

ANNEX II:

Template for the Implementation Report of the SPRFMO Conservation and Management Measures

Reporting Member/CNCP: [Australia](#)

Reporting Period to which this report refers: [1 November 2015 to 31 October 2016](#).

Date report prepared: [7/10/16](#)

CMM 4.01 *Trachurus murphyi*

Do your vessels fish for *T. murphyi* in, or adjacent to, the Convention Area? YES NO .

If yes, then please complete the following tables and questions:

Table 1: CMM 4.01 (*T. murphyi*; 2016): Effort Management

Gross Tonnage (GT) Limit	GT of active fishing vessels	No. of vessels actively fishing for CJM	No. of vessels only engaged in transshipment(s)

Enter n/a if not applicable.

Table 2: CMM 4.01 (*T. murphyi*; 2016): Catch Management

CJM catch limit	CJM catch limit taking into account any catch transfers	Provisional CJM catch total

Table 3: CMM 4.01 (*T. murphyi*; 2016): Data collection and reporting

No. of Monthly reports provided	VMS implemented and data provided?	List of authorised vessels provided?	Annual report provided to SC?	Observer coverage level
	YES <input type="checkbox"/> NO <input type="checkbox"/> Partial <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/> Partial <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	

Do you have additional measures that limit the amount of *T. murphyi* available to your vessels to an amount less than that specified in Table 2 above (refer to CMM 4.01 (*T. murphyi*; 2016) paragraph 8)?

YES NO .

If so, please elaborate

[N/A for Australia](#)

Did you conduct any research or stock assessments for *T. murphyi* during this past year and were they submitted to the Scientific Committee? YES NO .

[N/A for Australia](#)

Did any of your vessels land or tranship *T. murphyi* within your ports and did you take measures to verify those catches? YES NO .

Is any part of your national jurisdiction area adjacent to the Area to which CMM 4.01 (*T. murphyi*; 2016) applies? YES NO .

If so, have you decided to apply the measures described in CMM 4.01 (*T. murphyi*; 2016) paragraphs 11 - 22 within your national jurisdiction areas? YES NO Partial .

Also, have you submitted measures in effect for *T. murphyi* within your national jurisdiction areas to the Secretariat? YES NO

[N/A for Australia.](#)

CMM 4.02 Standards for the Collection, Reporting, Verification and Exchange of Data

Table 4: Participation in SPRFMO fisheries during the past year

<i>Fishing method</i>	<i>Activities undertaken?</i>	<i>Main species caught?</i>	<i>Number of vessels</i>	<i>Activities observed? (Yes/No)</i>
<i>Demersal Drop/dahn line</i>				
<i>Demersal Longline</i>	Yes	Jackass morwong, yellowtail kingfish, flame snapper, blue-eye trevalla, redthroat emperor	2	Y (10.4%)
<i>Demersal Potting</i>				
<i>Demersal Trawl</i>	Yes	Orange roughy, alfonsino	1	Y (100%)
<i>Pelagic Purse seine</i>				
<i>Pelagic Trawl</i>				
<i>Squid jigging</i>				
<i>Transshipment</i>				

Were you able to meet the data collection requirements described in CMM4.02 (Data Standards; 2016) paragraphs 1(b) (c) and (d)? (Being information on fishing activity, non-target species impacts and transshipments/landings) YES NO Partial .

Australia collected and reported the information in Annex 1 and Annex 3 (for trawl and longline trips) in accordance with this measure. There was no transshipment in the reporting period.

Do you have a national observer programme? YES NO , and if so, have you submitted an annual observer implementation report to the Secretariat? YES NO .

Australia has submitted the information required under paragraph 2 of CMM 4.02 as part of its National Report to the SPRFMO SC.

Have you implemented systems to ensure that all of your vessels that fish in the Convention Area have an operational VMS system (that conforms to the requirements in CMM 4.02 (Data standards; 2016) paragraphs 3(b) and 3(c)? YES NO .

All Australian flagged vessels operating in the SPRFMO Convention Area are required to operate a functional VMS unit. The relevant details of these VMS units are submitted in conformity with Annex 1 of CMM 4.05

Please describe the systems you use to verify your SPRFMO fishery data.

All Australian flagged vessels are required to land their catch to an authorised fish receiver. The landings are monitored through catch disposal records where the catch is verified by the fish receiver. Australia reports the verified catch weight by species to SPRFMO each month as is required under CMM 4.03

CMM 4.03 Bottom fishing in the SPRFMO Convention Area

Do you fish in the Convention Area using bottom fishing methods? YES NO .

