic product in, imported into or exported or re-exported from its territory and examine the validated CCSBT CDS Documents for each consignment of SBT. These competent authorities, or authorised individuals or institutions, may also examine the content of the consignment to verify the information contained in the CCSBT CDS Document and in related documents and, where necessary, shall carry out verifications with the operators concerned.	<p>1. Operating systems and processes implemented to:</p> <ol style="list-style-type: none"> <li>assign unambiguous responsibility to individuals or institutions for implementing verification procedures; and</li> <li>ensure no verification procedure is carried out by an individual who has validated or certified a CDS document.</li> </ol> <p>2. Operating systems and processes <del>establish</del>implemented for verification, including:</p> <ol style="list-style-type: none"> <li>selecting and inspecting a representative sample<sup>7</sup> of vessels and export, import and market establishments;</li> <li>reviewing and analysing information from CDS documents at least once every 6 months, including: <ol style="list-style-type: none"> <li><del>cross-checking the</del> completeness of data on CDS forms and <del>cross-checking the</del> consistency of the data <del>from</del>on CDS forms received <u>with other sources of information</u></li> <li>cross-checking data from <u>the Executive Secretary's CDS</u> six-monthly report <del>from Executive Secretary</del></li> <li>analysing any discrepancies;</li> </ol> </li> <li>investigating any irregularities suspected or detected;</li> <li>taking action to resolve any irregularities;</li> <li>notifying the Executive Secretary and relevant Members/OSECs, of any consignments of SBT whose CDS documentation is considered doubtful, or incomplete or unvalidated;</li> <li>notifying the Executive Secretary of any investigation into irregularities, including reporting: <ol style="list-style-type: none"> <li>progress, within 6 months of starting the investigation</li> </ol> </li> </ol>
xxviii. Each Member shall review information and investigate and resolve any irregularities identified in relation to their information in the CDS reports, including any discrepancies identified during the comparison of data from the Executive Secretary. Among other matters, Members shall cross-check the six monthly reports provided by the Executive Secretary using information available to it.	
xxix. Each Member/OSEC shall, as soon as practicable, identify to the Executive Secretary and relevant Members/OSECs, any consignments of SBT where there are: <ul style="list-style-type: none"> <li>doubts about the information contained in any associated CDS documentation; or</li> <li>incomplete, missing or unvalidated CCSBT CDS documentation.</li> </ul>	

Comment [JP35]: Please indicate what kind of inspection is assumed here.

Comment [AU36]: Australia believes that a six month timeframe may be too short for large scale complex investigations

<sup>7</sup> Wherever practical, vessels and establishments should be selected using a random, representative or risk-based approach

3.1 Catch Documentation System	
F. Obligations (Verification of CDS documentation)	Minimum performance requirements
	<ul style="list-style-type: none"> <li>and</li> <li>ii. the final outcome within 3 months of completing the investigation.</li> </ul>
<p>xxx. Each Member shall co-operate and take all necessary steps with relevant authorities, and within domestic law, to review, investigate and resolve any concerns identified in “3.1Fxxviiiiviii” and “3.1Fxxixviii” of this measure, and notify the Executive Secretary of the outcome of any such action for inclusion in its report to the Commission</p>	<ul style="list-style-type: none"> <li>1. Procedures and agreements in place between Members’ monitoring and enforcement agencies to cooperate to:               <ul style="list-style-type: none"> <li>a. investigate and resolve any irregularities suspected or identified; and</li> <li>b. exchange information to:                   <ul style="list-style-type: none"> <li>i. ensure CDS documents are not forged, and</li> <li>ii. support catch verification procedures.</li> </ul> </li> </ul> </li> </ul>
<p>xxxi. Members/OSECs shall cooperate to ensure that CDS documents are not forged and/or do not contain misinformation.</p>	
<p>xxxii. Where necessary, in support of catch verification procedures, Members/OSECs agree to exchange the necessary supporting information and, where relevant, evidence as may be necessary to verify the integrity of the flow of CDS information and to reconcile any discrepancies.</p>	