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## New Zealand albacore tuna troll



# **Public Certification Report**

Conformity Assessment Body (CAB)	LRQA
Assessment team	Jo Akroyd & Kevin McLoughlin
Fishery client	Tuna Management Association of New Zealand
Assessment type	Second Reassessment
Date	August 2022



### **Assessment Data Sheet**

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### 2 Glossary

ALB Albacore Tuna

CCM WCPFC Commission Members, Cooperating Non-Members and

Participating Territories are termed CCMs

CELR Catch Effort Landing Return

CMM Conservation management measures

CNM Co-operating Non Member

CoC Chain of Custody
CPUE Catch per Unit Effort

DoC Department of Conservation
EEZ Exclusive Economic Zone
ERA Ecological Risk Assessment

ETP Endangered, Threatened and Protected

F Fishing mortality

**FAD** Fish Aggregating Device **FFA** Forum Fisheries Agency **FMA** Fishery Management Area Fishing mortality at MSY **F**MSY **FNZ** Fisheries New Zealand Gross registered tonnage GRT **HCR** Harvest Control Rule HMS Highly Migratory Species

IATTC Inter-American Tropical Tuna Commission

IUU Illegal, Unreported and Unregulated

KAH Kahawai

LFRR Licensed Fish Receiver Return

LRP Limit Reference Point

LRQA Lloyd's Register Quality Assurance

MARPOL International Convention for the Prevention of Marine Pollution

MFCL MULTIFAN-CL Stock Assessment Software

MHR Monthly Harvest Return

MOW Management Objectives Workshop
MPI Ministry for Primary Industries
MSC Marine Stewardship Council
MSY Maximum Sustainable Yield
NPOA National Plan of Action

NGO Non-Government Organisation

NIWA National Institute of Water and Atmospheric Research

NZ New Zealand

PAE Part Allowable Effort

PNA Party to the Nauru Agreement
PNAO Party to the Nauru Agreement Office
PSA Productivity Sensitivity Analysis
QMS Quota Management System

RBM Ray's Bream

RFMO Regional Fisheries Management Organisations

SB Spawning biomass

SB<sub>current</sub> Average spawning biomass over recent years

SB<sub>MSY</sub> Spawning biomass at MSY

SC Science Committee (of the WCPFC)

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SKJ Skipjack

SP ALB South Pacific albacore

SPC Secretariat of the Pacific Community SPC-OFP SPC Oceanic Fisheries Programme

SPO South Pacific Ocean
SST Sea Surface Temperature
STCZ Sub-Tropical Convergence Zone

TAC Total Allowable Catch

TACC Total Allowable Commercial Catch

TCC Technical and Compliance Committee (of the WCPFC)

TCLER Tuna Longline Catch Effort Return

TRP Target Reference Point

UNCLOS United Nations Convention on Law of the Sea

UNFSA United Nations Fish Stock Agreement

UoA Unit of Assessment
UoC Unit of Certification
VDS Vessel Day Scheme
VMS Vessel Monitoring System

WCPFC Western and Central Pacific Fisheries Commission

WCPO Western Central Pacific Ocean



### 3 Executive summary

This report is the Public Certification Report (PCR) which provides details of the MSC reassessment process for the New Zealand (NZ) albacore tuna troll fishery. The process begun with publication of the Announcement Comment Draft Report (ACDR) on 5<sup>th</sup> November 2021 and thereafter an off-site visit meeting held on 6<sup>th</sup> December 2021. Given the ongoing Covid-19 pandemic, the site visit took place remotely via conference calls as per the MSC February 2021 derogation. The process was concluded with the publication of the PCR and recertification on the 12<sup>th</sup> August 2022.

A review of information presented by the client has been scored by the assessment team and through the publication of the ACDR and the site visit that followed, these scores have been reviewed by the assessment team and amended as appropriate.

Following this, the report has been through peer and client review. The assessment team have reviewed all comments and revised scores appropriately.

The Public Comment Draft Report (PCDR) gave stakeholders a further chance to review the report and scoring. The Final Draft Report (FDR) was the final presentation of our certification decision and scores.

Stakeholders had the opportunity to submit an objection to our Certification Decision presented in the FDR by following the MSC Disputes Process v1.0. An objection was not received.

Therefore, LRQA confirms this fishery meets the MSC requirements and hereafter is re-certified, subject to successful outcomes of annual surveillance audits.

The **Target Eligibility Date** for this assessment is the date of the expiry of the current certificate, 13<sup>th</sup> August 2022.

This fishery was first certified on 16<sup>th</sup> May 2011 and recertified in January 2017. The fishery is now undergoing its 2<sup>nd</sup> reassessment.

The assessment team for this fishery assessment comprised of Jo Akroyd, who acted as team leader and primary Principle 3 specialist and Kevin McLoughlin who was primarily responsible for evaluation of Principles 1 and 2.

#### Client strengths

- > There are strong fisheries management and research systems operating in New Zealand.
- > The troll fishing method is relatively environmentally friendly, with very low levels of non-target catch.
- > The fishery operates only within the New Zealand fisheries waters.
- The fishery has previously been MSC certified on two occasions.

### Client weaknesses

- The large number of small vessels complicates monitoring.
- > There is a low level of observer coverage.
- Albacore tuna are not managed under the New Zealand Quota Management System.
- > There are ongoing issues with an appropriate harvest strategy being adopted by the Western and Central Pacific Fisheries Commission (WCPFC) which will meet SG80 requirements.

### **Determination**

Following stakeholder input of initial scoring in the ACDR, site visit, client, peer and MSC review and PCDR consultation, the determination is that this fishery has passed its assessment and should be certified. This has been confirmed by LRQA's decision making entity.

#### **Conditions & Recommendations**

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However, a number of criteria which contribute to the overall assessment score scored less than the unconditional pass mark, and therefore trigger a binding condition to be placed on the fishery, which must be addressed in a specified timeframe (within the 5 year lifespan of the certificate). Full explanation of these conditions is provided in Section 9.2 of this report.

For interested readers, the report also provides background to the target species and fishery covered by the assessment, the wider impacts of the fishery and the management regime, supported by full details of the assessment team, a full list of references used and details of the stakeholder consultation process.

LRQA confirms that this fishery is within scope.



### 4 Report details

### 4.1 Authorship and peer review details

All team members listed below have completed all requisite training and signed all relevant forms for assessment team membership on this fishery.

### Assessment team leader: Jo Akroyd

Primarily responsible for assessment under Principle 3.

Jo has over 30 years' experience in marine fisheries policy, research, management and governance. She has extensive international and Pacific experience and has worked at senior levels in both the public and private sectors in these roles. Jo was with the Ministry of Agriculture and Fisheries in New Zealand for 20 years. Starting as a fisheries scientist, she was promoted to senior chief fisheries scientist, then Assistant Director, Marine Research. She was awarded a Commemoration Medal in 1990 in recognition of her pioneering work in establishing New Zealand's fisheries quota management system. As well as carrying out general fisheries consultancy since1994 she has undertaken all facets of MSC work as a lead assessor, expert team member and peer reviewer across a wide range of fisheries. Jo has completed the MSC v1.3, v2.0, v2.1 and v2.2 training modules including for enhanced fisheries, Risk based framework and traceability. She is a member of the MSC's Peer Review College.

MSC projects include Team Leader for the AGAC four oceans Integral Purse Seine Tropical Tuna Fishery (yellowfin, bigeye and skipjack tunas), Team Leader and Fisheries Management expert for New Zealand fisheries, (hoki, hake, ling, southern blue whiting, albacore and skipjack), Fiji (albacore, yellowfin and bigeye tuna), Japan (scallops, skipjack and yellowfin), China (scallops, flounder and snow crab), Maldives (skipjack), Ross Sea (toothfish), West Papua (skipjack and yellowfin). She has conducted multi species pre-assessments in Japan, China, Viet Nam and New Zealand and provided independent Peer review reports for tuna, scallops and prawn fisheries in various countries.

Jo has undertaken MSC training requirements and has no Conflict of Interest in relation to this fishery. Full CV available on request.

#### Expert team member: Kevin McLoughlin

Primarily responsible for assessment under Principle 1 and 2.

Kevin McLoughlin is a specialist fisheries consultant based in Australia with more than 30 years' experience across a wide range of domestic and international fisheries science issues. Kevin's experience in working on MSC assessments spans over 10 years.

As a fisheries scientist with the Australian Department of Agriculture and Fisheries, Kevin represented the Australian Government on many committees and groups such as fishery assessment groups, providing advice on a diverse range of fisheries and species (including tuna, shark, various finfish, scallop and prawn). Work in assessment groups involved assessment of target species, development of bycatch action plans and ecological risk assessments. Mr McLoughlin was responsible for the production of annual status reports for Australian government-managed fisheries for a number of years. Mr. McLoughlin was also Australia's delegate on scientific issues at the Indian Ocean Tuna Commission and was Chair of the IOTC Working Party on Bycatch for several years.

Mr McLoughlin has worked predominantly on Principle 1 aspects of MSC assessments but has also undertaken Principle 2 and 3 work, as well as peer review, surveillance audits and pre-assessments for several fisheries. Kevin was a team member for the full assessment of the Fiji tuna longline fishery (P1 & P2); the first reassessment of the New Zealand albacore tuna troll fishery (P1 & P2); the New Zealand Skipjack Fishery (P1 & P2); the Parties to the Nauru Agreement Western and Central Pacific Skipjack and Yellowfin purse seine fishery (P1 & P2); the Tri Marine Western and Central Pacific Skipjack and Yellowfin Tuna Fishery (P2 & P3). He was also a member for the full assessment of Australia's blue grenadier fishery (P1); Australia's Northern Prawn Fishery (P1); Western Australia's Exmouth Gulf and Shark Bay prawn trawl fisheries (P1); and South Australia's Spencer Gulf prawn trawl fishery (P1).

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Kevin has undertaken MSC training requirements and has no Conflict of Interest in relation to this fishery. Full CV available on request.

### 4.2 Peer Reviewers

Peer reviewers used for this report were Jiangfeng Zhu and Joe Powers. A summary CV for each is available in the **Assessment downloads** section of the fishery's entry on the MSC website.

### 4.2.1 Jiangfeng Zhu

Dr. Jiangfeng Zhu is a professor at Shanghai Ocean University in China with more than ten years of experiences in fish stock assessment and population dynamics, mostly for stocks associated with oceanic tuna fisheries (e.g.,bigyeye tuna, albacore, and sharks). He's been working as a longline observer on board for three month and thus familiar with data collection/sampling for tuna longline fishery. He is the main developer of China's longline observer and logbook data collection system.

Dr. Zhu is familiar with common fisheries stock assessment methods, including production models, VPA-type models and statistical catch-at-age models (e.g. SS3 and ASAP). He developed an MSE model using SS3 as platform for the eastern Pacific Ocean bigeye tuna. With more than 50 peer reviewed publications in fishery biology/ecology and stock assessment, Dr. Zhu is capable of independently evaluating the quality of research activities relating to stock assessment. Recently he is regularly reviewing manuscripts for international journals such as Fisheries Research.

Over the past 10 years Dr. Zhu has been regularly attending the tuna RFMOs working party, scientific committee, and commission level meetings. Currently he is the Chair of the IOTC Working Party on Temperate Tunas. He is also the scientific adviser to the Bureau of Fisheries, Ministry of Agriculture and China Overseas Fisheries Association. His duty is to interpret to the government and industry on how scientific research contributes to management decision.

### 4.2.2 Joe Powers

Dr Powers has been involved in fisheries issues for more than 40 years, conducting stock assessments, coordinating international stock assessment research, communicating scientific advice to fishery management councils and commissions and also serving as the senior marine fisheries manager in the southeast US. His background includes: Professor of Marine Resource Assessment at Louisiana State University; Senior Stock Assessment Scientist of the US's National Marine Fisheries Service (NMFS) southeast region, Laboratory Director of a NMFS facility; lead US scientist for Atlantic tuna, swordfish and billfish species for the International Commission for the conservation of Atlantic Tunas (ICCAT); Chair of the Scientific Committee of ICCAT; Chair of the Stock Assessment Committee for Southern Bluefin Tuna; Chair of the Scientific Committee of the Gulf of Mexico Fisheries Management Council. He has also worked on numerous Marine Stewardship Council assessments of tunas, swordfish, hake and other fisheries resources in the Atlantic, Pacific and Indian Oceans.

### 4.3 RBF Training

Jo Akroyd and Kevin McLoughlin have been fully trained in the use of the MSC's Risk Based Framework (RBF). The RBF was not used for this fishery assessment.



### 4.4 Version details

### Table 1. Fisheries program documents versions.

Document	Version number
MSC Fisheries Certification Process	Version 2.2
MSC Fisheries Standard	Version 2.01*
MSC General Certification Requirements	Version 2.4.1
MSC Reporting Template	Version 1.2

<sup>\*</sup>Default assessment tree



# 5 Unit(s) of Assessment and Unit(s) of Certification and results overview

### 5.1 Unit(s) of Assessment and Unit(s) of Certification

### 5.1.1 Unit(s) of Assessment

Table 2. Unit(s) of Assessment (UoA).

UoA 1	Description
Species	Albacore tuna ( <i>Thunnus alalunga</i> )
Stock	South Pacific albacore
Fishing gear type(s) and, if relevant, vessel type(s)	Troll
Client group	Tuna Management Association of New Zealand
Other eligible fishers	The client (Tuna Management Association of NZ) is to make access to the certificate open to all NZ vessels permitted by the Ministry for Primary Industries to fish for albacore in the NZ waters using troll gear.
Geographical area	New Zealand EEZ (ALB1)

### 5.1.2 Unit(s) of Certification

### Table 3. Proposed Unit(s) of Certification (UoC).

UoC 1	Description
Species	Albacore tuna ( <i>Thunnus alalunga</i> )
Stock	South Pacific albacore
Fishing gear type(s) and, if relevant, vessel type(s)	Troll
Client group	Tuna Management Association of New Zealand
Geographical area	New Zealand EEZ (ALB1)

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### 5.2 Assessment of scope requirements

LRQA confirms that this fishery is in conformity with the MSC scope requirements (FCP v2.2 Section 7.4):

- the fishery does not target amphibians, reptiles, birds or mammals;
- the fishery does not use poisons or explosives;
- the fishery does not operate under a controversial unilateral exemption to an international agreement;
- the client group does not include an entity that has been convicted of a forced labour violation in the last 2 years;
- the client group does not include an entity that has been convicted of a shark finning violation in the last 2 years;
- the fishery management framework includes a mechanism for resolving disputes and the fishery is not overwhelmed by disputes

Regarding the new shark finning scope requirements, LRQA has assessed at the original assessment and subsequent audits that there is no finning in the client fishery. This was further confirmed by the New Zealand Ministry for Primary Industries (via email 20 October 2021).

### 5.3 Assessment results overview

### 5.3.1 Determination, formal conclusion and agreement

Following stakeholder input of initial scoring in the ACDR, site visit, client, peer and MSC review and PCDR consultation, the determination is that this fishery has passed its assessment and should be certified. This has been confirmed by LRQA's decision making entity.

### 5.3.2 Principle level scores

### Table 4. Summary of Performance Indicator level scores.

Principle	UoA 1
Principle 1 – Target species	83.3
Principle 2 – Ecosystem impacts	90.7
Principle 3 – Management system	84.0

### 5.3.3 Summary of conditions

### Table 5. Summary of conditions.

Condition number	Condition	Performance Indicator (PI)	Deadline	Exceptional circumstances?	Carried over from previous certificate?	Related to previous condition?
1	SP ALB - WCPFC implements a harvest strategy that is responsive to the state of the stock, with elements (monitoring, stock assessment, harvest control rules and management actions) working together to	1.2.1	June 2023	No	Yes	Yes

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	achieve stock management objectives.					
2	SP ALB – WCPFC implements a harvest control rule that ensures that the exploitation rate is reduced as the PRI is approached and is expected to keep the stock fluctuating around the target level and robust to the main uncertainties. The tools used to implement the HCR should be effective in achieving the required exploitation levels.	1.2.2	June 2023	No	Yes	Yes

#### 5.3.4 Recommendations

There are no recommendations made for this fishery.



### 6 Traceability and eligibility

### 6.1 Eligibility date

The eligibility date will be the date that the current certification expires, which is on 13th August 2022.

### 6.2 Traceability within the fishery

This fishery has been certified since May 2011 and has had proven traceability processes in place. Factors that may lead to risks of non-certified fish being mixed with certified fish prior to entering Chain of Custody (CoC) is listed in Table 6 below.

The CAB determined that the systems in place for tracking and tracing in the UoA were sufficient to ensure all fish and fish products identified and sold as MSC certified originated from the original UoC. The fishery has been certified for 10 years and there has been no issues in the CoC audits or MSC surveillance audits. The records demonstrating traceability are kept and maintained by fishers, and the fishing companies that are the client group. The 10% of albacore landed by longliners as bycatch are clearly identified at all stages. They are not landed into the same ports and are never mixed with troll caught albacore. Different companies e.g., the skipjack companies who land bycatch albacore do so with robust documentation as required by the Ministry of Primary Industries. At no time are longline and troll caught albacore in the same place at the same time. At any stage of landing and processing the records are clear as to where the fish have been caught and by what method.

There have been no changes and no traceability issues identified. The UoC includes all New Zealand vessels with a permit to catch albacore using the troll fishing method. The only potential risk would be if non-certified longline-caught albacore were to be passed off as having been troll-caught. As the troll fishery catches close to 90% of the total albacore catch the effect of any such transgression would be minor. All Licenced Fish Receiver (LFR) establishments receiving albacore have been made aware by the Tuna Management Association (TMA) that only troll-caught albacore is eligible to be sold as MSC certified. All of the LFRs have MSC CoC certification.

Table 6. Traceability within the fishery.

Factor	Description
Will the fishery use gears that are not part of the Unit of Certification (UoC)?  If Yes, please describe:  If this may occur on the same trip, on the same vessels, or during the same season; How any risks are mitigated.	The vessels are small and geared up to use troll only gear when fishing the albacore season. No other gear type is employed.
Will vessels in the UoC also fish outside the UoC geographic area?  If Yes, please describe:  If this may occur on the same trip; How any risks are mitigated.	No The UoC is all inside New Zealand's Exclusive Economic Zone (EEZ). The vessels are small and fish inshore. The vessels must report fishing locations and the Ministry for Primary Industries (MPI) have effective MSC in place to ensure that the vessels are inside New Zealand waters.
Do the fishery client members ever handle certified and non-certified products during any of the activities covered by the fishery certificate? This refers to both atsea activities and on-land activities.  Transport Storage Processing Landing Auction	All fish are landed whole, all fish are caught in New Zealand's EEZ and landed at New Zealand ports. The records demonstrating traceability are kept and maintained by fishers, and the fishing companies that are the client group. The 10% of albacore landed by longliners as bycatch are clearly identified at all stages. They are not landed into the same ports and are never mixed with troll caught albacore. Different companies e.g., the skipjack companies who land bycatch albacore do so with robust documentation as required by the Ministry of Primary

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If Yes, please describe how any risks are mitigated.	Industries. At no time are longline and troll caught albacore in the same place at the same time. At any stage of landing and processing the records are clear as to where the fish have been caught and by what method.
Does transhipment occur within the fishery?  If Yes, please describe:  If transhipment takes place at-sea, in port, or both;  If the transhipment vessel may handle product from outside the UoC;  How any risks are mitigated.	There is no transhipment.
Are there any other risks of mixing or substitution between certified and non-certified fish?  If Yes, please describe how any risks are mitigated.	All catches must have documentation with information on catch area, species, amount of catch and vessel name. This documentation is passed along with the fish to the point of sale. The fish are sold frozen whole and documentation is always with the fish.

### 6.3 Eligibility to enter further chains of custody

The MSC certificate applies to all New Zealand vessels permitted by the MPI to fish for albacore in the New Zealand waters using troll gear. As soon as the fish is landed it enters the CoC held by the various companies who sell the product as MSC certified.



### 7 Scoring

### 7.1 Summary of Performance Indicator level scores

Table 7. Summary of Performance Indicator level scores.

				Score
Principle	Component		Performance Indicator (PI)	UoA – south Pacific albacore
	Outcome	1.1.1	Stock status	100
	Outcome	1.1.2	Stock rebuilding	n/a
1		1.2.1	Harvest strategy	70
'	Management	1.2.2	Harvest control rules & tools	60
	Management	1.2.3	Information & monitoring	80
		1.2.4	Assessment of stock status	90
		2.1.1	Outcome	80
	Primary species	2.1.2	Management	90
		2.1.3	Information	95
		2.2.1	Outcome	80
	Secondary species	2.2.2	Management	90
		2.2.3	Information	95
	ETP species	2.3.1	Outcome	100
2		2.3.2	Management	90
		2.3.3	Information	80
	Habitats	2.4.1	Outcome	100
		2.4.2	Management	100
		2.4.3	Information	100
		2.5.1	Outcome	80
	Ecosystem	2.5.2	Management	85
		2.5.3	Information	95
		3.1.1	Legal & customary framework	85
	Governance and policy	3.1.2	Consultation, roles & responsibilities	85
0		3.1.3	Long term objectives	90
3		3.2.1	Fishery specific objectives	80
	Figher conseits	3.2.2	Decision making processes	85
	Fishery specific management system	3.2.3	Compliance & enforcement	80
	management system	3.2.4	Monitoring & management performance evaluation	80



#### 7.2 **Principle 1**

#### 7.2.1 Principle 1 background

#### 7.2.2 **Overview**

The New Zealand albacore tuna troll fishery was first certified in 2011. In the Pacific Ocean, there are two managed populations of albacore tuna, north Pacific and south Pacific. Management of the South Pacific albacore (SP ALB) tuna stock is the responsibility of the Western and Central Pacific Fisheries Commission (WCPFC). The distribution of catches from 2015 to 2019 is shown in Figure 1. The SP ALB provisional catch in 2020 (69,931 t) was the lowest since 2011 and 23,000 t less than the 2017 record catch (93,835 t) (Figure 2).

Longline has accounted for most of the SP ALB catch (> 75% in the 1990s and > 90% in recent years). The longline catch is widely distributed across the south Pacific, with the largest catches from the western region, with less than 20% of the overall SP ALB catch being taken east of 150°W. The annual SP ALB troll catch (with a season spanning November-April) dropped from a range of 4000-8000 t during the 1990s, to a range of 2000-3500 t over the past 10-15 years, although the 2020 troll catch (4772 t) was the highest since 2004.

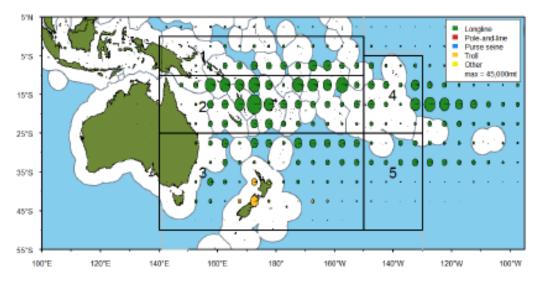


Figure 1. Catch distribution (2015-2019) by fishing method: longline (green), pole-and-line (red), and other including troll (yellow) for south Pacific albacore for the WCPO south of the Equator. Overlaid are the regions for the 2018 stock assessment. Overlayed are the regional boundaries for the 2018 stock assessment. Source Hare et al., 2020.



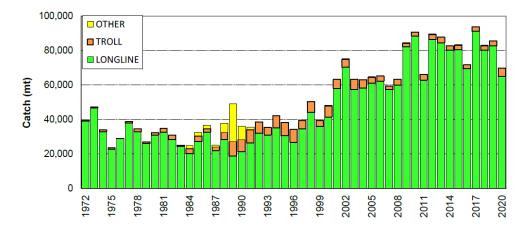


Figure 2. South Pacific albacore catch (t) by gear ("Other" is primarily catch by the historic driftnet fishery). Source Williams and Ruaia, 2021.

The New Zealand troll fleet (140 vessels catching 2859 t in 2020) and the United States troll fleet (21 vessels catching 1913 t in 2020) accounted for all of the 2020 SP ALB troll catch (Williams and Ruaia, 2021). Effort by the SP ALB troll fleets is concentrated off the coast of New Zealand and across the Sub-Tropical Convergence Zone (Figure 3).

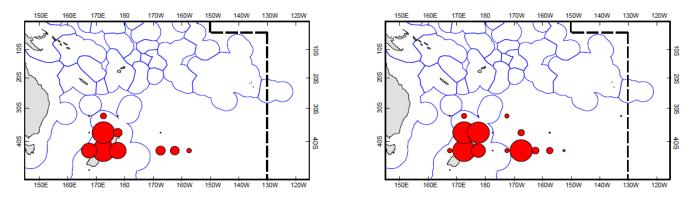


Figure 3. Distribution of South Pacific troll effort during 2019 (left) and 2020 (right). Source Williams and Ruaia, 2021.

New Zealand waters are at the southern extreme of the albacore distribution range, which is defined by ocean temperature, and when sea temperatures off New Zealand are low, albacore tend to be less abundant. The troll fishery for juvenile albacore in New Zealand coastal waters occurs primarily off the west coast with Onehunga (Auckland), New Plymouth, Westport, and Greymouth being major landing ports. Most of the sampled troll-caught albacore are juveniles, with approximately 99% in the 47–80 cm fork length range (Griggs & Datta, 2019). Subsequently, albacore appear to gradually disperse northwards beyond New Zealand waters where they are caught as adults, mainly by longline fleets from Japan, Korea, and Chinese Taipei, and more recently through development and expansion of domestic fleets of several Pacific Island nations. The longline fishery takes mainly adult albacore in the narrow size range of 90–105 cm. Juvenile albacore also appear in the longline catch from time-to-time, particularly in the more southern latitudes.

The commercial albacore troll fishery operates predominantly between December and March each year, and the fishing year is from 1<sup>st</sup> October to 30<sup>th</sup> September. Tuna longlining was not established as a fishing method in the domestic industry until the early 1990s. The fish are caught throughout the year by this method, mainly as a bycatch on sets targeting bigeye and southern bluefin tuna. Small catches of albacore are occasionally reported using pole-and-line and hand line gear.

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### 7.2.3 Catch profiles

Around 130 vessels have operated annually in the troll fishery in recent years (Table 8). Vessel sizes have ranged between 6–27 m, with the average vessel size being 15 m. The New Zealand EEZ troll fishery has accounted for between 77% and 97% of the total New Zealand EEZ albacore catch over the fishing years 2015-16 to 2019-20 (Table 9). The total EEZ albacore catch in 2019-20 was 3082 t, with 2750 t taken by the troll fleet. The albacore catch was taken by the following sectors troll – 2750 t; surface longline – 156 t; pole & line – 12 t; purse seine – 0.6 t; and bottom longline – 0.1 t. The distribution of recent troll catches is shown in Figure 4.

Table 8. Numbers of albacore troll vessels by year. Source TMA, 2021.

Fishing Year	Number of Vessels
2015-16	130
2016-17	98
2017-18	132
2018-19	130
2019-20	137

Table 9. EEZ albacore catch by all fishing methods and by troll. Source TMA, 2021.

Fishing Year	ishing Year EEZ Albacore EEZ Troll Catch (t) Catch (t)		Troll (%)
2015-16	2537	1952	77%
2016-17	2035	1763	87%
2017-18	2658	2579	97%
2018-19	2693	2328	86%
2019-20	3082	2750	89%

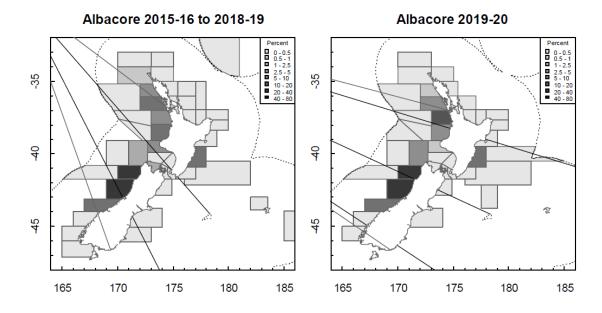


Figure 4. Distribution of troll catch of albacore (percent of total catch) for 2015-16 to 2018-19 troll seasons (left) and for 2019-20 season (right); Note: Positional data for troll are reported at a NZ statistical area resolution. Source MPI, 2021a.

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Troll fishing is a highly targeted fishing method. Albacore trollers in New Zealand typically tow 12-18 lines simultaneously from the vessel's stern and from long outrigger poles mounted amidships. Line lengths or depths are adjusted to permit hauling of any one line without tangling or interfering with the others. The lines are either braided polypropylene, Dacron or monofilament nylon and are hauled in by hand or by hydraulic haulers. Lures have metal heads and feather or plastic skirts and are rigged with barbless double hooks. Troll vessels do not stop when fishing during the day, but may slow and make tight circles or short, straight runs when fishing on an albacore school. Fish are hauled directly to the stern of the vessel where they are quickly taken from the water and unhooked before being stored whole in ice.

The wide distribution of albacore in coastal waters over summer leads to it being a seasonally, locally important recreational species. It is predominantly targeted by fishers for food but is also frequently taken as bycatch when targeting other gamefish. Albacore are taken predominantly on rod and reel, and from trailer boats. Estimated recreational catch of albacore for 2017-18 was 12,463 fish (approximately 56.7 t) (Wynne-Jones et al., 2019).

There is limited information on Maori customary fishing for albacore, although the catch is considered to be low.

### 7.2.1 Biology and ecology

SP ALB are a highly migratory species, exploiting widely spaced feeding and spawning grounds, and stocks are thought to be strongly influenced by large oceanic phenomena such as El Niño. Albacore tuna tend to school by size, as well as with other tuna species. They are a pelagic species that can be found to depths of 200 m. The longline fishery typically takes adult albacore in the narrow size range of 90–105 cm and the troll fishery takes juvenile fish in the range of 45–80cm. Their trophic level has been estimated at 4.3 +/- 0.2 SE, hence they are not a low-trophic level species.

#### Growth and natural mortality

Initial growth is rapid, with albacore reaching 45-50 cm fork length (FL) in their 1<sup>st</sup> year. The fish begin to mature at ~80 cm FL (length at 50% maturity ~85 cm; Farley et al., 2013). Males grow to larger sizes than females, and their lengths-at-age start to diverge above about 85 cm when they reach maturity. Maximum recorded length is about 120 cm FL.

The instantaneous natural mortality rate for SP ALB is believed to be between 0.2-0.5 per year, with significant numbers of fish reaching at least 10 years (Tremblay-Boyer et al., 2018). No information is available on possible changes in natural mortality with size and for the purposes of the stock assessment, natural mortality is assumed to be constant throughout life.

#### Reproduction and recruitment

Albacore mature at approximately 5 years (>80 cm) and spawn in tropical and sub-tropical waters between ~10°S and 30°S during the austral summer (Tremblay-Boyer et al., 2018). Females produce 2-3 million eggs per season depending on their body size. Juveniles in the south Pacific recruit to surface fisheries in New Zealand coastal waters and in the vicinity of the sub-tropical convergence zone (STCZ – around 40°S) in the central Pacific at 1 year of age, from where they appear to gradually disperse to the north. Subsequently, there are regular migrations between tropical and subtropical waters. Albacore migrate southwards during early summer and northwards during winter coinciding with the seasonal oscillation of the location of the 23–28°C isotherm of sea surface temperature.

### Stock definition

Separate north and south Pacific albacore stocks are recognized in the Pacific Ocean based on location and seasons of spawning, low longline catch rates in equatorial waters and tag recovery information. There is some suggestion of gene flow between the north and south Pacific stocks based on an analysis of genetic population structure; however, migration between stocks is not thought significant enough to affect management (Nikolic and Bourjea, 2013).

The latest stock assessment for SP ALB assumes the boundary of the stock extends from the east coast of Australia to 130°W (Tremblay-Boyer et al., 2018). This model structure assumes that SP ALB east of 130°W are a separate stock. The eastern Pacific component of the stock has not been included in recent assessments, due to low catches and poor data quality. Moore et al. (2020) suggest that it is not clear whether the boundaries of the model domain reflect the underlying population structure of SP ALB.

### 7.2.2 Stock assessment and information

The latest stock assessment for SP ALB was undertaken in 2018 using MULTIFAN-CL software, incorporating data to the end of 2016 (Tremblay-Boyer et al., 2018). The previous stock assessment was undertaken in 2015. An updated

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assessment was presented to the WCPFC Scientific Committee 17th meeting in August 2021, but at the time of writing had not been considered by the Commission. This updated assessment will be the subject of harmonisation discussions by CABs in the first half of 2022. Catch estimates for all tuna and billfish species fished in the WCPFC statistical area are compiled annually by the Secretariat of the Pacific Community (SPC) based on reports provided by CCMs (WCPFC Commission Members, Cooperating Non-Members and Participating Territories are termed CCMs). The most recent report provides catches up to and including 2019 (Williams and Ruaia, 2021).

Catches are reported to WCPFC by vessel flag states that are responsible for the vessels fishing the stock. Catch and effort data for the stock assessment are compiled according to the defined fisheries. The catch data are thought to be reasonably accurate for the period of the assessment. All catches are expressed in numbers of fish, with the exception of the driftnet fishery, where catches were expressed in weight (metric tonnes). For longline fisheries, effort is expressed in hundreds of hooks, while for troll and driftnet fisheries, the number of vessel days of fishing activity are used.

New Zealand complies fully with WCPFC data reporting requirements. All New Zealand commercial fishers must report their catch and position electronically. New Zealand MPI has a variety of compliance tools available to monitor compliance within the EEZ troll fishery. These include but are not limited to permitting, placement of observers, auditing of licensed fish receivers, port inspections and the monitored unloading of catch, analysis of catch and effort reporting with comparison against VMS and observer reports, aerial surveillance and at sea surveillance (at-sea boarding and inspection). MPI also has access to New Zealand Defence Force assets to deliver these at-sea boarding's and aerial surveillance. Fishers operating within the MSC certificated albacore stock within the New Zealand EZZ must comply with a range of fisheries regulations including Electronic Reporting (ER) and Geospatial Positional Reporting (GPR) (MPI, 2021b).

A programme of annual, shore-based albacore troll catch sampling (MPI Project ALB2021-01) is ongoing in order to provide length frequency information to SPC for use in southern albacore stock assessments (TMA, 2021). New Zealand's information is important in that it is the main source of data on juvenile size composition in the south Pacific Ocean. Catch sampling is conducted during the albacore troll season each year in the ports of Auckland and Greymouth, from December to April. Shed sampling aims to sample 5000 fish per season. The actual numbers of fish sampled over the most recent three years has been slightly below this target:

- In 2016-17, 3579 albacore were measured, amounting to approximately 1.3% of the total number of albacore landed. Shed sampling covered 191 fishing days, amounting to 5.2% of the fishing effort by the fleet.
- In 2017-18, 4163 albacore were measured, amounting to approximately 1.0% of the total number of albacore landed. Shed sampling covered 230 fishing days, amounting to 5.4% of the fishing effort by the fleet.
- In 2018-19, 5258 albacore were measured, amounting to approximately 1.3% of the total number of albacore landed. Shed sampling covered 282 fishing days, amounting to 5.7% of the fishing effort by the fleet.

New Zealand continues to monitor albacore troll catch per unit effort (CPUE) and reports these data to WCPFC annually, although they are thought not to be a useful index of abundance and are deemed to be of limited value for use in stock assessment (Kendrick, 2021).

#### Stock status

The 2018 SP ALB stock assessment model partitions the population into five spatial regions (under the 2018 regional structure) and 48 quarterly age classes (Tremblay-Boyer et al., 2018). In addition to the diagnostic case model, the 2018 assessment reports the results of one-off sensitivity models to explore the relative impacts of key data and model assumptions for the diagnostic case model on the stock assessment results and conclusions. A structural uncertainty analysis is used for consideration in developing management advice, where all possible combinations of the most important axes of uncertainty from the one-off models were included. As well as incorporating data to 2016, the 2018 SP ALB assessment changes include:

- Using standardised CPUE indices calculated from the recently collated operational longline CPUE dataset, including historical Japanese longline data within the CPUE which were not available in 2015;
- Moving from the traditional CPUE standardized index to one based upon a geostatistical model;
- Applying the CPUE standardized index to an 'index fishery' in each region.

Conclusions of the 2018 assessment (Tremblay-Boyer et al., 2018) include:

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- While biomass is estimated to have declined initially, estimates of spawning potential, and biomass vulnerable to the various longline fisheries, have been stable or possibly increasing slightly over the past 20 years. This has been influenced mainly by the estimated recruitment, which has generally been somewhat higher since 2000 than in the two decades previous.
- Most models also estimate an increase in spawning and longline vulnerable biomass since about 2011, driven by some high estimated recruitments, particularly around 2009.
- A steady increase in fishing mortality of adult age-classes is estimated to have occurred over most of the
  assessment period, accelerating since the 1990s but declining following the decline in longline catch seen
  since 2010. Juvenile fishing mortality increased until around 1990, and has remained stable at a low level
  since that time.
- All models indicate that SP ALB is above the limit reference point (LRP) (of 0.2SB<sub>F=0</sub>), with overall median spawning biomass depletion for 2016 (SB<sub>latest</sub>/SB<sub>F=0</sub>) estimated at 0.52 (80 percentile range 0.37-0.69) (Figure 5).
- Recent average fishing mortality is estimated to be well below F<sub>MSY</sub> (median F<sub>recent</sub>/F<sub>MSY</sub> = 0.2, 80 percentile range 0.08-0.41).

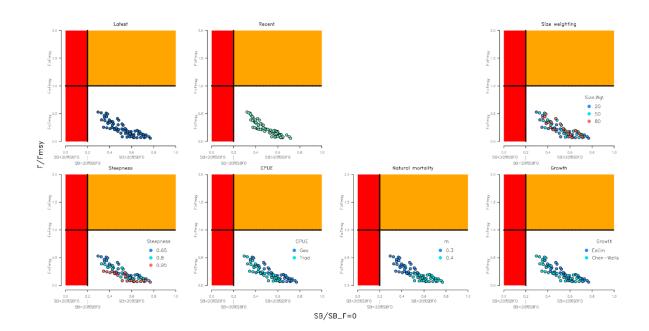


Figure 5. Majuro plots summarising the results for each of the models in the structural uncertainty grid under the  $SB_{latest}=SB_{F=0}$  and the  $SB_{recent}=SB_{F=0}$  reference points (top left) and each axis of uncertainty. Source: WCPFC-SC, 2018.

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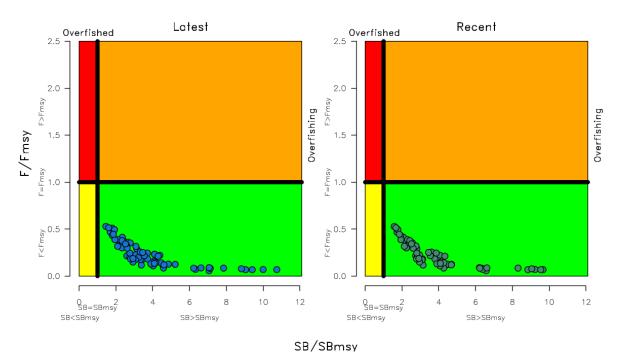


Figure 6. Kobe plots summarising the results for each of the models in the structural uncertainty grid under the SB<sub>latest</sub>=SB<sub>F=0</sub> and the SB<sub>recent</sub>=SB<sub>F=0</sub> reference points. Source: WCPFC-SC, 2018.

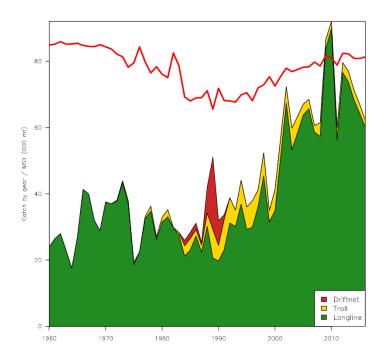


Figure 7. History of the annual estimates of MSY (red line) for the diagnostic case model compared with annual catch by the main gear types. Source: WCPFC-SC, 2018.

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Figure 5 displays Majuro plots summarising the results for each of the models in the structural uncertainty grid, while Figure 6 shows equivalent Kobe plots for SB<sub>recent</sub> and SB<sub>latest</sub> across the structural uncertainty grid. Annual estimates of maximum sustainable yield (MSY) for the diagnostic case model compared with annual catch by the main gear types is shown in Figure 7. The estimated median spawning biomass trajectory shows a consistent decline through to around 2010, followed by a period of stabilization through to 2016 (Figure 8).

Estimated values of the reference points over all 72 individual models in the structural uncertainty grid are shown in Table 10. Based on the uncertainty grid adopted by the  $14^{th}$  session of the Scientific Committee, the SP ALB tuna spawning biomass is very likely to be above the biomass LRP and recent F is very likely below  $F_{MSY}$ , hence the stock is not experiencing overfishing (100% probability F <  $F_{MSY}$ ) and is not in an overfished condition (100% probability SB<sub>recent</sub> > LRP) (WCPFC-SC, 2018).