If yes, then please complete the following tables and questions:

Table 5: Management of Bottom Fishing and Fisheries

Bottom Fishing assessment submitted?	2002-06 Bottom fishing footprint submitted?	Bottom Fishing restricted to footprint?	2002-2006 Average annual catch (t)	Provisional catch total for last year ¹ (t)	Observer coverage level (trawl)	Observer coverage level (other)	No. of VME encounters above the threshold	No. of monthly reports provided
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	451.58	251t	100%	10.4%	0	12

Have you prohibited your vessels from participating in bottom fishing activities in the Convention Area, except when in accordance with this measure? YES NO .

Have you established threshold levels for VME encounters? YES NO .

If so what are they?

If take of coral and sponge exceeds either:

(a) 50 kgs in any one shot for trawl or

(b) 10 kgs in any one shot for line methods for any 1000 hook section of line or 1200 metre section of line, whichever is the shorter

The boat must cease fishing immediately and not fish using the same method at any point within a five nautical mile radius of that shot for the duration of the permit.

Do you require your vessels to cease fishing operations within 5 nautical miles of any site where threshold levels are exceeded? YES NO .

Have you divided your footprint into sub-areas for the purposes of preventing significant adverse impacts to VMEs? YES NO . If so, please elaborate.

All areas of Australia's bottom fishing footprint are open to bottom fishing by Australian flagged vessels. The move on rules explained above are implemented across the Australian bottom fishing footprint to prevent significant adverse impacts to VMEs.

Do you have additional measures that apply to your bottom fishing vessels in the Convention Area? YES NO . If so, please elaborate.

Australia imposes the following conditions on high seas permit holders: (a) fish must be disposed of to a fish receiver permit holder; (b) the removal of fins and livers from sharks at sea is banned; (c) operators must avoid interactions with protected organisms and, if an interaction occurs, it must be reported to the Australian Fisheries Management Authority;

Have you identified any sites within the Convention Area where VMEs are likely to occur?

YES NO .

If so have you provided this information to the Secretariat? YES NO .

Have you taken steps to ensure that your bottom fishing vessels are able to comply with all of the requirements detailed in CMM 4.03 (Bottom Fishing; 2016) paragraph 24? YES NO .

Australia requires that all Australian-flagged vessels operating in the SPRFMO Convention Area are equipped and configured to comply with all relevant SPRFMO CMMs, including observer coverage requirements,

¹ The catch total for "last year" refers to the year to date (i.e. the 2015/16 report completed in November 2016 will refer to the total catch for 2016 as at the time the report was completed).

minimum data requirements and VMS requirements. Australia has also submitted monthly catch reports within 20 days of the end of each month as is required by paragraph 24 (f)

Are you aware of any non-Member (or non-CNCP) that has recently bottom fished in the Convention Area? YES NO .

And if so, did you communicate a request to them to cooperate and to consider participating in the work of SPRFMO as a matter of priority? YES NO .

N/A.

CMM 4.04 Vessels presumed to have carried out IUU fishing activities in the SPRFMO Area

Did you transmit a list of presumed IUU fishing vessels to the Secretariat? YES NO

If so, did you inform the relevant flag state before, or at the same time as, transmitting the list?

YES NO

N/A.

Were any of your flagged vessels on the draft IUU list? YES NO

If so, did you notify vessel owners and inform them about the potential consequences? YES NO

N/A

Were any of your flagged vessels on the final IUU list? YES NO

If so, did you notify the vessel owners and inform them about the consequences of inclusion?

YES NO

What measures were taken to eliminate these IUU activities?

N/A

Did you enforce any of the measures described under CMM 4.04(IUU List; 2016) paragraph 12?

YES NO .

N/A as Australia did not have any vessels on the 2016 IUU list

CMM 4.05 Commission record of Vessels authorised to fish in the Convention Area

Describe how you take into account the vessel and operator compliance history when considering whether or not to authorise a particular fishing vessel.

To fish in the SPRFMO Convention Area, Australian flagged vessels must hold a High Seas Permit. For Australia to issue a High Seas Permit, the vessel must be Australian-flagged. Compliance checks are conducted as part of the process of deeming vessels as Australia. The history of the operator and the vessel, including any IUU listing, is taken into account when deciding whether or not to authorise a High Seas Permit for a particular fishing vessel.

