

COMM-03-WP-01_r2

**Conservation and management measure for the establishment of a
Compliance and Monitoring Scheme in the SPRFMO Convention Area**

**The Commission of the South Pacific Regional Fisheries Management
Organisation (SPRFMO);**

Recalling the relevant provisions of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, in particular Articles 24, 25 and 26;

Noting that article 24 of the Convention requires each member of the Commission to implement any conservation and management measures adopted by the Commission;

Mindful of the rights and obligations of members of the Commission in promoting the effective implementation of conservation and management measures adopted by the Commission;

Noting that in accordance with international law, Members have responsibilities to exercise effective control over their flagged vessels and their nationals;

Recognizing the importance of introducing a robust compliance review mechanism by which the compliance of each Member is examined in depth on a yearly basis;

ADOPTS the following conservation measure to establish a SPRFMO Compliance and Monitoring Scheme (CMS):

I. Purpose

1. The purpose of the SPRFMO CMS is to ensure that Members and Cooperating Non-Contracting Parties (CNCs) implement and comply with obligations arising under the Convention and conservation and management measures (CMMs) adopted by the Commission. The CMS is designed to:

- a) Assess compliance by Members and CNCs with their obligations under the Convention and CMMs.
- b) Identify areas in which technical assistance or capacity building may be needed to assist Members and CNCs to achieve compliance.

- c) Identify aspects of CMMs which may require improvement or amendment to facilitate or advance their implementation. These findings and subsequent actions shall not necessarily replace any review procedure established in accordance with Article 30 of the Convention.
- d) Take action against non-compliance through preventive and remedial options that should include a range of possible responses that take into account the reasons for and degree of non-compliance, as assigned in accordance with paragraph 14 (a).

II. Scope and application

2. At each annual meeting, with the assistance of the Compliance and Technical Committee (CTC), the Commission shall evaluate Members and CNCs' compliance with their obligations arising from the Convention, in particular articles 24, 25 and 26, and CMMs adopted by the Commission included in Annex II of this measure. The assessment should cover the period 31 October of the current year till 1 November of the previous calendar year.

3. The Commission shall also review Compliance Action Plans and other recommendations on compliance adopted by the Commission, in accordance with this CMM, in previous years' Final Compliance Reports in order to assess how they have been implemented by the concerned Members and CNCs.

4. Each year, the Commission shall consider and identify whether compliance with additional CMMs should be evaluated annually or on another basis.

IIbis Implementation Reports

4.bis Within 90 days before the start of the CTC meeting Members and CNCs should provide the Secretariat with their Implementation reports as required by article 24 (2) of the Convention and any other relevant CMMs on the basis of a template to be developed by the Commission at its 2016 Annual meeting.

Until the template referred to above is adopted, the provisional template in Annex II will be used.

III. Draft Compliance Report

5. Prior to the annual meeting of the CTC, the SPRFMO Secretariat shall compile information received from Members and CNCs including their Implementation reports, data collection programs of the Commission and, where appropriate, any suitably documented information provided by ~~non government organizations or~~ other relevant sources, and shall prepare the Draft Compliance Report using the template in Annex II.

7. The SPRFMO Secretariat shall provide to each Member and CNCP its respective section of the Initial Draft Compliance Report no later than 60 days before the annual CTC meeting.

8. Each Member and CNCP shall comment on the Draft Compliance Report providing any additional information it deems suitable to the Secretariat no later than 30 days before the annual CTC meeting. This information shall, as appropriate:

- a) provide additional information, clarifications, amendments or corrections necessary to address the potential compliance issues identified or respond to any other request for additional information;
- b) identify any particular causes of the potential compliance issues or difficulties with respect to implementation of the obligation in question, or circumstances which may mitigate the potential compliance issues;
- c) identify technical assistance or capacity building needed to assist Members and CNCPs to address potential compliance issues.

9. The SPRFMO Secretariat shall compile a revised Draft Compliance Report which shall include all information, clarifications and comments provided by Members and CNCPs in response to the initial Draft Compliance Report, as described in paragraph 8 above.

10. The SPRFMO Secretariat shall circulate to Members and CNCPs the revised Draft Compliance Report no later than 14 days before the annual CTC meeting, by making it available on the non-public section of the Commission website. As soon as practicable after posting it, the Secretariat shall notify Members and CNCPs of its availability.

V- Provisional Compliance Report

11. At its annual meeting, the CTC shall consider the Draft Compliance Report, and may take into account any additional information provided during the meeting of the CTC by Members, CNCPs and other observers, including non-governmental organisations and other organisations concerned with matters relevant to the implementation of the Convention. CTC shall identify any potential compliance issues for each Member and CNCP.