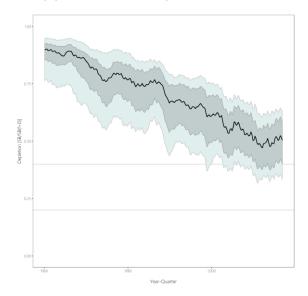


Figure 8. Time-series depletion estimates across the structural uncertainty grid. The black line represents the grid median trajectory, the dark grey region represents the 50 %ile range, the light grey the 90 %ile range; horizontal lines=LRP and 2\*LRP. Source: WCPFC-SC, 2018.

Table 10. Summary of reference points over all 72 individual models in the structural uncertainty grid. Source: (Tremblay-Boyer et al., 2018).

Reference point	Mean	Median	Min	10%	90%	Max
C <sub>latest</sub>	61719	61635	60669	60833	62704	63180
MSY	100074	98080	65040	70856	130220	162000
YF <sub>recent</sub>	71579	71780	56680	62480	80432	89000
Fmult	6.2	4.96	1.89	2.44	12.05	17.18
F <sub>MSY</sub>	0.07	0.07	0.05	0.05	0.09	0.1
Frecent/FMSY	0.23	0.2	0.06	0.08	0.41	0.53
SB <sub>MSY</sub>	71407	68650	26760	39872	100773	134000
SB <sub>0</sub>	443794	439800	308800	353870	510530	696200
SB <sub>MSY</sub> /SB <sub>0</sub>	0.16	0.17	0.07	0.1	0.21	0.23

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Reference point	Mean	Median	Min	10%	90%	Max
SB <sub>F=0</sub>	469004	462633	380092	407792	534040	620000
SB <sub>MSY</sub> /SB <sub>F=0</sub>	0.15	0.15	0.06	0.09	0.2	0.22
SB <sub>latest</sub> /SB <sub>0</sub>	0.55	0.56	0.33	0.42	0.69	0.74
SB <sub>latest</sub> /SB <sub>F=0</sub>	0.53	0.52	0.3	0.37	0.69	0.77
SB <sub>latest</sub> /SB <sub>MSY</sub>	4	3.42	1.45	1.96	7.07	10.74
SBrecent/SBF=0	0.51	0.52	0.32	0.37	0.63	0.72
SB <sub>recent</sub> /SB <sub>MSY</sub>	3.88	3.3	1.58	1.96	6.56	9.67

### 7.2.3 Harvest strategy

The WCPO harvest strategy for tunas has several components, with WCPFC, national and archipelagic management actions, supported by a robust stock assessment and extensive monitoring frameworks. WCPFC CMM 2014-06 was adopted to develop and implement a harvest strategy approach for key fish stocks in the WCPO. The CMM identifies the elements that harvest strategies are to contain (including defined operational objectives, target reference points (TRPs) and LRPs for each stock, acceptable levels of risk of not breaching LRPs, a monitoring strategy, decision rules that aim to achieve the TRP and avoid the LRP, and management strategy evaluation). As with WCPO yellowfin and bigeye, a biomass LRP has been set at 20%SB<sub>current,F=0</sub>. CMM 2014-06 required the development of a workplan for its implementation, first adopted at WCPFC12 (WCPFC, 2015, Attachment Y). There have been several revisions to the workplan in subsequent years.

The major management actions currently in place for SP ALB are set out in CMM-2015-02. The CMM 2014-06 workplan was subject to a substantial review at WCPFC16 and contains some significant changes in recognition of the needs of WCPFC CCMs as well as recent scientific advice (WCPFC, 2019).

In 2017, WCPFC14 agreed on an inter-sessional process to develop a "roadmap" to implement the elements needed for the effective conservation and management of SP ALB, taking into account the updated 2018 stock assessment. The Commission accepted New Zealand's offer to lead this intersessional working group. The terms of reference of this intersessional group included considering:

- The elements necessary for the implementation of harvest strategy approach to the management of the stock;
- b) an allocation process; and
- c) monitoring and reporting priorities, and addressing of gaps, for all fisheries taking SP ALB within the WCPFC convention area.

In summary, progress on elements of the harvest strategy for SP ALB is that:

- In 2012, an LRP of 20% SB<sub>current, F=0</sub>, was adopted;
- In 2018, an interim TRP of 56% SB<sub>F=0</sub> was adopted by WCPFC15 with the objective of achieving an 8% increase in CPUE for the southern longline fishery as compared to 2013 levels (WCPFC, 2018). The interim TRP will be revised should a future stock assessment indicate that this interim TRP will not result in the desired longline CPUE. A managed catch reduction of around 25% will be required to achieve the TRP and will occur over a period no longer than 20 years. WCPFC15 tasked the SC with examining a range of alternative catch pathways and timeframes that achieve the TRP.
- In 2018, at WCPFC15 the Commission agreed to amend/develop appropriate CMMs to implement a harvest control rule (HCR) with the objective of managing the SP ALB spawning stock biomass towards the target

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level. The updated 2018 workplan under CMM 2014-06 required an HCR to be implemented by 2021 (WCPFC, 2018, Attachment I). It remains for CCMs to agree on a set of HCRs for testing, using management strategy evaluation, and implementation by the Commission.

- The 2019 Commission meeting agreed further changes to the harvest strategy work plan to accommodate "the need for additional work and time to explore and develop the details and practical implementation aspects of the multispecies framework covering all four tuna stocks" (WCPFC, 2019). The workplan changes involve delays in the adoption of a management procedure for SP ALB by one year to 2022 (because of a clash in 2021 with an updated albacore assessment that may also necessitate an update to the management strategy evaluation (MSE) operating model), as well as a potential update of the interim TRP in accordance with the approach adopted by WCPFC15 (WCPFC, 2019, Attachment H).
- A range of harvest strategy related research was presented at WCPFC16 for discussion. For example, as requested by WCPFC15, WCPFC16-2019-19 examines "a range of alternative catch pathways and timeframes that achieve [the interim TRP], for consideration in 2019. In undertaking [this work] information from all fisheries will be included while noting that any management measures must take account of the impact of different gear types." The document presents results from stochastic stock projections across the grid of 72 assessment models under future fishery scenarios to examine their performance in recovering the stock to the TRP.

Harvest strategy element	South Pacific Albacore
Management Objectives	Noted
Performance Indicators	Identified
Limit Reference Points	Adopted
Target Reference Point	Interim
Harvest Control Rules	Example HCRs examined
Management Strategy Evaluation	Developing
Monitoring Strategy	Developing

Figure 9. Progress towards implementing the SP ALB harvest strategy. Dark green shading indicates substantial progress has been made; light green indicates work indicates work is currently underway; orange indicates work has not yet begun. Adapted from WCPFC-2019-09, 2019.

WCPFC16 agreed to reinvigorate the SP ALB Roadmap Intersessional Working Group in 2020, under the leadership of Fiji. The Group met virtually in November 2020, with the major agenda item being to examine progress on alternative catch pathways to achieve the interim TRP (WCPFC-IWG, 2020). Fiji provided a summary of the outcomes of the November meeting to WCPFC17, indicating that discussions are ongoing in relation to possible amendments to CMM 2015-02 or introducing a new CMM, which will be a comprehensive measure to address all occurrence of the species (in EEZs and the high seas; and including the entire area south of the equator, including the Inter-American Tropical Tuna Commission (IATTC) Convention Area).

There were no changes in the CMM 2014-6 workplan at WCPFC17 relative to SP ALB. WCPFC (2020, Attachment H) lists the activities for the latest workplan schedule for SP ALB as follows:

2021: Develop management procedures and Management strategy evaluation

- Science Committee (SC) provide advice on performance of candidate management procedures.
- TCC consider the implications of candidate management procedures.
- Commission consider and refine a candidate set of management procedures.
- [Updated stock assessment considered by SC17]

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• [Potential update of TRP following assessment and in accordance with WCPFC15 adopted approach]

2022: as for 2021; and adopt a management procedure.

A second roadmap IWG meeting was held virtually on 25<sup>th</sup> June 2021 to discuss progress on progress with consideration of the SP ALB management and progress against the CMM 2014-06 workplan, including the development and testing of management procedures. Recent work with the evaluation framework has focused on resolving a number of key technical challenges, most notably the process for generating future catch and effort data within the simulations (Scott et al., 2021). The potential introduction of catch or effort limits was also discussed. No consensus was reached on selecting of catch trajectories that were presented at the meeting to achieve the interim target reference point in 20 years' time. In addition, there was no consensus on the use of catch or effort limit options, nor on how such limits would be allocated. There was a general agreement by members to establish a catch limit, including the overlap area (WCPFC/IATTC). There was also agreement on expanding the Convention area to cover whole of longline fishery and stock distribution instead of 20°S (i.e., beyond the area currently defined in CMM 2015-02).

The provisional outcomes of WCPFC18, held in December 2021, indicate that management procedures remain scheduled for adoption in 2022 (WCPFC, 2021; Attachment I).

### 7.2.4 Total Allowable Catch (TAC) and catch data

Total allowable catches are not set for the fishery.

Table 11. Total Allowable Catch (TAC) and catch data.

TAC	Year (Most recent fishing year)	2019/20	Amount	No TAC is set
UoA share of TAC	Year (Most recent fishing year)	2019/20	Amount	N/A
UoA share of total TAC	Year (Most recent fishing year)	2019/20	Amount	N/A
Total green weight catch by UoC	Year (Most recent fishing year)	2019/20	Amount	UoC troll catch 2750 t (total New Zealand albacore catch 3428 t)
Total green weight catch by UoC	Year (second most recent)	2018/19	Amount	UoC troll catch 2328 t (total New Zealand albacore catch 3083 t)



### 7.2.5 Principle 1 Performance Indicator scores and rationales

### PI 1.1.1 – Stock status

PI 1	.1.1	The stock is at a level which maintains high productivity and has a low probability of recruitment overfishing					
Scoring Issue		SG 60	SG 80	SG 100			
	Stock st	atus relative to recruitment i	tus relative to recruitment impairment				
а	Guide post	It is <b>likely</b> that the stock is above the point where recruitment would be impaired (PRI).	It is <b>highly likely</b> that the stock is above the PRI.	There is a <b>high degree of certainty</b> that the stock is above the PRI.			
	Met?	Yes	Yes	Yes			
Rationale							

The PRI for this stock is not estimated. WCPFC has adopted  $20\%SB_{F=0}$  as an LRP for the stock, where  $SB_{F=0}$  is calculated as the average over the period 2006-2015.

MSC guidance (GSA2.2.3.1) provides that where  $B_{MSY}$  is analytically determined it should be used to calculate the PRI and that: "where  $B_{MSY}$  is analytically determined to be lower than 40%B<sub>0</sub> (as in some highly productive stocks), and there is no analytical determination of the PRI, the default PRI should be 20%B<sub>0</sub> unless  $B_{MSY}$ <27%B<sub>0</sub>, in which case the default PRI should be 75%B<sub>MSY</sub>".

The median value for  $B_{MSY}$  in the 2018 assessment is estimated as 15%SB<sub>F=0</sub> (Tremblay-Boyer et al., 2018). On this basis, since the PRI is not analytically determined and  $B_{MSY}$  is estimated to be <27%B0, the guidance suggests a proxy PRI of 75 %B<sub>MSY</sub>, i.e., 11.3%SB<sub>F=0</sub>.

To achieve SG60 it has to be likely ( $\geq 70^{th}$  %ile), for SG80 to be highly likely ( $\geq 80^{th}$  %ile) and for SG100 there has to be a high degree of certainty ( $\geq 95^{th}$  %ile) that current stock status is above the PRI. For SG80 to be met, 12 or fewer of the model of the 48 model scenarios from the final grid should fall below the PRI, and for SG100, 2 or fewer scenarios should fall below the PRI (Tremblay-Boyer et al., 2018; WCPFC-SC, 2018).

Majuro plots (Figure 5) summarise the results for each of the models in the structural uncertainty grid with respect to SB<sub>recent</sub>/SB<sub>F=0</sub>. None of the runs fall below 11.3%SB<sub>F=0</sub>, or the more conservative 20%SB<sub>F=0</sub> (WCPFC-SC, 2018).

Table 10 shows that the reference points and the minimum value of  $SB_{recent}/SB_{F=0}$  and  $SB_{latest}/SB_{F=0}$  are all above 0.20. Therefore, there is a high degree of certainty that the stock is above the PRI. **SG60**, **SG80** and **SG100** are met.

	Stock status in relation to achievement of Maximum Sustainable Yield (MSY)					
b	Guide post		The stock is at or fluctuating around a level consistent with MSY.	There is a high degree of certainty that the stock has been fluctuating around a level consistent with MSY or has been above this level over recent years.		
	Met?		Yes	Yes		
Ration	ale					

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Stock status relative to SB<sub>MSY</sub> is presented in Kobe phase plots for each of the models in the structural uncertainty grid (Figure 6) (WCPFC-SC, 2018). In no case, for either 'recent' or 'latest', is stock biomass estimated to be below SB<sub>MSY</sub>. Figure 7 presents the history of the annual estimates of MSY for the diagnostic case model, compared with annual catch by the main gear types, suggesting that catch has only exceeded MSY in a very few years (2009 and 2010 in the time series from 1960). Stock assessment estimates of catch relative to MSY indicate that stock has been above a level consistent with MSY over recent years. **SG80 and SG100 are met.** 

#### References

Tremblay-Boyer, L., Hampton, J., McKechnie, S. and Pilling, G. 2018. Stock assessment of South Pacific albacore tuna. Scientific Committee 14th Regular Session, Busan, Korea, 8-16 August 2018. WCPFC-SC14-2018/SA-WP-05 (rev2). https://meetings.wcpfc.int/node/10740.

WCPFC. 2018. Summary Report. Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. 15th Regular Session of the Western and Central Pacific Commission, Honolulu, Hawai'i, USA, 10-14 December 2018. Issued 4 May 2019. https://www.wcpfc.int/meetings/15th-regular-session-wcpfc.

Stock status relative to reference points					
	Type of reference point	Value of reference point	Current stock status relative to reference point		
Reference point used in scoring stock relative to PRI (SIa)	Limit reference point/ SB <sub>MSY</sub> as a proxy PRI	LRP = 20%SB <sub>F=0</sub> 75%SB <sub>MSY</sub> =11.3 %SB <sub>F=0</sub>	The minimum value of $SB_{\text{recent}}/SB_{\text{F=0 is}}$ 0.32 and so is above the proxy PRI and 20% $SB_{\text{F=0}}$		
Reference point used in scoring stock relative to MSY (SIb)	SB <sub>MSY</sub> Where the recent period is defined as 2013-2016.	SB <sub>MSY</sub> =68,650 t	The minimum value of SB <sub>recent</sub> /SB <sub>MSY</sub> is 1.58 and so SB <sub>recent</sub> is greater than SB <sub>MSY</sub> .		
Overall Performa	nce Indicator score	100			
Condition number (if relevant)		N/A			

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### PI 1.1.2 – Stock rebuilding

PI 1.1.2		Where the stock is reduced, there is evidence of stock rebuilding within a specified timeframe		
Scoring Issue		SG 60	SG 80	SG 100
	Rebuildir	ng timeframes		
а	Guide Post	A rebuilding timeframe is specified for the stock that is the <b>shorter of 20 years or 2 times its generation time</b> . For cases where 2 generations is less than 5 years, the rebuilding timeframe is up to 5 years.		The shortest practicable rebuilding timeframe is specified which does not exceed <b>one generation time</b> for the stock.
	Met?	NA		NA
Ration	Rationale			

The stock does not require rebuilding.

b	Rebuildir Guide Post	Monitoring is in place to determine whether the rebuilding strategies are effective in rebuilding the stock within the specified timeframe.	There is evidence that the rebuilding strategies are rebuilding stocks, or it is likely based on simulation modelling, exploitation rates or previous performance that they will be able to rebuild the stock within the specified timeframe.	There is strong evidence that the rebuilding strategies are rebuilding stocks, or it is highly likely based on simulation modelling, exploitation rates or previous performance that they will be able to rebuild the stock within the specified timeframe.
	Met?	NA	NA	NA
Rationale				

The stock does not require rebuilding.

References	
NA	
Overall Performance Indicator score	NA
Condition number (if relevant)	N/A

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### PI 1.2.1 – Harvest strategy

PI 1.2.1		There is a robust and precautionary harvest strategy in place		
Scorin	ng Issue	SG 60	SG 80	SG 100
	Harvest strategy design			
а	Guide Post	The harvest strategy is <b>expected</b> to achieve stock management objectives reflected in PI 1.1.1 SG80.	The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy <b>work together</b> towards achieving stock management objectives reflected in PI 1.1.1 SG80.	The harvest strategy is responsive to the state of the stock and is <b>designed</b> to achieve stock management objectives reflected in PI 1.1.1 SG80.
	Met?	Yes	No	No
Ration	ale			

MSC defines a harvest strategy as 'the combination of monitoring, stock assessment, harvest control rules and management actions, which may include an MP or an MP (implicit) and be tested by MSE' (MSC – MSCI Vocabulary v1.3). Elements of a harvest strategy include the reference points used to set limits and targets, "current" and "available" HCRs (PI 1.2.2), data collection procedures (P1 1.2.3), the stock assessment (P1 1.2.4), and the monitoring of implementation of management measures. Current management measures for SP ALB are set out in CMM 2015-02 which requires that that CCMs do not increase the number of their vessels actively targeting SP ALB in the Convention area south of 20°S over 2005 or 2002-4 levels, and also includes data gathering and reporting requirements. Implementation of CMM 2015-02 is monitored via data gathering and Part 2 reports to the Commission.

CMM 2014-06 sets out the roadmap to establishing a harvest strategy for key stocks managed by WCPFC. Under CMM 2014-06 WCPFC have also agreed a workplan with indicative timeframes to adopt or refine harvest strategies for SP ALB, which is reviewed annually. At WCPFC15 (December 2018), the Commission adopted an interim TRP for SP ALB with the objective of an 8% increase in longline CPUE (estimated by SPC to be achieved at 56%SB<sub>F=0</sub>).

As with other tuna species, there have been delays and amendments to the CMM 2014-06 workplan. The 2019 Commission meeting agreed further changes to the harvest strategy work plan to accommodate "the need for additional work and time to explore and develop the details and practical implementation aspects of the multispecies framework covering all four tuna stocks" (WCPFC, 2019). The workplan changes involve delays in the adoption of a management procedure for SP ALB by one year to 2022 (because of a clash in 2021 with an updated albacore assessment that may also necessitate an update to the MSE operating model), as well as a potential update of the interim TRP in accordance with the approach adopted by WCPFC15 (WCPFC, 2018; Attachment H).

WCPFC16 agreed to reinvigorate the SP ALB Roadmap Intersessional Working Group in 2020 (WCPFC, 2019). The Group met virtually in November 2020, with the major agenda item being to examine progress on alternative catch pathways to achieve the interim TRP (WCPFC-IWG, 2020). A summary of the outcomes of the meeting provided to WCPFC17, indicated that discussions are ongoing in relation to possible amendments to CMM 2015-02 or introducing a new CMM, which will be a comprehensive measure to address all occurrence of the species (in EEZs and the high seas; and including the entire area south of the equator, including the IATTC Convention Area).

Progress towards implementation of the harvest strategy is summarised in Figure 9. There were no further changes in the CMM 2014-6 workplan at WCPFC17 relative to SP ALB. WCPFC (2020; Attachment H) lists the activities for the latest workplan schedule for SPA as follows:

2021: Develop management procedures and Management strategy evaluation

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- SC provide advice on performance of candidate management procedures;
- TCC consider the implications of candidate management procedures;
- Commission consider and refine a candidate set of management procedures.
- [Updated stock assessment considered by SC17]
- [Potential update of TRP following assessment and in accordance with WCPFC15 adopted approach]

2022: as for 2021; and adopt a management procedure.

The provisional outcomes of WCPFC18, held in December 2021, indicate that management procedures remain scheduled for adoption in 2022 (WCPFC, 2021; Attachment I).

In relation to SG60, it is clear from the results of the stock assessment that the stock is well above MSY levels, and projections suggest that the current harvest strategy is likely to keep the stock above the LRP in the medium term (see 1.1.1). **SG60 is met**. In relation to SG80, the harvest strategy is required to be 'responsive to the state of the stock'. While some progress has been made (e.g. agreement of an interim TRP), the existing harvest strategy currently in place (i.e. CMM 2015-02) simply requires that effort is not increased above recent historical levels and makes no reference to the agreed reference points nor to changes to be made according to the stock status. Furthermore, it has a range of problems (SIDS exemption, nothing north of 20°S, defining vessels 'actively targeting' SP ALB), which makes its impact on the stock difficult to predict (although in practice it seems to be working). On this basis, **SG80 is not met**.

	Harvest strategy evaluation			
b	Guide Post	The harvest strategy is <b>likely</b> to work based on prior experience or plausible argument.	The harvest strategy may not have been fully <b>tested</b> but evidence exists that it is achieving its objectives.	The performance of the harvest strategy has been fully evaluated and evidence exists to show that it is achieving its objectives including being clearly able to maintain stocks at target levels.
	Met?	Yes	Yes	No
Ration	ale			

Currently the stock is above the PRI with a high degree of certainty and F is and has always been below  $F_{MSY}$ . Therefore, it appears that the harvest strategy is working and is achieving its objectives. Its performance has not, however, been 'fully evaluated', nor is it clear that in the long run it will be able to maintain biomass at the target level, which is higher than the current biomass level. **SG80** is **met** but not SG100.

C	Harvest Guide	strategy monitoring  Monitoring is in place that is expected to determine
J	Post	whether the harvest strategy is working.
	Met?	Yes
Ration	ale	

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All the major fisheries report both catch and effort data (operational or aggregated; mainly the former) to SPC. CCMs are required to report annually to WCPFC the details of their fisheries (Part 1 reports) and compliance with the CMMs (Part 2 reports). There is therefore monitoring in place, **sufficient to meet SG60**.

	Harvest strategy review				
d	Guide Post			The harvest strategy is periodically reviewed and improved as necessary.	
	Met?			No	
Ration	ale				

There is ongoing review of the elements of the current operational harvest strategy, however the harvest strategy for SP ALB has not been formalised and is not subject to a formal review process. **SG100** is **not met**.

	Shark finning				
е	Guide Post	It is <b>likely</b> that shark finning is not taking place.	It is <b>highly likely</b> that shark finning is not taking place.	There is a <b>high degree of certainty</b> that shark finning is not taking place.	
	Met?	NA	NA	NA	
Rationale					

This scoring Issue need not be scored because sharks are not a target species.

	Review	of alternative measures		
f	Guide Post	There has been a review of the potential effectiveness and practicality of alternative measures to minimise UoA- related mortality of unwanted catch of the target stock.	There is a <b>regular</b> review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock and they are implemented as appropriate.	There is a <b>biennial</b> review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of the target stock, and they are implemented, as appropriate.
	Met?	NA	NA	NA
Rationale				

This fishery targets albacore specifically, and there are no requirements such as minimum or maximum landing sizes or quotas which could lead to any of this catch being unwanted\*. Discarding rates for albacore are minimal, according to the stock assessment report. Historic observer data has not shown there to be any discarding of albacore.

This scoring issue is not relevant.

\* SA3.1.6: The term 'unwanted catch' shall be interpreted by the team as the part of the catch that a fisher did not intend to catch but could not avoid and did not want or chose not to use.

#### References

CMM 2014-06 [Establishing a Harvest Strategy for Key Fisheries and Stocks in the WCPO]

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### CMM 2015-02 [South Pacific Albacore]

Tremblay-Boyer, L., Hampton, J., McKechnie, S. and Pilling, G. 2018. Stock assessment of South Pacific albacore tuna. Scientific Committee 14th Regular Session, Busan, Korea, 8-16 August 2018. WCPFC-SC14-2018/SA-WP-05 (rev2). https://meetings.wcpfc.int/node/10740.

WCPFC. 2017. Summary report Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Fourteenth Regular Session, Manila, Philippines, 3-7 December 2017. https://meetings.wcpfc.int/meetings/type/10.

WCPFC. 2018. Summary Report. Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. 15th Regular Session of the Western and Central Pacific Commission, Honolulu, Hawai'i, USA, 10-14 December 2018. Issued 4 May 2019. https://www.wcpfc.int/meetings/15th-regular-session-wcpfc.

WCPFC. 2019. Summary Report. Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Sixteenth Regular Session, Port Moresby, Papua New Guinea, 5–11 December 2019. Issued 2 April 2020. <a href="https://www.wcpfc.int/meetings/wcpfc16">https://www.wcpfc.int/meetings/wcpfc16</a>.

WCPFC. 2020. Summary Report. Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Seventeenth Regular Session, Electronic meeting, 8–15 December 2020. Issued 3 May 2021. https://meetings.wcpfc.int/node/12045.

WCPFC. 2021. Provisional Outcomes document. Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Eighteenth Regular Session, Electronic meeting, 1–7 December 2021. https://meetings.wcpfc.int/meetings/wcpfc18.

Overall Performance Indicator score	70
Condition number (if relevant)	#1



# PI 1.2.2 – Harvest control rules and tools

PI 1.	2.2	There are well defined and effective harvest control rules (HCRs) in place				
Scoring Issue		SG 60	SG 80	SG 100		
	HCRs de	esign and application				
а	Guide Post	Generally understood HCRs are in place or available that are expected to reduce the exploitation rate as the point of recruitment impairment (PRI) is approached.	Well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY, or for key LTL species a level consistent with ecosystem needs.	The HCRs are expected to keep the stock fluctuating at or above a target level consistent with MSY, or another more appropriate level taking into account the ecological role of the stock, most of the time.		
	Met?	Yes	No	No		
Rationale						

Under SA2.5.2 In scoring issue (a) at the SG60 level, teams shall accept 'available' HCRs (instead of HCRs that are 'in place') in cases where:

a. Stock biomass has not previously been reduced below the MSY level or has been maintained at that level for a recent period of time that is at least longer than 2 generation times of the species, and is not predicted to be reduced below  $B_{\text{MSY}}$  within the next 5 years; or

Under SA2.5.3 Teams shall recognise 'available' HCRs as 'expected to reduce the exploitation rate as the point of recruitment impairment is approached' only in cases where:

b. An agreement or framework is in place that requires the management body to adopt HCRs before the stock declines below B<sub>MSY</sub>. Note: See MSC advisories 'Scoring of 'available' Harvest Control Rules (HCRs) in CRv1.3 fisheries' (24 Nov. 2014) and 'Interpretation on Harvest Control Rules (HCR)' (16 Dec. 2015).

An HCR may be considered to be 'available' and 'expected to reduce the exploitation rate as the PRI is approached' at SG60 if i) 'stock biomass has not previously been reduced below B<sub>MSY</sub> or has been maintained at that level for a recent period of time' (SA2.5.2a) and ii) 'there is an agreement or framework in place that requires the management body to adopt HCRs before the stock declines below B<sub>MSY</sub>' (SA2.5.3b). The stock is above B<sub>MSY</sub> with high probability and under CMM 2014-06 there is an established a workplan and agreed timetable for the adoption of well-defined harvest control rules, with an agreement to adopt an HCR (Tremblay-Boyer et al., 2018; CMM 2014-06). The process is therefore underway although some delays have been evident in the past. **SG60 requirements are met**.

Overall, at present although a generally understood HCR is in place, no well-defined HCRs are in place. **SG80 is not met**.

	HCRs ro	bustness to uncertainty		
b	Guide post		The HCRs are likely to be robust to the main uncertainties.	The HCRs take account of a wide range of uncertainties including the ecological role of the stock, and there is evidence that the HCRs are

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			robust to the main uncertainties.
	Met?	No	No
Ration	ale		

There is no formal HCR so it cannot be robust to the main uncertainties. **The SG80 requirements are not met**.

	HCRs evaluation					
С	Guide post	There is <b>some evidence</b> that tools used <b>or available</b> to implement HCRs are appropriate and effective in controlling exploitation.	Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.	Evidence clearly shows that the tools in use are effective in achieving the exploitation levels required under the HCRs.		
	Met?	Yes	No	No		
Ration	ale					

Under SA2.5.5, in order to conclude that available HCRs are 'effective', MSC requires evidence of i) the use of effective HCRs. In other stocks or fisheries under the same management body; or ii) a formal agreement or framework with trigger levels which will require the development of a well-defined HCR. It also requires consideration of current exploitation rates in relation to biological reference points and the agreed trigger level (guidance for SA2.5.6: 'evidence that current F is equal to or less than  $F_{MSY}$  should usually be taken as evidence that the HCR is effective').

Recent average fishing mortality is estimated to be well below  $F_{MSY}$  (median  $F_{recent}$  / $F_{MSY}$  =0.20, 80 percentile range 0.08-0.41), which level is likely to maintain the stock above the LRP (WCPFC-SC, 2018). Pilling et al. (2015) show that fishing the stock at MSY level would require a major increase in effort from current levels.

A well-defined HCR is being developed under CMM 2014-06. A limit reference point and an interim target reference point have been agreed, and HCRs will be evaluated for the main sources of uncertainty using Management Strategy Evaluation (MSE) (see WCPFC, 2018; WCPFC-SC 2019).

Overall, therefore, under the MSC requirements and guidance for 'available' HCRs, SG60 is met. SG80 is not met.

#### References

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LRQA Public Certification Report New Zealand albacore tuna troll



WCPFC. 2019. Summary Report. Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Sixteenth Regular Session, Port Moresby, Papua New Guinea, 5–11 December 2019. Issued 2 April 2020. <a href="https://www.wcpfc.int/meetings/wcpfc16">https://www.wcpfc.int/meetings/wcpfc16</a>.

Overall Performance Indicator score	60
Condition number (if relevant)	#2

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# PI 1.2.3 – Information and monitoring

PI 1.	2.3	Relevant information is collected to support the harvest strategy				
Scorin	g Issue	SG 60	SG 80	SG 100		
	Range	of information				
а	Guide post	Some relevant information related to stock structure, stock productivity and fleet composition is available to support the harvest strategy.	Sufficient relevant information related to stock structure, stock productivity, fleet composition and other data are available to support the harvest strategy.	A comprehensive range of information (on stock structure, stock productivity, fleet composition, stock abundance, UoA removals and other information such as environmental information), including some that may not be directly related to the current harvest strategy, is available.		
	Met?	Yes	Yes	No		
Ration	Rationale					

The information used by SPC to inform the stock assessment, projections etc. (and hence support the harvest strategy) is described in the background information of this report. It is extensive, including fishery-specific catch and effort data, size-frequency data from port sampling, and biological information from various research projects. Data incorporated into the stock assessment are described in Tremblay-Boyer et al. (2018). The client fleet submits data in accordance with WCPFC requirements. The data have been improved since the previous assessment; for example, operational-level historical Japanese data are now available. There is uncertainty around natural mortality growth rates, with more information on age and growth highlighted as a priority requirement. There are also no tagging data available for albacore. **SG80** is met but the information does not meet the **SG100** requirement.

b	Monitori Guide post	Stock abundance and UoA removals are monitored and at least one indicator is available and monitored with sufficient frequency to support the harvest control rule.	Stock abundance and UoA removals are regularly monitored at a level of accuracy and coverage consistent with the harvest control rule, and one or more indicators are available and monitored with sufficient frequency to support the harvest control rule.	All information required by the harvest control rule is monitored with high frequency and a high degree of certainty, and there is a good understanding of inherent uncertainties in the information [data] and the robustness of assessment and management to this uncertainty.
	Met?	Yes	Yes	No
Rationale				

Fishery removals are monitored by individual CCMs via log sheets and port sampling and are required to be submitted to the Commission annually, in the form of estimates of total catch plus catch and effort data broken down by gear and either aggregated (5° squares by month) or (preferably) at operational level (individual log sheets). Despite some gaps in this dataset, coverage is good overall. This catch, effort and CPUE dataset is the key dataset for the stock

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assessment. Size-frequency data (collected via port sampling and observer programmes) are also used in the assessment, although estimation of growth curves remains problematic. Biological data are collected via research programmes (e.g. Farley et al., 2013).

For the UoA, New Zealand complies fully with WCPFC data reporting requirements. All commercial fishers must report their catch and position electronically. New Zealand MPI has a variety of compliance tools available to monitor compliance within the EEZ troll fishery. These include but are not limited to permitting, placement of observers, auditing of licensed fish receivers, port inspections and the monitored unloading of catch, analysis of catch and effort reporting with comparison against VMS and observer reports, aerial surveillance and at sea surveillance (at-sea boarding and inspection). A programme of annual, shore-based albacore troll catch sampling (MPI Project ALB2021-01) is ongoing in order to provide length frequency information to SPC for use in southern albacore stock assessments (TMA, 2021). New Zealand's information is important in that it is the main source of data on juvenile size composition in the south Pacific Ocean. This level of monitoring meets the SG60 and SG80 levels.

Formal stock assessments have taken place every few years (2012, 2015, 2018, with an update scheduled for 2021). In between formal stock assessments, SPC provide some information on trends in fishery indicators (total catch, nominal CPUE, catch at length and at weight), to guide management (e.g., Brouwer et al., 2018).

On this basis, the team felt that SG80 was met. SG100 is not met, for the following reasons:

- The characteristics of tuna longline CPUE are often poorly understood, and it is unclear how successful most
  effort standardisation analyses are or how to properly represent the uncertainties (although this may be
  improved by the new geostatistical methods).
- Some data gaps remain in fishery-dependent data.
- The requirement to 'raise' log sheet data by estimates of total catch (to account for missing log sheets) results in some loss of precision.
- · Historical data are often lacking in precision.
- Although the frequency of stock assessments is reasonable, they are not carried out with 'high frequency' (i.e. not annually).

	Comprehensiveness of inform	nation		
С	Guide post	There is good information on all other fishery removals from the stock.		
	Met?	Yes		
Ration	Rationale			

The assessment method used (MFCL) requires all catch and effort to be allocated to fisheries, where ideally the fisheries are defined to have selectivity and catchability characteristics that do not vary greatly over time. 16 fisheries (plus 5 'index fisheries') were defined according to gear type, fishing method and region or sub-region (Tremblay-Boyer et al., 2018). Relative to the tropical species, there are fewer issues relating to large fisheries in Indonesia, the Philippines and Vietnam with poor catch and effort data (since in these areas there is not much albacore). The assessment does not include the albacore fishery (catch or CPUE) east of 130°W (considered under 1.2.4). **SG80 is met**.

#### References

TMA, 2021

Brouwer, S., Pilling, G., Williams, P. and Hampton, J. 2018. A compendium of fisheries indicators for tuna stocks. Scientific Committee, Fourteenth Regular Session, Busan, Republic of Korea, 8-16 August 2018. WCPFC-SC14-2018/ SA-WP-02. https://www.wcpfc.int/node/30987.

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Tremblay-Boyer, L., Hampton, J., McKechnie, S. and Pilling, G. 2018. Stock assessment of South Pacific albacore tuna. Scientific Committee 14th Regular Session, Busan, Korea, 8-16 August 2018. WCPFC-SC14-2018/SA-WP-05 (rev2). https://meetings.wcpfc.int/node/10740.

Overall Performance Indicator score	80
Condition number (if relevant)	N/A



### PI 1.2.4 – Assessment of stock status

PI 1	.2.4	There is an adequate assessment of the stock status						
Scoring Issue		SG 60	SG 80	SG 100				
	Appropr	ateness of assessment to s	stock under consideration					
а	Guide		The assessment is appropriate for the stock and for the harvest control rule.	The assessment takes into account the major features relevant to the biology of the species and the nature of the UoA.				
	Met?		Yes	No				
Ration	Rationale							

The assessment is conducted using the integrated assessment model Multifan-CL (MFCL) which can integrate several sources of information and uses the available data in a raw form as appropriate in a single analysis (Fournier et al., 1998). MFCL is able to take into account features of the fisheries (catchability, selectivity) and the biology of the stock (in a population model). The 2018 model partitions the population into 5 spatial regions and 48 quarterly age-classes. In addition to the diagnostic case model, the 2018 assessment reports the results of one-off sensitivity models to explore the relative impacts of key data and model assumptions for the diagnostic case model on the stock assessment results and conclusions. A structural uncertainty analysis is used for consideration in developing management advice, where all possible combinations of the most important axes of uncertainty from the one-off models were included. When running an integrated assessment, it is important to correctly specify: i) the observation model process, e.g., the form of selectivity and discarding; ii) systems dynamics, e.g. values for steepness and natural mortality; and iii) appropriate data and data weightings. All of these were investigated using the uncertainty grid.

The assessment is appropriate for the stock and the generally understood harvest control rule. **SG80** is met.

The assessment takes into account many of the features relevant to the biology of SP ALB. However, the latest stock assessment for SP ALB assumes the boundary of the stock extends from the east coast of Australia to 130°W (Tremblay-Boyer et al., 2018). This model structure assumes that SP ALB east of 130°W are a separate stock. The eastern Pacific component of the stock has not been included in recent assessments, due to low catches and poor data quality. Moore et al. (2020) suggest that it is not clear whether the boundaries of the model domain reflect the underlying population structure of SP ALB. **SG100** is **not met**.

	Assessn	nent approach	
b	Guide post	The assessment estimates stock status relative to generic reference points appropriate to the species category.	The assessment estimates stock status relative to reference points that are appropriate to the stock and can be estimated.
	Met?	Yes	Yes
Ration	ale		

An LRP and an interim TRP have been defined, with the TRP estimated in terms of SB directly from the stock assessment (based on an 8% increase in CPUE). The stock assessment model is able to estimate stock status relative to a suite of appropriate reference points. **SG60 and SG80 are met**.

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	Uncertainty in the assessment						
	Guide post	The assessment identifies major sources of uncertainty.	The assessment takes uncertainty into account.	The assessment takes into account uncertainty and is evaluating stock status relative to reference points in a <b>probabilistic</b> way.			
	Met?	Yes	Yes	Yes			
Ration	ale						

The SP ALB assessment provides explicit commentary on the major sources of uncertainty, has assessed the sensitivity of the assessment to these uncertainties, and has evaluated current and future stock status relative to these in a probabilistic way. The structural uncertainty grid, including 72 runs considered to represent the 'plausible range' of stock uncertainty, was used to estimate median values and confidence intervals (Tremblay-Boyer et al., 2018). **SG60, SG80 and SG100 requirements are met**.

	Evaluation of assessment					
d	Guide post			The assessment has been tested and shown to be robust. Alternative hypotheses and assessment approaches have been rigorously explored.		
	Met?			Yes		
Ration	ale					

There is an ongoing program of review of assessment assumptions and approaches by the staff in the SPC's Oceanic Fisheries Programme. Alternative hypotheses are continually being explored (within funding and time constraints) and assessments are updated and modified as required. Recommendations for further work to improve the assessment can be seen in Tremblay-Boyer et al. (2018).

The assessment is updated to reflect the availability of new data or new interpretations of existing data and a suite of sensitivity analyses have been undertaken to explore the impact of options such as changing assumptions for fixed parameters or different treatments of the data. In addition, retrospective analyses are undertaken as a general test of the stability of the model, as a robust model should produce similar output when rerun with data for the terminal year/s sequentially (Tremblay-Boyer et al., 2018).

The assessment has been tested using a systematic exploration of the interactions among different sets of assumptions. Externally to the stock assessment, there is consideration each year of how to improve the input data (e.g. addition of new Japanese data in the most recent assessment; new methods of standardisation via geo-statistics). This confirms that alternative hypothesis and assessment approaches have been rigorously explored. **SG100** is **met**.

	Peer review	of assessment		
е	Guide post		The assessment of stock status is subject to peer review.	The assessment has been internally and externally peer reviewed.
	Met?		Yes	No
Ration	ale			

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Although neither the 2015 nor the 2018 assessments have been formally externally peer reviewed, the assessment, as have other WCPFC assessments, have benefited from developments that addressed the recommendations made by the independent review of the 2011 bigeye assessment (lanelli et al., 2012). Although the current assessment has not been externally peer reviewed it is regularly subject to internal scrutiny by SPC and the scientific committee of the WCPFC, during which scientists from a number of contracting parties are able to review the assessment. This scoring issue **is met at the SG80 level but not at the SG100 level**.

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Moore, B.R., Bell, J.D., Evans, K., Farley, J., Grewe, P., Hampton, J., Marie A.D., Minte-Vera, C., Nicol, S., Pilling, G.M., Scutt Phillips, J., Tremblay-Boyer, L., Williams, A.J. and Smith, N. 2020. Defining the stock structures of key commercial tunas in the Pacific Ocean I: Current knowledge and main uncertainties. Fisheries Research. Volume 230, October 2020, 105524.