Describe the measures you have taken to ensure that you are able to take effective enforcement actions against the owners of vessels flying your flag should the need arise.

For Australian vessels operating in the SPRFMO Convention Area Australia imposes conditions through High Seas Permits that are consistent with SPRFMO CMMs. Australia enforces these requirements through a suite of MCS measures including observer coverage, inspections, adequate penalties through domestic legislation, warnings, fines and education and outreach.

Do you maintain your own register of fishing vessels for the SPRFMO Area?

YES NO

Does it contain all the necessary information (as described in Annex 1 of CMM 4.05(Record of Vessels; 2016)?

YES NO

Are there any reasons that this vessel information has not been collected?

N/A

Table 6: Vessel data submission summary

<i>Current number of vessels authorised to fish in the SPRFMO Area?</i>	<i>No. of new authorisations within reporting period</i>	<i>No. of revoked authorisations within reporting period</i>	<i>Authorisation details submitted to Secretariat?</i>	<i>No. of Active fishing vessels</i>	<i>No. of vessels only engaged in Transhipments(s)</i>
6	0	0	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	3	0

* For Jack Mackerel fisheries, these numbers may be equal to or larger than the figures provided in Table 1

CMM 2.06 VMS in the SPRFMO Convention Area

At this time, this CMM does not have readily measurable implementation requirements.

CMM 2.07 Minimum Standards of Inspection in Port

Are your ports able, or expected, to receive SPRFMO-managed species? YES NO

If so please complete the following table and questions:

Table 7: Implementation of Port Standards

Point of Contact transmitted to Secretariat?	Designated port list provided to Secretariat?	No. of foreign fishing vessels ² seeking to use port services	No. of foreign fishing vessels denied entry	No. of inspections	Percentage of foreign landings /transhipments inspected
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	0	0	0	N/A

Do you have sufficient capacity to conduct inspections in every designated port? YES NO

[Click here to enter text.](#)

Do you require foreign fishing vessels to provide information prior to any landing or port transhipment?

YES NO

If so, does that information comply with paragraph 11 of CMM 2.07 (Port Inspection; 2014)?

YES NO

[Click here to enter text.](#)

Is the notification period for a foreign fishing vessel's port request different than 48 hours?

YES NO . If so, please elaborate.

Notifications to enter an Australian port must be submitted at least 8 days before the estimated time of arrival at the port, subject to all necessary information being provided, which is consistent with our Port Access Guidelines. All Australian ports are designated for the purposes of this CMM. This information, along with our Point of Contact is available on the SPRFMO website.

Did you receive any requests from other Members, CNCPs or relevant RFMOs to inspect particular vessels? YES NO . If so, please elaborate.

[Click here to enter text.](#)

Did you encounter any difficulties with the inspection procedures described in paragraphs 18-22 of CMM 2.07 (Port Inspection; 2014)? YES NO . If so, please elaborate.

N/A Australia has not conducted any inspections under CMM 2.07 so has not had cause to apply these procedures.

Did any of your inspections discover evidence that a foreign fishing vessel has committed a breach of the SPRFMO CMMs? YES NO . If so, did you encounter any difficulties with the infringements procedures described in paragraphs 23-26 of CMM 2.07 (Port Inspection; 2014)?

YES NO

If difficulties were encountered, then please describe the reasons relating to those difficulties:

N/A

Have you provided (or received) any assistance as described under Paragraph 27 of CMM 2.07 (Port Inspection; 2014)? (Being the development of capacity, facilitation of participation and assessment of requirements for developing Members and CNCPs) YES NO

[Click here to enter text.](#)

² Limited to foreign fishing vessels carrying SPRFMO species caught within the SPRFMO Area

CMM 1.02 Gillnets in the SPRFMO Convention Area

1. Members shall require that vessels flying their flag prohibit the use of large-scale pelagic driftnets and all deepwater gillnets in the Convention Area.

Please describe how this requirement has been implemented

Australia's fisheries legislation prohibit the use of LSP driftnets and all DW gillnets. Gear permitted under Australia's high seas permits includes demersal longline, midwater trawl, demersal trawl, dropline and traps.

Have any of your vessels transited the Area while carrying gillnets? YES NO

If so, was 36hrs advance notice given? YES NO ,

Did the vessels operate a VMS? YES NO Partial ,

Were VMS reports submitted? YES NO Partial

Were any Gillnets lost overboard? YES NO

(Refer to CMM 1.02 (Gillnetting; 2013) paragraphs 2(a), (b), (c) and (d))

Additional information can be provided here:

[Click here to enter text.](#)

CMM 4.09 Minimising bycatch of seabirds in the SPRFMO Convention Area

Are your vessels required to implement appropriate seabird mitigation measures while fishing in the Convention Area? YES NO .