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Overall Performance Indicator score	90
Condition number (if relevant)	N/A



# 7.3 Principle 2

### 7.3.1 Principle 2 background

This section of the report outlines the fishery's potential impacts on the wider ecosystem. Five components are considered to cover the range of potential ecosystem elements that may be impacted by the fishery:

- (i) Primary species species in the catch that are not covered under P1 because they are not included in the UoA. In addition, primary species have management tools and measures in place, intended to achieve stock management objectives reflected in either limit or target reference points.
- (ii) Secondary species secondary species are not covered under P1 because they are not included in the UoA and are not considered 'primary' as defined above, i.e., they do not have management tools and measures in place; these species are also not classified as ETP species.
- (iii) Endangered Threatened or Protected (ETP) species species recognised by national and/or binding international agreements (as defined in CR v2.0).
- (iv) Habitats the habitats within which the fishery operates.
- (v) Ecosystem broader ecosystem elements such as trophic structure and function, community composition, and biodiversity.

No Principle 2 conditions were adopted at the previous certification of the fishery. All New Zealand commercial fishers must report their catch and position electronically. Interactions with ETP species are required to be reported on MPI's Non-fish and Protected Species Catch Return form. Reported catches other than albacore occur at very low levels (0.62% of total retained catch) (Table 12) (TMA, 2021). Skipjack, bigeye and southern bluefin tunas are the most abundant bycatch, followed by kahawai, yellowfin tuna and kingfish (Table 12), (TMA, 2021). Bigeye tuna, southern bluefin tuna, yellowfin tuna, kahawai and kingfish are managed within New Zealand's Quota Management System (QMS).

Note: in the troll fishery, the main tuna species other than skipjack are required to be reported in numbers of individuals caught. Catch weights for albacore, bigeye, southern bluefin tuna and yellowfin tuna were estimated on the basis of average fish sizes and length-weight relationships (TMA, 2021).

Table 12. New Zealand albacore tuna troll fishery estimated catch composition 2015-16 to 2019-20 based on logbook data. Source TMA, 2021.

Species	Scientific name	QMS?	2015-16	2016-17	2017-18	2018-19	2019-20	5-Year Average (kg)	5-Year Average (%)
Albacore tuna	Thunnus alalunga	N*	1,952,000	1,763,000	2,579,000	2,328,000	2,750,208	2,274,442	99.478%
Skipjack tuna	Katsuwonus pelamis	N*	3,067	2,505	17,865	7,440	5,437	7,263	0.318%
Bigeye tuna	T. obesus	Y*	4,468	516	93	172		1,312	0.057%
Southern bluefin tuna	T. maccoyii	Y*	605	2,116	453	1,108	856	1,028	0.045%
Kahawai	Arripis trutta	Υ	457	438	386	1,400	581	652	0.029%
Yellowfin tuna	T. albacares	Υ	700	300	400		600	500	0.022%
Kingfish	Seriola lalandi	Υ	47	143	301	736	105	266	0.012%
Mako shark	Isurus oxyrinchus	Y*	43	37	381	15	52	106	0.005%
Shortsnouted lancetfish	Alepisaurus brevirostris	N					353	353	0.015%
Gemfish	Rexea solandri	Υ	21	36	95	80		58	0.003%
Ray's bream	Brama brama	Υ	87	18	29	53	5	38	0.002%

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Totals			1,961,582	1,769,195	2,599,165	2,339,335	2,758,218	2,286,387	100.00%
Rig	Mustelus lenticulatus	Y			4			4	0.000%
Slender roughy	Optivus elongatus	N			5			5	0.000%
School shark	Galeorhinus galeus	Υ					8	8	0.000%
Ling	Genypterus blacodes	Y			8			8	0.000%
Gurnard	Triglidae	Υ				8		8	0.000%
Tarakihi	Nemadactylus macropterus	Y				10		10	0.000%
Hapuku & Bass	Polyprion spp.	Υ				2	9	6	0.000%
Squid	Abralia spp.	N				2		20	0.001%
Oilfish	Ruvettus pretiosus	N	23					23	0.001%
Arrow squid	Nototodarus spp.	Υ				23		23	0.001%
Swordfish	Xiphias gladius	Y*		65				65	0.003%
Butterfly tuna	Gasterochisma melampus	N				93		93	0.004%
Slender tuna	Allothunnus fallai	N	46		24	46		29	0.001%
Dolphinfish	Coryphaena hippurus	N	5	21	89	6	2	25	0.001%
Barracouta	Thyrsites atun	Υ	14		32	12	2	43	0.002%

<sup>\*</sup> Indicates subject to Highly Migratory Species management

New Zealand undertakes a range of ecosystem-related research in support of its fisheries. The Aquatic Environment and Biodiversity Annual Review (AEBAR) is a key document that is updated each year to provide transparency about research that has been commissioned by Fisheries New Zealand (AEBAR, 2020). The AEBAR complements Fisheries New Zealand's annual reports which focus on individual fish stocks. The AEBAR reviews examine aquatic environment fisheries-related issues and biodiversity responsibilities that often apply to many fish stocks, fisheries, or activities. Annual AEBAR reports provide an appendix summarising aquatic environment and marine biodiversity research projects commissioned since 1998.

New Zealand MPI has assessed that there is a very low environmental risk associated with this fishery, hence on-board observer coverage has been low in recent years (Table 13). Of 70 days of observer coverage scheduled by MPI for the albacore troll fishery during 2019-20, 58 days were achieved (TMA, 2021). Since the 2017 certification of the fishery, MSC has strengthened requirements in relation to there being no shark finning evident in client fisheries. MPI reported to the assessment team that no incidences of noncompliance with New Zealand's shark finning regulations were noted by observers, nor were any incidences of noncompliance with shark finning regulations by albacore troll vessels identified through Fishery Officer inspections (MPI email 20 October 2021). No observer coverage is planned in 2020-21.

MPI provided the assessment team with observer data from the 2019-21 coverage of the fishery (via email, 27 October 2021). These data support the accuracy of the species composition information from the logbooks and that SP ALB comprise a very high proportion of the catch (99.7%). Only seven other species were reported as caught, with skipjack tuna representing only 0.002% of the catch and all other (kahawai, Ray's bream, slender tuna, yellowfin tuna, southern bluefin tuna and kingfish) each being less than 0.001%. No interactions with ETPs were recorded.

Table 13. Observer coverage in the albacore troll fishery over the most recent three fishing years. Source TMA, 2021.

Fishing Year	Observed days	Vessel days	Number of vessels	Observer coverage	
2016-17	13	3670	98	0.4%	
2017-18	0	4211	132	0.0%	

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2018-19	3	4854	130	0.06%
2019-20	58	5022	137	1.2%

### 7.3.2 Primary Species

New Zealand manages many of its commercial fish species under a QMS. There are currently 642 fish stocks representing 98 species or species complexes in the QMS. Of these, 297 stocks are considered to be nominal stocks, which are species-area combinations that do not have a demonstrated significant commercial or non-commercial potential. Under the QMS a yearly total allowable commercial catch (TACC) is set for every fish stock. Each year an Annual Catch Entitlement (ACE) is generated on the basis of the TACC and issued to holders of quota. All commercial fishers must obtain ACE to cover the QMS fish they catch in a fishing year.

New Zealand introduced a Harvest Strategy Standard (HSS) for its commercial fisheries in 2008. The HSS specifies four performance measures that are used to evaluate the status of New Zealand's fish stocks and fisheries, with the highest priority being given to the first three of these:

- the soft limit a biomass level below which a stock is deemed to be "overfished" or depleted and needs to be actively rebuilt.
- the hard limit a biomass level below which a stock is deemed to be "collapsed", where fishery closures should be considered in order to rebuild a stock at the fastest possible rate.
- the overfishing threshold a rate of extraction (percentage of a stock removed each year) that should not be exceeded as it will ultimately lead to the stock biomass declining below management targets and/or biomass limits, if this hasn't already happened; and
- the management target usually a biomass level, but sometimes a fishing mortality rate, that stocks are expected to fluctuate around, with at least a 50% probability of achieving the target.

As Table 12 indicates, the catch of the majority of species reported is negligible. Not all of the species retained by the troll fishery are the subject of detailed assessment and management plans, however, those managed under the QMS are subject to TACCs against which catches are monitored on an on-going basis. None of the primary species is 'main' (the highest primary species caught, skipjack tuna, represents only 0.32% of the total catch). Other than albacore, catches averaged over 1 t for only 3 species over the 5-year period: skipjack tuna, bigeye tuna and southern bluefin tuna. Of these, bigeye and southern bluefin tuna have quotas under the QMS. Albacore, bigeye and skipjack are managed in accordance with international obligations via WCPFC processes. Southern bluefin tuna is the responsibility of the Commission for Conservation of Southern Bluefin Tuna (CCSBT) of which New Zealand is a founding member. There is also a low level of catch of mako shark (*Isurus oxyrinchus*) which are not an ETP species under New Zealand legislation and are managed under the New Zealand QMS system.

### 7.3.3 Secondary Species

Several species indicated in Table 12 are not managed under the New Zealand QMS and are considered here as secondary species. None of these species are 'main' secondary species. Stock status information is typically not available for these species.

#### 7.3.4 ETPs (Endangered, Threatened, Protected)

The New Zealand Wildlife Act 1953 gives absolute protection to wildlife throughout New Zealand and its surrounding marine EEZ. All marine mammals (including all seal, dolphin and whale species) are fully protected throughout New Zealand and its EEZ under the Marine Mammals Protection Act 1978.

The national requirements for ETP protection in New Zealand law notes that while interactions are not forbidden (i.e., not zero), the law requires interactions to be reported on MPI's Non-fish and Protected Species Catch Return form. The long-term aim is to minimise mortalities where possible, with the zero interactions being described as the aspirational objective. The approach requiring reporting of interactions, combined with observer coverage, provides good information on the potential effects of the fishery on ETP species. No specific limits on interactions have been set.

New Zealand is a party to the Agreement for the Conservation of Albatrosses and Petrels (ACAP) which covers 29 species of the seabirds, the majority of which occur in New Zealand waters (and are legally protected). This Agreement requires New Zealand to take measures to achieve and maintain a favourable conservation status for albatrosses and petrels (further detail: www.acap.aq). New Zealand has also developed an updated National Plan of Action for Seabirds

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in 2020, the third iteration of a national plan of action (NPOA-Seabirds, 2020). The NPOA has four goals: *avoiding bycatch; healthy seabird populations; research and information; international engagement.* Each goal has objectives to be achieved within five years of the introduction of the plan.

The troll gear used in the fishery uses towed, un-baited artificial lures which are seldom lost during fishing and are likely to have very limited impacts in post-loss (ghost) fishing. There are no records of protected marine mammal or reptile species having been taken by the fishery (TMA, 2021). The 2019-20 season marked the first records of seabird captures, with three birds being captured, all of which were released alive. These were a black petrel (*Procellaria parkinsoni*), an unidentified petrel and an unidentified albatross (TMA, 2021). An analysis of risk posed by fisheries to seabirds indicates that there is zero risk posed by the troll fishery (AEBAR, 2020).

Table 12 indicates a low level of catch of shortfin make shark (a total of 528 kg over 5 years). This is a managed species in New Zealand and is discussed above under primary species.

### 7.3.5 Habitat and Ecosystem Effects

The albacore troll fishery operates in surface waters of the open ocean; hence habitat interactions are largely concentrated on the pelagic environment. The oceanography and primary productivity within the New Zealand EEZ have been well studied through historical and current research projects and remote sensing studies.

Benthic habitat impact from lost gear, as noted above, will be minimal due to the infrequency of lost gear and the nature of the gear. Given the gear type, possible impacts are expected to be transient and negligible.

MARPOL, the International Convention for the Prevention of Pollution from Ships (1973) covers pollution by oil, chemicals, and harmful substances in packaged form, sewage and garbage. New Zealand is a signatory of this Convention; thus the albacore troll fishery falls within the agreements on prevention of disposal of harmful waste and fishing gear while at sea.

The UoC catch averaged approximately 3.5% of the total SP ALB catch over the past 5 years. Catch of non-UoC retained species is very low (~0.5% of the total catch). As albacore stocks in the region are estimated to be above B<sub>MSY</sub>, their ecosystem role is expected to be maintained. The nature of the troll fishery suggests the catch by the UoC does not result in unobserved mortality. The consequences of the fishery on species composition, functional group composition, community distribution, and trophic structure are likely to be undetectable.



# 7.3.6 Principle 2 Performance Indicator scores and rationales

# PI 2.1.1 – Primary species outcome

PI 2	2.1.1	where recruitment would be cies if they are below the PRI		
Scorin	g Issue	SG 60	SG 80	SG 100
	Main pri	mary species stock status		
а	Guide post	Main primary species are likely to be above the PRI.  OR  If the species is below the PRI, the UoA has measures in place that are expected to ensure that the UoA does not hinder recovery and rebuilding.	Main primary species are highly likely to be above the PRI.  OR  If the species is below the PRI, there is either evidence of recovery or a demonstrably effective strategy in place between all MSC UoAs which categorise this species as main, to ensure that they collectively do not hinder recovery and rebuilding.	There is a high degree of certainty that main primary species are above the PRI and are fluctuating around a level consistent with MSY.
	Met?	NA	NA	NA
Ration	ale			

Information on catch composition is available from fishing years 2015-16 to 2019-20 (see Table 12) (TMA, 2021). Table 12 indicates that in addition to albacore, there are 18 species which can be considered primary species as they are managed under New Zealand's QMS or subject to Highly Migratory Species management. No species reached the cut-off of 5% average percentage contribution individually and no species comprised more than 2% individually, hence there are no main primary species. Therefore, this Scoring Issue is not applicable<sup>1</sup>.

	Minor primary species stock status			
		Minor primary species are highly likely to be above the PRI.		
b	Guide post	OR		
		If below the PRI, there is evidence that the UoA does not hinder the recovery and rebuilding of minor primary species.		
	Met?	No		

<sup>&</sup>lt;sup>1</sup> see MSC interpretation log: https://mscportal.force.com/interpret/s/article/P2-species-outcome-PIs-scoring-when-no-main-or-no-minor-or-both-PI-2-1-1-1527262009344

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#### Rationale

There are 18 minor primary species indicated in Table 12. Several of these species are MSC certified in the WCPO and are currently assessed as not overfished and not subject to overfishing (e.g., skipjack, bigeye, yellowfin, swordfish). However, there is not current status information for several of the species (FNZ, 2021b). Given that information is not available to show that all minor primary species are highly likely to be above biologically based limits, or that the UoA does not hinder the recovery and rebuilding of these species, SG100 is not met.

#### References

TMA. 2021. MSC Certification - NZ Troll Caught Albacore Tuna Fourth Annual Surveillance Audit & Reassessment. Client Checklist and Update Report October, 2021. Tuna Management Association of New Zealand.

FNZ (2021b). Annual Review Report for Highly Migratory Species 2020/21. Fisheries New Zealand Technical Paper No: 2021/01. https://www.mpi.govt.nz/dmsdocument/47572-Annual-review-report-for-highly-migratory-speciesfisheries-202021.

Overall Performance Indicator score	80
Condition number (if relevant)	N/A



# PI 2.1.2 – Primary species management strategy

PI 2	1.2	There is a strategy in place that is designed to maintain or to not hinder rebuilding of primary species, and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch			
Scoring Issue		SG 60	SG 80	SG 100	
	Manager	ment strategy in place			
а	Guide post	There are <b>measures</b> in place for the UoA, if necessary, that are expected to maintain or to not hinder rebuilding of the main primary species at/to levels which are likely to be above the PRI.	There is a <b>partial strategy</b> in place for the UoA, if necessary, that is expected to maintain or to not hinder rebuilding of the main primary species at/to levels which are highly likely to be above the PRI.	There is a <b>strategy</b> in place for the UoA for managing main and minor primary species.	
	Met?	Yes	Yes	Yes	
Rationale					

As indicated in the scoring rationale for PI 2.1.1, there are no main primary species (Table 12; TMA, 2021). Of the minor species discussed in the scoring rationale for PI 2.1.1, all except skipjack tuna are managed under New Zealand's QMS. Skipjack tuna (as well as bigeye, yellowfin, southern bluefin tuna and swordfish) are managed under WCPFC and CCSBT responsibilities. These arrangements constitute a strategy for these non-target species taken at very low catch levels. **SG60, SG80 and SG100 requirements are met.** 

	Manager	ment strategy evaluation			
b	Guide post	The measures are considered <b>likely</b> to work, based on plausible argument (e.g., general experience, theory or comparison with similar fisheries/species).	There is some <b>objective basis for confidence</b> that the measures/partial strategy will work, based on some information directly about the fishery and/or species involved.	Testing supports high confidence that the partial strategy/strategy will work, based on information directly about the fishery and/or species involved.	
	Met?	Yes	Yes	No	
Rationale					

There are no main primary species (see section 7.3.2 of this report). Ongoing monitoring of catches and requirements of fisheries management for New Zealand, WCPFC and CCSBT indicate there is an objective basis for confidence that the strategy is working. A management procedure involving testing has been adopted for southern bluefin tuna and are being developed for WCPO key tuna species. For minor species, a partial strategy is not necessary, so **SG80** is **met by default**. Nevertheless, the processes in place for these species (QMS, setting of quotas, regular monitoring etc.) comprise a partial strategy. **SG60** and **SG80** are **met**. The partial strategy has not been tested for all minor species. **SG100** is **not met**.

С	Manager	nent strategy implementation		
	Guide post		There is <b>some evidence</b> that the measures/partial strategy	There is <b>clear evidence</b> that the partial strategy/strategy is being <b>implemented</b>

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	is being <b>implemented</b> successfully.	successfully and is achieving its overall objective as set out in scoring issue (a).
Met?	Yes	Yes
Rationale		

Catches other than albacore have been less than 1% of total catch of the troll fishery over the last 5 years (Table 12). The majority of species taken are managed under the QMS scheme. The management arrangements in place and monitoring of the fishery provide clear evidence that the strategy is being implemented successfully. **SG80 and SG100 requirements are met.** 

	Shark finning				
d	Guide post	It is <b>likely</b> that shark finning is not taking place.	It is <b>highly likely</b> that shark finning is not taking place.	There is a <b>high degree of certainty</b> that shark finning is not taking place.	
	Met?	Yes	Yes	No	
Rationale					

Shark finning has been illegal in New Zealand since 1<sup>st</sup> October 2014 (MPI, 2021d). Several shark species can be retained and are managed under the QMS. The Fisheries (Commercial Fishing) Regulations 2001 require that any shark fins landed must be naturally attached to the body of the shark. However, there are regulations which provide an exception to the "fins attached" requirement for eight species of shark. These exceptions take two forms, the first is for blue shark and it allows the fins to be removed from the body but requires that the fins be attached to the trunk after processing (before landing). The second exception is for seven other QMS species, for which the fins may be landed separately but in accordance with a gazetted ratio. These are elephant fish, ghost shark, make shark, pale ghost shark, porbeagle shark, rig and school shark.

WCPFC CMM 2010-07 requires reporting of catch information for key shark species, including make sharks, and requires full utilisation of retained sharks.

The capture of sharks using troll gear is an infrequent event. Table 12 indicates that over the 5-year period for which data is presented, a total of 4 kg of rig and 8 kg of school shark were reported. Over this period, a total of 528 kg of shortfin make shark was reported.

There is typically a low level of observer coverage of the client fishery, however in the 2019-20 fishing year there were 58 observer days for the fishery (TMA, 2021). There is also a high level of port monitoring. MPI reported to the assessment team that no incidences of noncompliance with shark finning regulations were noted by observers, nor were any incidences of noncompliance with shark finning regulations by albacore troll vessels identified through Fishery Officer inspections (MPI email 20 October 2021).

Given the nature of the fishing gear and the low level of reported shark catch, it is highly likely that shark finning is not taking place. **SG60 and SG80 are met**.

Without a higher ongoing level of observer monitoring, it cannot be concluded that SG100 is met.

	Review o	of alternative measures		
е	Guide post	There is a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted	There is a <b>regular</b> review of the potential effectiveness and practicality of alternative measures to minimise UoA- related mortality of unwanted catch of main primary species	There is a <b>biennial</b> review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of all primary species,

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		catch of main primary species.	and they are implemented as appropriate.	and they are implemented, as appropriate.
	Met?	NA	NA	NA
Ration	ale			

The target species comprise more than 99% of the reported catch (Table 12). This scoring issue is not applicable in accordance with CRv2.01 GSA3.5.3.

#### References

TMA. 2021. MSC Certification - NZ Troll Caught Albacore Tuna Fourth Annual Surveillance Audit & Reassessment. Client Checklist and Update Report October, 2021. Tuna Management Association of New Zealand.

MPI. 2021d. Conservation and management of New Zealand sharks. Fisheries New Zealand. Accessed 14 October, 2021. https://www.mpi.govt.nz/dmsdocument/3642-Conservation-and-management-of-New-Zealand-sharks.

WCPFC CMM 2010-07 [Sharks]

Overall Performance Indicator score	90
Condition number (if relevant)	N/A



# PI 2.1.3 – Primary species information

PI 2	2.1.3	.3 Information on the nature and extent of primary species is adequate to deterrisk posed by the UoA and the effectiveness of the strategy to manage primary.		
Scorin	g Issue	SG 60	SG 80	SG 100
	Informat	ion adequacy for assessme	ent of impact on main prima	ry species
а	Guide post	Qualitative information is adequate to estimate the impact of the UoA on the main primary species with respect to status.  OR  If RBF is used to score PI 2.1.1 for the UoA: Qualitative information is adequate to estimate productivity and susceptibility attributes for main primary species.	Some quantitative information is available and is adequate to assess the impact of the UoA on the main primary species with respect to status.  OR  If RBF is used to score PI 2.1.1 for the UoA:  Some quantitative information is adequate to assess productivity and susceptibility attributes for main primary species.	Quantitative information is available and is adequate to assess with a high degree of certainty the impact of the UoA on main primary species with respect to status.
	Met?	Yes	Yes	Yes
Rationale				

Quantitative information is available to indicate that there are no main primary species (see section 7.3.2) (TMA, 2021). **SG60, SG80 and SG100** requirements are met by default.

	Informat	tion adequacy for assessme	ent of impact on minor prima	ry species	
b	Guide post			Some quantitative information is adequate to estimate the impact of the UoA on minor primary species with respect to status.	
	Met?			Yes	
Ration	Rationale				

Catches of minor species are very low (see section 7.3.2). The majority of the minor species are QMS species. The requirements of the QMS mean that there is some quantitative information to estimate the impact of the UoA (FNZ, 2021a). **SG100 requirements are met**.

	Information adequacy for management strategy					
С	Guide post	Information is adequate to support <b>measures</b> to manage <b>main</b> primary species.	Information is adequate to support a <b>partial strategy</b> to manage <b>main</b> primary species.	Information is adequate to support a <b>strategy</b> to manage <b>all</b> primary species, and evaluate with a <b>high degree of certainty</b> whether the strategy is achieving its objective.		

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	Met?	Yes	Yes	No
Ration	ale			

There are no main primary species (see section 7.3.2), hence **SG60 and SG80 are met by default**. As indicated above, the majority of the minor species are QMS species. The requirements of the QMS provide information to support management of most primary species, however the lack of regular observer data prevents evaluation that there is a high degree of certainty that objectives are achieved, **preventing SG100 being met.** 

#### References

TMA. 2021. MSC Certification - NZ Troll Caught Albacore Tuna Fourth Annual Surveillance Audit & Reassessment. Client Checklist and Update Report October, 2021. Tuna Management Association of New Zealand.

FNZ (2021a). Annual Operational Plan for Highly Migratory Species Fisheries 2020/21. Fisheries New Zealand Technical Paper No: 2021/03. 26 p. <a href="https://www.mpi.govt.nz/dmsdocument/47569-Annual-operational-plan-for-highly-migratory-species-and-Pacific-fisheries-202122">https://www.mpi.govt.nz/dmsdocument/47569-Annual-operational-plan-for-highly-migratory-species-and-Pacific-fisheries-202122</a>.

Overall Performance Indicator score	95
Condition number (if relevant)	N/A



# PI 2.2.1 – Secondary species outcome

PI 2	2.1		condary species above a biolo dary species if they are below			
Scorin	g Issue	SG 60	SG 80	SG 100		
	Main se	condary species stock statu	IS			
		Main secondary species are <b>likely</b> to be above biologically based limits.  OR	Main secondary species are highly likely to be above biologically based limits.  OR	There is a <b>high degree of certainty</b> that main secondary species are above biologically based limits.		
а	Guide post	If below biologically based limits, there are <b>measures</b> in place expected to ensure that the UoA does not hinder recovery and rebuilding.	If below biologically based limits, there is either evidence of recovery or a demonstrably effective partial strategy in place such that the UoA does not hinder recovery and rebuilding. AND Where catches of a main secondary species outside of biological limits are considerable, there is either evidence of recovery or a, demonstrably effective strategy in place between those MSC UoAs that have considerable catches of the species, to ensure that they collectively do not hinder recovery and rebuilding.			
	Met?	NA	NA	NA		
Ration	Rationale					

There are no main secondary species. Therefore, this Scoring Issue is not applicable<sup>2</sup>.

	Minor se	condary species stock status
b	Guide post	Minor secondary species are highly likely to be above biologically based limits.
		OR
		If below biologically based limits', there is evidence that the UoA does not hinder the

<sup>&</sup>lt;sup>2</sup> see MSC interpretation log: https://mscportal.force.com/interpret/s/article/P2-species-outcome-PIs-scoring-when-no-main-or-no-minor-or-both-PI-2-1-1-1527262009344

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			recovery and rebuilding of secondary species
	Met?		No
Ration	ale		

Several minor secondary species are indicated in Table 12. The reported catches of these species are very low (the highest being shortsnouted lancetfish with a total reported catch of 353 kg over 5 years). Current stock status information is not available for these species (TMA, 2021). Given that information is not available to show that all minor secondary species are highly likely to be above biologically based limits, or that the UoA does not hinder the recovery and rebuilding of these species, **SG100 is not met**.

#### References

TMA. 2021. MSC Certification - NZ Troll Caught Albacore Tuna Fourth Annual Surveillance Audit & Reassessment. Client Checklist and Update Report October, 2021. Tuna Management Association of New Zealand.

Overall Performance Indicator score	80
Condition number (if relevant)	N/A

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# PI 2.2.2 – Secondary species management strategy

PI 2	2.2.2	There is a strategy in place for managing secondary species that is designed to maintain or to not hinder rebuilding of secondary species and the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of unwanted catch				
Scorin	g Issue	SG 60 SG 80 SG 100		SG 100		
	Manage	ment strategy in place				
а	Guide post	There are <b>measures</b> in place, if necessary, which are expected to maintain or not hinder rebuilding of main secondary species at/to levels which are highly likely to be above biologically based limits or to ensure that the UoA does not hinder their recovery.	There is a partial strategy in place, if necessary, for the UoA that is expected to maintain or not hinder rebuilding of main secondary species at/to levels which are highly likely to be above biologically based limits or to ensure that the UoA does not hinder their recovery.	There is a <b>strategy</b> in place for the UoA for managing main and minor secondary species.		
	Met?	Yes	Yes	Yes		
Rationale						

There are no main secondary species (see section 7.3.3). Catches of secondary minor species are very low. Arrangements in place are sufficient to detect increased catches that would warrant scrutiny of these species. **SG60**, **SG80** and **SG100** requirements are met.

	Management strategy evaluation					
b	Guide post	The measures are considered <b>likely</b> to work, based on plausible argument (e.g. general experience, theory or comparison with similar UoAs/species).	There is some objective basis for confidence that the measures/partial strategy will work, based on some information directly about the UoA and/or species involved.	Testing supports high confidence that the partial strategy/strategy will work, based on information directly about the UoA and/or species involved.		
	Met?	Yes	Yes	No		
Rationale						

Ongoing monitoring of catches and requirements of fisheries management for New Zealand and WCPFC and CCSBT indicate there is an objective basis for confidence that the strategy is working. **SG60** and **SG80** are met. Given the low level of limited interaction with secondary species there is limited requirement for testing of the partial strategy, however this testing is not in place. **SG100** requirements are not met.

	Management strategy implementation					
С	Guide post	There is <b>some evidence</b> that the measures/partial strategy is being <b>implemented successfully</b> .	There is clear evidence that the partial strategy/strategy is being implemented successfully and is achieving its objective as set out in scoring issue (a).			
	Met?	Yes	Yes			

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#### Rationale

Catches other than albacore comprise less than 1% of total catch of the troll fishery over several years (Table 12) (TMA, 2021). The majority of species taken are managed under the QMS scheme. Secondary species catches total less than 1 t over a 5-year period. The management arrangements in place and monitoring of the fishery provide clear evidence that the strategy is being implemented successfully. **SG80 and SG100 requirements are met**.

	Shark finning					
d	Guide post	It is <b>likely</b> that shark finning is not taking place.	It is <b>highly likely</b> that shark finning is not taking place.	There is a <b>high degree of certainty</b> that shark finning is not taking place.		
	Met?	Yes	Yes	No		
Dellarata						

### Rationale

Shark finning has been illegal in New Zealand since 1<sup>st</sup> October 2014 (MPI, 2021d). Several shark species can be retained and are managed under the QMS. The Fisheries (Commercial Fishing) Regulations 2001 require that any shark fins landed must be naturally attached to the body of the shark. However, there are regulations which provide an exception to the "fins attached" requirement for eight species of shark. These exceptions take two forms, the first is for blue shark and it allows the fins to be removed from the body but requires that the fins be attached to the trunk after processing (before landing). The second exception is for seven other QMS species, for which the fins may be landed separately but in accordance with a gazetted ratio. These are elephant fish, ghost shark, make shark, pale ghost shark, porbeagle shark, rig and school shark.

The capture of sharks using troll gear is an infrequent event. Table 12 indicates that over the 5-year period for which data is presented, no secondary species are sharks. It is highly likely that shark finning is not taking place.

There is typically a low level of observer coverage of the client fishery, however in the 2019-20 fishing year there were 58 observer days for the fishery. There is also a high level of port monitoring. MPI reported to the assessment team that no incidences of noncompliance with shark finning regulations were noted by observers, nor were any incidences of noncompliance with shark finning regulations by albacore troll vessels identified through Fishery Officer inspections (MPI email 20 October 2021).

Given the nature of the fishing gear and the low level of reported shark catch, it is highly likely that shark finning is not taking place. **SG60 and SG80 are met**.

Without a higher ongoing level of observer monitoring, it cannot be concluded that SG100 is met.

е	Review Guide post	There is a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of main secondary species.	There is a regular review of the potential effectiveness and practicality of alternative measures to minimise UoArelated mortality of unwanted catch of main secondary species and they are implemented as appropriate.	There is a biennial review of the potential effectiveness and practicality of alternative measures to minimise UoArelated mortality of unwanted catch of all secondary species, and they are implemented, as appropriate.
	Met?	NA	NA	NA
Rationale				

There are very low levels of non-target catch and even lower levels of this catch would not be used. The majority of species taken as non-target catch is managed under the QMS system. This scoring issue is not relevant.

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TMA. 2021. MSC Certification - NZ Troll Caught Albacore Tuna Fourth Annual Surveillance Audit & Reassessment. Client Checklist and Update Report October, 2021. Tuna Management Association of New Zealand.

MPI. 2021d. Conservation and management of New Zealand sharks. Fisheries New Zealand. Accessed 14 October, 2021. https://www.mpi.govt.nz/dmsdocument/3642-Conservation-and-management-of-New-Zealand-sharks.

Overall Performance Indicator score	90
Condition number (if relevant)	N/A



# PI 2.2.3 – Secondary species information

PI 2	2.2.3	Information on the nature and amount of secondary species taken is adequate to determine the risk posed by the UoA and the effectiveness of the strategy to manage secondary species				
Scorin	g Issue	SG 60	SG 80	SG 100		
	Informat	tion adequacy for assessme	ent of impacts on main seco	ndary species		
а	Guide post	Qualitative information is adequate to estimate the impact of the UoA on the main secondary species with respect to status.  OR  If RBF is used to score PI 2.2.1 for the UoA:  Qualitative information is adequate to estimate productivity and susceptibility attributes for main secondary species.	Some quantitative information is available and adequate to assess the impact of the UoA on main secondary species with respect to status.  OR  If RBF is used to score PI 2.2.1 for the UoA:  Some quantitative information is adequate to assess productivity and susceptibility attributes for main secondary species.	Quantitative information is available and adequate to assess with a high degree of certainty the impact of the UoA on main secondary species with respect to status.		
	Met?	Yes	Yes	Yes		
Ration	Rationale					

Quantitative information is available to indicate that there are no main secondary species (see TMA 2021 and section 7.3.3 of this report). **SG60, SG80 and SG100** requirements are met by default.

	Information adequacy for assessment of impacts on minor secondary species			
b	Guide post	Some quantitative information is adequate to estimate the impact of the UoA on mind secondary species with respect to status.	е	
	Met?	Yes		
Ration	ale			

Ongoing information collection is adequate to assess potential catches of secondary species (see TMA 2021 and Table 12 of this report). Data for fishing years 2015-16 to 2019-20 indicate that the catch of these species comprise 0.022% of the total catch, hence the UoA impact is trivial. **SG100 is met**.

	In	Information adequacy for management strategy					
С	G	uide ost	Information is adequate to support <b>measures</b> to manage <b>main</b> secondary species.	Information is adequate to support a <b>partial strategy</b> to manage <b>main</b> secondary species.	Information is adequate to support a <b>strategy</b> to manage <b>all</b> secondary species, and <b>evaluate</b> with a <b>high degree of certainty</b> whether the		

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				strategy is achieving its objective.
	Met?	Yes	Yes	No
Ration	ale			

There are no main secondary species, hence **SG60** and **SG80** are met by default. Catches of minor secondary species are very low. Ongoing information collection is available to assess potential catches of these species (see TMA 2021 and section 7.3.3 of this report). However, without a higher level of observer coverage the high degree of certainty requirement to evaluate whether the strategy is achieving its objectives, **SG100** is **not met**.

### References

TMA. 2021. MSC Certification - NZ Troll Caught Albacore Tuna Fourth Annual Surveillance Audit & Reassessment. Client Checklist and Update Report October, 2021. Tuna Management Association of New Zealand.

Overall Performance Indicator score	95
Condition number (if relevant)	N/A



# PI 2.3.1 – ETP species outcome

PI 2	.3.1	The UoA meets national and international requirements for the protection of ETP species The UoA does not hinder recovery of ETP species				
Scorin	g Issue	SG 60 SG 80 SG 100				
	Effects of applicable	of the UoA on population/stock within national or international limits, where				
а	Guide post	Where national and/or international requirements set limits for ETP species, the effects of the UoA on the population/ stock are known and likely to be within these limits.	Where national and/or international requirements set limits for ETP species, the combined effects of the MSC UoAs on the population /stock are known and highly likely to be within these limits.	Where national and/or international requirements set limits for ETP species, there is a high degree of certainty that the combined effects of the MSC UoAs are within these limits.		
	Met?	NA	NA	NA		
Ration	Rationale					

There are no relevant national or international requirements that set limits for ETP species. This scoring issue is not applicable.

	Direct effects					
b	Guide post	Known direct effects of the UoA are likely to not <b>hinder recovery</b> of ETP species.	Direct effects of the UoA are highly likely to not hinder recovery of ETP species.	There is a high degree of confidence that there are no significant detrimental direct effects of the UoA on ETP species.		
	Met?	Yes	Yes	Yes		
Rationale						

# The national requirements for ETP protection in New Zealand law notes that while interactions are not forbidden (i.e.,

not zero), the law requires interactions to be reported on MPI's Non-fish and Protected Species Catch Return form (MPI, 2021d).

There are no records of protected marine mammal or reptile species having been taken by the fishery (TMA, 2021). The 2019-20 season marked the first records of seabird captures, with three seabirds being captured, all of which were released alive. These were a black petrel (Procellaria parkinsoni), an unidentified petrel and an unidentified albatross (TMA, 2021). Annual AEBAR reviews examine aquatic environment fisheries-related issues across New Zealand fisheries. AEBAR (2020) provides an analysis of risk posed by fisheries to seabirds. Whilst the cumulative impact of New Zealand fisheries was found to be a high risk to black petrel, AEBAR (2020) indicates that there is zero risk posed by the troll fishery. The identified level of interaction does not suggest a significant detrimental effect by the UoA.

Table 12 indicates a total of 528 kg of shortfin mako shark reported as caught by the UoA over a 5-year period. Mako sharks are not listed as a threatened species under New Zealand legislation (Robertson and McIntyre, 2020). However, the shortfin make is identified as a key shark species for research and monitoring by WCPFC. The identified level of interaction does not suggest a significant detrimental effect by the UoA.

Direct effects of the UoA are highly likely to not impact ETP species. SG60 and SG80 are met.

There were 58 days of observer coverage in 2019-20. These data support that there are no interactions with ETPs, hence there is a high degree of confidence that there are no significant detrimental direct effects of the UoA on ETP species. SG100 is met.

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	Indirect effects				
С	Guide post	Indirect effects have been considered for the UoA and are thought to be highly likely to not create unacceptable impacts.	There is a high degree of confidence that there are no significant detrimental indirect effects of the UoA on ETP species.		
	Met?	Yes	Yes		
Ration	ale				

Given the low level of catch by the UoA overall and the lack of interaction with ETP species there is a high degree of confidence that there are no significant detrimental indirect effects of the fishery on ETP species. **SG80 and SG100 are met.** 

#### References

AEBAR. 2020. Aquatic Environment and Biodiversity Annual Review 2019/20. Compiled by the Fisheries Science Team, Ministry for Primary Industries, Wellington New Zealand. <a href="https://www.mpi.govt.nz/dmsdocument/40980-Aquatic-Environment-and-Biodiversity-Annual-Review-201920">https://www.mpi.govt.nz/dmsdocument/40980-Aquatic-Environment-and-Biodiversity-Annual-Review-201920</a>.

Robertson, H.A. and McIntyre, S.J. 2020. New Zealand non-detriment finding for shortfin make shark *Isurus oxyrinchus*. New Zealand Scientific Authority for CITES Biodiversity Group Department of Conservation. <a href="https://cites.org/sites/default/files/NDF%20for%20shortfin%20mako.pdf">https://cites.org/sites/default/files/NDF%20for%20shortfin%20mako.pdf</a>.

TMA. 2021. MSC Certification - NZ Troll Caught Albacore Tuna Fourth Annual Surveillance Audit & Reassessment. Client Checklist and Update Report October, 2021. Tuna Management Association of New Zealand.

MPI. 2021d. Conservation and management of New Zealand sharks. Fisheries New Zealand. Accessed 14 October, 2021. https://www.mpi.govt.nz/dmsdocument/3642-Conservation-and-management-of-New-Zealand-sharks.

Overall Performance Indicator score	100
Condition number (if relevant)	N/A

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# PI 2.3.2 – ETP species management strategy

PI 2	2.3.2	The UoA has in place precautionary management strategies designed to:  - meet national and international requirements;  - ensure the UoA does not hinder recovery of ETP species.  Also, the UoA regularly reviews and implements measures, as appropriate, to minimise the mortality of ETP species				
Scorin	g Issue	SG 60	SG 80	SG 100		
	Manage	ement strategy in place (national and international requirements)				
а	Guide post	There are <b>measures</b> in place that minimise the UoA-related mortality of ETP species, and are expected to be <b>highly likely to achieve</b> national and international requirements for the protection of ETP species.	There is a <b>strategy</b> in place for managing the UoA's impact on ETP species, including measures to minimise mortality, which is designed to be <b>highly likely to achieve</b> national and international requirements for the protection of ETP species.	There is a comprehensive strategy in place for managing the UoA's impact on ETP species, including measures to minimise mortality, which is designed to achieve above national and international requirements for the protection of ETP species.		
	Met?	NA	NA	NA		
Ration	ale					

There are no national or international requirements relevant to the UoA that set limits on ETP species. The scoring issue is not relevant.

	Manage	Management strategy in place (alternative)				
b	Guide post	There are <b>measures</b> in place that are expected to ensure the UoA does not hinder the recovery of ETP species.	There is a <b>strategy</b> in place that is expected to ensure the UoA does not hinder the recovery of ETP species.	There is a comprehensive strategy in place for managing ETP species, to ensure the UoA does not hinder the recovery of ETP species.		
	Met?	Yes	Yes	Yes		

### Rationale

Available information indicates very low levels of interaction of the fishery with ETPs (TMA, 2021). The highly selective troll fishing method provides an operational management approach for ETP species. The hooks used are unbaited and being barbless facilitates the release of any non-target species that may be caught. Key legislation for ETP species includes the Fisheries Act (1996), Wildlife Act (1953), Marine Mammals Protection Act (1978), and specific regulations for birds (relating to bycatch mitigation approaches). There is a requirement to report injury or mortality of protected species to the DoC (without offence). National Plans of Action have been implemented for seabirds and sharks (NPOA-Seabirds, 2021; NPOA-Shark, 2013). Environmental risk assessments have been undertaken for seabirds and are ongoing for sharks. New Zealand is a party to ACAP which requires New Zealand to take measures to achieve and maintain a favourable conservation status for albatrosses and petrels. There are also requirements under WCPFC for seabirds and sharks.

Given the lack of interaction with ETPs, the measures in place comprise a strategy **sufficient to meet SG60, SG80 and SG100 requirements**.

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С	Manage Guide post	ment strategy evaluation  The measures are considered likely to work, based on plausible argument (e.g.,general experience, theory or	There is an <b>objective basis for confidence</b> that the measures/strategy will work, based on <b>information</b> directly about the fishery and/or the	The strategy/comprehensive strategy is mainly based on information directly about the fishery and/or species involved, and a quantitative
	ρυσι	comparison with similar fisheries/species).	species involved.	analysis supports high confidence that the strategy will work.
	Met?	Yes	Yes	No
Rationale				

The previous assessment of the fishery found that SG100 was met on the basis of no ETP species being caught. Information available for this assessment indicates a very low level of interaction. Information from the client fishery and other fisheries using the troll method suggest that ETP interactions are highly unlikely. This minimal level of interactions with ETP species is seen as evidence that the strategy is being implemented successfully and is achieving its objective, meeting SG60 and SG80. However, there is a lack of observer data, and there has been no quantitative analysis to support SG100 requirements. SG100 is not met.

	Management strategy implementation			
d	Guide post	There is some <b>evidence</b> that the measures/strategy is being implemented successfully.	There is clear evidence that the strategy/comprehensive strategy is being implemented successfully and is achieving its objective as set out in scoring issue (a) or (b).	
	Met?	Yes	No	
Rationale				

There are were no identified ETP species interactions in the previous assessment and a very low level at this assessment. Information from the client fishery and other fisheries using the troll method suggest that ETP interactions are highly unlikely. This lack of interactions with ETP species is seen as evidence that the strategy is being implemented successfully and is achieving its objective, meeting SG80. However, there is a lack of observer data, hence the team does not consider there to be clear evidence. SG100 is not met.

	Review of alternative measures to minimise mortality of ETP species			
е	Guide post	There is a review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of ETP species.	There is a <b>regular</b> review of the potential effectiveness and practicality of alternative measures to minimise UoArelated mortality of ETP species and they are implemented as appropriate.	There is a <b>biennial</b> review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality ETP species, and they are implemented, as appropriate.
	Met?	Yes	Yes	Yes
Ration	ale			

The very low level of ETP interaction for the fishery suggests there is not a requirement to examine the practicality of alternative measures. Nevertheless, a Conservation Service Programme ("CSP") has operated under the administration of the Department of Conservation (DoC) since 1996 with the aim of avoiding, remedying or mitigating the adverse effects of commercial fisheries on protected species (DoC, 2021). Each year, the CSP Annual Plan outlines the

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conservation services to be delivered. These services are subject to cost recovery from the commercial fishing industry and the Plan forms the basis for levying the commercial fishing industry under the Fisheries Act 1996. The CSP Research Advisory Group was established in December 2013 to provide guidance for the development of the Annual Plan. **SG60**, **SG80** and **SG100** are met.

#### References

DoC. 2021. Conservation Services Programme Annual Plan 2021/22. Department of Conservation, New Zealand. <a href="https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/marine-conservation-services/plans/final-csp-annual-plan-2021-22.pdf">https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/marine-conservation-services/plans/final-csp-annual-plan-2021-22.pdf</a>.

Fisheries Act 1996

Marine Mammals Protection Act 1978

NPOA-Seabirds. 2021. National Plan of Action – Seabirds 2020Reducing the incidental mortality of seabirds in fisheries. Fisheries New Zealand. <a href="https://www.mpi.govt.nz/dmsdocument/40652-National-Plan-Of-Action-Seabirds-2020-Report">https://www.mpi.govt.nz/dmsdocument/40652-National-Plan-Of-Action-Seabirds-2020-Report</a>.

NPOA-Sharks. 2013. NPOA-Sharks. 2013. National Plan of Action for the Conservation and Management of Sharks. Ministry for Primary Industries. <a href="https://www.mpi.govt.nz/dmsdocument/1138-National-Plan-of-Action-for-the-Conservation-and-Management-of-Sharks-2013">https://www.mpi.govt.nz/dmsdocument/1138-National-Plan-of-Action-for-the-Conservation-and-Management-of-Sharks-2013</a>.

TMA. 2021. MSC Certification - NZ Troll Caught Albacore Tuna Fourth Annual Surveillance Audit & Reassessment. Client Checklist and Update Report October, 2021. Tuna Management Association of New Zealand.

Wildlife Act 1953

Overall Performance Indicator score	90
Condition number (if relevant)	N/A

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# PI 2.3.3 – ETP species information

PI 2.3.3		Relevant information is collected to support the management of UoA impacts on ETP species, including:  - Information for the development of the management strategy;  - Information to assess the effectiveness of the management strategy; and  - Information to determine the outcome status of ETP species			
Scorin	g Issue	SG 60	SG 80	SG 100	
	Information adequacy for assessment of impacts				
а	Guide post	Qualitative information is adequate to estimate the UoA related mortality on ETP species.  OR  If RBF is used to score PI 2.3.1 for the UoA: Qualitative information is adequate to estimate productivity and susceptibility attributes for ETP species.	Some quantitative information is adequate to assess the UoA related mortality and impact and to determine whether the UoA may be a threat to protection and recovery of the ETP species.  OR  If RBF is used to score PI 2.3.1 for the UoA: Some quantitative information is adequate to assess productivity and susceptibility attributes for ETP species.	Quantitative information is available to assess with a high degree of certainty the magnitude of UoA-related impacts, mortalities and injuries and the consequences for the status of ETP species.	
	Met?	Yes	Yes	No	
Dation	Rationale				

#### Rationale

The lack of interaction with ETPs is largely based on the nature of the fishing operations, logbook data and reporting requirements, with limited observer data. A total of 58 days of observer coverage was deployed in 2019-20 (TMA 2021). These data provide quantitative information on UoA-related impacts on ETP species but not with the high degree of certainty required at the SG100 level. **SG60**, **SG80** are met, but **SG100** requirements are not met.

	Information adequacy for management strategy			
b	Guide post	Information is adequate to support <b>measures</b> to manage the impacts on ETP species.	Information is adequate to measure trends and support a <b>strategy</b> to manage impacts on ETP species.	Information is adequate to support a comprehensive strategy to manage impacts, minimise mortality and injury of ETP species, and evaluate with a high degree of certainty whether a strategy is achieving its objectives.
	Met?	Yes	Yes	No
Rationale				

Available data indicates interaction with ETP species is negligible and information is adequate to support current approaches (TMA 2021). However, without additional observer coverage there is not a high degree of certainty that the objectives of the strategy are being achieved. **SG60**, **SG80** are met. **SG100** is not met.

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### References

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Overall Performance Indicator score	80
Condition number (if relevant)	N/A



### PI 2.4.1 – Habitats outcome

PI 2	2.4.1	The UoA does not cause serious or irreversible harm to habitat structure and function, considered on the basis of the area covered by the governance body(s) responsible for fisheries management in the area(s) where the UoA operates				
Scorin	g Issue	SG 60	SG 80	SG 100		
	Commo	nly encountered habitat sta	tus			
а	Guide post	The UoA is <b>unlikely</b> to reduce structure and function of the commonly encountered habitats to a point where there would be serious or irreversible harm.	The UoA is <b>highly unlikely</b> to reduce structure and function of the commonly encountered habitats to a point where there would be serious or irreversible harm.	There is <b>evidence</b> that the UoA is highly unlikely to reduce structure and function of the commonly encountered habitats to a point where there would be serious or irreversible harm.		
	Met?	Yes	Yes	Yes		
Rationale						

The troll fishery operates in surface waters in the open ocean, hence there is no risk that the fishery will contact the seabed (WWF, 2015). Any impact on pelagic habitat is expected to be both transient and negligible. As a result, the fishery is highly unlikely to reduce any habitat structure and function to a point where there would be serious or irreversible harm. **SG60**, **SG80** and **SG100** requirements are met.

	VME ha	bitat status		
b	Guide post	The UoA is <b>unlikely</b> to reduce structure and function of the VME habitats to a point where there would be serious or irreversible harm.	The UoA is <b>highly unlikely</b> to reduce structure and function of the VME habitats to a point where there would be serious or irreversible harm.	There is <b>evidence</b> that the UoA is highly unlikely to reduce structure and function of the VME habitats to a point where there would be serious or irreversible harm.
	Met?	NA	NA	NA
Rationale				

There are no VMEs impacted by the fishery.

	Minor habitat status				
С	Guide post			There is <b>evidence</b> that the UoA is highly unlikely to reduce structure and function of the minor habitats to a point where there would be serious or irreversible harm.	
	Met?			Yes	
Ration	ale				

As per Sla. WWF describe troll gear as minimally damaging fishing gear with no or negligible interaction with the seafloor (WWF 2015). **SG100** is met.

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WWF (2015). Ecological sustainability evaluation of seafood: Guidelines for Wild Catch Fisheries, Version 2.0.

Overall Performance Indicator score	100
Condition number (if relevant)	N/A



# PI 2.4.2 – Habitats management strategy

PI 2	2.4.2	There is a strategy in place that is designed to ensure the UoA does not pose a risk of serious or irreversible harm to the habitats				
Scoring Issue		SG 60	SG 80	SG 100		
	Manage	ment strategy in place				
а	Guide post	There are <b>measures</b> in place, if necessary, that are expected to achieve the Habitat Outcome 80 level of performance.	There is a <b>partial strategy</b> in place, if necessary, that is expected to achieve the Habitat Outcome 80 level of performance or above.	There is a <b>strategy</b> in place for managing the impact of all MSC UoAs/non-MSC fisheries on habitats.		
	Met?	Yes	Yes	Yes		
Rationale						

The strategy in place for managing impacts on habitat is operational – the fishery operates entirely at the surface in deep, oceanic water. WWF describe troll gear as minimally damaging fishing gear with no or negligible interaction with the seafloor (WWF 2015). The fishery does not contact the seabed and any pelagic habitat impacts will be imperceptible and highly transient. This would be supported by the (limited) observer coverage. **SG60 and SG80 levels of performance are met**. Also, the features of troll fishing constitute an operational strategy for managing the impact of all MSC UoAs/non-MSC fisheries on habitats, **meeting SG100**.

	Manage	ment strategy evaluation		
b	Guide post	The measures are considered likely to work, based on plausible argument (e.g. general experience, theory or comparison with similar UoAs/habitats).	There is some <b>objective basis for confidence</b> that the measures/partial strategy will work, based on <b>information directly about the UoA and/or habitats</b> involved.	Testing supports high confidence that the partial strategy/strategy will work, based on information directly about the UoA and/or habitats involved.
	Met?	Yes	Yes	Yes
Rationale				

The UoA troll fishery operates entirely at the surface in open ocean waters and the gear does not contact the seabed nor impact on any pelagic habitat. This provides a plausible argument and an objective basis for confidence that the de facto strategy will work to **achieve the outcome SG60 and SG80 levels**.

No specific testing of the strategy has been undertaken, but the nature of the fishery and the environments in which it operates makes such testing unnecessary. **SG100** is **met**.

	Management strategy implemen	ntation	
С	Guide post	There is some quantitative evidence that the measures/partial strategy is being implemented successfully.	There is clear quantitative evidence that the partial strategy/strategy is being implemented successfully and is achieving its objective, as outlined in scoring issue (a).
	Met?	Yes	Yes

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#### Rationale

The UoA troll fishery operates entirely at the surface in open ocean waters. The nature of the gear, the habits of the target species and the areas in which the fishery operates provide clear evidence that the strategy is being implemented successfully. Habitat impacts from the UoA are not monitored because there are no expected impacts. New Zealand fisheries management includes a high level of consultation with other agencies, including for prioritization of research needs. There are avenues for research being directed to the fishery to achieve the objectives of Sla if required. **SG80** and **SG100** requirements are met.

	•	ince with management reques to protect VMEs	uirements and other MSC U	loAs'/non-MSC fisheries'
d	Guide post	There is <b>qualitative evidence</b> that the UoA complies with its management requirements to protect VMEs.	There is some quantitative evidence that the UoA complies with both its management requirements and with protection measures afforded to VMEs by other MSC UoAs/non-MSC fisheries, where relevant.	There is clear quantitative evidence that the UoA complies with both its management requirements and with protection measures afforded to VMEs by other MSC UoAs/non-MSC fisheries, where relevant.
	Met?	NA	NA	NA
Rationale				

There are no VMEs impacted by the fishery.

#### References

WWF (2015). Ecological sustainability evaluation of seafood: Guidelines for Wild Catch Fisheries, Version 2.0.

Overall Performance Indicator score	100
Condition number (if relevant)	N/A

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### PI 2.4.3 – Habitats information

PI 2	2.4.3	Information is adequate to determine the risk posed to the habitat by the UoA and the effectiveness of the strategy to manage impacts on the habitat		
Scorin	g Issue	SG 60	SG 80	SG 100
	Informat	tion quality		
а	Guide post	The types and distribution of the main habitats are broadly understood.  OR  If CSA is used to score PI 2.4.1 for the UoA: Qualitative information is adequate to estimate the types and distribution of the main habitats.	The nature, distribution and vulnerability of the main habitats in the UoA area are known at a level of detail relevant to the scale and intensity of the UoA.  OR  If CSA is used to score PI 2.4.1 for the UoA:  Some quantitative information is available and is adequate to estimate the types and distribution of the main habitats.	The distribution of all habitats is known over their range, with particular attention to the occurrence of vulnerable habitats.
	Met?	Yes	Yes	Yes
Ration	ale			

Interaction by the fishery is with the epipelagic zone which is not considered to be vulnerable as evidence exists that it is highly unlikely that the habitat is altered by the UoA. Annual AEBAR reviews examine aquatic environment fisheries-related issues and provide transparency about research conducted by FNZ, including research on habitats (AEBAR, 2020). Oceanography and primary productivity around New Zealand have been well studied through historical and current projects, and remote sensing studies. This has allowed the distribution of habitat to be adequately described, and key areas identified. **SG60, SG80 and SG100 requirements are met**.

	Informat	tion adequacy for assessme	ent of impacts	
b	Guide post	Information is adequate to broadly understand the nature of the main impacts of gear use on the main habitats, including spatial overlap of habitat with fishing gear.  OR	Information is adequate to allow for identification of the main impacts of the UoA on the main habitats, and there is reliable information on the spatial extent of interaction and on the timing and location of use of the fishing gear.	The physical impacts of the gear on all habitats have been quantified fully.
		If CSA is used to score PI 2.4.1 for the UoA: Qualitative information is adequate to estimate the consequence and spatial attributes of the main habitats.	OR  If CSA is used to score PI 2.4.1 for the UoA:  Some quantitative information is available and is adequate to estimate the consequence	

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		and spatial attributes of the main habitats.		
	Met?	Yes	Yes	Yes
Ration	ale			

The extent of any interaction with troll gear and the epipelagic zone is known to be negligible and effectively unmeasurable – the gear is non-impacting is deployed in a very small percentage of the vast expanse of epipelagic zone. **SG60**, **SG80** and **SG100** requirements are met.

С	Monitoring				
	Guide post	Adequate information continues to be collected to detect any increase in risk to the main habitats.	Changes in all habitat distributions over time are measured.		
	Met?	Yes	Yes		
Ration	Rationale				

Interaction with the troll gear and the epipelagic zone is known to be negligible. New Zealand marine studies are ongoing, and include information collected from research surveys, satellite imagery, fishery distribution and other techniques. Annual AEBAR reviews examine aquatic environment fisheries-related issues and biodiversity responsibilities that often apply to many fish stocks, fisheries, or activities (AEBAR, 2020). These annual reports provide an appendix summarising aquatic environment and marine biodiversity research projects commissioned since 1998. **The SG 80 and SG 100 requirements are met.** 

#### References

AEBAR. 2020. Aquatic Environment and Biodiversity Annual Review 2019/20. Compiled by the Fisheries Science Team, Ministry for Primary Industries, Wellington New Zealand. <a href="https://www.mpi.govt.nz/dmsdocument/40980-Aquatic-Environment-and-Biodiversity-Annual-Review-201920">https://www.mpi.govt.nz/dmsdocument/40980-Aquatic-Environment-and-Biodiversity-Annual-Review-201920</a>.

Overall Performance Indicator score	100
Condition number (if relevant)	N/A

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# PI 2.5.1 – Ecosystem outcome

PI 2.5.1		The UoA does not cause serious or irreversible harm to the key elements of ecosystem structure and function			
Scoring Issue		SG 60	SG 80	SG 100	
	Ecosyst	em status			
а	Guide post	The UoA is <b>unlikely</b> to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.	The UoA is <b>highly unlikely</b> to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.	There is <b>evidence</b> that the UoA is highly unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.	
	Met?	Yes	Yes	No	
Ration	Rationale				

The SP ALB stock is currently not overfished or experiencing overfishing (Tremblay-Boyer et al., 2018). The diet of albacore is well understood across their life history stages, while their predators when in their juvenile stages are also reasonably well known. They are an apex predator and as such play an important role in maintaining the health of an ecosystem, exerting substantial control over the population sizes of many species at lower levels of the food web. Consequently, they may contribute to the stability of marine ecosystems, and maintain biodiversity. No major impacts have been identified in relation to primary species, secondary species, ETP species and habitat. Key ecosystem elements relative to the scale and intensity of the fishery are, therefore, highly likely to be restricted to removals of the target species. The catch of albacore by the New Zealand troll fishery is approximately 3.2% of the total annual albacore catch in the WCPO over recent years. Extensive research has been carried out on tunas including albacore as top predators in the Pacific ecosystem and trophic status studies (Cox et al, 2002a, b; Kitchell et al., 1999, Sibert et al., 2006). Albacore is not considered to be a common forage species and research which considers albacore tuna as a top predator, suggests that the fishery is highly unlikely to adversely affect the diet of other species. SG60 and SG80 requirements are met.

There is, however, limited evidence supporting this conclusion, in terms of direct information about the ecosystem and the impact of tuna fishing. SG100 is thus not met.

#### References

Cox, S. P., S. J. D. Martell, C. J. Walters, T. E. Essington, J. F. Kitchell, C. H. Boggs, and I. Kaplan. 2002a. Reconstructing ecosystem dynamics in the central Pacific Ocean, 1952-1998: I. Estimating population biomass and recruitment of tunas and billfishes Can. J. Fish. Aquat. Sci. 59:1724-1735.

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LRQA Public Certification Report New Zealand albacore tuna troll



Tremblay-Boyer, L., Hampton, J., McKechnie, S. and Pilling, G. 2018. Stock assessment of South Pacific albacore tuna. Scientific Committee 14th Regular Session, Busan, Korea, 8-16 August 2018. WCPFC-SC14-2018/SA-WP-05 (rev2). https://meetings.wcpfc.int/node/10740.

Overall Performance Indicator score	80
Condition number (if relevant)	N/A

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# PI 2.5.2 – Ecosystem management strategy

PI 2	2.5.2	There are measures in place to ensure the UoA does not pose a risk of serious or irreversible harm to ecosystem structure and function				
Scoring Issue		SG 60	SG 80	SG 100		
	Manage	ment strategy in place				
а	Guide post	There are <b>measures</b> in place, if necessary which take into account the <b>potential impacts</b> of the UoA on key elements of the ecosystem.	There is a partial strategy in place, if necessary, which takes into account available information and is expected to restrain impacts of the UoA on the ecosystem so as to achieve the Ecosystem Outcome 80 level of performance.	There is a <b>strategy</b> that consists of a <b>plan</b> , in place which contains measures to <b>address all main impacts of the UoA</b> on the ecosystem, and at least some of these measures are in place.		
	Met?	Yes	Yes	No		
Rationale						

There is evidence, given the use of troll gear, the negligible quantities of non-target species, the status of the albacore stock (Tremblay-Boyer et al., 2018) and small area of the epipelagic zone in which the fishery operates, that the fishery is highly unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm.

A partial strategy is unlikely to be necessary, however, the features of the fishery and how it operates within the ecosystem can be considered to constitute an operational/partial strategy. New Zealand's operational plan for highly migratory species (FNZ, 2021a) outlines environmental objectives, including to "Implement an ecosystem approach to fisheries management, taking into account associated and dependent species". **SG60 and SG80 requirements are met**.

The strategy in place **does not meet the SG100** requirement of ensuring that measures in place are based on well understood functional relationships between the UoA and the components and elements in the ecosystem.

b	Manage Guide post	ment strategy evaluation  The measures are considered likely to work, based on plausible argument (e.g., general experience, theory or comparison with similar UoAs/ ecosystems).	There is some objective basis for confidence that the measures/ partial strategy will work, based on some information directly about the UoA and/or the ecosystem	Testing supports high confidence that the partial strategy/ strategy will work, based on information directly about the UoA and/or ecosystem involved.	
	Met?	Yes	involved.  Yes	No No	
Rationale					

No ecosystem impacts of the fishing on the UoA have been identified and it is considered highly unlikely that the fishery poses a risk to key elements of the ecosystem. Plausible argument therefore suggests that **the SG60 and SG80 requirements are being met** through the current partial strategy. There has been **no testing to support SG100 requirements.** 

### C Management strategy implementation

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	Guide post	There is <b>some evidence</b> that the measures/partial strategy is being <b>implemented successfully</b> .	There is clear evidence that the partial strategy/strategy is being implemented successfully and is achieving its objective as set out in scoring issue (a).
	Met?	Yes	Yes
Ration	nale		

Ongoing stock assessments have shown that the partial strategy represented by the albacore management approach is successful in maintaining population sizes, and hence ecosystem role; the UoA only represents a small percentage of SP ALB removals. The UoA also takes negligible quantities of non-target species and has very low levels of interaction with ETPs. Clear evidence is available that the partial strategy is being implemented successfully and is achieving its objective as set out in Sla. **SG80 and SG100 are met**.

#### References

FNZ (2021a). Annual Operational Plan for Highly Migratory Species Fisheries 2020/21. Fisheries New Zealand Technical Paper No: 2021/03. 26 p. <a href="https://www.mpi.govt.nz/dmsdocument/47569-Annual-operational-plan-for-highly-migratory-species-and-Pacific-fisheries-202122">https://www.mpi.govt.nz/dmsdocument/47569-Annual-operational-plan-for-highly-migratory-species-and-Pacific-fisheries-202122</a>.

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Overall Performance Indicator score	85
Condition number (if relevant)	N/A

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# PI 2.5.3 – Ecosystem information

PI 2.5.3		There is adequate knowledge of the impacts of the UoA on the ecosystem			
Scoring Issue		SG 60	SG 80	SG 100	
	Informa	Information quality			
а	Guide post	Information is adequate to identify the key elements of the ecosystem.	Information is adequate to broadly understand the key elements of the ecosystem.		
	Met?	Yes	Yes		
Ration	Rationale				

Albacore is an important commercial and recreational target fish species. A body of knowledge is available from studies on albacore as a top predator in the Pacific ecosystem and from trophic status studies (Cox et al, 2002a, b; Sibert et al, 2006). Available information is adequate to broadly understand the key elements of the ecosystem; **SG80** is **met**.

	Investiga	ation of UoA impacts		
b	Guide post	Main impacts of the UoA on these key ecosystem elements can be inferred from existing information, but have not been investigated in detail.	Main impacts of the UoA on these key ecosystem elements can be inferred from existing information, and some have been investigated in detail.	Main interactions between the UoA and these ecosystem elements can be inferred from existing information, and have been investigated in detail.
	Met?	Yes	Yes	No
Rationale				

The SP ALB is currently not overfished or experiencing overfishing (Tremblay-Boyer et al., 2018). There are negligible quantities of non-target species taken in the fishery. Main interactions between the fishery and key ecosystem elements (trophic structure and function) identified can be inferred from existing information and have been investigated, though not in detail (Cox et al., 2002a, b; Sibert et al., 2006). **SG60 and SG80 are met. SG100 is not met.** 

	Understanding of component functions			
С	Guide post		The main functions of the components (i.e., P1 target species, primary, secondary and ETP species and Habitats) in the ecosystem are <b>known</b> .	The impacts of the UoA on P1 target species, primary, secondary and ETP species and Habitats are identified and the main functions of these components in the ecosystem are <b>understood</b> .
	Met?		Yes	Yes
Rationale				

The impacts of the fishery on P1 target species are understood through regular assessments. No impacts of the UoA on primary, secondary, ETP species or habitats are identified. **SG80 and SG100 requirements are met.** 

#### **d** Information relevance

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	Guide post	Adequate information is available on the impacts of the UoA on these components to allow some of the main consequences for the ecosystem to be inferred.	Adequate information is available on the impacts of the UoA on the components and elements to allow the main consequences for the ecosystem to be inferred.
	Met?	Yes	Yes
Ration	ale		

Available information on the impacts of the UoA on the components and elements, described above, indicate there are no 'main' consequences for the ecosystem. SG80 and SG100 are met.

е	Monitoring			
	Guide post	Adequate data continue to be collected to detect any increase in risk level.	Information is adequate to support the development of strategies to manage ecosystem impacts.	
	Met?	Yes	Yes	
Ration	ale			

Monitoring of the albacore and other highly migratory stocks and fisheries is ongoing, and results are reported on annually. No ecosystem impacts have been identified that result from the UoA and strategies to manage ecosystem impacts are, therefore, not required. Increased observer coverage for the fishery is desirable, however it is not necessary for this SI. Annual AEBAR reviews examine aquatic environment fisheries-related issues and biodiversity responsibilities that often apply to many fish stocks, fisheries, or activities (AEBAR, 2020). These annual reports provide an appendix summarising aquatic environment and marine biodiversity research projects commissioned since 1998. SG80 and SG100 are met.

#### References

AEBAR. 2020. Aquatic Environment and Biodiversity Annual Review 2019/20. Compiled by the Fisheries Science Team, Ministry for Primary Industries, Wellington New Zealand. https://www.mpi.govt.nz/dmsdocument/40980-Aguatic-Environment-and-Biodiversity-Annual-Review-201920.

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Overall Performance Indicator score	95
Condition number (if relevant)	N/A

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#### 7.4 **Principle 3**

#### 7.4.1 Principle 3 background

#### 7.4.2 Area of Operation and jurisdiction

The fishery under assessment is albacore tuna (Thunnus alalunga) caught by trolling in the New Zealand EEZ and within the western central Pacific Ocean convention area. The fishery is part of a single south Pacific stock that ranges from the equator to about 45°S. The target species is a highly migratory species (HMS) and therefore subject to both national and regional fisheries management organisations (RFMO) measures and policies. The key components of governance and fisheries management relevant to this troll fishery include the Western Central Pacific Fisheries Commission (WCPFC) and the New Zealand Government. WCPFC sets conservation and management measures and policies for the WCPFC Convention area (Figure 10).

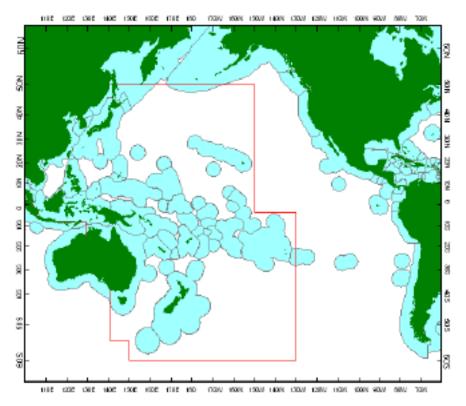


Figure 10.The Pacific Ocean, showing the boundaries of the WCPFC convention area, and the EEZs of Pacific Ocean countries (light blue).

The New Zealand government is responsible for management of fisheries within its EEZ. Legislation relating to New Zealand fisheries management is aligned with the WCPFC objectives, in that it broadly addresses sustainability and utilisation, and includes specific consideration of the aquatic environment and a precautionary approach. New Zealand is a signatory to the Convention (Article 8, WCPFC, 2000) that specifies:

- conservation and management measures established for the high seas and those adopted for areas under national jurisdiction shall be compatible in order to ensure conservation and management of highly migratory fish stocks in their entirety; and
- the coastal State shall ensure that the measures adopted and applied by it to highly migratory fish stocks within areas under its national jurisdiction do not undermine the effectiveness of measures adopted by the Commission under this Convention in respect of the same stocks.

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Regional organisations, Forum Fisheries Agency (FFA) and the Secretariat of the Pacific Community (SPC) also play significant roles in the management framework for this fishery. The FFA provides technical assistance to its members and SPC is the WCPFC science provider.

#### 7.4.3 Management agencies and stakeholders with interest in this fishery

#### The Western and Central Pacific Fisheries Commission

WCPFC was established by the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the WCPO. The WCPFC, as the most recently established tuna RFMO, has incorporated some of the most progressive provisions from the international treaties. The WCPFC is tasked to co-ordinate scientific research and make recommendations designed to maintain populations of tuna and species sharing the same ecosystem at levels that will prevent recruitment failure and permit maximum sustainable yield (WCPFC, 2020). The Convention has a Commission, which works to create conservation and management measures (CMMs), developed under the terms of the Convention.

The WCPF Convention draws on many of the provisions of the UN Fish Stocks Agreement (UNFSA) and explicitly commits to precautionary approach on the fisheries management. It has also adopted the dispute settlement provision of the UN Fish Stocks Agreement to disputes between WCPFC Members (Art 31). It seeks to implement catch limits and effort limits, and adopt measures to minimize waste, discards, catch by lost or abandoned gear, pollution originating from fishing vessels, catch of non-target species, and impacts on associated or dependent species, in particular endangered species and promote the development and use of selective, environmentally safe and cost-effective fishing gear and techniques (WCPFC, 2000). The opportunity to become a member or a co-operating non-member is open to all. In particular, the small island nations are well represented through the Pacific Islands FFA.

The roles and responsibilities of WCPFC members are clearly described in the Convention, especially Articles 23 and 24, the Commission Rules of Procedure, Conservation and Management measures, and other Commission rules and decisions, including the Rules for Scientific Data to be Provided to the Commission, and the Rules and Procedures for Access to and Dissemination of Data Compiled by the Commission.

### **New Zealand Government**

As a member of the WCPFC, New Zealand is responsible for ensuring management measures applied within New Zealand fisheries waters are compatible with those of the WCPFC, and fishing by New Zealand flagged vessels both within and beyond the New Zealand EEZ is carried out in accordance with any measures put in place by WCPFC.

The Ministry for Primary Industry (MPI) is the Government agency responsible for administrating legislation for Primary Industries including fisheries and its supporting regulations. MPI provides policy and regulatory advice, market access and trade services and manages major regulatory systems including fisheries.

Fisheries New Zealand (FNZ) is a business unit of MPI and is the Government's principal adviser on fisheries management and the impacts of fishing on the aquatic environment. It operates under the Fisheries Act 1996 and a range of other legislation relating to fisheries management.

#### **Forum Fisheries Agency**

FFA was established under the South Pacific Forum Fisheries Agency Convention and the governing body is the Forum Fisheries Committee (FFC). The FFA Secretariat is based in Honiara, Solomon Islands. The FFA presently has seventeen members - Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu, each of which is represented on the FFC.

The FFA Secretariat focuses its work on:

- a. Fisheries management providing policy and legal frameworks for the sustainable management of tuna.
- b. Fisheries development developing the capacity of members to sustainably harvest, process and market tuna to create livelihoods; and

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c. Fisheries operations – supporting monitoring, control and surveillance of fisheries as well as treaty administration, information technology and vessel registration and monitoring.

### The Secretariat of the Pacific Community (SPC)

The SPC, based in Noumea, New Caledonia, provides scientific (and policy) support services to all Pacific Island countries and Territories, including members of the Forum Fisheries Agency. The SPC was founded in 1947 and has 26 member countries, including American Samoa, Australia, Cook Islands, Federated States of Micronesia, Fiji Islands, France, French Polynesia, Guam, Kiribati, Marshall Islands, Nauru, New Caledonia, New Zealand, Niue, Northern Mariana Islands, Palau, Papua New Guinea, Pitcairn Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, United States of America, Vanuatu and Wallis and Futuna. Such services include SPC-OFP provision of data and scientific stock assessment support services to WCPFC for all major tuna species.

### Tuna Management Association (TMA) of NZ

#### The TMA:

- Is an unincorporated non-profit association headed by duly appointed officers.
- Provides a vehicle to represent the albacore troll fishing industry on matters affecting the fishery (e.g., discussions with FNZ on proposed management measures to be applied).
- Promotes and actively supports initiatives aimed at securing the long-term interests of the industry (e.g., Tokelau Arrangement, Te Vaka Moana, MSC certification).
- Provides a forum for members to air their concerns or grievances on issues affecting their fishing operations.
- Serves as a point of contact for interaction with external bodies (e.g., MSC, LRQA).

Membership is open to all SP ALB troll fishers in New Zealand waters who have a fishing permit issued by FNZ. The fishery principally operates off the western coasts of the North and South Islands. The number of vessels active in the SP ALB troll fishery has ranged between 98 - 137 over the five-year period 2015-16 to 2019-20 (MPI, 2021). Around 170 vessels are represented by the TMA.

### Non-Government Organisations (NGOs) (Environmental interests).

A number of NGOs participate in consultations on the science and management of highly migratory fisheries. WWF-NZ, Royal Forest and Bird Protection Society of New Zealand, Greenpeace, and Environment and Conservation Organisations of New Zealand (ECO) are participants.

#### **Recreational Fishers**

Recreational fishers catch albacore by trolling during the summer months. There is some uncertainty with recreational harvest estimates for albacore. The most recent survey suggested annual recreational catches of albacore were around 245–260 t.

### **Tangata Whenua**

It is uncertain whether albacore were caught by early Maori, although it is clear that they trolled lures (for kahawai) that are very similar to those still used by Tahitian fishermen for various small tunas. Given the number of other oceanic species known to Maori, and the early missionary reports of Maori regularly fishing several miles from shore, albacore were probably part of the catch of early Maori.

An estimate of the current customary catch is not available.

#### 7.4.4 Consultations leading to the formulation of the management plan

#### **WCPFC**

The WCPF Convention describes the functions, roles and responsibilities of member states and the committees established by the Commission related to consultative processes. The Rules of Procedure in the Convention have clearly defined the roles and responsibilities of members and non-members. Stakeholders including NGOs and other

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interested parties meaningfully engage with WCPFC activities through attendance as an observer at Commission and related meetings (including Scientific Committee (SC) and Technical Compliance Committee (TCC)).

The Commission actively assists and facilitates the regular and timely provision of fisheries information on its website in advance of and following meetings and workshops.

The Commission actively uses information from the fishery and its member states to inform fisheries management discussions and the formulation of management measures, as demonstrated by reports and outcomes of WCPFC meetings.

The WCPFC Convention requires the SC to "recommend to the Commission a research plan, including specific issues and items to be addressed by the scientific experts or by other organizations or individuals, as appropriate, and identify data needs and coordinate activities that meet those needs". The SC provides updates on research priorities in its annual plan. WCPFC employ two scientific staff, but most of the research is carried out by third party organizations, such the Secretariat of the Pacific Community (SPC).

The Plan is substantially directed towards providing information to enable the Commission to avoid overfishing or depletion of targeted stocks and the application of an ecosystem approach. However, the Implementation process in the Plan is also designed to contribute to improving governance and policy, through the development of management information tools such as Management Strategy Evaluation, and the development of relevant scientific and technical capacities in developing country Commission members.

#### **New Zealand**

The National Fisheries Plan for Highly Migratory Species 2019 (HMS Fisheries Plan) describes the overall strategic direction for the management of highly migratory species (HMS). The HMS Fisheries Plan includes criteria and objectives to guide the management of New Zealand's HMS fisheries.

The management of HMS fisheries encompasses target stocks, bycatch fish stocks, and the environmental impacts of fishing. In managing the stocks in the New Zealand context, consideration of the wider RFMO management settings and strategies needs to be taken into account.

The plan has been prepared in a consultative collaborative process with tangata whenua and stakeholders from industry, the recreational sector, and environmental organisations. FNZ will amend and update the plan as appropriate.

The management of New Zealand's HMS fisheries consists of three parts, divided into longer-term objectives and shorter-term operational cycles:

- -The HMS Fisheries Plan describes the overall strategic direction for New Zealand's HMS fisheries and provides a multiyear, overarching framework for the management of HMS fisheries.
- The Annual Operational Plan provides details of the day-to-day operational objectives that will be implemented for each individual fishery. The Annual Operational Plan also outlines the required services, delivery mechanisms, and service prioritisation issues for the upcoming financial year.
- The Annual Review Plan provides a formal annual review process used to monitor the delivery of the tasks identified in the current Annual Operational Plan as well as overall performance of the fisheries in relation to some of the wider HMS management objectives.

### 7.4.5 Decision Making

### **WCPFC**

The WCPFC has a consensus-based decision-making process, with provision for a two-chambered voting process requiring a 75% majority in both chambers if all efforts to reach a decision by consensus have been exhausted. In addition, there are provisions for a decision to be reviewed by a review panel at the request of a Member (WCPFC, 2000 Article 20, paras 6-9). The subsidiary bodies of the Commission provide extensive, detailed reports to the Commission (see for example WCPFC-SC (2009)), including advice and recommendations.

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Decision-making is open, with the process, outcomes and basis for decisions recorded in detail in records of Commission sessions and publicly available papers. In the context of regional fisheries management, the WCPFC decision-making framework has resulted in an extensive set of CMMs and strategies to respond to sustainability issues. However, the degree to which the decision-making processes at the Commission result in measures that achieve fishery specific objectives could be questioned e.g., in respect of the control of fishing effort on bigeye tuna. Stock assessment and studies presented at the SC identify serious issues at regional level. These are addressed through regionally agreed CMMs.

The WCPF Convention (Art. 6) requires the application of the precautionary approach and the use of a Scientific Committee to ensure that the Commission obtains the best scientific information available for its consideration and decision-making. In 2012, WCPFC adopted a resolution (Resolution 2012-01) to promote the use of the best available science in management decision making.

Information on fishery performance is publicly available through SPC data, and Part 1 reports provide detailed reporting on catch, fleet size and other issues relating to the fishery. The WPPFC SC and TCC papers and reports on the web provide a high level of public access and transparency, showing how scientific information is used to inform management actions, which are then monitored for effectiveness and discussed at the Commission.

The WCPFC dispute mechanism is set out in Article 31 of the Convention.

#### **New Zealand**

The 1996 Fisheries Act requires consultation with stakeholders. To affect this, the Minister has established consultation guidelines. These guidelines recognize that consultation leading to decisions must occur in accordance with law; in a reasonable manner; and fairly, in accordance with the principles of natural justice. The Minister is the decision maker in fisheries management matters and his decisions are bound by the law and are therefore open to legal review. The law requires identification of stakeholders "with an interest" in each fishery, and the identification of those who represent stakeholders with an interest. The Minister must notify stakeholders in advance of the consultation, and to subsequently inform them of his decisions.

FNZ provides an initial consultation plan and the manner of consultation, including the timeframe for the consultation and the decision. FNZ distributes the decision and subsequently reviews the process to assure that their consultation meets all requirements.

When management changes are proposed to meet sustainability requirements, FNZ prepares a discussion document that provides the Ministry's initial proposals for issues needing decision and a range of management options. The proposals outlined in FNZ's discussion document are preliminary and are provided as the basis for consultation with stakeholders. Subsequently, FNZ prepares a decision document, which summarises stakeholders' views on their proposals and makes recommendations to the Minister. The decision document and the Minister's letter setting out his final decisions are posted on the ministry's website as soon as they become available.

The Fisheries Act 1996 requires a precautionary approach. Section 10 of the Fisheries Act 1996 specifies four information principles, which encompass the precautionary principle, that must be taken into account in relation to the utilisation of fisheries resources or ensuring sustainability.

All persons exercising or performing functions, duties, or powers under this Act, in relation to the utilisation of fisheries resources or ensuring sustainability, shall take into account the following information principles:

- decisions should be based on the best available information.
- decision makers should consider any uncertainty in the information available in any case.
- decision makers should be cautious when information is uncertain, unreliable, or inadequate.
- the absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of this Act.

A decision to consult or not to consult, and any decision made after consultation, must be made in accordance with the principles of administrative law, and in accordance with Fisheries Act 1996 obligations.