Are any of your **demersal longline vessels** only required to apply one of the three specified mitigation measures (i.e. line weighting, bird scaring, setting at night)?

YES NO . And if so, please list those vessels:

Australia prohibits the discharge of biological material during shooting and hauling and requires all vessels to use bird scaring lines. As Australia has maintained more than 10% observer coverage for at least the last five years with a seabird mortality rate of less than 0.001 birds /1000 hooks, only one mitigation measure is required.

During the recent reporting period have you maintained a minimum of 10% observer coverage over your demersal longline fleet? YES NO .

Have any of your vessels exceeded a mortality rate of 0.01 birds/1000 hooks? YES NO .

If so, please list those vessels and state if, after the mortality, whether these vessels applied at least one additional measure?

N/A.

Are any of your **trawl vessels** exempt from applying the specified mitigation measures (bird scaring lines, responsible discharge management, net cleaning, surface time minimisation)? YES NO .

During the recent reporting period did any mortality events occur? YES NO .

If so, please list the vessels concerned and stipulate if, after the mortality, whether these vessels applied appropriate mitigation measures?

Australian High Seas permit conditions were revised in August 2016 to require the use of bird bafflers, consistent with paragraph 1 of Annex 2.

Do you have any **trawlers** which are exempt from applying seabird mitigation measures because they discharge no biological material? YES NO .

And if so, please list those vessels and stipulate when these vessel exemptions were last reviewed?

N/A

Do you require your observers to record seabird interactions? YES NO .

If so, are the records in accordance with CMM 4.02 (Data Standards; 2016) and is the resulting data reported to the Secretariat? YES NO .

There were no interactions with seabirds in the reporting period. Any interactions would be reported consistent with paragraph 7 if they were to occur.

Table 8: Seabird mitigation measures in Demersal Longline

Biological discharge during shooting/hauling prohibited?	List of Seabird mitigation measures used in SPRFMO Area?	Observer coverage level ³ ?	No. of Seabird interactions	Approx. Seabird mortality rate (per 1000 hooks observed)
YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> .	As above	10.4%	0	0

Table 9: Seabird mitigation measures in Trawl Fisheries

No. of vessels that do not discharge Biological material?	No. of vessels discharging Biological material?	List of seabird mitigation measures used in SPRFMO Area	Observer coverage ⁴ level	No. of seabird interactions	Approx. seabird mortality rate (per tow observed)

³ Provided as a percentage of number of hooks, for the current calendar year

⁴ Provided as a percentage of number of tows for the current calendar year

0	1	as above	100%	0	0
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CMM 3.04 Boarding & Inspection Procedures

For reference a link to “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” ([1995 Agreement](#))

Have you informed SPRFMO about your designated authority to receive notifications pursuant to Article 21.4 of the 1995 Agreement? YES NO .

Which measures have you taken to ensure that vessel masters comply with the stipulations under Article 22.3 of the 1995 Agreement?

Australia has informed SPRFMO operators of their obligations under CMM 3.04, making particular mention of their obligation to comply with Article 22.3 of UNFSA. These obligations will also be outlined in the High Seas Management Arrangement Booklet for the 2017 season. Further, under Australian law (the Maritime Powers Act 2013 (Cth)) it is an offence for a person a person in charge of a vessel to fail to take reasonable steps to facilitate a boarding of the vessel, or to fail to cooperate with the inspection of the vessel.

Were any of the vessels flying your flag inspected by a SPRFMO Member? YES NO .

If yes:

- Were there any cases in which there were clear grounds for believing that a vessel has engaged in any activity contrary to the CMMs of the SPRFMO? YES NO .

If yes:

- How were the procedures described under Article 21.6 and 21.12 addressed? Did you encounter any problems?

[Click here to enter text.](#)

Have you conducted any at-sea inspections during the recent reporting period? YES NO . If yes:

- Have you informed the SPRFMO Secretariat of the form of identification issued to your duly authorised inspectors? YES NO
- Are your vessels used for boarding and inspection clearly marked and identifiable as being on government service? YES NO
- How do you ensure that your inspectors observe all provisions under Articles 21.10 and 22.1 of the 1995 Agreement?