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#### 7.4.6 Objectives for the fishery

#### **WCPFC**

Long-term objectives for fisheries within the waters of the Convention area are found within the WCPF Convention text. Under Article 2 the Commission has the objective to 'ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks within the Convention area, consistent with UNCLOS and UNSFA. Article 5 provides principles and measures for achieving this conservation and management objective. Article 10(c) provides the explicit long-term objective of 'maintaining or restoring populations' to "above levels at which their reproduction may become seriously threatened". Article 5 (c) explicitly requires CCMs (WCPFC Commission Members, Cooperating Non-Members and Participating Territories) to apply the precautionary approach and Article 6 outlines the means by which this will be given effect, including through the application of the guidelines set out in Annex II of UNSFA. These guidelines provide additional objectives to guide decision-making, including the use of target reference points to meet management objectives and the adoption of fisheries management strategies to ensure that target reference points are not exceeded on average. Evidence that these objectives are guiding or are beginning to guide decision-making is provided in various reports of the Commission.

WCPFC has short and long-term objectives using the Ecosystem Approach to Fisheries Management and the Precautionary Approach. WCPFC has determined its general policy to develop and implement a harvest strategy approach for key fisheries and stock in the WCPO and Harvest Strategy Workplan by Dec. 2020 (2014-06 CMM). However, explicitly defined harvest strategies and HCRs are not yet established for tropical tuna species managed by the WCPFC. Plans to establish MSEs are underway for both species.

There have been no recent changes to the management system for SP ALB within WCPFC. It is currently managed by WCPFC CMM 2015-02. Under this CMM, CCMs shall not increase the number of their fishing vessels actively fishing for SP ALB in the Convention Area south of 20°S above the 2005 levels or recent historical (2000-2004) levels. CCMs are required to provide annual reports of catch levels by each of their fishing vessels and the number of vessels actively fishing for SP ALB south of 20°S. This CMM is currently under review by WCPFC in order to be representative of the fishery over its entire range and to introduce improved management measures in support of the Harvest Strategy under development.

#### **New Zealand**

The National Fisheries Plan for Highly Migratory Species 2019 (HMS Fisheries Plan) describes the overall strategic direction for the management of highly migratory species (HMS). HMS are fish that swim large distances. They are found in New Zealand and international waters. New Zealand's HMS fisheries are made up of: Large pelagic species skipjack tuna and SP ALB tuna (mostly caught by trolling).

The HMS Fisheries Plan includes criteria and objectives to guide the management of New Zealand's HMS fisheries. Management objectives for HMS fisheries are grouped into:

#### Use Outcome

- Support viable and profitable commercial HMS in New Zealand
- Maintain and enhance world class game fisheries in New Zealand fisheries waters
- Maori interests (including customary, commercial, recreational and environmental) are enhanced.

#### **Environment Outcome**

- Maintain sustainable HMS fisheries within environmental standards
- Implement an ecosystem approach to fisheries management, taking into account associated and dependent species
- Protect, maintain, and enhance fisheries habitat

Governance conditions

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- Maintain an effective fisheries management regime.
- Recognise and provide for Deed of Settlement obligations
- Ensure New Zealand interests are taken into account internationally
- Contribute to Pacific capacity development

#### Fishery specific objectives include:

- Regularly monitor the need for more active management of albacore, based on utilisation criteria
- Maintain catch-based attribution of cost recovery levies
- Devise incentives to add value to and/or reduce wastage in the albacore fishery
- Manage the impacts of any fishing in New Zealand waters under provisions of the US Tuna Treaty.

The management objectives and management structure for New Zealand's domestic tuna fisheries are encapsulated by the Annual Operational Plan for Highly Migratory Species (FNZ, 2021) and the National Fishery Plan for Highly Migratory Species (FNZ, 2019). Annual reviews of management performance are provided in Annual Review Reports (FNZ, 2021a).

Domestically, all commercial fishers (including SP ALB troll fishers) must report their catch and position electronically. Electronic reporting was rolled out in stages across all of New Zealand's remaining commercial fisheries during 2019 (Fisheries (Electronic Monitoring on Vessels) Regulations 2017).

SP ALB remains a non-quota species in New Zealand, however, the troll fishery is otherwise subject to the same rules and regulations that apply to quota species.

### 7.4.7 Fleet types participating in the fishery.

Trolling refers to the towing of artificial lures or natural baits near the surface from a moving boat. Commercial SP ALB trollers in New Zealand tow 12-18 lines simultaneously from the vessel's stern and from long outrigger poles mounted amidships. The line lengths or depths are adjusted to permit hauling of any one line without tangling or interfering with the others. The lines are either braided polypropylene, Dacron or monofilament nylon and are hauled in by hand or by hydraulic haulers. Lures have metal heads and feather or plastic skirts and are rigged with barbless double hooks. Troll vessels never stop when fishing during the day, but may slow and make tight circles or short, straight runs when fishing on an albacore school. Fish are hauled directly to the stern of the vessel where they are quickly taken from the water and unhooked before being stored whole in ice.

SP ALB vessels usually drift at night or steam toward promising fishing grounds as determined by recent fishing activity, sea surface temperatures, or observations of baitfish and SP ALB on sonar or depth sounding equipment. The use of cooperative, or "code" groups also increases efficiency of the fleet. At dawn, the jigs are deployed, and the rest of the day is a continuous cycle of pulling fish, changing lures, storing the catch, and searching for birds, water temperature fronts or other vessels that might indicate productive fishing areas. At dusk, the jigs are retrieved and stored for the next day of fishing.

Being seasonal, SP ALB usually forms only one of several fishing activities for the vessels involved. Vessels in the fishery are typically 12-24 m in length, operating with crews of 2-5, with a holding capacity range of 3 to 20 t (all on ice).

### 7.4.8 Management regulations and measures

Management of SP ALB throughout the WCPO is the responsibility of the WCPFC. A list of CMMs relevant to the purse seine fishery can be sources on the WCPFC website (www.wcpfc.int/conservation-and-management-measures).

As a member, New Zealand is responsible for ensuring management measures applied within New Zealand fisheries waters are compatible with those of the WCPFC, and fishing by New Zealand flagged vessels both within and beyond the New Zealand EEZ is carried out in accordance with any measures put in place by WCPFC. The New Zealand Fisheries Act 1996 provides the legislative framework for fisheries management, within New Zealand fisheries waters and for New Zealand flagged vessels and nationals on the high seas.

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SP ALB is not managed as a QMS species in New Zealand. Therefore, no TAC applies in New Zealand fisheries waters or on the high seas. However, CMMs set by WCPFC do place binding effort controls on the SP ALB fishery in New Zealand fisheries waters.

The Fisheries Act 1996 sets out New Zealand's fisheries management regime; provisions relating to access to fisheries, including foreign licensed access; a high seas fishing regime; record keeping, reporting and disposal of fish provisions; and a system of offences and penalties. The Act has been drafted to be consistent with New Zealand's international obligations. Section 5(a) of the Act implements these obligations by specifying that all functions, duties or powers under the Act must be exercised in a manner consistent with New Zealand's international obligations relating to fishing. The New Zealand Government has obligations under the Fisheries Act 1996 to avoid, remedy or mitigate any adverse effects of fishing on the aquatic environment. Sections 8, 9, and 11 of the Fisheries Act 1996 apply to most aquatic environment issues, along with some additional legislation or specific clauses relevant to particular topics. For instance, the Marine Mammals Protection Act 1978 and the Wildlife Act 1953 apply to protected species. New Zealand is also signatory to a number of international agreements that create additional requirements for monitoring of the effects of fishing on the aquatic environment and on associated or dependent species. The main regulations that apply to the New Zealand SP ALB fishery are:

- Fisheries (Commercial Fishing) Regulations 2001 and regional commercial fishing regulations.
- Fisheries (Western and Central Pacific Ocean Highly Migratory Fish Stocks) Regulations 2003.

Through the Fisheries Act 1996 and associated regulations, stringent controls are imposed on fishing activities within New Zealand fisheries waters and on New Zealand flagged vessels and nationals operating on the high seas. All NZ vessels are required to be registered. All fishers operating within New Zealand waters, must be authorised by a fishing permit.

### 7.4.9 Compliance and monitoring

#### **WCPO**

A number of CMMs are set by WCPFC for Monitoring, Control and Surveillance (MCS) purposes, which gives national authorities the responsibly of enforcement. Vessel Monitoring Systems (VMS) are required on all vessels fishing for highly migratory species in the western and central Pacific Ocean. There are measures in place allowing for the boarding and inspection of vessels in the Convention Area (CMM 2006-08) and the WCPFC maintains a list of illegal, unreported and unregulated (IUU) vessels (CMM 2019-07). Vessels fishing in the Convention Area are required to install a transmitting device known as an Automatic Location Communicator (ALC), which transmits a signal to a land-based receiving station where fisheries managers can view and track the location of fishing vessels. Another important MCS element is the boarding and inspection of fishing vessels on the high seas by patrol vessels registered with the Commission by CCMs. These patrol vessels conduct routine operations throughout the Pacific Ocean. Aerial patrols are also made by countries adjacent to fishing grounds.

#### **New Zealand**

A number of MCS tools are used to control the activities of vessels fishing within New Zealand fisheries waters including:

- Fishing permit requirements
- All vessels to report electronically each trip start and end time, and catch per event, along with automatic vessel position reporting
- Fishing permit and fishing vessel registers
- VMS requirements
- Vessel and gear marking requirements
- Fishing gear and method restrictions
- Observer Programme
- Reporting (including catch and effort reporting) requirements
- Vessel inspections
- Control of landings (e.g., requirement to land only to licensed fish receivers)

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- Record keeping requirements
- Auditing of licensed fish receivers
- Control of transhipment
- Monitored unloads of fish
- Information management and intelligence analysis
- Analysis of catch and effort reporting and comparison with VMS, observer, landing and trade data to confirm accuracy
- Boarding and inspection by fishery officers at sea
- Aerial and surface surveillance, and
- Any other measures agreed by RFMOs.

The EEZ SP ALB troll fishery is considered low compliance risk given the nature of the fishing method and the consequent low levels of bycatch and seabird interactions. As a result, there has been no targeted compliance effort to monitor risks within the SP ALB fleet over the past year. However, the SP ALB fleet receives attention from fishery officers where in-port inspections and monitored unloads are completed.

To achieve effective fisheries compliance to support the goals of fisheries management, MPI implements a graduated enforcement model when non-compliance is detected. The model includes voluntary, assisted, directed and enforced interventions, depending on a range of considerations like prior history of offending and the level of offending detected. All interventions aim to achieve behavioural change, better understanding of regulations and greater overall levels of compliance.

Low level offending is typically addressed by education of fishers, this usually involves fisheries compliance working with fishers, permit holders and other involved parties to better understand regulations and providing advice on how best to implement regulations to minimise issues and risks to ensure compliance. Serious non-compliance uses the directed and enforced level of the model by issuing of warning notices, infringements or taking parties involved to court proceedings.

MPI continues to monitor compliance and work with representatives from commercial fishing companies that operate in the MSC-certified SP ALB stock to improve areas where compliance risks arise to ensure any issues are resolved in a practical and timely manner (MPI, 2021a).

#### New Zealand's involvement in regional compliance of albacore fisheries:

New Zealand, as a member of the WCPFC, maintains an involvement in regional compliance monitoring of SP ALB fisheries on the High Seas through use of New Zealand's Defence Force assets to deliver at-sea boarding and inspections and aerial surveillance on the high seas. New Zealand regularly conducts joint patrols of high seas areas within the WCPFC area through Operation NASSE.

Operation NASSE is a joint agency operation run between New Zealand, Australia, USA and France each year. The operation aims to inspect all aspects of fishing activity as well as to collect catch and effort data from foreign fishing vessels operating on the high seas adjacent to New Zealand EEZ which target SP ALB. This is carried out in order to verify compliance and implementation of WCPFC CMMs, continue assessment of fishery trends and to further commit to international monitoring, control, and surveillance activities. Operation NASSE historically utilises both aerial and at sea boarding's, however, due to Covid-19 restrictions, at sea-boardings were limited during this year's operation. Operation NASSE promotes greater compliance within the WCPFC region and contributes towards ensuring that New Zealand's in-zone SP ALB fishery continues to remain a sustainable fishery (MPI, 2021a).

#### 7.4.10 Monitoring of performance

### **WCPFC**

WCPFC has mechanisms in place to evaluate the management system through regular committee meetings and working groups where member countries need to report their performance to the Commission. The WCPFC Secretariat submits a report on compliance of members with the reporting provisions of the Commission (CMM 2019-06). Progress with implementation of CMMs is monitored through the reporting, and the members Annual Reports to the Commission. The compliance of requirements by each member has been monitored through Compliance Monitoring Scheme Review

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Panel. Although this is designed to evaluate key parts of the management system, not all parts of the fishery-specific management system are being evaluated.

WCPFC has well developed arrangements for the regular internal review of the fishery-specific management system by virtue of the two committees established by the Convention – the Scientific Committee (SC) and the Technical and Compliance Committee (TCC). At the regional level, WCPFC does not have a regular program of external reviews. The WCPFC has commissioned one independent review of its performance which was delivered to the Commission in February 2012 and a review of the Compliance Monitoring Scheme assessing CCM's compliance with their obligations the commissioning of a performance review is consistent with the approach adopted by other RFMOs and as recommended by the Kobe process. The Review Team comprised four external experts and three Commission members. The Review concluded that the WCPFC convention is closely aligned with the most recent standards in international fisheries management and that it reflects all key UNCLOS and the UNFSA requirements. Further, an independent review was conducted of the Commission's science structure and functions by MRAG in 2009, resulting in overhauling of the operation of the SC, the adoption of a peer review process and a number of other changes to the data and science functions. There was also an Independent Review of the Compliance Monitoring Scheme in 2017 which assessed CCM's compliance with their obligations and which identified areas that required capacity building and technical assistance

#### **New Zealand**

The Annual Review Report for Highly Migratory Species and Pacific Fisheries 2020/21 reviews the delivery of management initiatives specified in the Annual Operational Plan for Highly Migratory Species Fisheries 2020/21. The Annual Review Report also reviews overall performance of HMS fisheries in relation to some of the wider highly migratory species management objectives.

The Annual Operational Plan for 2020/21 ran from 1<sup>st</sup> July 2020 to 30<sup>th</sup> June 2021. This Annual Review Report will review the delivery of tasks during the timeframe of the Annual Operational Plan, and over the 2019/20 fishing year, or earlier years if the data is not yet available.

The Annual Operational Plan for 2020/21 identified tasks under Key Focus Areas and Business as Usual items, which were designed to contribute towards the 12 Management Objectives defined in the National Fisheries Plan for HMS 2019. (FNZ 2019)



### 7.4.11 Principle 3 Performance Indicator scores and rationales

## PI 3.1.1 – Legal and/or customary framework

PI 3	3.1.1	The management system exists within an appropriate legal and/or customary framework which ensures that it:  - Is capable of delivering sustainability in the UoA(s); - Observes the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood; and - Incorporates an appropriate dispute resolution framework		
Scorin	g Issue	SG 60	SG 80	SG 100
	Compati	bility of laws or standards v	vith effective management	
а	Guide post	There is an effective national legal system and a framework for cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2	There is an effective national legal system and organised and effective cooperation with other parties, where necessary, to deliver management outcomes consistent with MSC Principles 1 and 2.	There is an effective national legal system and binding procedures governing cooperation with other parties which delivers management outcomes consistent with MSC Principles 1 and 2.
	Met?	Yes	Yes	Yes
Ration	Rationale			

### The following evidence indicates SG 60 is met:

### Regional:

Fishing for tuna and tuna like species, both on the High Seas and in zones of national jurisdiction, is governed by the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the western and central Pacific Ocean (WCPF Convention, 2000). The WCPF Convention draws on many of the provisions of the UN Fish Stocks Agreement, as well as a range of other relevant international and regional fisheries instruments

#### National:

At the national level the New Zealand government is responsible for ensuring management measures applied within New Zealand waters are compatible with those of the WCPFC, and fishing is carried out in accordance with any measures put in place by WCPFC. The overarching legislation associated with the HMS Fisheries Plan (FNZ 2019) is the Fisheries Act 1996. Parts 1 and 2 of the Fisheries Act 1996 outline broad principles and obligations under which Fisheries New Zealand operates. In particular, Part 1, Section 5 draws attention to the following obligations:

- New Zealand's international obligations relating to fishing; and
- The provisions of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992.

#### The following evidence indicates SG 80 is met:

#### Regional:

WCPFC has agreed on a number of Memoranda of Understanding (MoU) with related fisheries organizations, which help foster cooperation and coordination among regional and national entities, so that both stocks within the New Zealand EEZ, and WCPFC convention areas are organized and effective. Therefore, there is general agreement that WCPFC pursue management by cooperation under their management policy. Although implementation depends on the national legal system of the country, WCPFC encourages relevant fishing nations to join or participate in the management through their organization.

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#### National:

Under the United Nations Convention on the Law of Sea (1982) and its associated agreements, New Zealand has international obligations regarding the management of fish stocks, taking into account the effects on associated or dependant species.

These obligations are repeated in the subsequent 1995 United Nations Fish Stocks Agreement, and can now be considered binding on all countries as part of customary international law.

New Zealand also has general obligations relating to HMS as a signatory to various international agreements on the management of marine resources. Specific obligations also arise because of New Zealand's participation in relevant RFMOs. The duties of the RFMOs are laid out in the United Nation's Food and Agricultural Organisation's (FAO) Code of Conduct for Responsible Fisheries and the United Nations Fish Stocks Agreement. Fishing for HMS, both on the high seas and within exclusive economic zones, can often be subject to an obligation to cooperate with other countries in the management of those stocks throughout their range. RFMOs are the primary vehicle for cooperation between interested countries.

Obligations under the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (and individual iwi Deeds of Settlement) can be considered in two broad categories:

- Specific obligations relating to use (both commercial and non-commercial); and
- More general obligations relating to the right of tangata whenua to participate in fisheries

#### The following evidence indicates SG 100 is met:

#### Regional:

The decisions taken at WCPFC are binding among the members of Commission and Cooperating non-members (CCM)s and New Zealand is a Member of the RMOs. Resolutions are non-binding statements and recommendations addressed to CCMs, but Conservation and Management Measures (CMMs) are binding.

#### National:

The requirements and obligations under the Fisheries Act 1996, Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (and individual iwi Deeds of Settlement), the United Nations Convention on the Law of Sea (1982) and its associated agreements, the United Nations Fish Stocks Agreement (1995), Food and Agricultural Organisation's (FAO) Code of Conduct for Responsible Fisheries and the United Nations Fish Stocks Agreement (1995) are all binding.

There is an effective national and international legal system and binding procedures governing cooperation with other parties that delivers management outcomes consistent with MSC Principles 1 and 2. **This SI meets SG60, SG80 and SG100.** 

	Resoluti	on of disputes		
b	Guide post	The management system incorporates or is subject by law to a <b>mechanism</b> for the resolution of legal disputes arising within the system.	The management system incorporates or is subject by law to a <b>transparent mechanism</b> for the resolution of legal disputes which is <b>considered to be effective</b> in dealing with most issues and that is appropriate to the context of the UoA.	The management system incorporates or is subject by law to a <b>transparent mechanism</b> for the resolution of legal disputes that is appropriate to the context of the fishery and has been <b>tested and proven to be effective</b> .
	Met?	Yes	Yes	No
Rationale				

### The following evidence indicates SG 60 is met:

Regional:

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There are three mechanisms for dealing with legal disputes at the international level. Firstly, disputes can be dealt with at the WCPFC annual meetings of the members through consultation and conciliation. Secondly, disputes might be resolved by an appropriately composed review panel. Thirdly, disputes might be resolved through either the International Court of Justice (ICJ) or the International Tribunal for the Law of the Sea

#### National:

At the national level, the Fisheries Act 1996 provides opportunities to negotiate and resolve disputes. The Minister may appoint a Dispute Commissioner and the Minister makes the final determination.

#### The following evidence indicates SG 80 is met:

#### Regional:

For WCPFC, the system is transparent in that it makes sure that all members are fully informed of the issues under consideration and are able to participate in informed discussion. Under Article 21 of the Convention, the Commission is required to promote transparency in its decision-making processes—and other activities. This is addressed in detail in the Rules of Procedure. Independent observers, including NGOs, are present at such meetings and would observe any resolutions and justifications that are presented. Such organizations shall be given timely access to pertinent information subject to the rules and procedures which the Commission may adopt.

#### National:

The FNZ consultation process is an attempt to avoid unresolved disputes by ensuring all interested parties have an opportunity to participate and have an input into decisions. There have been occasions when there has not been a satisfactory outcome and then this has gone to litigation and the Court has made a decision.

#### The following evidence indicates SG 100 is not met:

#### Regional:

Although there are appropriate dispute settlement mechanisms in place, so far there was no formal dispute to prove that the settlement procedure has been tested and proven to be effective.

The management system incorporates or is subject by law to a transparent mechanism for the resolution of legal disputes which is considered to be effective in dealing with most issues and that is appropriate to the context of the UoA.

### SG 60 and SG 80 are met, SG100 is not met.

С	Respect Guide post	for rights  The management system has a mechanism to generally respect the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.	The management system has a mechanism to <b>observe</b> the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.	The management system has a mechanism to <b>formally commit</b> to the legal rights created explicitly or established by custom of people dependent on fishing for food and livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.
	Met?	Yes	Yes	No
Rationale				

#### The following evidence indicates SG 60 is met:

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#### Regional:

Legal rights of people dependent on fishing for food or livelihood are protected through national interests of Parties to the WCPF Convention, 2000. The Convention deals with the rights of a State's access to resources and, in this case, explicitly protects access for subsistence and traditional resource use.

#### National:

At the national level, FNZ is responsible for the administration of the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, which implements the 1992 Fisheries Deed of Settlement under which historical Treaty of Waitangi claims relating to commercial fisheries have been fully and finally settled.

#### The following evidence indicates SG 80 is met:

#### Regional:

The convention on the conservation and management of highly migratory fish stocks in the WCPO recognizes that smaller island developing States have unique needs which require special attention and consideration in the provision of financial, scientific and technological assistance. WCPFC coordinates a close relationship with the regional fisheries body known as the Pacific Islands FFA, an organization comprised of independent Pacific Island countries who share a common fisheries interest in the Pacific Ocean region. FFA members are also members of the WCPFC. The WCPFC has an intention and a management system that observes the legal rights created explicitly or established by custom for people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.

#### National:

Obligations under the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (and individual iwi Deeds of Settlement) can be considered in two broad categories:

- Specific obligations relating to use (both commercial and non-commercial); and
- More general obligations relating to the right of tangata whenua to participate in fisheries management decisions and have their values and aspirations given particular regard.

Specific treaty obligations in the Fisheries Act 1996 provide for commercial elements of the settlement (through 20% of quota as new species enter the QMS and non-commercial elements through regulations providing for customary use) (Customary Fisheries regulations 1998). The more general obligations provide for tangata whenua input and participation and having particular regard to kaitiakitanga.

#### The following evidence indicates SG 100 is NOT met:

#### Regional:

Although the WCPFC considers common allocation principles such as historical participation, the rights of Coastal States and the rights of developing States, but these are not yet formally part of an allocation process of fishing rights.

The management system has a mechanism to observe the legal rights created explicitly or established by custom of people dependent on fishing for food or livelihood in a manner consistent with the objectives of MSC Principles 1 and 2.

SG 60 and SG 80 are met, SG 100 is not met.

#### References

Customary Fisheries Regulations 1998.

Fisheries Act 1996.

FAO (1995) Food and Agricultural Organisation's (FAO) Code of Conduct for Responsible Fisheries

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Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 No 121.

UNCLOS (1994). United Nations Convention on the Law of the Sea, signed Jamaica, 10 Dec.1994.

UNFSA. (1995). The United Nations Fish stocks agreement.

WCPFC (2000). Convention on the Conservation and Management of High Migratory Fish Stocks in the Western and Central Pacific Ocean. https://www.wcpfc.int/convention-text.

Overall Performance Indicator score	85
Condition number (if relevant)	N/A



### PI 3.1.2 – Consultation, roles and responsibilities

PI 3	3.1.2	The management system has effective consultation processes that are open to interested and affected parties  The roles and responsibilities of organisations and individuals who are involved in the management process are clear and understood by all relevant parties		
Scorin	g Issue	SG 60	SG 80	SG 100
	Roles a	nd responsibilities		
а	Guide post	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are <b>generally understood</b> .	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are explicitly defined and well understood for key areas of responsibility and interaction.	Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are explicitly defined and well understood for all areas of responsibility and interaction.
	Met?	Yes	Yes	Yes
Rationale				

#### The following evidence indicates SG 60 is met:

#### Regional:

WCPFC has defined roles and responsibilities of member states, scientific committee, technical and compliance committee, and its functions, updates of discussion, meeting plans and proceedings are all on their webpages WCPFC (https://www.wcpfc.int/)

#### National:

The Ministry for Primary Industry (MPI) is the Government agency responsible for administrating legislation for Primary Industries including fisheries and its supporting regulations. MPI provides policy and regulatory advice, market access and trade services and manages major regulatory systems including fisheries.

Fisheries New Zealand (FNZ) is a business unit of MPI and is the Government's principal adviser on fisheries management and the impacts of fishing on the aquatic environment. It operates under the Fisheries Act 1996 and a range of other legislation relating to fisheries management

#### The following evidence indicates SG 80 is met:

#### Regional:

Functions, roles and responsibilities are explicitly defined and well understood for key areas of responsibility and interaction at the WCPFC, sub-regional and national levels where bilateral agreements are in force. The roles of the different structures within WCPFC are clear and areas of responsibility explicitly designated. Key areas include providing catch and monitoring data to the Secretariat, taking part in various meetings, sharing information and making decisions, meeting the requirements for conservation and other recommendations for WCPFC.

WCPFC co-operates with all relevant organizations in the region. There is an MoU which clearly lays out the type and level of co-operation between these organizations. There are, in particular, shared responsibilities between RFMOs, mainly WCPFC, IOTC, IATTC and CCSBT, which are addressed.

#### National:

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The role of the FNZ, working with other government agencies, is to advise on and implement government policy in the following areas

- ensuring sustainability of fish stocks and the protection of the aquatic environment.
- meeting international and Deed of Settlement obligations.
- providing for maximum value to be realised.
- facilitating sustainable development; and
- ensuring integrity of management systems.

### The following evidence indicates SG 100 is met:

#### Regional:

At regional level, WCPFC has defined roles and responsibilities of member states. scientific committee, technical and compliance committee and its functions, updates of discussion, meeting plans and proceedings are all available at the RFMO's homepage. WCPFC consults on science advisory for albacore stocks to the SPC and ISC. New Zealand follows the RFMO's decisions for the management of stocks under assessment, through CMMs.

#### National:

FNZ is charged with consistently monitoring the fishery resource and making timely and appropriate policy advice on all aspects of fisheries management to the Government. The Ministry is also responsible for carrying out the Government's policies to manage and conserve fisheries, and to actively encourage compliance of fisheries regulations by all fishers. The Department of Conservation (DOC) is the central government organisation charged with conserving the natural and historical heritage of New Zealand. The department is responsible for marine reserves, seabirds, and for marine mammals such as dolphins, whales, sea lions and fur seals.

Organisations and individuals involved in the management process have been identified. Functions, roles and responsibilities are explicitly defined and well understood for all areas of responsibility and interaction. **SG 60, 80 and 100 are met.** 

b	Consult	ation processes		
	Guide post	The management system includes consultation processes that <b>obtain relevant information</b> from the main affected parties, including local knowledge, to inform the management system.	The management system includes consultation processes that <b>regularly seek and accept</b> relevant information, including local knowledge. The management system demonstrates consideration of the information obtained.	The management system includes consultation processes that regularly seek and accept relevant information, including local knowledge. The management system demonstrates consideration of the information and explains how it is used or not used.
	Met?	Yes	Yes	No
Rationale				

#### The following evidence indicates SG 60 is met:

#### Regional:

There are extensive formal and informal consultation processes at the WCPFC that regularly seek and accept information from members and cooperating non-members pertaining to relevant fisheries, including compliance information from CCMs. (WCPFC 2019)

#### National:

At the national level, Section 12 of the 1996 Fisheries Act includes a range of specific consultation requirements. FNZ is required to consult with those classes of persons having an interest (including, but not limited to, Maori, environmental,

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commercial and recreational interests) in the stock or the effects of fishing on the aquatic environment in the area concerned.

#### The following evidence indicates SG 80 is met:

#### Regional

WCPFC are a very structured organisation (as with all RFMOs) holding regular meetings at all levels including scientific and compliance. For these many meetings, the consultation process provides opportunity for involvement in management and other processes. These formal meetings provide for consideration of information in an open and objective manner allowing for constructive critique. Meetings and information are well documented and available to interested parties. (Medley et al 2021). As part of this process, at the SG 80, Members also need to have transparent domestic systems in place (GSA 4.4.1) which solicit and assess "relevant information" which is then built into regional management system consideration/decisions and that feeds back out of regional management processes into domestic measures. GSA4.1.1 also requires that information obtained provides input "into a broad range of decisions, policies and practices within the management system" and this includes domestic management arrangements (as necessary).

#### National:

There are sections of the 1996 Fisheries Act that require the government to consult with stakeholders before making a decision. FNZ has a well-defined process for stakeholder consultation. Within this process, it is necessary to identify who has an interest; and who are representative of those having an interest. FNZ must provide an initial consultation plan and the manner of consultation, including the timeframe for the consultation and the decision. FNZ must distribute the decision, and subsequently review the process to assure that the consultation met all requirements. When management changes are proposed to meet sustainability requirements (such as a change to a TAC/TACC), FNZ prepares a discussion document that provides the Ministry's initial proposals for issues needing decision and a range of management options. These proposals occur on an annual basis. At a more general level, FNZ works closely with other government agencies and in partnership with stakeholders in addressing complex resource management issues, including developing and implementing policy settings and regulatory regimes for fisheries, aquaculture and forestry to support increased sustainable resource use, which requires ongoing consultations. A record of all consultations is documented on the Ministry's website which includes summaries of the basis for decisions, and comments from all participating stakeholders. Information in letters, emails, and in Final Advice papers for management actions demonstrates the consideration of stakeholder input and use or non-use of that information. The letters, emails, and Final Advice address the issues raised by stakeholders. FNZ has provided further information on consultation in a letter annexed to stakeholder comments. Explanations on how information is used or not used are conveyed by letters, emails and in Final Advice papers is evidence that consultation occurs on a regular basis and that information provided by stakeholders is often taken into account. The management system therefore includes consultation processes that regularly seek and accept relevant information, including local knowledge. The management system demonstrates the consideration of the information and explains how it is used or not used.

#### The following evidence indicates SG 100 is met/not met:

#### Regional:

Information used at regional level management, other than the scientific information, is not so clearly reported. Although much of this information can be inferred from various sources, it is not necessarily clear how different sources of information are weighted. This includes information on compliance, economics and social issues (Medley et al 2021). SG100 is not met at regional level.

#### National

A record of all consultations is documented at <a href="http://www.mpi.govt.nz/news-and-resources/consultations/">http://www.mpi.govt.nz/news-and-resources/consultations/</a>, which includes summaries of the basis for decisions, and comments from all participating stakeholders. Information in letters, emails, and in Final Advice papers for management actions demonstrates the consideration of stakeholder input and use or non-use of that information. The letters, emails, and Final Advice address the issues raised by stakeholders. MPI has provided further information on consultation in a letter annexed to stakeholder comments, including planned

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consultation on the Deepwater Management Plan. Explanations on how information is used or not used are conveyed by letters, emails and in Final Advice papers is evidence that consultation occurs on a regular basis and that information provided by stakeholders is often taken into account. The management system therefore includes consultation processes that regularly seek and accept relevant information, including local knowledge. The management system demonstrates the consideration of the information and explains how it is used or not used. SG 100 is met at national level.

### SG 60 and SG 80 are met at regional and national level. SG100 is only met at national level.

	Participation	The consultation process provides opportunity for all interested and affected	The consultation process provides opportunity and encouragement for all
С	Guide post	parties to be involved.	interested and affected parties to be involved, and facilitates their effective engagement.
	Met?	Yes	No
Ration	ale		

#### The following evidence indicates SG 80 is met:

#### Regional:

Consultation occurs at several levels within the management system (WCPFC 2016). Consultation at the international level is formalised, and there are well-developed mechanisms for the seeking and using of appropriate information.

The opportunity to become Member or Co-operating Non-member is open to all. The membership of relevant nations is high and there is a high level of participation.

The Commission may be joined by any government or international organization that can also be a signatory to UNCLOS and that has a fishing interest in the area. Interested NGOs have an opportunity to observe at meetings, with requirements that are not overly onerous.

A number of stocks and fisheries are shared with IOTC, IATTC and CCSBT. There are MoUs that govern the co-operation between these RFMOs. The MOUs establish and maintain consultation, cooperation and collaboration in respect of matters of common interest including the exchange of data and information, scientific research and conservation and management measures for fleets, stocks and species of mutual interest. The Secretariats often have representatives at each other's meetings, as well as specific consultative meetings where appropriate.

#### National:

At the national level FNZ has a well-defined process for stakeholder consultation.

There is evidence of the FNZ seeking stakeholder views throughout the year using, for example, the Initial Position Paper process, the Working Group, and fisheries planning meetings.

As part of the consultation process, stakeholders are given the opportunity to provide feedback on the delivery of the process itself. The feedback is evaluated and used to fine-tune future consultation processes. Stakeholders are encouraged to be involved.

### The following evidence indicates SG 100 is met/not met:

Regional

The WCPFC has a comprehensive governance structure that provides for Members, Participating Territories and Cooperating Non-members (WCPFC 2000). It also allows observers (intergovernmental and non-government) to participate in meetings of the Commission and its subsidiary bodies, including the SC, the TCC and the Finance and Administration Committee (although they are restricted from some sections of some of these meetings). However, it is not clear to what extent the system facilitates effective engagement. SG 100 is not met.

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#### National:

The consultation process provides opportunity and encouragement for all interested and affected parties to be involved and facilitates their effective engagement. FNZ have also set up an Environmental Engagement forum.

There is sufficient evidence to conclude that all interested parties have the opportunity and are encouraged to participate in consultation processes. Formal arrangements in place facilitate engagement. SG80 and SG100 requirements are met at the national level

SG 80 is met for both regional and national levels, however SG100 is only met on the national and not regional level.

#### References

Fisheries Act 1996

WCPFC (2000). Convention on the Conservation and Management of High Migratory Fish Stocks in the Western and Central Pacific Ocean. https://www.wcpfc.int/convention-text.

WCPFC. 2019. Summary Report. Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Sixteenth Regular Session, Port Moresby, Papua New Guinea, 5–11 December 2019. Issued 2 April 2020. <a href="https://www.wcpfc.int/meetings/wcpfc16">https://www.wcpfc.int/meetings/wcpfc16</a>.

Overall Performance Indicator score	85
Condition number (if relevant)	N/A



# PI 3.1.3 – Long term objectives

PI 3	3.1.3	The management policy has clear long-term objectives to guide decision-making that are consistent with MSC Fisheries Standard, and incorporates the precautionary approach		
Scorin	g Issue	SG 60	SG 80	SG 100
	Objectiv	res		
а	Guide Post	Long-term objectives to guide decision-making, consistent with the MSC Fisheries Standard and the precautionary approach, are implicit within management policy.	Clear long-term objectives that guide decision-making, consistent with MSC Fisheries Standard and the precautionary approach are explicit within management policy.	Clear long-term objectives that guide decision-making, consistent with MSC Fisheries Standard and the precautionary approach, are explicit within and required by management policy.
	Met?	Yes	Yes	Partial
Rationale				

#### The following evidence indicates SG 60 is met:

#### Regional:

The WCPFC (2000) Convention states that the objective is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1995 UN Fish Stocks Agreement (UNFSA 1995) and UNCLOS (1982). The Convention also states that effective management and conservation require the application of the precautionary approach and the best scientific information available.

#### National:

At the national level, long-term fishery and environmental objectives are included within both New Zealand fisheries and environmental legislation and this guides decision making (Fish Act 1996).

#### The following evidence indicates SG 80 is met:

#### Regional:

WCPFC Convention provides clear, long-term objectives that guide decision making under Principle 1. The long-term objectives for each stock are clear enough that the science-based advice and management of these stocks can be evaluated. The WCPFC has an explicit provision regarding the precautionary approach and ecosystem-based management which forms part of the MSC Principles and Criteria. Protection for all resources within the same ecosystem is provided for, consistent with Principle 2.

#### National:

Fisheries 2030 sets the strategic direction for the management and use of New Zealand's fisheries resources (MoF 2009). One of the principles guiding Fisheries 2030 is "Precautionary approach: particular care will be taken to ensure environmental sustainability where information is uncertain unreliable or inadequate.

The National Highly Migratory Fisheries Plan (FNZ, 2019) sets out clear long-term management objectives for use outcome, environment outcome and governance conditions.

#### The following evidence indicates SG 100 is not fully met:

Regional:

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At the regional level management objectives, including the application of the precautionary approach, are explicit in policy and legislation and consistent with MSC Principles and Criteria but while long-term objectives consistent with the precautionary approach are explicit within management policy, it is difficult to agree that the SG100 requirements are fully met in practice (Medley et al 2021).

#### National:

At the national level, management objectives, including the application of the precautionary approach are explicit in policy and legislation, and SG 100 is met.

Overall, clear explicit objectives incorporating the precautionary approach and ecosystem-based management meet the MSC Principles and Criteria, meeting SG60, SG80 and the first part of SG100, However, there are elements of the management system at regional level where it is not yet clear that the precautionary approach is applied in practice across all policy for all stocks. SG60 and SG80 are met, while SG100 is only partially met.

#### References

#### Fisheries Act 1996

FNZ (2019). National Fisheries Plan for Highly Migratory Species 2019. Fisheries New Zealand Technical Paper No: 2019/08. https://www.fisheries.govt.nz/dmsdocument/18563/direct.

Medley, P.A.H., Gascoigne, J., and Scarcella, G. 2021., Version 8. An Evaluation of the Sustainability of Global Tuna Stocks Relative to Marine Stewardship Council Criteria Principles 1 and 3. International Seafood Sustainability Foundation, Washington, D.C., USA. https://www.iss-foundation.org/download-monitor-demo/download-info/issf-2021-01-an-evaluation-of-the-sustainability-of-global-tuna-stocks-relative-to-marine-stewardship-council-criteria/.

UNCLOS. 1994. United Nations Convention on the Law of the Sea, signed Jamaica, 10 Dec.1994

UNFSA (1995). The United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001.

Overall Performance Indicator score	90
Condition number (if relevant)	N/A



# PI 3.2.1 – Fishery-specific objectives

PI 3.2.1		The fishery-specific management system has clear, specific objectives designed to achieve the outcomes expressed by MSC's Principles 1 and 2		
Scoring Issue		SG 60	SG 80	SG 100
а	Objectives			
	Guide post	Objectives, which are broadly consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are implicit within the fishery-specific management system.	Short and long-term objectives, which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery-specific management system.	Well defined and measurable short and long-term objectives, which are demonstrably consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery-specific management system.
	Met?	Yes	Yes	No
Rationale				

#### The following evidence indicates SG 60 is met:

### Regional:

The WCPFC Convention offers guidance and principles on which the management plans might be based (WCPFC 2000). This includes objectives which not only apply to target stocks, but also the ecosystem. These objectives have been used in developing scientific advice.

#### National:

Objectives for SP ALB are set out in the National Fisheries Plan for HMS (FNZ 2019).

#### The following evidence indicates SG 80 is met:

### Regional:

The WCPFC is responsible for the overall sustainability and management of target stocks and for considering and minimizing the impact of the fishery on ecosystem components whereas New Zealand must ensure that its management system is compatible with WCPFC CMMs and does not undermine any regional management arrangements. At the regional level, there are a large number of WCPFC CMMs that relate directly to P1 and P2 outcomes, which cover target catch, bycatch and ecosystem outcomes. CMMs are developed and endorsed by the Commission pursuant to the requirements of the Convention and the advice from both the SC and TCC and aim to provide explicit outcomes. In relation to Principle 1 CMM 2018-01 requires that at a minimum, stocks are maintained at levels capable of producing maximum sustainable yield. For SP ALB, in 2018 the Commission agreed on an interim target reference point (TRP) for SP ALB at 56 percent of spawning stock biomass in the absence of fishing (0.56 SBF=0) with the objective of achieving an 8 percent increase in CPUE for the southern longline fishery as compared to 2013 levels. Article 2 of the WCPFC Convention requires that the Commission: "...ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 Convention and the Agreement".

#### National:

The National Fisheries Plan for Highly Migratory Species 2019 (FNZ 2019) describes the overall strategic direction for the management of HMS. HMS are fish that swim large distances. They are found in New Zealand and international YOUR FUTURE. OUR FOCUS.

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waters. New Zealand's HMS fisheries are made up of: Large pelagic species skipjack tuna and SP ALB (mostly caught by trolling).

The HMS Fisheries Plan includes criteria and objectives to guide the management of New Zealand's HMS fisheries. Management objectives for HMS fisheries are grouped into:

#### Use Outcome

- Support viable and profitable commercial HMS in New Zealand
- Maintain and enhance world class game fisheries in New Zealand fisheries waters
- Maori interests (including customary, commercial, recreational and environmental) are enhanced.

#### **Environment Outcome**

- Maintain sustainable HMS fisheries within environmental standards
- Implement an ecosystem approach to fisheries management, taking into account associated and dependent species
- Protect, maintain, and enhance fisheries habitat

#### Governance conditions

- Maintain an effective fisheries management regime.
- Recognise and provide for Deed of Settlement obligations
- Ensure New Zealand interests are taken into account internationally
- Contribute to Pacific capacity development

### Fishery specific objectives include:

- Regularly monitor the need for more active management of SP ALB, based on utilisation criteria
- Maintain catch-based attribution of cost recovery levies
- Devise incentives to add value to and/or reduce wastage in the SP ALB fishery
- Manage the impacts of any fishing in New Zealand waters under provisions of the US Tuna Treaty.

#### The following evidence indicates SG 100 is met/not met:

### Regional:

It is unclear how well defined and measurable these objectives are, particularly in relation to Principle 2.

As such SG 100 is not met.

#### National:

Well defined and measurable short and long-term objectives, which are demonstrably consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery-specific management system. The Annual Operational Plan (FNZ 2021) includes a workplan with clear objectives for HMS fisheries and the environment (P1 and P2) defined and responsibilities and dates to be achieved. The Annual Review Report for Highly Migratory Species and Pacific Fisheries 2020/21 reviews the delivery of management initiatives and objectives specified in the Annual Operational Plan for Highly Migratory Species Fisheries 2020/21. The Annual Review Report also reviews overall performance of HMS fisheries in relation to some of the wider highly migratory species management objectives (FNZ 2021a). National meets SG 100.

Short and long-term objectives, which are consistent with achieving the outcomes expressed by MSC's Principles 1 and 2, are explicit within the fishery-specific management system for both regional and national, and SG60 and SG80 are met. SG100 is not met as it is only met at national level.

#### References

CMM 2018-01 [Conservation management measures for BET, YFY and SKJ]

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FNZ (2019). National Fisheries Plan for Highly Migratory Species 2019. Fisheries New Zealand Technical Paper No: 2019/08. <a href="https://www.fisheries.govt.nz/dmsdocument/18563/direct">https://www.fisheries.govt.nz/dmsdocument/18563/direct</a>.

FNZ. 2021. 2020 Report on the status of New Zealand's fish stocks. Accessed 14 October, 2021. https://www.mpi.govt.nz/dmsdocument/44893-The-Status-of-New-Zealands-Fisheries-2020.

FNZ (2021a). Annual Operational Plan for Highly Migratory Species Fisheries 2020/21. Fisheries New Zealand Technical Paper No: 2021/03. 26 p. <a href="https://www.mpi.govt.nz/dmsdocument/47569-Annual-operational-plan-for-highly-migratory-species-and-Pacific-fisheries-202122">https://www.mpi.govt.nz/dmsdocument/47569-Annual-operational-plan-for-highly-migratory-species-and-Pacific-fisheries-202122</a>.

Overall Performance Indicator score	80
Condition number (if relevant)	N/A



# PI 3.2.2 – Decision-making processes

PI 3	3.2.2	The fishery-specific management system includes effective decision-making processes that result in measures and strategies to achieve the objectives, and has an appropriate approach to actual disputes in the fishery		
Scorin	g Issue	SG 60 SG 80 SG 100		
	Decision	n-making processes		
а	Guide post	There are <b>some</b> decision- making processes in place that result in measures and strategies to achieve the fishery-specific objectives.	There are <b>established</b> decision-making processes that result in measures and strategies to achieve the fishery-specific objectives.	
	Met?	Yes	Yes	
Ration	Cationale			

## The following evidence indicates SG 60 is met:

# Regional:

WCPC -There are established responsive and largely transparent decision-making processes in the Convention, and these are operationalized in the processes of the Scientific Committee and Technical Compliance Committee as well as the commission.

## National:

At the national level, the Fisheries Act (specifically Sections 10, 11, and 12) clearly lays out the requirements for decision-making and requires basing all decisions on the best available information (Section 10). The annual operational plan implements the procedures for decision making.

# The following evidence indicates SG 80 is met:

# Regional:

WCPFC - Those decision-making processes result in comprehensive set of CMMs and strategies to achieve the specific objectives in the fisheries. Decision-making processes are clearly defined in the Convention (Article 20) and Rules of Procedure. Information used for decision making is published. Decisions are made by consensus and if necessary, by voting (75% majority) and such decisions are binding on members.

# National:

When management changes are proposed to meet sustainability requirements, FNZ prepares a discussion document that provides the Ministry's initial proposals for issues needing decision and a range of management options (https://www.mpi.govt.nz/consultations/your-fisheries-your-say/). The proposals outlined in FNZ's discussion document are preliminary and are provided as the basis for consultation with stakeholders. Subsequently, FNZ prepares a decision document, which summarises stakeholders' views on their proposals and makes recommendations to the Minister. The decision document and the Minister's letter setting out his final decisions are posted on MPI's website as soon as they become available. A decision to consult or not to consult, and any decision made after consultation, must be made in accordance with the principles of administrative law, and in accordance with Fisheries Act 1996 obligations. These principles require decision-makers to act:

- -In accordance with the law
- -Reasonably and
- -In accordance with the principles of natural justice.

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### SG 60 and SG 80 are met.

	Responsiveness of decision-making processes  Decision-making processes  Decision-making processes  Decision-making processes  Decision-making processes				
b	Guide post	respond to serious issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take some account of the wider implications of decisions.	respond to serious and other important issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.	respond to all issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions.	
	Met?	Yes	Yes	No	
Rationale					

# The following evidence indicates SG 60 is met:

## Regional:

WCPC responses to serious issues are generally undertaken via implementation of WCPFC CMMs. Information on fishing vessels and IUU activities from FFA is used in decision making on the issuing or renewal of permits and licensing authorisations - this includes reporting by flag states, including New Zealand.

## National:

Any serious issues that are identified through research, monitoring and consultation with stakeholders are addressed through the ministry's decision-making process in a timely and adaptive manner. The New Zealand government responds to serious issues that have been raised by local researchers and industry as well as by the RFMO.

## The following evidence indicates SG 80 is met:

## Regional:

The WCPFC decision-making process facilitates serious and important issues through its committees (SC and TCC) and at the Commission itself. Stock assessments and studies presented at the SC (predominantly by SPC) identify serious and important issues such as overfishing of stocks. Issues have been dealt with through process at WCPFC in a timely way, although some discussions and decisions have been protracted. These issues are addressed through regionally agreed CMMs. The system allows Commission members to be fully informed of the issues under consideration and enables participation in informed decision making.

Scientific recommendations are based on reference points such as MSY, FMSY, BMSY and the committee evaluates the adequacy and application of the methods used to project future population status. The periodic meetings of ISC also generate research and monitoring suggestions to improve the understanding of essential population and fishery dynamics to formulate best management practices. The committee's consultation process considers serious and other important issues identified in a transparent manner.

#### National:

Consultation is a central component of the management decision-making process (Fisheries Act Section 12, Stakeholder Consultation Process Standard). The Minister makes the final decision based on advice received from other parties (Section 12 - "the Minister shall consult with such persons or organisations as the Minister considers are representative of those classes of persons having an interest in the stock or the effects of fishing on the aquatic environment in the area concerned including Maori, environmental, commercial, and recreational interests"), FNZ prepares a discussion document that provides the Ministry's initial proposals for issues needing decision and a range

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of management options. The proposals outlined in FNZ's discussion document are preliminary and are provided as the basis for consultation with stakeholders. Subsequently, FNZ prepares a decision document, which summarises stakeholders' views on their proposals and makes recommendations to the Minister. The decision document and the Minister's letter setting out his final decisions are posted on MPI's website as soon as they become available. This demonstrates the management system responding to serious and important issues in an open and transparent way, taking into account the wider implications and alternatives for decision making. This meets the SG60 and 80.

## The following evidence indicates SG 100 is not met:

## Regional:

To meet SG100, decision-making process must address ALL issues, and in a timely manner. it cannot be said that WCPFC or flag states respond to all issues and decisions taken. **SG100 is not met.** 

#### National:

While the management system considers a wide range of issues, it is not clear that the system takes into account all issues, thus not meeting the SG100.

Decision-making processes respond to serious and other important issues identified in relevant research, monitoring, evaluation and consultation, in a transparent, timely and adaptive manner and take account of the wider implications of decisions. **SG 60 and SG80 are met but not SG100.** 

	Use of precautionary approach			
С	Guide post		Decision-making processes use the precautionary approach and are based on best available information.	
	Met?		Yes	
Ration	ale			

# The following evidence indicates SG 80 is met:

# Regional:

The WCPFC Convention requires that the members of the Commission, as well as Participating Territories and Cooperating Non-members of the Commission apply the precautionary approach. The Convention, in its compliance with UNFSA (UNFSA 1995) requirements, requires that the Commission be more cautious when information is uncertain, unreliable or inadequate and does not use the absence of adequate scientific information as a reason for postponing or failing to take conservation and management measures (Medley et al. 2021). In all cases, decisions are required to be based on the best scientific information available per the WCPF Convention text, and the Commission makes adequate provision for this to be achieved.

#### National:

At the national level, the Fisheries Act requires that the precautionary approach must be adhered to. Section 10 of the Fisheries Act Information principles states:

"All persons exercising or performing functions, duties, or powers under this Act, in relation to the utilisation of fisheries resources or ensuring sustainability, shall take into account the following information principles: (a) Decisions should be based on the best available information: (b) Decision makers should consider any uncertainty in the information available in any case: (c) Decision makers should be cautious when information is uncertain, unreliable, or inadequate: (d) The absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of this Act".

Therefore, evidence exists that decision making uses the precautionary approach and best available information at both regional and national levels, **meeting the SG80.** 

**d** Accountability and transparency of management system and decision-making process

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	Guide Post	Some information on the fishery's performance and management action is generally available on request to stakeholders.	Information on the fishery's performance and management action is available on request, and explanations are provided for any actions or lack of action associated with findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.	Formal reporting to all interested stakeholders provides comprehensive information on the fishery's performance and management actions and describes how the management system responded to findings and relevant recommendations emerging from research, monitoring, evaluation and review activity.
	Met?	Yes	Yes	No
Ration	nale			

# The following evidence indicates SG 60 is met:

## Regional:

WCPFC accountability and transparency at the Commission level is clear and demonstrated through Commission meetings and the various scientific, compliance and other structures implemented by the WCPFC as needed.

## National:

FNZ provides a wide range of information to stakeholders. The documents include the Fisheries Act, Plenary documents, the National Fisheries Plan, the Annual operating plan Statements of Intent, Initial Position Papers, press releases and reports.

## The following evidence indicates SG 80 is met:

## Regional:

For WCPFC, information and recommendations from research, monitoring, evaluation and review activity are published formally. Papers and reports from WCPFC plenary sessions, the SC and the TCC are also published formally and are publicly available on the Commission's website. These papers and reports provide a good level of transparency, showing how scientific and other information is used to inform management actions, which are then monitored for effectiveness and discussed at the Commission.

As part of this process, each year the TCC receives a two-part Annual Report from each Member. The purpose of this report is to provide to the Commission with information on fisheries, research and statistics during the preceding calendar year (Part 1), and management and compliance issues since the previous report (Part 2). National Part 2 reports are available on request (see also WCPFC, 2020).

#### National:

FNZ provides a wide range of information to stakeholders. The documents include the Fisheries Act, Plenary documents, the National Fisheries Plan, the Annual operating plan Statements of Intent, Initial Position Papers, press releases and reports. MPI provides formal reports consistent with formalised reporting and consultation processes such as the IPP/FAP process, the Stakeholder Consultation Process Standard or the National Fisheries Plan.

FNZ publishes information on their website as soon as they become available.

# The following evidence indicates SG 100 is not met:

Regional:

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To meet SG100 there needs to be formal reporting to all interested stakeholders with comprehensive information on the fishery's performance and management actions. It is not clear that all information is always provided.

While reports are made available, it is not clear that they represent all information that is used i.e., comprehensive. In many cases no formal, detailed explanation and justifications linking the information provided to the decision that results (Medley et al. 2021).

# SG 60 and SG 80 are met, but SG 100 is not met.

	Approac			
е	Guide post	Although the management authority or fishery may be subject to continuing court challenges, it is not indicating a disrespect or defiance of the law by repeatedly violating the same law or regulation necessary for the sustainability for the fishery.	The management system or fishery is attempting to comply in a timely fashion with judicial decisions arising from any legal challenges.	The management system or fishery acts proactively to avoid legal disputes or rapidly implements judicial decisions arising from legal challenges.
	Met?	Yes	Yes	Yes
Rationale				

## The following evidence indicates SG 60 is met:

## Regional:

The WCPFC dispute mechanism is set out in Article 31 of the Convention. The WCPFC has a consensus-based decision-making process, with provision for a two-chambered voting process requiring a 75% majority in both chambers if all efforts to reach a decision by consensus have been exhausted. WCPFC (the Commission) has not been subject to any court challenges as of 2020. There is no evidence that other entities flout the law, with the notable exception of particular fishing companies and fishing vessels, which may be listed on the IUU fishing list (Medley et al., 2021) (see also WCPFC, 2020).

#### National:

The Minister is the decision maker in fisheries management matters and his decisions are bound by the law and are therefore open to legal review. The law requires identification of stakeholders "with an interest" in each fishery, and the identification of those who represent stakeholders with an interest.

# The following evidence indicates SG 80 is met:

## Regional:

There are no current outstanding judicial disputes and so far, contracting parties (CPCs) have avoided resorting to using international law to settle disputes.

#### National:

Section VII Disputes Resolution of the Fisheries Act states that the section "(a) applies to disputes about the effects of fishing (excluding fish farming) on the fishing activities of any person who has a current fishing interest provided for or authorized by or under this Act; but

(b) does not apply to disputes about ensuring sustainability or about the effects of any fishing authorised under Part 9." Section VII further requires that the Minister publicly set out an approved statement of procedure for the resolution of such disputes. The Minister of Fisheries published in 1998 the dispute resolution procedures. The Minister's approved

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statement of procedure for the resolution of disputes consists of four steps, with each step in turn involving specific actions to be undertaken by the parties to the dispute to give effect to the requirements of Section VII of the Act:

- -Dispute summary report by the party identifying the report
- -Production and Distribution of Initial Assessment Report demonstrating the dispute is about the effects of fishing, and does not involve issues associated with ensuring sustainability
- -Negotiation and attempts at resolution
- -Prepare an Outcome Report with conclusion of the process including resolution or not of the dispute.

The parties to the dispute may make recommendations that involve sustainability or customary fishing that would require action beyond the authority of the Minister.

The principles in the Fisheries Act require decision-makers to act in accordance with law; reasonably; and fairly, in accordance with the principles of natural justice. Decisions that do not follow requirements are open to legal challenge (Fisheries Act 1996).

## The following evidence indicates SG 100 is met:

## Regional:

The WCPFC dispute mechanism is set out in Article 31 of the Convention. The WCPFC has a consensus-based decision-making process, with provision for a two-chambered voting process requiring a 75% majority in both chambers if all efforts to reach a decision by consensus have been exhausted. This is in fact a proactive measure to avoid member's disputes on decision. WCPFC (the Commission) has not been subject to any court challenges so far.

## National:

Legal challenges are uncommon in the fisheries, in part because of the collaborative decision making. Therefore, the management system proactively acts to avoid disputes. Lack of judicial decisions does not provide direct evidence of rapid implementation, but the requirements of the Fisheries Act and policies of DWG and MPI strongly suggest this would be the case. The fishery **met SG60, SG80, and SG100.** 

### References

# Fisheries Act 1996

Medley, P.A.H, Gascoigne, J., and Scarcella, G. 2021., Version 8. An Evaluation of the Sustainability of Global Tuna Stocks Relative to Marine Stewardship Council Criteria Principles 1 and 3. International Seafood Sustainability Foundation, Washington, D.C., USA

WCPFC. 2020. Summary Report. Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. Seventeenth Regular Session, Electronic meeting, 8–15 December 2020. Issued 3 May 2021. <a href="https://meetings.wcpfc.int/node/12045">https://meetings.wcpfc.int/node/12045</a>.

UNFSA (1995). The United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001

Overall Performance Indicator score	85
Condition number (if relevant)	N/A

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# PI 3.2.3 - Compliance and enforcement

PI 3	3.2.3	Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with		
Scorin	ring Issue SG 60 SG 80 SG 100			SG 100
	MCS im	plementation		
а	Guide post	Monitoring, control and surveillance <b>mechanisms</b> exist, and are implemented in the fishery and there is a reasonable expectation that they are effective.	A monitoring, control and surveillance <b>system</b> has been implemented in the fishery and has demonstrated an ability to enforce relevant management measures, strategies and/or rules.	A comprehensive monitoring, control and surveillance system has been implemented in the fishery and has demonstrated a consistent ability to enforce relevant management measures, strategies and/or rules.
	Met?	Yes	Yes	No
Ration	Rationale			

## The following evidence indicates SG60 is met:

# Regional:

The WCPFC has developed a comprehensive CMS – CMM 2015-07 that includes:

- catch and effort limits for target species;
- catch and effort reporting for target species;
- reporting including with respect to implementation of measures for non-target species;
- spatial and temporal closures, and restrictions on the use of fish aggregating devices;
- authorizations to fish and the Record of Fishing Vessels, observer, VMS coverage, transhipment and the High Seas Boarding and Inspection Scheme;
- provision of scientific data through the ROP
- submission of an annual report to the TCC (Medley et al. 2021).

#### National:

At the national level, there is a comprehensive monitoring control and surveillance system that has been implemented. It includes a compulsory satellite VMS with an on-board automatic location communicator (ALC) government observers are also periodically placed on board and accurate record keeping and recording requirements to establish auditable and traceable records. Other measures include fishing permit and fishing vessel register, vessel and gear markings, fishing gear and method restrictions, vessel inspections, control of landings, auditing of licenced fish receivers, analysis of catch and effort reporting. All vessels must report electronically each trip start and end time, and catch per event, along with automatic vessel position reporting.

## The following evidence indicates SG 80 is met:

### Regional:

The Technical and Compliance Committee (TCC) meets on an annual basis with the purpose of reviewing member compliance against the WCPFC CMMs and measures (and how these are implemented by members) and reporting these findings to the WCPFC. The TCC also makes recommendations to the WCPFC to further strengthen the adoption of

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CMMs. Meeting reports are publicly available through the WCPFC website. The TCC reports measure compliance based on data provided by its members. Data sources include catch and effort data, catch data, infringement reports (e.g. for adherence to spatial and temporal closures), observer programme outputs, IUU vessel lists and VMS data (WCPFC 2020). The TCC and CMS also collect data to review member compliance against CMMs on reducing the mortality of protected or bycatch species. Historically, the WCPFC did not make this information publicly available but began publishing compliance information (for each member) in 2013.

The blacklisting of non- member vessels (IUU lists) has become a widespread practice among all RFMOs including WCPFC. In combination these measures provide the tools that demonstrates the ability to enforce management measures as prescribed through the WCPFC CMMs. Further, the annual TCC reports reflect the status of fishery compliance in the WCPFC and the extent to which CCMs report and comply. The TCC reports each year comprehensively identify member compliance (or non-compliance).

## National:

The New Zealand government has a sophisticated fishery outreach programme of informed and assisted compliance, in which Enforcement agents work with the industry in a proactive way to ensure understanding of regulations and to prevent infractions.

In combination with at-sea and air surveillance supported by the New Zealand joint forces, vessel activity can be monitored and verified to ensure compliance with regulations and with industry-agreed codes of practice. The high level of surveillance ensures that a low number of violations results from compliance, and not just from lack of coverage.

## The following evidence indicates SG100 is not met:

# Regional:

All vessels are required to use VMS for fishing for highly migratory species in the WCPO south of 20°N and east of 175°E and install an ALC. Boarding and inspecting of vessels is routinely conducted throughout the Convention Area (CMM 2006-08) and an IUU vessel list is maintained (WCPFC 2020). However, the lack of transparency around infractions and surveillance and enforcement activities is known to undermine evaluation of compliance (Medley et al. 2021).

# National:

The large number of small vessels involved in this fishery complicates monitoring and observer coverage is low. The fishery is not under the New Zealand QMS.

# SG60 and SG 80 are met but not SG100.

	Sanction	ns		
b	Guide post	Sanctions to deal with non- compliance exist and there is some evidence that they are applied.	Sanctions to deal with non- compliance exist, <b>are</b> <b>consistently applied</b> and thought to provide effective deterrence.	Sanctions to deal with non- compliance exist, are consistently applied and demonstrably provide effective deterrence.
	Met?	Yes	Yes	No
Ration	ale			

## The following evidence indicates SG 60 is met:

# Regional:

WCPFC-Conservation measures are set by WCPFC, but enforcement is carried out by the national authorities. The blacklisting of non-member vessels (IUU lists) has become a widespread practice among all RFMOs including WCPFC. Sanctions are only applied to fishing entities, such as IUU vessels and vessels that are detected as being non-compliant with resolutions. WCPFC notifies Flag States of non-compliant vessels, which the Flag States should order to withdraw from Commission Area. These sanctions appear to be applied consistently.

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#### National:

At the national level, under the Fisheries Act (1996), in proceedings for an offence against this Act it is not necessary for the prosecution to prove that the defendant intended to commit the offence; rather, the defendant must show the contravention was due to the act or default of another person, to an accident or to some other cause beyond the defendant's control; and the defendant took reasonable precautions and exercised due diligence to avoid the contravention. Upon conviction, the Fisheries Act allows for sanctions that may include prison time, fines from \$250 to \$500,000, forfeiture of quota, vessels, and other property. The industry, with its investment in the fishery through comanagement, has a strong incentive to maintain its cooperative role through compliance with legal requirements.

# The following evidence indicates SG 80 is met:

## Regional:

On the whole, sanctions appear to be applied among countries consistent with their involvement in WCPFC. IUU fishing continues to be a problem, although tightening of Port State Controls and implementing a Catch Documentation Scheme should further reduce this problem.

Sanctions to deal with non-compliance certainly exist and there is evidence that they are applied, meeting SG80. Further evidence of sanctions will be needed in particular cases, as sanctions are enforced by the flag state. Limited evidence suggests that sanctions are probably an effective deterrent.

### National:

The Fisheries Act 1996 allows for sanctions that may include prison time, fines from \$250 to \$500,000, forfeiture of quota, vessels, and other property. The industry, with its investment in the fishery through co-management, has a strong incentive to maintain its cooperative role through compliance with legal requirements.

# The following evidence indicates SG 100 is not met:

# Regional:

There is little evidence to demonstrate the consistent application of sanctions and effectiveness. Sanctions to deal with non-compliance exist. SG 100 is not met.

## National:

There is evidence including recent court cases that have imposed heavy penalties on fishers and fishing companies. There have been no instances in the SP ALB fishery. SG 100 is met nationally.

Sanctions to deal with non-compliance exist, are consistently applied and thought to provide effective deterrence. Are consistently applied and thought to provide effective deterrence both regionally and nationally. **SG 60 and SG 80 are met but SG 100 is not met at regional level.** 

С	Guide post	Fishers are generally thought to comply with the management system for the fishery under assessment, including, when required, providing information of importance to the effective management of the fishery.	Some evidence exists to demonstrate fishers comply with the management system under assessment, including, when required, providing information of importance to the effective management of the fishery.	There is a <b>high degree of confidence</b> that fishers comply with the management system under assessment, including, providing information of importance to the effective management of the fishery.
	Met?	Yes	Yes	No
Rationale				

# The following evidence indicates SG 60 is met:

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## Regional:

WCPFC CMS review demonstrates that management regulations are generally complied with by fishers. There are no compliance issues relating to the troll fishery that have been identified by the Commission. The fishery's practice is being generally simple and considered as an environmentally friendly method by the New Zealand government, and there is little incentive for non-compliance from the fishers.

#### National:

The industry complies with reporting requirements, traceable documentation, effective surveillance, catch documentation audits, and checks against past catch.

# The following evidence indicates SG 80 is met:

## Regional:

The evidence to meet 80 at the regional level is that he WCPFC has a permanent working group on compliance that reviews and monitors compliance with WCPFC management measures. The working group also recommends measures to promote compatibility among the national fisheries management measures, addressing matters related to compliance with fisheries management measures, analyse information on compliance and report the findings to the WCPFC, which will in turn inform the members and non-members. An annual report is produced as part of the compliance review, which reports observed infringements. There are no compliance issues relating to the troll fishery identified by the Commission.

## National:

The Ministry has a sophisticated fishery outreach programme of informed and assisted compliance, in which Enforcement agents work with the industry in a proactive way to ensure understanding of regulations and to prevent infractions. MPI uses 'informed and assisted compliance' help minimize infractions. Evidence exists that fishers comply with the management system, and they provide information of importance such as fishery permits, logbooks, catch records, cooperation with fishery cooperatives of the fishery under assessment to the authorities, thus meeting both SG60 and SG80.

## The following evidence indicates SG 100 is not met:

SG60 and SG80 are met but it cannot be said that "there is a high degree of confidence" at the regional level so SG100 is not met.

	Systematic non-compliance				
d	Guide post	There is no evidence of systematic non-compliance.			
	Met?	Yes			
Ration	Rationale				

# The following evidence indicates SG 80 is met:

# Regional:

There is no evidence of systematic non-compliance. Non-compliance with conservation measures appears mostly opportunistic or possibly down to ignorance of the resolutions and/or the lack of sanctions. Non-compliance is not systematic and does not threaten the sustainability of the fishery, there having been a significant reduction in noncompliance over the last decade (Medley et al. 2021).

National:

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There is no evidence of systematic non-compliance in the fishery. The troll fishery also does not come with much incentive for non-compliance, because of the gear and methods used for fishing. Catch documents, logbooks and VMS are reviewed at the time of license renewal. There have been no serious cases reported non-compliance concerning the fishery under assessment.

There is no evidence of systematic non-compliance, so SG80 is met.

#### References

CMM 2006-08 [Western and Central Pacific Fisheries Commission Boarding and Inspection Procedures]

CMM 2015-07 [Compliance and monitoring]

Fisheries Act 1996

Medley, P.A.H, Gascoigne, J., and Scarcella, G. 2021., version 8. An Evaluation of the Sustainability of Global Tuna Stocks Relative to Marine Stewardship Council Criteria Principles 1 and 3. International Seafood Sustainability Foundation, Washington, D.C., US.

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Overall Performance Indicator score	80
Condition number (if relevant)	N/A

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# PI 3.2.4 – Monitoring and management performance evaluation

PI 3.2.4		There is a system of monitoring and evaluating the performance of the fishery-specific management system against its objectives There is effective and timely review of the fishery-specific management system								
Scoring Issue		SG 60	SG 80	SG 100						
	Evaluati	on coverage								
A	Guide post	There are mechanisms in place to evaluate <b>some</b> parts of the fishery-specific management system.	There are mechanisms in place to evaluate <b>key</b> parts of the fishery-specific management system.	There are mechanisms in place to evaluate <b>all</b> parts of the fishery-specific management system.						
	Met?	Yes	Yes	No						
Ration	Rationale									

## The following evidence indicates SG 60 is met:

## Regional:

WCPFC has mechanisms in place to evaluate the management system through regular committee meetings and working groups where member countries need to report their performance to the Commission.

## National:

All aspects of FNZ's performance are evaluated in relation to their role in managing fisheries.

# The following evidence indicates SG80 is met:

# Regional:

The WCPFC Secretariat submits a report on compliance of members with the reporting provisions of the Commission Progress with implementation of CMMs is monitored through the reporting, and the members Annual Reports to the Commission. The compliance of requirements by each member has been monitored through Compliance Monitoring Scheme Review Panel. This covers key parts of the management system.

For this Scoring Issue the fishery-specific management system considered is the management arrangements developed and implemented by the WCPFC, as it is the body with overall responsibility for the sustainability and management of the target stocks, and the fishery impact on non-target species and the marine ecosystem. The WCPFC has well developed arrangements to provide a range of information to the Secretariat and Commission Members, these include the Scientific Committee, and the Technical and Compliance Committee. Both these committees are established by the Convention, which sets out the functions for each. Both have key roles to play in monitoring and evaluating key parts of the fishery-specific management system.

The Scientific Committee functions required it to, among other things:

- a. recommend a research plan
- b. review the assessments analyses, other work and recommendations prepared for the Commission by the scientific experts
- c. review the results of research and analyses of target stocks or non-target or associated or dependent species in the Convention area

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- d. report to the commission its findings or conclusions on the status of the target stocks or non target or associated or dependant species in the Convention area
- e. in consultation with the TC and CC recommend to the Commission the priorities, objectives of the regional observer programme
- f. make reports and recommendations on the conservation and management and research on target stocks or non target or associated or dependent species in the Convention area

#### The TCCs functions are to

- a. Provide the Commission with information technical advice and recommendations relating to the implementation of, and compliance with conservation and management measures
- b. Monitor and review compliance with conservation and management measures adopted by the commission and make recommendations as necessary
- c. Review the implementation of cooperative measures for monitoring, control and surveillance and enforcement adopted by the Commission and make such recommendations as necessary

#### National:

Areas of fishery-specific management system that are evaluated include:

- compliance services, including education, enforcement and prosecution
- observer services
- purchasing research and registry services
- providing oversight and quality assurance of scientific research
- collecting catch effort, area, method and other fisheries information
- monitoring delivery of contracted and devolved fisheries registry services and
- Discharging the Crown's obligations under the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, the Maori Fisheries Act 2004 and the Maori Commercial Aquaculture Claims Settlement Act 2004.

# The following evidence indicates SG 100 is met/not met:

# Regional:

Although there are mechanisms to evaluate key parts of the fishery specific management system not all parts are being evaluated

## National:

The annual review for Highly Migratory species 2021 (FNZ 2021b) provides a record of the annual reviews of fisheries. This contains progress against key focus areas and business as usual tasks, and summary of key indicators for the fishing year.

**SG 60 and SG80 are met at** both regional and national level however it is difficult to say that <u>all</u> parts of the fishery-specific management system are evaluated at regional level so **SG100 is not met.** 

	Internal and/or external review								
b	Guide post	The fishery-specific management system is subject to <b>occasional internal</b> review.	The fishery-specific management system is subject to regular internal and occasional external review.	n is management system is subject to regular internal					
	Met?	Yes	Yes	No					
Rationale									

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# The following evidence indicates SG 60 is met:

# Regional:

WCPFC is subject to regular internal review as demonstrated by the various committees and working groups that meet regularly and report their findings to the Commission. The Compliance Monitoring Scheme (the CMS Scheme) was established by CMM 2010-03 with subsequent revision and improvements, to review members compliance with established CMMs. During 2019, a new CMM for the CMS Scheme was implemented and in 2020/21 CMM for the CMS Scheme (CMM 2019-06) will be implemented (WCPFC 2020).

### National:

At the national level, there are reviews to encompass all parts of the management system. Progress against the objectives in the National Fisheries Plan and the Annual Operational Plan is reviewed annually and reported in the Annual Review Report.

## The following evidence indicates SG 80 is met:

WCPFC is subject to regular internal review as demonstrated by the various committees and working groups that meet regularly and report their findings to the Commission.

In 2008 the Commission first agreed that an independent (external) performance review be undertaken which was completed in 2011. A schedule of responses and actions were developed in response to recommendations of the review, and these were considered by WCPFC in 2012.

Another recent Independent Review of the Commission's Transitional Science Structure and Function suggested periodic external review of the stock assessments. This has also been adopted by the WCPFC.

#### National:

At the national level there are reviews to encompass all parts of the management system. Progress against the objectives in the National Fisheries Plan and the Annual Operational Plan is reviewed annually and reported in the Annual Review Report. FNZ conducts an extensive review of performance of the fisheries that incorporates consultations with industry and other stake holders. Parts of the management system, specifically science and enforcement, undergo external review.

# The following evidence indicates SG 100 is not met:

# Regional:

To be able to meet SG100 the internal and external reviews need to be regular, which up until this point in time have been ad hoc.

## National:

Although the internal review is very comprehensive and parties external to FNZ participate evidence of regular external review has not been provided, thereby precluding the SG100.

The SG60 and SG80 are met but, as there is no regular external review, SG100 is not met.

### References

FNZ. 2021b. Annual Review Report for Highly Migratory Species 2020/21. Fisheries New Zealand Technical Paper No: 2021/01. <a href="https://www.mpi.govt.nz/dmsdocument/47572-Annual-review-report-for-highly-migratory-species-fisheries-202021">https://www.mpi.govt.nz/dmsdocument/47572-Annual-review-report-for-highly-migratory-species-fisheries-202021</a>.

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Overall Performance Indicator score	80
Condition number (if relevant)	N/A

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CMM 2015-03 [Record of vessels]

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CMM 2018-01 [Conservation management measures for BET, YFY and SKJ]

CMM 2019-06 [Conservation and Management Measure for Compliance Monitoring Scheme]

CMM 2019-07 [Conservation and Management Measure to establish a list of vessels presumed to have carried out Illegal, Unreported and Unregulated Fishing Activities in the WCPO]

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Marine Mammals Protection Act 1978

Marine Reserves Act 1971

Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 No 121

Wildlife Act 1953

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# 9 Appendices

# 9.1 Assessment information

# 9.1.1 Previous assessments

The New Zealand SP ALB troll fishery was MSC certified in May 2011. There were three conditions to this certification. The fishery has completed all four of the required surveillance audits. The fishery entered re-assessment and announced its participation in the harmonisation pilot on 18<sup>th</sup> February 2016. This delayed entering the re-assessment process due to ongoing discussions regarding the harmonisation of tuna fisheries in the Western and Central Pacific, before being re-certified in January 2017 with two conditions. After discussions with other CABs involved in WCPC albacore fisheries, a further condition was added at the first surveillance audit.

Table 14. Summary of previous assessment conditions.

Condition	PI(s)	Year closed	Justification
1: SI a) By the fourth surveillance audit, demonstrate that the harvest strategy for albacore tuna is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving stock management objectives reflected in PI 1.1.1 SG80.	1.2.1	Not closed	As with other tuna species, there have been delays and amendments to the CMM 2014-06 workplan. The 2019 Commission meeting agreed further changes to the harvest strategy work plan to accommodate "the need for additional work and time to explore and develop the details and practical implementation aspects of the multispecies framework covering all four tuna stocks" (WCPFC, 2019). The workplan changes involve delays in the adoption of a management procedure for SP ALB by one year to 2022 (because of a clash in 2021 with an updated albacore assessment that may also necessitate an update to the MSE operating model), as well as a potential update of the interim TRP in accordance with the approach adopted by WCPFC15 (WCPFC, 2018).
2: SI a) By the fourth surveillance audit, demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY.  SI b) By the fourth surveillance audit, provide evidence that the HCRs are likely to be robust to the main uncertainties.		Not closed	Overall, at present although a generally understood HCR is in place, no well-defined HCRs are in place. Under CMM 2014-06 there is an established workplan and agreed timetable for the adoption of well-defined harvest control rules, with an agreement to adopt an HCR. The process is therefore underway although some delays have been evident in the past.  As there is no formal HCR it cannot be robust to the main uncertainties.  A well-defined HCR is being developed under CMM 2014-06. An interim limit and

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SI c) By the fourth surveillance audit, demonstrate that available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.			target reference point has been agreed, and HCRs will be evaluated for the main sources of uncertainty using Management Strategy Evaluation (MSE) (see WCPFC, 2018).
3: SI (b). By the fourth surveillance audit (considering the updated South Pacific albacore stock assessment due in 2018 and consequent management advice) demonstrate that WCPFC decision-making processes have responded to the albacore catch rate issue by putting in place an appropriate harvest strategy or other suitable management measures. (Score 75).	3.2.2	Closed on 3 <sup>rd</sup> surveillance audit (August 2020)	This condition was raised due to WCPFC's lack of responsiveness to declining catch rates (particularly for the longline sector).  WCPFC decision-making processes allow for appropriate consideration of serious and important issues through its committees (SC and TCC) and at the Commission itself. The WCPFC responds to these issues through CMMs and Resolutions and these provide transparent responses to scientific, technical, social, and cultural issues. Stock assessments and studies presented at the SC identify serious issues, such as overfishing of bigeye tuna from 2011 – 2017, at the regional level, using an older assessment model and life history parameters. However, since SC14 (2018), an updated assessment has determined this stock to no longer have an overfished status, nor is overfishing occurring. These determinations were reaffirmed at WCPFC-SC (2019). These issues are now being addressed through agreed CMM 2018-01 for example. The system allows Commission members to be fully informed of the issues under consideration and enables participation in informed decision-making. The Commission decision-making is transparent, and transparency is a requirement of the Convention (Article 21).

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# 9.2 Evaluation processes and techniques

## 9.2.1 Site visits

The 2<sup>nd</sup> reassessment was announced on the MSC website (November 2021) and stakeholders were identified by the client and also by LRQA, using stakeholder list from other MSC assessments within the region. Stakeholders were contacted directly by LRQA. The ACDR was published on 5<sup>th</sup> November 2021.

A site visit took place remotely (due to Covid-19 and in line with the Covid-19 derogation issued by the MSC) in the week commencing 6<sup>th</sup> December 2021.

The client attendees were Doug Loder, representing the Tuna Management Association and Rob Tilney representing the client. The CAB representatives were Jo Akroyd, team leader and P3 expert and Kevin McLoughlin, P1 and P2 expert. The FNZ Highly Migratory Species management team indicated they were unavailable during the week commencing 6<sup>th</sup> Dec but were available the following week for consultation as might be required. The assessment team were able to obtain all necessary information via the client representative rather than following up with the FNZ team.

The itinerary included an Opening Meeting. Discussion on all matters relating to client fishery operations and Management. P1 issues discussed included progress with the WCPFC harvest strategy workplan and New Zealand involvement in WCPFC and FNZ support. In addition to discussing information provided in relation to P2, there was discussion of available information on there being no shark finning in the fishery. The P3 emphasis was on decision making and compliance. Any potential changes in traceability were discussed. The site visit concluded with a Closing Meeting.

# 9.2.2 Stakeholder participation

A total of 41 stakeholder organisations and individuals having relevant interest in the reassessment were identified and notified, via e-mail, of the reassessment process. This highlighted the potential process for engagement in the assessment, if desired. In addition, the interest of others not appearing on this list was solicited through the postings on the MSC website.

No interested stakeholders attended this meeting however the fisheries agency, Fisheries New Zealand were available if needed.

# 9.2.3 Evaluation techniques

## 1. Public Announcements

The re-assessment was publicly announced on the 5<sup>th</sup> of November 2021 at the MSC website as well as sent by email in the MSC Fishery Announcements newsletter to all registered recipients. The announcement was also distributed to all LRQA stakeholders via the LRQA Mailchimp system (see Section 9.2.2). This was also the method used for consultation on subsequent steps (e.g., announcement of peer reviewers, new UoA, etc.). See Section 9.2.2 for a list of all consultations that took place at different stages along the process. At this time, LRQA also announced the assessment site visit dates and location, as well as the assessment team. This was done according to the process requirements in MSC's Fisheries Certification Process v2.2, and in the MSC Fisheries Standard v2.0/2.01. Together, these media presented the announcement to a wide audience representing industry, agencies, and other stakeholders. Meetings and conference calls held during the site visit constituted the main tool in guaranteeing the participation of relevant stakeholders.

#### 2. Information gathering

The assessment team reviewed documents sent by the client ahead of the onsite visit (catch data, logbooks, and other relevant documents generated after landing, country-specific (New Zealand) fisheries and environmental regulations, science and advice reports and other scientific publications). See section 8 for a detailed list of references used. Discussions with the clients and management agencies centred on the content within the provided documentation. In cases where relevant documentation was not provided in advance of the meeting, it was requested by the assessment

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team and subsequently supplied during, or shortly after the meeting. The assessment team and the clients set up meetings with the relevant stakeholders during the site visit, as per MSC FCP v2.2, Section 7.16.

## 3. Scoring

Scoring was performed according to the procedure established in Certification Requirement 7.10 (MSC FCR v2.01). In the Fisheries Standard v2.01 default assessment tree used for this assessment, the MSC has 28 PIs, six in Principle 1, 15 in Principle 2, and seven in Principle 3. The PIs are grouped in each principle by 'component.' Principle 1 has two components, Principle 2 has five, and Principle 3 has two. Each PI consists of one or more 'scoring issues;' a scoring issue is a specific topic for evaluation. 'Scoring Guideposts' define the requirements for meeting each scoring issue at the 60 (conditional pass), 80 (full pass), and 100 (state of the art) levels.