[Click here to enter text.](#)

- How many at-sea inspections did you conduct?
- Following a boarding and inspection, have you had clear grounds for believing that a vessel has engaged in any activity contrary to the CMMs of the SPRFMO? YES NO .

If yes:

- Please list all cases.

[Click here to enter text.](#)

- In any of these cases, did you have clear grounds for believing that a vessel has committed a serious violation in accordance with Article 21.11 of the 1995 Agreement? If so, please provide details.

[Click here to enter text.](#)

- Did you secure evidence and promptly notify the flag State of the alleged violation and the results of any further investigation? YES NO

- Did you encounter any problems?

[Click here to enter text.](#)

CMM 3.05 Transshipment and Other Transfer Activities

Have any of your vessels conducted transshipments or other transfer activities during the reporting period?
 YES NO . If so, please complete the following questions and tables.

Were all transshipments and/or other transfer activities conducted between authorised vessels (i.e. on the Commission Record of Vessels at the time of the activity)? YES NO .

Table 10: Transshipments of *T. murphyi* caught in the Convention Area

Number of transshipments in which your vessels unloaded <i>T. murphyi</i> catch	Number of transshipments in which your vessels received <i>T. murphyi</i> catch	How many of the <i>T. murphyi</i> transshipments were observed?

Please list the vessels that conducted transshipments of *T. murphyi* during the reporting period:

N/A for Australia.

Table 11: Transshipments of demersal species caught in the Convention Area

Number of transshipments in which your vessels unloaded demersal catch	Number of transshipments in which your vessels received demersal catch	How many of the demersal transshipments were observed?
0	0	N/A

Please list the vessels that conducted transshipments of demersal species during the reporting period:

N/A for Australia.

CMM 4.13 New & Exploratory Fisheries

Are any of your vessels currently permitted to fish in SPRFMO exploratory fisheries?
 YES NO .

Are you seeking to permit a vessel that flies your flag to fish in an exploratory fishery?
 YES NO .

If so, have you submitted an application to the Commission in respect of these activities?
 YES NO .

And if so, have you submitted a Fisheries Operation Plan to the Scientific Committee in respect of these activities? YES NO .

CMM 4.14 Exploratory Toothfish Fishing (New Zealand only)

Did your vessels conduct exploratory fishing for toothfish during the reporting period?
[YES](#) [NO](#) . (If “no” then please skip the remaining questions).

Did all of the fishing use the bottom longline method ([YES](#) [NO](#)) and was it all conducted within the boxes specified in table 1 of that measure? [YES](#) [NO](#) .

Did the first trip occur during the period 1 July – 30 September? [YES](#) [NO](#) .

How many lines were set during the first trip?

On how many consecutive days did fishing operations occur during the first trip?

What was the total tonnage of toothfish caught during 2016?

Which vessel(s) were authorised and undertook exploratory fishing for toothfish?
[Click here to enter text.](#)

Was all of the exploratory fishing for toothfish in accordance with SC-03-DW-01_rev2 “Proposal for exploratory bottom longlining for toothfish by New Zealand vessels outside the bottom lining footprint during 2016 and 2017: Description of proposed activities and impact assessment” [YES](#) [NO](#) .

How many toothfish were tagged during the exploratory fishing () and what was the tagging overlap statistic?

Were all of the mitigation methods specified in paragraph 20 implemented during the exploratory fishing?
[YES](#) [NO](#)

Was the information described in paragraph 21 relating to marine mammals, seabirds, turtles, and other species of concern collected? [YES](#) [NO](#)

Was there a New Zealand government observer (and a dedicated assistant) on board the vessel during the exploratory fishing? [YES](#) [NO](#)

Was there a video monitoring and recording system installed and was the footage provided to the New Zealand Ministry for Primary Industries? [YES](#) [NO](#)

Any additional comments may be provided below:

[Click here to enter text.](#)

CMM 4.15 Vessels without Nationality

During the reporting period did you take any actions, in accordance with international law, against vessels without nationality (e.g. by prohibiting landing, transshipment or access to port services) [YES](#) [NO](#) .

If so, please provide additional details:

[Australia has not sighted any stateless vessels in the SPRFMO Convention Area and therefore has not taken any specific action against vessels without nationality by the means suggested in paragraph 3 of CMM 4.15. However, Australia is currently seeking to strengthen its domestic legislation to ensure we can continue to take appropriate action against vessels without nationality.](#)