Note that some scoring issues may not have a scoring guidepost at each of the 60, 80, and 100 levels; in the case of the example above, scoring issue (b) does not have a scoring issue at the SG60 level. The scoring issues and scoring guideposts are cumulative; this means that a PI is scored first at the SG60 levels. If not all of the SG scoring issues meet the 60 requirements, the fishery fails, and no further scoring occurs. If all of the SG60 scoring issues are met, the fishery meets the 60 level, and the scoring moves to SG80 scoring issues. If no scoring issues meet the requirements at the SG80 level, the fishery receives a score of 60. As the fishery meets increasing numbers of SG80 scoring issues, the score increases above 60 in proportion to the number of scoring issues met; PI scoring occurs at 5-point intervals. If the fishery meets half the scoring issues at the 80 level, the PI would score 70; if it meets a quarter, then it would score 65; and it would score 75 by meeting three-quarters of the scoring issues. If the fishery meets all of the SG80 scoring issues, the scoring moves to the SG100 level. Scoring at the SG100 level follows the same pattern as for SG80. Principle scores result from averaging the scores within each component, and then from averaging the component scores within each Principle. If a Principle averages less than 80, the fishery fails. Scoring for this fishery followed a consensus process in which the assessment team discussed the information available for evaluating PIs to develop a broad opinion of performance of the fishery against each PI. Review of sections 7.3.6, 7.2.5 and 7.4.11 by all team members assured that the assessment team was aware of the issues for each PI.

The assessment team held preliminary scoring meetings along the site visit where the Performance Indicators of the fishery were evaluated jointly by the team in order to assess whether there were still information needs to be communicated to the client. After the site visit, each team member was assigned their relevant section in the report to complete before proceeding to a joint evaluation of every PI and the pertaining scoring systems and rationales through scoring meetings which took place via conference calls. Team members are responsible for completely their relevant scoring tables and providing a provisional score. The necessary harmonisation procedure was already described in section 9.5. PI scores were entered into MSC's Fishery Assessment Scoring Worksheet (Section 7.1) to arrive at Principle level scores.

The team agrees that none of the scoring issues assessed for the New Zealand albacore tuna troll fishery fails to meet at the SG60 level, and a weighted average score of 80 or more was achieved for each of the 3 MSC Principles. Scores allocated to the default performance indicators are summarised in Section 7.1.

### 4. Scoring elements

A complete list of the different scoring elements as used in the scoring tables is presented below in Table 15.

Table 15. List of all scoring elements as used in scoring tables in 7.3.

Component	Scoring elements	Designation	Data-deficient
Primary	<u>See</u> Table 12 Skipjack tuna	Minor	Some, although no RBF applied

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	Bigeye tuna Southern bluefin tuna Kahawai Yellowfin tuna Kingfish Shortfin mako Gemfish Ray's bream Barracouta Swordfish Arrow squid Hapuku & Bass Tarakihi Gurnard Ling School shark Rig		
Secondary	See Table 12 Shortsnouted lancetfish Dolphinfish Slender tuna Butterfly tuna Oilfish Squid Slender roughy	Minor	Some, although no RBF applied
ETP	Seabirds	N/A	No
Habitats	Water column	Commonly encountered	No

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MSC FCP v2.2 Reporting Template v1.2 LRQA 16112021



# 9.3 Peer Review reports

# 9.3.1 Peer Reviewer A

# 1.1.1.1 CPRDR - General comments

Question	Yes/No	Peer Reviewer Justification (as given at initial Peer Review stage). Peer Reviewers should provide brief explanations for their 'Yes' or 'No' answers in this table, summarising the detailed comments made in the PI and RBF tables.	CAB Response to Peer Reviewer's comments (as included in the Public Comment Draft Report - PCDR)		
Is the scoring of the fishery consistent with the MSC standard, and clearly based on the evidence presented in the assessment report?	Yes	The PI scores are straightforward and consistent with previous and harmonized certifications. But it remains that Conditions on 1.2.1. and 1.2.2. (HS's and HCR's) remain after many years. Additiuojnally, the report intimates the need for immediate (year 2022) action to address the Interim TRP as well as actually implement HSs and HCRs by June 2023. P2 scores are consistent, as this (and other) albacore troll fisheries, are quite targeted with limited untargeted catch. I agree with these scores I agree with P3 scores but feel that the fishery-specific objectives needs additional justification.	core troll d catch. I agree		
Are the condition(s) raised appropriately written to achieve the SG80 outcome within the specified timeframe? [Reference: FCP v2.2, 7.18.1 and sub-clauses]	Yes	The Conditions are appropriately written. But I would emphasize the limited time horizon available to achieve 1.2.1 and 1.2.2 as I have mentioned above and in the PI comments for 1.2.1 and 3.2.1	Comments noted. The time constraints for closing of harvest strategy conditions are acknowledged in the draft report. Further responses have been made in the PI comment sheet.		

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Enhanced fisheries only: Does the report clearly evaluate any additional impacts that might arise from enhancement activities?	NA		
Optional: General Comments on the Peer Review Draft Report (including comments on the adequacy of the background information if necessary). Add extra rows if needed below, including the codes in Columns A-C.	NA	The draft report is straightforward and well written. I hope my comments will be helpful in improving the report and in informing the client.	Noted. Thank you for your comments.

# 2.1.1.1 CPRDR - PI comments

UoA stock	UoA gear	PI	PI Information	PI Scoring	PI Condition	Peer Reviewer Justification (as given at initial Peer Review stage)	CAB Response to Peer Reviewer's comments (as included in the Public Comment Draft Report - PCDR)	CAB Response
South Pacific Albacore	Troll	1.1.1	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	1.1.2	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)

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South Pacific Albacore	Troll	1.2.1	Yes	Yes	Yes	The lack of an HS (1.2.1.) and HCR (1.2.2.) is a consistent outcome of the WCPFC tuna certifications and I agree with the scoring here and with the harmonization process. This report outlines the ongoing process to achieve these SG's by the (now) June 2023 deadline. However, under the justification for 1.2.1.a. (Page 34) there are the statements: "The workplan changes involve delays in the adoption of a management procedure for SP ALB by one year to 2022 (because of a clash in 2021 with an updated albacore assessment that may also necessitate an update to the MSE operating model), as well as a potential update of the interim TRP in accordance with the approach adopted by WCPFC15 (WCPFC, 2018; Attachment H). WCPFC16 agreed to reinvigorate the SP ALB Roadmap Intersessional Working Group in 2020 (WCPFC, 2019). The Group met virtually in November 2020, with the major agenda item being to examine progress on alternative catch pathways to achieve the interim TRP (WCPFC-IWG, 2020). A summary of the outcomes of the meeting provided to WCPFC17, indicated that discussions are ongoing in relation to possible amendments to CMM 2015-02 or introducing a new CMM, which will be a comprehensive measure to address all occurrence of the species (in EEZs and the high seas; and including the entire area south of the equator, including the IATTC Convention Area). "It is unclear to me which assessment is being referred to and what the "clash" is. The report noted earlier that a stock assessment was completed subsequent to the drafting of this report but that it had not been reviewed by the Commission. I took the liberty to look at the SC's 2021 SPAC ALB assessment and noted that the results do NOT indicate	Thank you for your comments. There was an updated stock assessment in 2021 and the reason for the delay indicated is due to the need to consider this assessment in developing the harvest strategy. As indicated by the peer reviewer, the updated stock assessment has not been considered in this appraisal due to it not having been reviewed by the Commission at the time of writing. This has now occurred and the 2021 assessment is accepted as the latest assessement of the stock. MSC assessors commenced harmonisation discussion on this assessment in March 2022 and its potential impact on the scoring of the UoA. Further harmonisation discussion is planned for April 2022. The outcome of this harmonisation will be considered at the 1st surveillance audit if and when the fishery is recertified.	Accepted (no score change, additional evidence presented)

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that the overall status has changed (not overfished, not overefishing). But it does indicate that the biomass has declined continuously since the previous assessment and that the current level is below the Interim target reference point of 0.56. Admittedly, that reference point is not equivalent to BMSY type references, but it IS the target on record. So, I have interpreted the above quote as the requirement to address a new TRP and/or to implement actions (HCRs) to achieve the TRP during this year (2022). If the Commission does not address this, then when the CAB addresses this during their 1st surveillance (assuming the fishery is certified), they will be hard-pressed to justify that an HS exists even at the SG 60 level. Food for thought.

In any case I agree with the current scoring and I believe that the Condition as written is appropriate. But the timeline to establish an HS and HCR and a TRP is short, indeed.

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South Pacific Albacore	Troll	1.2.2	Yes	Yes	Yes	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	1.2.3	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	1.2.4	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	2.1.1	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	2.1.2	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	2.1.3	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	2.2.1	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	2.2.2	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)

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South Pacific Albacore	Troll	2.2.3	Yes	Yes	NA	scoring agreed I understand that the information requirement scores for 2.2.3.b and c are default due to the definition of the lack of secondary species in this fishery. However, in the executive summary, the lack of observer coverage is highlighted as a weakness. I would advise that some argument be included here or elswhere in the report to comment on the likley impact of the lack of observation.	The low level of observer coverage of the fishery is an ongoing issue and was raised by a stakeholder at the ACDR stage of the report. The response to that comment is appropriate here:  "Due to the very low environmental risk associated with this fishery, MPI has not prioritised the fishery for onboard observer coverage. There is a high level of port monitoring. A recommendation was made at the 2017 re-certification of the fishery that consideration should be given to ongoing observer coverage of the fishery. Observer coverage continues to be allocated on an opportunistic basis. A total of 58 days coverage were achieved in the 2019/20 fishing year, approximately 1.2% of the fishing days. Whilst it is desirable that there be a higher level of ongoing observer coverage, given the low environmental risk and ongoing port monitoring, the assessors believe the opportunistic allocation of observer days is adequate."	Not accepted (no change)
South Pacific Albacore	Troll	2.3.1	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)

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South Pacific Albacore	Troll	2.3.2	Yes	Yes	NA	scoring agreed No response required.		NA (No response needed)
South Pacific Albacore	Troll	2.3.3	Yes	Yes	NA	scoring agreed No response required.		NA (No response needed)
South Pacific Albacore	Troll	2.4.1	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	2.4.2	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	2.4.3	Yes	Yes	NA	scoring agreed No response required.		NA (No response needed)
South Pacific Albacore	Troll	2.5.1	Yes	Yes	NA	scoring agreed No response required.		NA (No response needed)
South Pacific Albacore	Troll	2.5.2	Yes	Yes	NA	scoring agreed No response required.		NA (No response needed)
South Pacific Albacore	Troll	2.5.3	Yes	Yes	NA	scoring agreed No response required.		NA (No response needed)
South Pacific Albacore	Troll	3.1.1	Yes	Yes	NA	scoring agreed No response required.		NA (No response needed)
South Pacific Albacore	Troll	3.1.2	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)

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South Pacific Albacore	Troll	3.1.3	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	3.2.1	Yes	No (scoring implications unknown)	NA	3.2.1.a I am not convinced that the WCPFC's record in establishing a TRP and thus a HS are sufficient to allow an SG80 for this. I noted in my comments to 1.2.1 that the report intimates that even the interim TRP is in jeopardy unless action is taken in 2022.	The need for a condition at P3 in relation to this issue and the need for further management action for SP ALB has been a matter of discussion by CABs in the harmonisation process. Conditions are in place for Pis 1.2.1 and 1.2.2. The delays in meeting these harvest strategy conditions at the WCPFC level are discussed in the report. Closing these conditions and adopting an appropriate harvest strategy is an ongoing high priority matter for WCPFC and the New Zealand Government has provided strong support on the issue. Pl 3.2.1 is about Fishery specific objectives and the team believes that TRPs and HS is better dealt with under 1.2.1 and 1.2.2.	Not accepted (no change)
South Pacific Albacore	Troll	3.2.2	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	3.2.3	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)
South Pacific Albacore	Troll	3.2.4	Yes	Yes	NA	scoring agreed	No response required.	NA (No response needed)

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# 9.3.2 Peer Reviewer B

# 3.1.1.1 CPRDR – General comments

Question	Yes/No	Peer Reviewer Justification (as given at initial Peer Review stage). Peer Reviewers should provide brief explanations for their 'Yes' or 'No' answers in this table, summarising the detailed comments made in the PI and RBF tables.	CAB Response to Peer Reviewer's comments (as included in the Public Comment Draft Report - PCDR)
Is the scoring of the fishery consistent with the MSC standard, and clearly based on the evidence presented in the assessment report?	Yes	Overall, the Report provided detailed information for the fishery and assessment process. The background information provided was helpful to score the peformance indicators/scoring issues. The rationales for justifying each scoring issue were generally clear and conclusion were sound. Probably because this fishery has been certified before, the text of many rationales were really brief.  There were several scoring issues for which I think the team will need to provide more information or analysis for the Rationale, although the score may not be significantly changed. The obvious weakness of the fishery was probably lack of observer coverage. However, from my point of view, mornitoring solutions by other program such as logbook and port inpection can be an alternative. The assessment team and client group can work on improving the comments I raised (see the PI comment tables).	Comments noted. Refer PI sheet for more information

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Are the condition(s) raised appropriately written to achieve the SG80 outcome within the specified timeframe? [Reference: FCP v2.2, 7.18.1 and sub-clauses]	Yes	All the conditions raised were appropriately written and milestones were measurable toward achieving the SG80.	Comment noted.
Enhanced fisheries only: Does the report clearly evaluate any additional impacts that might arise from enhancement activities?	NA		
Optional: General Comments on the Peer Review Draft Report (including comments on the adequacy of the background information if necessary). Add extra rows if needed below, including the codes in Columns A-C.	NA		

# 4.1.1.1 CPRDR - PI comments

UoA stock	UoA gear	PI	PI Information	PI Scoring	PI Condition	Peer Reviewer Justification (as given at initial Peer Review stage)	CAB Response to Peer Reviewer's comments (as included in the Public Comment Draft Report - PCDR)	CAB Res- ponse Code
South Pacific albacore	Troll	1.1.1	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)

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South Pacific albacore	Troll	1.1.2	NA (PI not scored)	NA (PI not scored)	NA	Scoring not required.	No response required.	NA (No response needed)
South Pacific albacore	Troll	1.2.1	Yes	Yes	Yes	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	1.2.2	Yes	Yes	Yes	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	1.2.3	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	1.2.4	Yes	No (score increase expected)	NA	SI(a): Score: The assessment model structure assumed that SP ALB in the east of 130 degree W was a separate stock and not included in the modelling, however this should not be a major influence from the point of view of the assessment. When leave the eastern part catch of the population out, the stock assessemt model implicitly just estimated the vulnuable biomass of the western part within the WCPF area. There may need to be a consideration of movement between the west and east boundary. But based on the practice of assumption in WCPFC assessment, the	Thank you for your comment. An updated stock assessment was completed in 2021 but the timeline of WCPFC review processes did not allow for consideration of that assessment in this report. This stock assessment does include consideration of SP ALB east of 130 degrees W. Harmonisation discussion between assessors on the potential impact of this updated assessment on the scoring commenced in March 2022. The assessors consider it is appropriate to maintain the current score at this stage.	Not accepted (no change)

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						ignorance of movement should not be a major influnece (such an assumption also made in other species such as BET, YFT). So I think we can believe that the current assessment took into account the major features relevant to the biology of the species.		
South Pacific albacore	Troll	2.1.1	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.1.2	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.1.3	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.2.1	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.2.2	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.2.3	Yes	No (non- material score reduction expected)	NA	SI(c): Score: As section 7.3.3 pointed out Stock status information is typically not available for secondary species, I wonder why in the Rationale it was concluded that "Ongoing information collection is adequate to assess potential	The assessors believe this scoring issue potentially meets SG100 requirements due to the very low catches of these species. Any impacts will be minor. Detailed logbook and port monitoring information is available, supported by periodic observer coverage. However, it is acknowledged that a higher level of observer coverage is required to	Accepted (non- material score reduction)

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						catches of these species and the impacts of these catches". Assessing the potential impact without evaluating the stock status is likely not adequate. Therefore from my point of view, SG100 was probably not met.	provide a high degree of certainty. The rationale has been ameneded and the score reduced.	
South Pacific albacore	Troll	2.3.1	No (non- material score reduction expected)	No (non- material score reduction expected)	NA	SI(b): Rationale: It was stated that "There were 58 days of observer coverage in 2019-20.". which I believe the expression of coverage as a percentage would be more easily understood. Also, it seemed the 58 days observation by the UoA boats was a very low percentage. If the rationale is only based on the observer coverage, SG100 is likley not met, bearing in mind three seabirds being captured in the 2019-20 fishing season (and without indication of the post release survival status).	Table 13 of the report indicates the 2019-20 observer coverage of 58 days represented 1.2% of effort. This low level of observer coverage is acknowledged. Due to the very low environmental risk associated with this fishery, MPI has not prioritised the fishery for on-board observer coverage. Although the assessors would like to see higher coverage, at least in some years, it is concluded that the current approach is opportunistic allocation of observer days adequate. An analysis of risk posed by fisheries to seabirds indicates that there is zero risk posed by the troll fishery (AEBAR, 2020).	Not accepted (no change)
South Pacific albacore	Troll	2.3.2	No (non- material score reduction expected)	No (non- material score reduction expected)	NA	SI(a): Rationale: It was stated that this scoreing issue was not assessed due to "There are no national or international requirements relevant to the UoA that set limits on ETP species.". However, Guide post for this scoring issue does not	Sla refers to requirements rather than limits. The guidance indicates scoring of either Sla or Slb. The assessors believe assessment of Slb is appropriate.	Not accepted (no change)

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						say Limit. Without setting a limit does not mean this issue needs not be assessed. A management strategy could include many elements (e.g. mornitoring, mitigation measures).		
South Pacific albacore	Troll	2.3.2	No (non- material score reduction expected)	No (non- material score reduction expected)	NA	SI(b): Scoring: SG100 requires There is a comprehensive strategy in place. However, very low observer coverage would be a weakness that indicated the strategy was less comprehansive. Having said that, if other data collection scheme such as 100% logbook is implemented to mornitor the bycatch of EPT species, this score can be met.	The guidepost requirement is that the strategy ensures the UoA does not hinder the recovery of ETP species. Although the observer coverage is low and undertaken opportunistically due to the nature of the fishery, there is a requirement for 100% logbook returns, with laws requiring ETP interactions to be reported on MPI's Nonfish and Protected Species Catch Return. Given the low level of interaction and the monitoring and rules in place, the assessors believe the SG100 requirements are met.	NA (No response needed)
South Pacific albacore	Troll	2.3.3	No (non- material score reduction expected)	No (non- material score reduction expected)	NA	SI(a): Rationale: with low observer coverage, mornitoring with logbook (perferred with electronic mornitoring) would be a benefit to provide evidence that the UoA does not have negative consequences for ETP species. Therefore, in the retionale such an analysis with logbook scheme should be necessary.	As indicated in the report, available data supports that there is some quantitative information to assess UoA-related impacts. However, the assessors do agree that observer coverage should be increased to provide the high degree of certainty required here. The rationale and score have been amended.	Accepted (non- material score reduction)

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South Pacific albacore	Troll	2.3.3	No (non- material score reduction expected)	No (non- material score reduction expected)	NA	SI(b): Rationale: Again, the rationale did not show enough information to reflect a "comprehensive strategy".	The assessors believe there is a comprehensive strategy in place given the nature of the fishery and the information available. However, we agree that additional observer data (at least in some years) is required to provide a high degree of certainty the strategy is achieving its objectives. The rationale and scores have been amended.	Accepted (non- material score reduction)
South Pacific albacore	Troll	2.4.1	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.4.2	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.4.3	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.5.1	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.5.2	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	2.5.3	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	3.1.1	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)

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South Pacific albacore	Troll	3.1.2	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	3.1.3	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	3.2.1	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	3.2.2	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)
South Pacific albacore	Troll	3.2.3	No (change to rationale expected, not to scoring)	Yes	NA	SI(c): Rationale: With respect to "evidence" for meeting SG 80, I think there need to be some quantitative demonstration, e.g. on the regional level if there was no infraction it should be a zero non-compliance record given by relevant authority; also on the national level, it was pointed out that there was a few cases of non-compliance. Then some quantitative evidence will be more helpful to understand the compliance level.	In scoring 3.2.3c. The evidence to meet 80 at the regional level is that he WCPFC has a permanent working group on compliance that reviews and monitors compliance with WCPFC management measures. The working group also recommends measures to promote compatibility among the national fisheries management measures, addressing matters related to compliance with fisheries management measures, analyse information on compliance and report the findings to the WCPFC, which will in turn inform the members and nonmembers. An annual report is produced as part of the compliance review, which reports observed infringements. There are no compliance isues relating to the troll fishery identified by te Commisssion. At national level the few cases of non compliancew were in other fisheries not the	Accepted (no score change, change to rationale)

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							albacore troll fishery. Evidence exists that fishers comply with the management system, and they provide information of importance such as fishery permits, logbooks, catch records, cooperation with fishery cooperatives of the fishery under assessment to the authorities, thus meeting both SG60 and SG80.	
South Pacific albacore	Troll	3.2.4	Yes	Yes	NA	Scoring agreed.	No response required.	NA (No response needed)

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# 9.4 Stakeholder input

### 9.4.1 ACDR

Following the publication of the ACDR, a formal submission was received from the International Seafood Sustainability Foundation (ISSF). The ISSF is a global partnership among the tuna industry, science and WWF. The submission was received on 1<sup>st</sup> December 2021. The submission and team responses are shown below in Table 16. and Table 17.

Table 16. Pl Input (Standard v2.0).

Performance Indicator (PI)	Input summary	Input detail	Evidence or references	Stakeholder input code	CAB response to stakeholder input	CAB response code
		Medley et al. (2020	0)			
1.2.1 - Harvest strategy and 1.2.2 - HCR	HS advocacy actions in CAP	According to the ACDR, two conditions are open towards the adoption by WCPFC of a robust HS for Southern Pacific albacore.  The timeframes in the original WCPFC Harvest Strategy Work Plan have lapsed. The 2019 assessment of skipjack indicates that biomass has been below the target level for a decade and this needs to be managed through a Harvest Control Rule (HCR). The MSC established deadlines for harvest strategy (HS) and HCR (Principle 1) conditions, after which certifications will be suspended. In the WCPFC: HCRs must be adopted by June 2023 for southern albacore and by May 2024 for northern albacore.  ISSF asks the CAB to share with the client the following specific actions that, if included in the CAP, are expected to help meet the conditions in place:  1) Publicly support the high-level appeals for RFMOs developed by global NGOs that are participants in the NGO Tuna Forum.  In 2021 and 2022, companies will have the opportunity to engage in other direct RFMO advocacy tactics to demonstrate market support for specific tuna sustainability asks. NGO participants in the NGO Tuna Forum have been reaching out to market partners with these opportunities.  2) Continue to advocate for accelerated progress on the adoption and implementation of Harvest Strategies through WCPFC, such as through continued direct engagement with national delegations to WCPFC. The WCPO MSC Alignment Group is being reactivated in 2021, ISSF encourages the client fishery to continue to monitor the group for an opportunity to participate in the	- https://ngotunaforum.org/ - ISSF's WCPFC Position Statement 2021: https://www.iss-foundation.org/research-advocacy-recommendations/our-advocacy-efforts/position-statements/download-info/2021-wcpfc-position-statement/ - MSC fact sheet: https://www.msc.org/docs/default-source/default-document-library/stakeholders/western-central-pacific-tuna-factsheet-2021.pdf	Scoring implications unknown	We thank ISSF for their continued interest in the MSC certification process. The auditors note that the New Zealand Government delegation continues to provide strong support for progress at WCPFC on harvest strategies. Their activities are summarised in the audit report tables of progress against the conditions. This request for continued support will be forwarded to the client.  LRQA has shared the recommendations with the client for their consideration.	Accepted (no score change - additional evidence presented)

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Group once reactivated.

3) Continue to urge the delegation of New Zealand and of all other parties associated with the client fishery at WCPFC to take a strong public position on advancing harvest strategies, including HCR for albacore, as part of the deliberations WCPFC will undertake virtually this year and at future in-person meetings, including by making proposals for the development of harvest strategies including harvest control rules, and to underscore that the MSC has established hard deadlines for P1 conditions for certified tuna fisheries, which for Southern Pacific albacore HCR's is June 2023. If these deadlines are not met, the corresponding Southern Pacific albacore MSC certifications will be suspended.

The WCPFC has a harvest strategies Work Plan

(https://www.wcpfc.int/doc/wcpfc17-att-h/indicative-work-plan-adoption-harvest-strategies-under-cmm-2014-06). Meeting the deadlines in the WCPFC Harvest Strategy Work Plan for albacore stocks is necessary for MSC-certified fisheries to resolve existing conditions to maintain certification. In fact, it requires interim decisions to be passed by WCPFC in December 2021. The MSC has published a factsheet (https://www.msc.org/docs/default-source/default-document-library/stakeholders/western-central-pacific-tuna-factsheet-2021.pdf) that outlines this situation.

In particular, specifically, for 2021, advocate for the WCPFC to:

- Adopt a list of candidate management procedures for albacore.
- Establish a scientist/manager dialogue group and agree to hold its first meeting in 2022.
- 4) Have meetings, calls or other direct contact with all other relevant WCPFC delegations where the client fishery has business interests to advocate for the adoption of Harvest Strategies including HCR, management procedures for South Pacific albacore before June 2023.
- 5) Publicly support ISSF Position Statements that contain detailed asks on Harvest Strategies , Harvest Control Rules and Target Reference Points to the virtual sessions of the WCPFC in 2021, as well as future WCPFC in-person meetings, and document that support (e.g. by submitting a letter or some other communication citing the Position Statement).
- 6) The client fishery could provide further assistance to the ongoing efforts of ISSF, MSC, the NGO Tuna Forum to Support technical work of WCPFC/SPC

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as well as capacity workshops on Management Strategy Evaluation in the		
WCPO region so as to increase the leverage of WCPFC members for the		
discussion and adoption of robust Harvest Strategies.		

### **Table 17. General comments.**

General comments	Evidence or references	CAB response to stakeholder input	CAB Response Code
SP ALB STOCK ASSESSMENT Section 7.2.2 of the report (Stock assessment and information) states that "The latest stock assessment for SP ALB was undertaken in 2018", however, the last full assessment was conducted by SPC in 2021. This new assessment includes catches from the IATTC Convention Area, while the 2018 one did not cover most of the Eastern Pacific. Additionally, the 2021 assessment examined different axes of uncertainty than the one undertaken in 2018 (e.g. assumptions on movement and in recruitment distribution).  The next public version of the fishery assessment report (i.e. the PCDR) should be updated to reflect information from the 2021 stock assessment.	Castillo Jordán, C. et al. (2021) Stock assessment of South Pacific albacore tuna (3Aug) - Rev.02. WCPFC-SC17- 2021/SA-WP-02 (https://meetings.wcpfc.int/node/12551)	The auditors note that an updated assessment was presented to the Scientific Committee in August 2021. Harmonisation discussion was held with other CABs re the consideration of this assessment. Because the SC report was not finlaised until mid-November and at the time of writing the Commission had not had the opportunity to respond to the findings of the assessment, it was agreed that this updated stock assessment should not be considered at this stage. It has been agreed that further harmonisation discussion on the assessment should be undertaken in the first half of 2022 following finalisation of the Commission report.	Not accepted (no change)
OBSERVER DATA AVAILABLE While bycatch levels and ETP interactions are low in this fishery, we are concerned about the low level of observer coverage recorded in recent years and the lack of plans to keep this coverage at present ("No observer coverage is planned in 2020-21"). Some level of either human or electronic monitoring would allow for continued monitoring of interactions with Principle 2 species (or lack of) overtime, complementing information collected in logbooks.		Due to the very low environmental risk associated with this fishery, MPI has not prioritised the fishery for on-board observer coverage. There is a high level of port monitoring. A recommendation was made at the 2017 re-certification of the fishery that consideration should be given to ongoing observer coverage of the fishery. Observer coverage continues to be allocated on an opportunistic basis. A total of 58 days coverage were achieved in the 2019/20 fishing year, approximately 1.2% of the fishing days. Whilst it is desirable that there be a higher level of ongoing observer coverage, given the low environmental risk and ongoing port monitoring, the assessors believe the opportunistic allocation of observer days is adequate.	Not accepted (no change)
LETTER OF SUPPORT Include letter of support from national fisheries agency in Public Comment Draft Report: The ACDR states that the conditions for Pls 1.2.1 and 1.2.2 for Southern Pacific albacore are still open. Taking into account the national government's relevant role in the action plan for these conditions, ISSF is concerned that, without a letter of support from New Zealand's Ministry for Primary Industries (MPI), there is no clear expectation that the Client Action Plan will achieve its objectives. ISSF notes that a formal letter of support for the Action Plan from the MPI was		A letter of support will be sought. The assessors note that the FNZ Annual Operational Plan for Highly Migratory Species includes reference to this harvest strategy work and lists in the 2021/22 work plan for the HMS team that they "Advocate for the development of WCPFC harvest strategies for the four main tuna species" (FNZ 2021a).	Accepted (no score change - additional evidence presented)

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included in the previous assessment's reports and suggests a new letter is annexed to this assessment's PCDR.		
VESSEL LIST ISSF requests that a full list of vessels comprising the fishery under assessment shall be made available throughout all the stages and urges for it to be added in the next Public Comment Draft Report.	The number of vessels participating in the albacore troll fishery is variable from year-to-year as the albacore season is short and vessels are also active in other fisheries. The albacore troll fishery operates predominantly between December and March each year. All vessels issued with a fishing permit by the New Zealand Ministry for Primary Industries to catch albacore using troll gear are covered by the TMA's MSC certificate. A list of vessels participating in a particular year could be provided if required.	Accepted (no score change - additional evidence presented)

# 9.4.2 Stakeholder input at site visit

No stakeholders wished to attend the site visit and no verbal submissions were received.

# 9.4.3 Stakeholder input at PCDR

Following the publication of the PCDR, a formal submission with follow-up comments was received from the International Seafood Sustainability Foundation (ISSF). The ISSF is a global partnership among the tuna industry, science and WWF. The submission was received on 9<sup>th</sup> June 2022. The submission and team responses are shown below in Table 18 and Table 19.

### Table 18. Pl Input (Standard v2.0).

Performance Input Indicator (PI) Summary Input detail Evidence or references Stakeholder input code Stakeholder input code
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1.2.1 - Harvest strategy and 1.2.2 - HCR	HS advocacy actions in CAP	According to the ACDR, two conditions are open towards the adoption by WCPFC of a robust HS for Southern Pacific albacore.  The timeframes in the original WCPFC Harvest Strategy Work Plan have lapsed. The 2019 assessment of skipjack indicates that biomass has been below the target level for a decade and this needs to be managed through a Harvest Control Rule (HCR). The MSC established deadlines for harvest strategy (HS) and HCR (Principle 1) conditions, after which certifications will be suspended. In the WCPFC: HCRs must be adopted by June 2023 for southern albacore and by May 2024 for northern albacore.  ISSF asks the CAB to share with the client the following specific actions that, if included in the CAP, are expected to help meet the conditions in place:  1) Publicly support the high-level appeals for RFMOs developed by global NGOs that are participants in the NGO Tuna Forum.  In 2021 and 2022, companies will have the opportunity to engage in other direct RFMO advocacy tactics to demonstrate market support for specific tuna sustainability asks. NGO participants in the NGO Tuna Forum have been reaching out to market partners with these opportunities.  2) Continue to advocate for accelerated progress on the adoption and implementation of Harvest Strategies through WCPFC, such as through continued direct engagement with national delegations to WCPFC. The WCPO MSC Alignment Group is being reactivated in 2021, ISSF encourages the client fishery to continue to monitor the group for an opportunity to participate in the Group once reactivated.  3) Continue to urge the delegation of New Zealand and of all other parties associated with the client fishery at WCPFC to take a strong public position on advancing harvest strategies, including HCR for albacore, as part of the deliberations WCPFC will undertake virtually this year and at future in-person meetings, including by making proposals for the development of harvest strategies including harvest control rules, and to underscore that the MSC has established hard deadl	- https://ngotunaforum.org/ - ISSF's WCPFC Position Statement 2021: https://www.iss- foundation.org/research- advocacy-recommendations/our- advocacy-efforts/position- statements/download-info/2021- wcpfc-position-statement/ - MSC fact sheet: https://www.msc.org/docs/default- source/default-document- library/stakeholders/western- central-pacific-tuna-factsheet- 2021.pdf	Scoring implications unknown	The CAB will inform the client of this request.	Accepted (no score change - additional evidence presented)

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MSC FCP v2.2 Reporting Template v1.2 LRQA 16112021



is June 2023. If these deadlines are not met, the corresponding Southern Pacific albacore MSC certifications will be suspended.

The WCPFC has a harvest strategies Work Plan (https://www.wcpfc.int/doc/wcpfc17-att-h/indicative-work-planadoption-harvest-strategies-under-cmm-2014-06). Meeting the deadlines in the WCPFC Harvest Strategy Work Plan for albacore stocks is necessary for MSC-certified fisheries to resolve existing conditions to maintain certification. In fact, it requires interim decisions to be passed by WCPFC in December 2021. The MSC has published a factsheet (https://www.msc.org/docs/defaultsource/default-document-library/stakeholders/western-centralpacific-tuna-factsheet-2021.pdf) that outlines this situation.

In particular, specifically, for 2021, advocate for the WCPFC to:

- Adopt a list of candidate management procedures for albacore.
- Establish a scientist/manager dialogue group and agree to hold its first meeting in 2022.
- 4) Have meetings, calls or other direct contact with all other relevant WCPFC delegations where the client fishery has business interests to advocate for the adoption of Harvest Strategies including HCR, management procedures for South Pacific albacore before June 2023.
- 5) Publicly support ISSF Position Statements that contain detailed asks on Harvest Strategies, Harvest Control Rules and Target Reference Points to the virtual sessions of the WCPFC in 2021, as well as future WCPFC in-person meetings, and document that support (e.g. by submitting a letter or some other communication citing the Position Statement).
- 6) The client fishery could provide further assistance to the ongoing efforts of ISSF, MSC, the NGO Tuna Forum to Support technical work of WCPFC/SPC as well as capacity workshops on Management Strategy Evaluation in the WCPO region so as to increase the leverage of WCPFC members for the discussion and adoption of robust Harvest Strategies.

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### **Table 19. General comments**

General comments	Evidence or references	CAB response to stakeholder input	CAB Response Code
We note that although this recommendation was accepted at the ACDR stage, a support letter has not yet been appended to the client action plan  Include letter of support from national fisheries agency in Public Comment Draft Report:  The ACDR states that the conditions for Pls 1.2.1 and 1.2.2 for Southern Pacific albacore are still open. Taking into account the national government's relevant role in the action plan for these conditions, ISSF is concerned that, without a letter of support from New Zealand's Ministry for Primary Industries (MPI), there is no clear expectation that the Client Action Plan will achieve its objectives.  ISSF notes that a formal letter of support for the Action Plan from the MPI was included in the previous assessment's reports and suggests a new letter is annexed to this assessment's PCDR.		A letter of support was obtained from the New Zealand Ministry of Primary Industries at PCDR stage and can be found in section 9.7.1 of the PCDR as well as this FDR.	Not accepted (no change)
VESSEL LIST We note that although this recommendation was accepted at the ACDR stage, a list of vessels that operated the previous year has not been included in the report.  ISSF requests that a full list of vessels comprising the fishery under assessment shall be made available throughout all the stages and urges for it to be provided at each surveillance audit.		A list of all New Zealand vessels that reported albacore catch by troll during 2021 has been requested and will be made available when received.	Accepted (no score change - additional evidence presented)

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# 9.1 MSC Technical Oversight

# Table 20. MSC Technical Oversight comments and CAB responses.

MainID	SubID	PageReference	Grade	RequirementVersion	OversightDescription	Pi	CAB Comment
24342	32418	52	Minor	SA3.1.3 v2.01	It is unclear how the team have determined Primary species as per SA3.1.3.		Additional text has been added to clarify the determination of Primary species.
24342	32416	132	Minor	FCP-7.7.3 v2.2	It is unclear whether the use of risk- based methods for a data-deficient fishery, with specific regards to PI 2.1.1 has been correctly determined, given part of the justification provided is that there are no stock assessments for the species.	2.1.1	Text has been amended to clarify that there are no main primary species, hence the RBF is not applied for 2.1.1a. For 2.1.1b, the "all or none" approach (see MSC Interpretation Minor species and scoring element approach at SG100 (FCR v2.0 - 7.10.7, Annex SA PI 1.1.1, 2.2.1), 30-Aug-2018). As a result, minor species are not assessed using the RBF and a score of 80 is awarded.

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24342	32417	52, 59	Minor	FCP-7.17.9.1 v2.2	PI 2.1.1, SI(a) and PI 2.2.1, SI(a). It is unclear which part of the Fisheries Standard the assessment team have used to justify not scoring these species against SG100.	2.1.1, 2.2.1	MSC Interpretation (P2 species outcome PIs - scoring when no main or no minor (or both) (FCR v2.0 - Annex SA PI 2.1.1, 2.2.1)) indicates that if there are no main species the scoring issue (a) is not applicable. There are no main primary species, hence the text has been changed to indicate that this scoring issue is not applicable for these scoring issues.
24342	32394	52; 59	Minor	FCP-7.17.9.1 v2.2	PI 2.1.1 SI(a) and PI 2.2.1 SI(a). It is unclear what the rationale was for determining an assessment of SG80 for these two indicators. There is an interpretation that considers how to score these PIs in the absence of any main species. Please see interpretation here: P2 species outcome PIs - scoring when no main or no minor (or both) (FCR v2.0 - Annex SA PI 2.1.1, 2.2.1) (force.com).	2.1.1, 2.2.1	See response above.

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24342	32407	110	Minor	FCP-7.17.9.2 v2.2	PI3.2.2 SI(a). It is unclear from the rationale whether the decision making processes are established as per GSA4.8.	3.2.2	Thank you. The justification has been reviewed to ensureGSA4.8 is addressed. Refer new justification 3.2.2a
24342	32408	110-111	Minor	FCP-7.17.9.2 v2.2	PI3.2.2 SI(b). The rationale for scoring at SG80 is unclear. For example, the assessment team have referenced that "the timeliness of decision making is less clear".	3.2.2	Thank you. This has been addressed in a revised justification see 3.2.2b
24342	32410	121-122	Minor	FCP-7.17.9.2 v2.2	PI3.2.4 SI(a). It is unclear from the rationale how the assessment team has determined that key parts of the regional fishery-specific management system are evaluated in order to score SG80.	3.2.4	Thank you. This has been addressed in a revised justification see 3.2.4a
24342	32411	122-123	Minor	FCP-7.17.9.2 v2.2	PI3.2.4 SI(b). It is unclear whether occasional external review is occurring. For example, the rationale indicates that at SG100, "there is no explicit separate external review of the management system".	3.2.4	Thank you. This has been addressed in a revised justification see 3.2.4b

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### 9.2 Conditions

# 9.2.1 Summary of conditions closed under previous certificate

A condition for PI 3.2.2 SI (b) was closed at the 3<sup>rd</sup> surveillance audit (August 2020). The condition required that: "By the fourth surveillance audit (considering the updated SP ALB stock assessment due in 2018 and consequent management advice) demonstrate that WCPFC decision-making processes have responded to the albacore catch

# 9.2.2 Open Conditions at reassessment announcement

Table 21. Open Condition 1.

Performance Indicator	1.2.1
Score	70
Justification	See Akroyd and McLoughlin (2017), p65.
Condition	SI a) By the fourth surveillance audit, demonstrate that the harvest strategy for albacore tuna is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving stock management objectives reflected in PI 1.1.1 SG80.
Condition start	February 2017
Condition deadline	June 2023 Certification end date is August 2022; see Carrying over condition, below.
Milestones	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working to ensure that the harvest strategy for WCPO albacore tuna is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving the management objectives reflected in the target and limit reference points. This evidence will include a summary of the actions taken by the client and other relevant parties to achieve this outcome in alignment with the WCPFC 2015 agreed work plan (Appendix 6). As required by the work plan, a target reference point for SP ALB will be adopted by the 2016 Commission meeting. Score 70. At the fourth surveillance audit, the client will provide evidence that the harvest strategy is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving management objectives reflected in in PI 1.1.1 SG80. Score 80.
	This condition is harmonised across several MSC certified fisheries targeting WCPO SP ALB.  The 4 <sup>th</sup> surveillance audit report provides the year by year summary of progress (https://fisheries.msc.org/en/fisheries/new-zealand-albacore-tuna-troll/@@assessments).
Progress on Condition	The Year 4 progress was summarised as:
	WCPFC progress  A second SP ALB Roadmap Intersessional Working Group meeting was held virtually on 25 June 2021 to discuss progress on progress with consideration of the SP ALB and the development and testing of management procedures. Recent work with the evaluation framework has focused on resolving a number of key technical challenges, most notably the process for generating future catch and effort data within the simulations (Scott et al., 2021). The potential introduction of catch or effort limits was also discussed. No consensus

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was reached on selecting of catch trajectories that were presented at the meeting to achieve the interim target reference point in 20 years' time. In addition, there was no consensus on the use of catch or effort limit options, nor on how such limits would be allocated (WCPFC-SC17-MI-IP-09). There was a general agreement by members to establish a catch limit, including the overlap area (WCPFC/IATTC). There was also agreement on expanding the Convention area to cover whole of longline fishery and stock distribution instead of 20°S.

WCPFC17 did not make any changes in the CMM 2014-06 workplan for SP ALB. The activities listed in the latest workplan for SP ALB are as follows (WCPFC, 2020):

2021: Develop management procedures and Management strategy evaluation

- SC provide advice on performance of candidate management procedures;
- TCC consider the implications of candidate management procedures;
- Commission consider and refine a candidate set of management procedures.

2022: as for 2021; Adopt a management procedure.

# Summary of NZ Government and TMA initiatives provided by TMA (TMA 2021)

### NZ delegation initiatives

New Zealand continues to promote the adoption of harvest strategy elements for SP ALB through participation in FFA meetings and inter-sessional working group (IWG) meetings of the WCPFC, aimed at the development of an agreed roadmap for implementation of a Harvest Strategy.

Note: All regional meetings of the WCPFC were impacted by the COVID-19 pandemic. Due to members being unable to meet face to face, meetings were either postponed or undertaken in an online format, with significantly reduced agendas.

New Zealand delegations participated in the following regional meetings with a focus on SP ALB (MPI, 2021):

### 1. South Pacific Albacore Roadmap Intersessional Working Group

A meeting was held on 13th November 2020 to kick off a re-invigorated work programme to:

- Implement the harvest strategy (including trajectories to achieve the TRP)
- Determine an overall limit to be split between EEZs and High Seas
- Develop a new and effective Conservation and Management Measure (CMM).

The scientific service provider (SPC) updated IWG members on alternative catch pathways to achieve the iTRP, annual catch/effort limits required to achieve the iTRP and reference periods used to inform recovery pathways (WCPFC17-2020-SPALB-Roadmap-IWG). There was also discussion of future possible amendments to CMM 2015-02 to incorporate an interim rebuilding plan for SP ALB and agreement of a work plan through to WCPFC17.

Three additional catch pathways were provided to reach the TRP:

 A 2.4% reduction per year for the first 10 years, of ~ 1,500 t p.a., and maintaining the catch at 76% of the 2014-16 average for the remaining 10 years

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- A 7% reduction per year for the first 5 years, of ~ 4,300 t p.a., to reduce the impact on the stock sufficiently in the short term to allow a 1% increase in catch of ~ 600 t p.a for the remaining 15 years
- A 2% reduction per year for the first 5 years, of ~1,200 t p.a., then a 1.5% increase in catch, of ~ 900 t p.a. for the remaining 5 years.

New Zealand's inputs included the following suggestions:

- Development of a revised CMM for SP ALB to provide for a clear direction on limits and improved monitoring
- That the new CMM commits members to:
  - o move the stock towards the TRP
  - recognize zone-based limits
  - establish High Seas limits.
- That the revised CMM requires:
  - o improved monitoring of the southern longline fishery
  - a clear definition of "actively fishing" for albacore
  - intensified electronic reporting to improve compliance monitoring in EEZs and the High Seas, particularly for vessels fishing across multiple zones.
  - Work is required to strengthen the management of transhipment (WCPFC17-2020-SPALB-Roadmap-IWG)

### 2. Second South Pacific Albacore Roadmap Intersessional Working Group

New Zealand participated in the second IWG Meeting was held on 25th June 2021. The principal objective of this meeting was to progress the work on management of SP albacore through the key activities identified in the Work Plan. Key outcomes are as follows:

- FFA members (including New Zealand) submitted the following statement: "FFA members strongly support the IWG focus on an agreement for the earliest implementation of the work to achieve the TRP given the 3 years of inaction. We are proposing that the IWG consider the reduction of SPA catches throughout the whole fishery, starting as soon as practicable and implementing the minimum % of year-on-year reductions required to achieve the TRP over the requisite time frame. We suggest looking at a period of 3 years to start off with annual reporting of the fisheries performance and catches. We acknowledge the stock assessment for South Pacific Albacore stock this year which will inform how we manage this fishery onward, however the work of the IWG needs to focus in principle on the cuts to be taken to achieve the TRP within the timeframe we have agreed to. We understand that once a harvest strategy for the SPA fishery is adopted it will replace the interim recovery plan based on the preferred trajectory, however until such time there is a real need for the reductions in catch/effort for the SPA fishery to occur".
- FFA members (including New Zealand) suggested the establishment of a TAC for SP albacore, divided between EEZs and the High Seas, together with a zone-based management approach, and offered to provide the outcomes of work undertaken on the development of zone-based limits in FFA EEZs to the IWG.

The meeting could not reach consensus on:

- Identifying a TRP
- Selecting a preferred catch trajectory to achieve the iTRP in 20 years
- The implementation of any catch or effort limit options presented, other than that any catch limit should include the WCPFC/IATTC overlap area

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 How catch and effort limits would be allocated, with some members requesting more information on the proposed zone-based approach before providing their positions.

There was general agreement on:

- Expanding the Convention area to cover the whole of the SP albacore stock distribution area
- Improved monitoring and reporting systems for the SP albacore longline fishery
- Using the next IWG meeting to elaborate on the three key priority areas of the Work Plan and to prioritise activities for 2022 (WCPFC-SC17-MI-IP-09).

### 3. FFA meetings

The New Zealand delegation participated in three virtual workshops conducted in October 2020, April 2021 and June 2021, to progress work in setting zone-based limits for SP ALB.

All FFA members agreed they were committed to this work but required a legally binding agreement between countries regarding catch management. Issues also need to be resolved around the compatibility between PNA's longline Vessel Days Scheme and Cook Island's Catch Management System and governance issues. Discussions also centred on the use of a weighted model for catch-limit setting, based on in-zone estimated albacore biomass and economic need. Some countries consider that the weighting of the model needs to be revisited. For example, it does not currently consider New Zealand's albacore troll catch or longline albacore catches by Cook Islands and PNG. These data need to be fed into the model to see how they might change the suggested limits.

At the June 2021 FFA meeting, New Zealand's Minister Parker made an opening statement in which he emphasised New Zealand's commitment to achieving responsible management of SP albacore and acknowledged the need to accommodate different management and fishing methods. Progress on this issue is heavily dependent on FFA members reaching a binding agreement on zone-based limits for SP albacore. Outcomes from the FFA's zone-based model, and proposals for catch trajectories to achieve the iTRP, will be taken to Commission meeting in December 2021 (MPI, 2021).

### TMA initiatives

TMA's Client Action Plan is heavily reliant on FNZ's initiatives in regard to achieving the adoption of the required fisheries management measures by WCPFC.

Following a request from TMA, MPI has, through its International Policy Directorate, provided the assurance of the New Zealand government's ongoing commitment towards securing the implementation of appropriate management measures for albacore in the Western and Central Pacific, and domestically (MPI, 2016).

### TMA involvement in the WCPO Tuna MSC Alignment Group:

TMA has been an active member of the WCPO Tuna MSC Alignment Group since its establishment in 2014 and has participated in multiple, joint initiatives to raise awareness of the need for comprehensive Harvest Strategies to be adopted by the Commission for key tuna species, including albacore.

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A summary of a recent initiative is provided below as an example of the work undertaken by the WCPO Tuna MSC Alignment Group, of which TMA has been an active participant.

At a meeting held on the fringes of WCPFC16, participants from 10 MSC certified tuna fisheries and five eNGOs discussed and debated options to ensure continued fishery certification in light of the slow progress being made by the Commission in adopting the required management measures for key tuna species. The meeting, co-hosted by MSC Oceania, resolved to request CABs to revisit their joint Principle 1 Variation Request (MEGVAR) to MSC on the harmonization of conditions and deadlines for MSC certified tuna fisheries. The objective was for the MSC to agree to the adoption of management measures against WCPFC's ongoing Work Plan rather than against the 2017 Work Plan as specified in CMM2014-06. Attendees agreed to individually canvas support for this initiative from their respective CABs, and to similarly canvas support from the key eNGOs (WCPO Tuna MSC Alignment Group, 2019).

Accordingly, TMA wrote to their CAB, Lloyd's Register, seeking their consideration to revisit the MEGVAR (TMA, 2020), and to the key eNGOs requesting their support for a revised MEGVAR (TMA, 2020a).

The responses were not supportive. In February 2020, a joint letter from the key eNGOs expressed the view that pegging the Harvest Strategy conditions to the WCPFC's current Work Plan would result in an open-ended delay that would eliminate the pressure on WCPFC members to adopt and implement Harvest Strategies (eNGOs, 2020). Similarly, in October 2020, the tuna fishery CABs issued a joint announcement declaring that the deadline for satisfying MSC conditions on Harvest Strategy implementation by WCPFC would remain linked to the timeline in the Commission's 2017 Harvest Strategy Work Plan (CABs, 2020).

In March 2020, TMA supported a joint WCPO Tuna MSC Alignment Group letter to the WCPFC Chair (Ms Riley Kim) requesting clarification on the status and evolution of the WCPFC Work Plan for the adoption of Harvest Strategies under CMM 2014-06, pointing out the importance to MSC certified fisheries of the adoption of Harvest Strategies in accordance with the 2017 Work Plan. The response from the Chair was that the Commission needed to review the Work Plan in accordance with the wishes of the Members (WCPFC, 2020).

The work of the WCPO Tuna MSC Alignment Group, and it's close collaboration with MSC Oceania, may well have been influential in the MSC derogations that followed. In March 2020, a six-month certificate extension was introduced by MSC, followed in March 2021 by a further 12-month extension to certification timelines, to provide relief to certified fisheries due to operational and logistical constraints arising from the Covid-19 pandemic (MSC, 2020, 2021).

#### TMA involvement in FNZ HMS meetings on albacore management:

In November 2020, a TMA representative attended the first in a series of FNZ stakeholder meetings relating to the management of albacore tuna in the New Zealand EEZ and regionally (FNZ, 2020, 2020a).

In December 2020, a TMA representative attended the remotely held annual WCPFC Commission meeting as a member of the New Zealand delegation, in order to offer support to officials and to monitor discussions around Harvest Strategy development and associated issues (WCPFC, 2020a).

In May 2021, a TMA representative attended FNZ's HMS Fish Plan Advisory Group Meeting where, among other issues, there were discussions on albacore

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Harvest Strategy development through initiatives by FFA members and through Inter-sessional Working Group meetings of the Commission (TMA, 2021).

In July 2021, TMA renewed it's request to MPI's delegations to WCPFC committee meetings and the annual Commission meeting, urging them to continue to vigorously promote the development and adoption of appropriate management measures for southern albacore (TMA, 2021a).

In July 2021, TMA responded positively to an invitation from MSC Oceania (MSC, 2021) to participate in a joint initiative by MSC Oceania (Bill Holden) and the WCPO Tuna MSC Alignment Group (Eric Gilman), to discuss further coordination of actions to convince governments to act positively at the 2021 WCPFC meeting and adopt harvest strategies for the key tuna species (TMA, 2021b).

In August 2021, TMA submitted a request to New Zealand's delegation to the Scientific Committee meeting for action to be taken at the SC meeting towards progress on Harvest Strategy development (TMA, 2021c).

In August 2021, a TMA representative attended FNZ's pre-Scientific Committee meeting stakeholders' consultation where discussions were held on New Zealand's inputs into the Harvest Strategy development process (TMA, 2021d).

In August 2021, a TMA representative attended an albacore update meeting, hosted by FNZ after the Scientific Committee meeting, to discuss the outcomes from the 2021 albacore stock assessment and developments around Harvest Strategy development. Also traversed were New Zealand's involvement in developments around in-zone albacore allocations among FFA members and developments by the Intersessional Working Group on Albacore (TMA, 2021e).

#### Supporting evidence:

CABs (2020). Joint Announcement on MEGVAR 16/10/20.

FNZ (2020). Albacore Tuna Stakeholder Meeting Agenda, 02/11/20.

FNZ (2020a). Albacore Tuna Stakeholder Meeting. Email to attendees, 02/11/20.

MPI (2016). MPI support for Action Plans in MSC Assessment. Letter from MPI, 4 October, 2016. 1 p.

MPI (2021). MSC albacore troll fishery audit update. CONFIDENTIAL Report prepared for TMA by FNZ's HMS Management team, July 2021. 9 p.

MSC (2020). Covid-19 Pandemic Derogation, 27/03/20. 2 p.

MSC (2021). Derogation 6 Covid-19 Fishery Conditions Extension. 24/02/21.

MSC (2021a). WCPO Certified Tuna Fisheries Face Risk of Suspension. Email communication from Bill Holden, 22/07/21.

TMA (2020). Letter to Lloyd's Register on P1 MEGVAR for MSC Tuna, 20/01/20. 2 p.

TMA (2020a). Letter to eNGOs on P1 MEGVAR for MSC Tuna, 05/02/20. 2 p.

TMA (2020b). Participation in NZ Delegation to WCPFC17. Email correspondence, 17/11/20.

TMA (2021). Notes from HMS Fish Plan Advisory Group Meeting, 27/05/21. 4 p.

TMA (2021a). Letter to MPI International Fisheries Policy Team, 28/07/21.

TMA (2021b). MSC and WCPO Tuna Alignment Group Support of Actions. Email to Bill Holden and Eric Gilman, 30/07/21.

TMA (2021c). Pre-WCPFC Scientific Committee Meeting. Email correspondence requesting action on Harvest Strategy development, 02/08/21.

TMA (2021d). Notes from FNZ Pre-Scientific Committee Consultation Meeting, 02/08/21.

TMA (2021e). Notes from FNZ-Industry Meeting - Update on Harvest Strategy Developments, 24/08/21.

WCPFC (2020). Chair Letter to WCPO Tuna Alignment Group, 15/04/20.

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	WCPFC (2020a). Registration Confirmation for WCPFC17 Commission Meeting. Email, 04/12/20.  WCPFC17-2020-SPALB-Roadmap-IWG. Chair's Summary Report of the SPALB Roadmap IWG Meeting. 1 December, 2020. https://meetings.wcpfc.int/node/11993  WCPFC-SC17-MI-IP-09. Chair's Summary Report of the South Pacific Albacore Roadmap IWG Meeting. 28 July, 2021. https://meetings.wcpfc.int/node/12594  WCPO Tuna MSC Alignment Group (2019). Meeting Report 6 Dec 2019, WCPFC16 provisional outcomes. 6 p.			
Progress status	The condition deadline has been extended to June 2023. Progress on meeting the requirements of CMM 2014-06 workplan has been slow and it will be difficult to meet the June 2023 deadline. However, it is clear that progress is being made and the fishery remains <b>on target</b> overall.			
Carrying over condition ⊠	In March 2020, the MSC issued a Covid-19 derogation that extended the timelines for existing fishery certificates and conditions by six months. The MSC also issued a further Covid-19 derogation, with the effective date of 28 March 2021, to extend condition timelines for management and information PIs for an additional year (i.e., including PI 1.2.1 and PI 1.2.2).			
	The CAB variation accepted in February 2019 imposed a 'hard deadline' on meeting the harvest strategy conditions in place for highly migratory stocks in the MSC programme. The result of the MSC Covid-19 derogations is that the 'hard deadline' for the WCPO tuna species in the client fishery is June 2023.			
Closing the condition during the reassessment	The condition is scheduled to be closed during the reassessment in line with the abovementioned 'hard deadline'.			

# Table 22. Open Condition 2.

Performance Indicator	1.2.2
Score	60
Justification	See Akroyd and McLoughlin (2017), p69.
	SI a) By the fourth surveillance audit, demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY.
Condition	SI b) By the fourth surveillance audit, provide evidence that the HCRs are likely to be robust to the main uncertainties.
	SI c) By the fourth surveillance audit, demonstrate that available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.
Condition start	February 2017

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Condition deadline	June 2023 Certification end date is August 2022; see Carrying over condition, below.
Milestones	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working to ensure that well defined harvest control rules taking into account the main uncertainties are in place for albacore tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. This evidence will include a summary of the actions taken by the client and other relevant parties to achieve this outcome in alignment with the WCPFC 2015 agreed workplan (WCPFC, 2015; Attachment Y). Score 60.
	By the fourth surveillance audit, the client will provide evidence that well-defined harvest control rules taking into account the main uncertainties are in place for albacore tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. Score 80.
Progress on Condition	As for Condition 1, above.
Progress status	The condition deadline has been extended to June 2023. Progress on meeting the requirements of CMM 2014-06 workplan has been slow and it will be difficult to meet the June 2023 deadline. However, it is clear that progress is being made and the fishery remains <b>on target</b> overall.
Carrying over condition	In March 2020, the MSC issued a Covid-19 derogation that extended the timelines for existing fishery certificates and conditions by six months. The MSC also issued a further Covid-19 derogation, with the effective date of 28 March 2021, to extend condition timelines for management and information PIs for an additional year (i.e., including PI 1.2.1 and PI 1.2.2).
	The CAB variation accepted in February 2019 imposed a 'hard deadline' on meeting the harvest strategy conditions in place for highly migratory stocks in the MSC programme. The result of the MSC Covid-19 derogations is that the 'hard deadline' for the WCPO tuna species in the client fishery is June 2023.
Closing the condition during the reassessment	The condition is scheduled to be closed during the reassessment in line with the abovementioned 'hard deadline'.

#### 9.2.3 **Conditions**

### Table 23. Condition 1.

Performance Indicator	1.2.1 (a). The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving stock management objectives reflected in PI 1.1.1 SG80.
Score	70
Justification	See PI 1.2.1 rationale.
Condition	SI a) By the second surveillance audit, demonstrate that the harvest strategy for SP ALB is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving stock management objectives reflected in PI 1.1.1 SG80.
	A 'hard deadline' is in place for Principle 1 harvest strategy requirement to be met. The deadline to be met in the WCPO for SP ALB is June 2023.

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Condition deadline	June 2023. See comment above about 'hard deadline'.
Exceptional circumstances	Check the box if exceptional circumstances apply and condition deadline is longer than the period of certification (FCP v2.2 7.18.1.6). Provide a justification.
	Milestones have been aligned with the latest WCPFC harvest strategy workplan and the CAB initiated 'hard deadline', taking MSC Covid-19 derogations into account.
	As per the original certification of the fishery, it is recognized that the Client has limited ability directly to ensure the SG80 requirements are met. The Client will need to work through the FNZ/MPI. The New Zealand Government continues to promote the adoption of harvest strategy elements for SP ALB through participation in FFA meetings and intersessional working group (IWG) meetings of the WCPFC.
Milestones	Year 1 (2022): Expected score = 70 The client will need to provide evidence that it is actively working to ensure that the harvest strategy for WCPO SP ALB is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving the management objectives reflected in PI 1.1.1 SG80. Evidence will include a summary of the actions taken by the client and other relevant parties to achieve this outcome in alignment with the WCPFC CMM 2014-06 agreed (and updated) work plan.
	Year 2 (2023): Expected score = at least 80 The client will provide evidence that a harvest strategy has been adopted for WCPO SP ALB that is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving management objectives reflected in PI 1.1.1 SG80.
Verification with other entities	It is expected that a letter of support will be provided by Fisheries New Zealand and included in the client action Plan.
Complete the following row	vs for reassessments.
Carried over condition ⊠	This condition was set at the 2017 re-certification of the fishery. WCPFC CMM 2014-06 sets out the requirements of harvest strategy development for WCPO key tuna species. A workplan with agreed timeframes was adopted to progress the implementation of the harvest strategy and harvest control rule requirements of CMM 2014-06. Since the workplan was first adopted there have been a number of delays and revisions to the timelines. In response to the delays a CAB variation request, accepted in February 2019, imposed a 'hard deadline' on meeting the harvest strategy conditions in place for highly migratory stocks in the MSC programme. Subsequently there have been two MSC derogations in response to Covid-19. The overall effect of these derogations is to delay milestones and the requirement for this condition to be met by 18 months, with the current 'hard deadline' being June 2023 for SP ALB.
Related condition	n/a
Condition rewritten	n/a

### Table 24. Condition 2.

Performance Indicator	1.2.2 (a). Well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY. 1.2.2 (b). The HCRs are likely to be robust to the main uncertainties. 1.2.2 (c). Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.
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Score	60	
Justification	See PI 1.2.2 rationale.	
	SI a) By the third surveillance audit, demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY.	
Condition	SI b) By the third surveillance audit, provide evidence that the HCRs are likely to be robust to the main uncertainties.	
Condition	SI c) By the third surveillance audit, demonstrate that available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.	
	A 'hard deadline' is in place for Principle 1 harvest strategy requirement to be met. The deadline for SP ALB to be met in the WCPO is June 2023.	
Condition deadline	June 2023. See comment above about 'hard deadline'.	
Exceptional circumstances	Check the box if exceptional circumstances apply and condition deadline is longer than the period of certification (FCP v2.2 7.18.1.6). Provide a justification.	
	Milestones have been aligned with the latest WCPFC harvest strategy workplan and the CAB initiated 'hard deadline', taking MSC Covid-19 derogations into account.	
	As per the original certification of the fishery, it is recognized that the Client has limited ability directly to ensure the SG80 requirements are met. The Client will need to work through the FNZ/MPI. The New Zealand Government continues to promote the adoption of harvest strategy elements for SP ALB through participation in FFA meetings and intersessional working group (IWG) meetings of the WCPFC.	
Milestones	Year 1 (2022): Expected score = 70 The client will need to provide evidence that it is actively working to ensure that the harvest strategy for WCPO SP ALB is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving the management objectives reflected in PI 1.1.1 SG80. Evidence will include a summary of the actions taken by the client and other relevant parties to achieve this outcome in alignment with the WCPFC CMM 2014-06 agreed (and updated) work plan.	
	Year 2 (2023): Expected score = at least 80 The client will provide evidence that a harvest strategy has been adopted for WCPO SP ALB that is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving management objectives reflected in PI 1.1.1 SG80.	
Verification with other entities	It is expected that a letter of support will be provided by Fisheries New Zealand and included in the Client action Plan.	
Complete the following rows for reassessments.		
Carried over condition ⊠	This condition was set at the 2017 re-certification of the fishery. WCPFC CMM 2014-06 sets out the requirements of harvest strategy development for WCPO key tuna species. A workplan with agreed timeframes was adopted to progress the implementation of the harvest strategy and harvest control rule requirements of CMM 2014-06. Since the workplan was first adopted there have been a number of delays and revisions to the timelines. In response to the delays a CAB variation request, accepted in February 2019, imposed a 'hard deadline' on meeting the harvest strategy conditions in place for highly migratory stocks in the MSC programme. Subsequently there have been two MSC	

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	derogations in response to Covid-19. The overall effect of these derogations is to de milestones and the requirement for this condition to be met by 18 months, with the curr 'hard deadline' being June 2023 for SP ALB.	
Related condition	n/a	
Condition rewritten	n/a	

# 9.3 Client Action Plan

#### Table 25. Client Action Plan for Condition 1.

PI 1.2.1	
1	Condition number
	Condition 1
2	Performance Indicator(s)
	PI 1.2.1 (a). The harvest strategy is responsive to the state of the stock and the elements of the Harvest Strategy work together towards achieving stock management objectives reflected in PI 1.1.1 SG80.
3	Score
	70
4	Condition(s)
	<ul> <li>This should state the condition as set by the CAB and include rationale on how the action(s) is/are expected to improve the fishery's performance.</li> </ul>
	SI a) By June 2023, demonstrate that the harvest strategy for South Pacific albacore tuna is responsive to the state of the stock and the elements of the Harvest Strategy work together towards achieving stock management objectives reflected in PI 1.1.1 SG80.
5	Milestone(s)
	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working to ensure that the Harvest Strategy for South Pacific albacore tuna is responsive to the state of the stock and that the elements of the Harvest Strategy work together towards achieving the management objectives reflected in the Target and Limit Reference Points. This evidence will include a summary of the actions taken by the client and other relevant parties to achieve this outcome in alignment with the WCPFC CMM 2014-06 agreed work plan (WCPFC, 2021). As required by the work plan, a Target Reference Point for South Pacific albacore will be adopted by the 2022 Commission meeting.

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By June 2023, the client will provide evidence that the Harvest Strategy is responsive to the state of the stock and that the elements of the Harvest Strategy work together towards achieving management objectives reflected in in PI 1.1.1 SG80. Score 80.

### 6 Summary of action plan

Engage with MPI's Highly Migratory Species and International Fisheries Management teams towards:

- Prioritising the further development by the WCPFC's Scientific Committee, of harvest strategy elements for South Pacific albacore fisheries as prescribed by CMM2014-06
- Further promoting the urgency for the Scientific Committee to provide advice based on a
  Management Strategy Evaluation, for the adoption by WCPFC of Interim and Long-term Target
  Reference Points, a Management Procedure and a Monitoring Strategy for South Pacific
  albacore in December 2022
- Urgently progressing the work of the SPA Roadmap Inter-sessional Working Group towards:
  - reviewing CMM 2015-02 Conservation and Management Measure for South Pacific Albacore
  - o agreeing on in-zone and High Seas catch limits and management arrangements
  - agreeing on a mechanism for setting and allocating a TAC/TAE at the level required to rebuild the stock to the interim Target Reference Point within an agreed time-period.

Continue to urge the New Zealand delegations to WCPFC, and those of other parties associated with the South Pacific albacore fishery, to take a strong public position on advancing a Harvest Strategy, including Harvest Control Rules/Management Procedures, for South Pacific albacore at the WCPFC meeting in December 2022 and emphasise that continued MSC certification of South Pacific albacore fisheries is dependent on adoption by WCPFC of a Harvest Strategy by June 2023.

#### Advocate for the WCPFC to:

• Urgently progress the scientist/manager dialogue initiative during 2022 to facilitate acceptance of all of the elements required for a Harvest Strategy for South Pacific albacore.

Continue to advocate for accelerated progress on the adoption and implementation of Harvest Strategies through WCPFC, such as through continued direct engagement with national delegations to WCPFC and through participation in the activities of the WCPO MSC Alignment Group, once reactivated.

Have meetings, calls or other direct contact with other WCPFC delegations, NGOs and industry sectors to advocate for the adoption of Harvest Strategies, including Harvest Control Rules/ Management Procedures, for South Pacific albacore before June 2023.

### Publicly support:

- Position Statements by ISSF that contain detailed requests to sessions of the WCPFC for the adoption of Harvest Strategies, Harvest Control Rules/Management Procedures and Target Reference Points, and document that support by submitting letters or communications citing the Position Statements
- High-level appeals to RFMOs as developed by global NGOs that are participants in the NGO Tuna Forum.

Provide further assistance to the ongoing efforts of ISSF, MSC and the NGO Tuna Forum to Support the technical work of WCPFC/SPC as well as capacity workshops on Management Strategy Evaluation in the WCPO region so as to increase the leverage of WCPFC members for the discussion and adoption of robust Harvest Strategies.

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### Table 26. Client Action Plan for Condition 2.

Ы	1.2.	2

1	Condition number
	Condition 2
2	Performance Indicator(s)
	PI 1.2.2 (a). Well defined Harvest Control Rules (HCRs) are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY. PI 1.2.2 (b). The HCRs are likely to be robust to the main uncertainties. PI 1.2.2 (c). Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.
3	Score
	60
4	Condition(s)
	SI a) By June 2023, demonstrate that well defined HCRs are in place that ensure that the exploitation rate is reduced as the PRI is approached, are expected to keep the stock fluctuating around a target level consistent with (or above) MSY.
	SI b) By June 2023, provide evidence that the HCRs are likely to be robust to the main uncertainties.
	SI c) By June 2023, demonstrate that available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the HCRs.
5	Milestone(s)
	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working to ensure that well defined Harvest Control Rules taking into account the main uncertainties are in place for albacore tuna that are consistent with the Harvest Strategy and ensure that the exploitation rate is reduced as Limit Reference Points are approached. This evidence will include a summary of the actions taken by the client and other relevant parties to achieve this outcome in alignment with the WCPFC CMM 2014-06 workplan (WCPFC, 2021). Score 60.
	By June 2023, the client will provide evidence that well-defined Harvest Control Rules taking into account the main uncertainties are in place for South Pacific albacore tuna that are consistent with the Harvest Strategy and ensure that the exploitation rate is reduced as Limit Reference Points are approached. Score 80.
6	Summary of action plan
	Engage with MPI's Highly Migratory Species and International Fisheries Management teams towards ensuring that:
	<ul> <li>Meetings of the WCPFC Scientific Committee prioritise the final analyses required for the</li> </ul>

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adoption of Management Procedures, including Harvest Control Rules, for South Pacific albacore in accordance with the agreed Work Plan for the Adoption of Harvest Strategies under CMM2014-06

- Meetings of the FFA implement initiatives to facilitate the adoption of Harvest Control Rules for albacore, in particular:
  - Seek support from FFA and Tokelau Arrangement members for the adoption of a pragmatic approach to setting country allocations towards achieving in-zone TACs for the stock compatible with rebuilding the stock to the interim Target Reference Point (TRP) within an agreed time-frame
  - Encourage WCPFC's Secretariat to promote the adoption by the Commission of high seas limits for South Pacific albacore fisheries towards setting a global TAC/TAE for the stock compatible with rebuilding the stock to the interim TRP within an agreed timeframe.

Continue to urge the New Zealand delegations to WCPFC, and those of other parties associated with the South Pacific albacore fishery, to take a strong public position on advancing harvest strategies, including Management Procedures, for South Pacific albacore at WCPFC meetings, emphasising that continued MSC certification of southern albacore fisheries is dependent on adoption by WCPFC of a Harvest Strategy including Management Procedures by June 2023.

### Advocate for the WCPFC to:

 Adopt a Management Procedure, including a Harvest Control Rule, for South Pacific albacore for implementation during 2023

Have meetings, calls or other direct contact with other WCPFC delegations, NGOs and industry sectors to advocate for the adoption of Harvest Strategies, including Management Procedures, for South Pacific albacore before June 2023.

# Publicly support:

- Position Statements by ISSF that contain detailed requests to sessions of the WCPFC for the adoption of Harvest Strategies, Management Procedures and Target Reference Points, and document that support by submitting letters or communications citing the Position Statements
- High-level appeals to RFMOs as developed by global NGOs that are participants in the NGO Tuna Forum.

Provide further assistance to the ongoing efforts of ISSF, MSC and the NGO Tuna Forum to Support the technical work of WCPFC/SPC as well as capacity workshops on Management Strategy Evaluation in the WCPO region so as to increase the leverage of WCPFC members for the discussion and adoption of robust Harvest Strategies.



# 9.3.1 Ministry for Primary Industries Client Action Plan Support Letter

Security Classification - None



10 May 2022

Rob Tilney Clement & Associates Ltd PO Box 6764, Wellesley Street Auckland, 1141 New Zealand

Dear Mr Tilney

#### MPI support for Action Plans in MSC Assessment of the New Zealand South Pacific albacore tuna troll fishery

Thank you for contacting the Ministry for Primary Industries (MPI) regarding the Marine Stewardship Council assessment of the New Zealand South Pacific albacore tuna troll fishery.

Sustainable management of South Pacific albacore tuna continues to be a priority for the New Zealand government in its participation in the Western and Central Pacific Fisheries Commission (WCPFC), the Pacific Island Forum Fisheries Agency, and our domestic management of the stock.

New Zealand remains supportive of the Conservation and Management Measure to develop and implement a harvest strategy approach for key fisheries and stocks in the Western and Central Pacific Ocean, including South Pacific albacore. In 2021, the WCPFC agreed to an updated indicative Harvest Strategy work plan which identifies a number of steps that will be progressed during 2022-2024. <a href="https://www.wcpfc.int/doc/placeholder-harvest-strategy-key-documents">https://www.wcpfc.int/doc/placeholder-harvest-strategy-key-documents</a>

I note that this process and the performance indicators outlined in the WCPFC Harvest Strategy work plan are referenced in the draft Client Action Plans for the Tuna Management Association in the MSC assessment document. The proposed steps in the Client Action Plans (PI 1.2.1 and PI 1.2.2) also align with the planned WCPFC process in the harvest strategy work plan.

New Zealand is also a signatory to the Tokelau Arrangement, a sub-regional arrangement on the management of South Pacific albacore in the Exclusive Economic Zones of its members. New Zealand continues to fully participate in the negotiation and development of improved management arrangements as a member of the group, and of the wider Pacific Island Forum Fisheries Agency.

New Zealand is committed to continuing to work with all parties in the context of the WCPFC process to progress the harvest strategy for South Pacific albacore tuna in line with the work plan.

Yours sincerely

James Brown

Manager International Fisheries Management, Ministry for Primary Industries

**Ministry for Primary Industries** 

Charles Fergusson Building 34-38 Bowen Street PO Box 2526 Wellington 6140, New Zealand

mpi.govt.nz

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# 9.4 Surveillance

### Table 27. Fishery surveillance program.

Surveillance level	Year 1	Year 2	Year 3	Year 4
Level 4	Off-site surveillance audit	On-site surveillance audit	Off-site surveillance audit	On-site surveillance audit & re-certification site visit

# Table 28. Timing of surveillance audit.

Year	Anniversary date of certificate	Proposed date of surveillance audit	Rationale
Year 1,2, 3 and 4	August 2023	August 2023	To align with the anniversary date of the certificate

### Table 29. Surveillance level justification.

Year	Surveillance activity	Number of auditors	Rationale
1	Off-site audit	2 remote auditors This is the 2 <sup>nd</sup> recertification of this fishery. It has 2 conditions associated only with P1.	The CAB determines that this fishery is eligible for a reduction of surveillance levels based on confidence that the CAB has the ability to remotely verify information and progress towards conditions (MSC FCP v2.2 Sect 7.28.4 and G7 28.4 Table G10.)
2	On-site audit	Two on-site auditors This is the 2 <sup>nd</sup> recertification of this fishery. It has 2 conditions associated only with P1.	The CAB determines that this fishery is eligible for a reduction of surveillance levels based on confidence that the CAB has the ability to remotely verify information and progress towards conditions (MSC FCP v2.2 Sect 7.28.4 and G7 28.4 Table G10.)
3	Off-site audit	Two remote auditors This is the 2 <sup>nd</sup> recertification of this fishery. It has 2 conditions associated only with P1.	The CAB determines that this fishery is eligible for a reduction of surveillance levels based on confidence that the CAB has the ability to remotely verify information and progress towards conditions (MSC FCP v2.2 Sect 7.28.4 and G7 28.4 Table G10.)
4	On-site surveillance audit and re-certification	One auditor on-site with remote support from 1 auditor. This is the 2 <sup>nd</sup> recertification of this fishery. It has 2 conditions associated only with P1. (Refer MSC Process 2.2 Sect 7.28.6.2.)	The CAB determines that this fishery is eligible for a reduction of surveillance levels based on confidence that the CAB has the ability to remotely verify information and progress towards conditions (MSC FCP v2.2 Sect 7.28.4 and G7 28.4 Table G10.)

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# 9.5 Harmonised fishery assessments

The MSC Fisheries Certification Process v2.2 (FCP) sets out procedures for ensuring consistency of outcomes in overlapping fisheries (see Annex PB of the FCP). The intention of this process is to maintain the integrity of MSC fishery assessments.

MSC Fisheries with overlapping UoCs to the UoAs under assessment here are detailed below in Table 31 and the relevant PIs which require harmonisation are shown. Please note only MSC Fisheries using the same version of the assessment tree (v2.0 or v2.01) have been harmonised (MSC FCP v2.2 Annex PB 1.2.1).

The audit team have consulted the guidance issued on the MSC's interpretation log to identify the harmonisation requirements for this fishery (see https://mscportal.force.com/interpret/s/article/What-are-the-MSC-requirements-on-harmonisation-multiple-questions-1527586957701). For each overlapping fishery, LRQA have considered harmonisation requirements for each PI using the table below.

Table 30. MSC directions for harmonisation between overlapping MSC fisheries

Pls / Sls	Harmonise?	Comments
All P1 Pls	Yes	P1 always considers the impacts of all fisheries on a stock, so any fisheries which have the same P1 species (stocks) should be harmonised.
PI 2.1.1a	Partially	For stocks that are 'main' in both UoAs, harmonise status relative to PRI (at SG60, 80 and 100), and if below PRI, harmonise cumulative impacts at SG80 (not at SG60).
PI 2.2.1a	Partially	For stocks that are 'main' in both UoAs, harmonise status relative to BBL (at SG60, 80 and 100), and if below BBL, harmonise cumulative impacts at SG80 (not at SG60).
PI 2.3.1a	Partially	Harmonise recognition of any limits applicable to both UoAs (at SG60, 80 and 100), and cumulative effects of the UoAs at SG80 and SG100 (not at SG60).
PI 2.4.1b	Partially	Harmonise recognition of VMEs where both UoAs operate in the same 'managed area/s' (as in SA3.13.5).
PI 2.4.2a,c	Partially	Harmonise scoring at SG100, since all fishery impacts are considered (not at SG60 or 80).
All P2 Pls	Yes, if ->	Two UoAs are identical in scope, even if the UoCs are different (e.g. separate clients).
Pls 3.1.1-3	Yes, if ->	Both UoAs are part of the same larger fishery or fleet, or have stocks in either P1 or P2 which are at least partially managed by the same jurisdiction/s (nation states, RFMOs or others) or under the same agreements. Harmonisation may sometimes be possible for those management arrangements that apply to both UoAs (noting the limitations accepted in GPB3).
Pls 3.2.1-4	Yes, if ->	Both UoAs have stocks within either P1 or P2 which are at least partially managed by the same jurisdiction/s (nation states, RFMOs or others) or under the same agreements. Harmonisation is needed for those management arrangements that apply to both UoAs, e.g. at the RFMO level but not the national level in the case of two separate national fleets both fishing the same regional stock.

Table 31. Overlapping fisheries.

Fishery name	Certification status and date
New Zealand albacore tuna troll (this fishery)	Re-certified Feb 2017 (v2.0)
AAFA and WFOA south Pacific albacore tuna	Re-certified Nov 2018 (v2.0)
American Samoa EEZ albacore and yellowfin longline fishery	Certified Nov 2017 (v2.0)

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Australian Eastern Tuna and Billfish Fishery	Re-certified August 2020 (v2.01)
Fiji albacore, yellowfin and bigeye longline fishery	Re-certified Jan 2018
French Polynesia albacore and yellowfin longline fishery	Certified with component(s) in assessment Jun 2018 (v2.01)
Kiribati albacore, bigeye and yellowfin tuna longline fishery	Certified January 2021 (v2.01)
Pan Pacific yellowfin, bigeye and albacore longline fishery	Certified June 2020 (v2.0)
SZLC, CSFC & FZLC Cook Islands EEZ south Pacific albacore & yellowfin longline	Re-certified August 2020 (v2.01)
Solomon Islands longline albacore and yellowfin fishery	Certified Nov 2019 (v2.0)

Scores for Principle 1 components are harmonised across the overlapping fisheries, with some inconsequential differences for PI 1.2.4 (see Table 32).

For Principle 2 – as no primary or secondary main species were identified and there are no identified interactions with ETP species subject to national or international limits, cumulative impacts were not deemed to be relevant to this assessment.

For Principle 3, the assessment team harmonised the regional components of the management system with the above fisheries. Any differences in scores between WCPFC tuna assessments are therefore related to the performance of the national management systems.

# **9.5.1** Principle 1

The scores awarded for the MSC fisheries were analysed during this re-assessment audit. Scores for overlapping fisheries are presented in Table 32.

Table 32. Scoring outcomes.

Performance Indicators (PIs)	1.1.1	1.2.1	1.2.2	1.2.3	1.2.4
New Zealand albacore tuna troll (this assessment)	100	70	60	80	90
AAFA and WFOA south Pacific albacore tuna	100	70	60	80	85
American Samoa EEZ albacore and yellowfin longline fishery	100	70	60	80	95
Australian Eastern Tuna and Billfish Fishery	100	70	60	80	95
Fiji albacore, yellowfin and bigeye longline fishery	100	70	60	80	95
French Polynesia albacore and yellowfin longline fishery	100	70	60	80	95
Kiribati albacore, bigeye and yellowfin tuna longline fishery	100	70	60	80	90

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Pan Pacific yellowfin, bigeye and albacore longline fishery	100	70	60	80	90	
SZLC, CSFC & FZLC Cook Islands EEZ south Pacific albacore & yellowfin longline	100	70	60	80	95	
Solomon Islands longline albacore and yellowfin fishery	100	70	60	80	85	



# 10 Template information and copyright

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A controlled document list of MSC program documents is available on the MSC website (msc.org).

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