12. On the basis of the information provided, the CTC shall develop a Provisional Compliance Report ~~which shall include an assessment of each Member's and CNCP's compliance status and recommendations for any corrective action needed~~, based on the issues identified in respect of that Member or CNCP, and using the criteria and considerations for assessing compliance status set out in Annex I. The Provisional Compliance Report shall include recommendations for the Commission for any follow-up corrective action needed. Its recommendations shall also include any and any preventive or remedial action taken, or proposed to be taken, by the Member or CNCP. Based on the status

accorded, those recommendations may include the need for the Commission to undertake a Compliance Review, develop a Compliance Action Plan or identify a Compliance Remedy.

13. The Provisional Compliance Report will include an Executive Summary that includes recommendations regarding:

- a) Where appropriate, proposals to amend or improve existing conservation and management measures;
- b) Identified obstacles to implementation including such as capacity building requirements;
- c) Provisions of CMMs and other Commission decisions that are a priority to be monitored and reviewed; and
- d) Other responsive action which may be considered by the Commission, as appropriate.

13bis14. The Provisional Compliance Report shall be forwarded to the Commission for consideration at the annual meeting.

VI- Final Compliance Report

14. The Commission shall consider the Provisional Compliance Report provided by the CTC, and adopt a Final Compliance Report at its annual meeting, which shall include:

- a) A compliance status for each Member and CNCP with respect to the implementation of their obligations under the Convention and CMMs, and recommendations for any corrective action needed, based on compliance issues identified with respect to that Member or CNCP.
- b) Suggestions for possible amendments or improvements to existing CMMs to address implementation or compliance difficulties experienced by Members and CNCPs.
- c) Obstacles to implementation identified by Members and CNCPs or otherincluding capacity building requirements.
- d) Additional obligations that should be reviewed under the CMS.
- e) Any other action the Commission shall deem appropriate to address non-compliance noted in the Final Compliance Report or to promote compliance with the Convention, CMMs and other obligations reviewed in the CMS.

15. The final Compliance Report shall also contain an executive summary setting out any recommendations or observations from the Commission regarding the issues listed in paragraph 14 of this measure.

VII. Other rules

16. All the relevant information arising from the SPRFMO CMS procedure shall be subjected to the relevant applicablethe SPRFMO rules and procedures regarding the use of information and transparency set out, inter alia, in Article 18 of the Convention and the

~~SPRFMO Standards for the Collection, Reporting, Verification and Exchange of Data, as amended.~~ Therefore, the Draft and Provisional Compliance Reports shall not constitute public domain data, but the Final Compliance Report and the executive summary shall be public domain data.

17. The Commission shall take a graduated response to non-compliance, taking into account the type, severity, degree and cause of the non-compliance in question. The Commission should develop, as a matter of priority, a process to complement the CMS that identifies a range of specific responses to non-compliance events that may be applied by the Commission through the implementation of the CMS. This shall include penalties and any other actions as may be necessary to promote compliance with the Convention, CMMs and other obligations included in the CMS.

18. This CMM will be revised at the 2017 Annual Meeting.

Annex I: Status of Compliance

For the purposes of this Conservation Measure, 'compliance status' refers to Members and CNCPs' compliance with their obligations arising from the Convention, in particular articles 24, 25 and 26 and the conservation measures listed in Annex II of this measure and takes account of Members and CNCP' responses and corrective actions to address compliance issues identified.

Compliance Status	Criteria	Follow up
Compliant	No compliance issues identified with respect to the relevant obligations.	none
Non-compliant	Non-compliance may be due to: a) Actions or omissions which constitute a minor infringement of relevant obligations; b) Insufficient, unclear or incorrect data or information; c) <u>Ambiguity or misunderstanding of relevant obligations.</u>	Undertake a Compliance Review to identify non-compliance of a minor or technical nature or obligations with respect to which further information is required in order to identify implementation gaps and improve compliance.
Priority non-compliant	Non-compliance may be due to: a) Action or omissions that constitute a serious infringement of relevant obligations; b) Non-compliance that undermines the effectiveness of the Convention or CMM; c) Failure to comply with previous CMS recommendations adopted by the Commission, after sufficient time and assistance has been provided.	Develop a compliance action plan to assist Members and CNCPs to actively take steps to respond to and rectify non-compliance or improve implementation of relevant obligations, including through the provision of technical assistance or capacity building, where appropriate.
Seriously/Persistently Non-Compliant	Non-compliance may be due to: a) Action or omissions that constitute a repeated serious infringement of relevant obligations; b) Repeated non-compliance that undermines the effectiveness of the Convention or CMMs; c) Repeated failure to comply with previous Compliance Action Plans after sufficient time and assistance has been provided.	Identify a Compliance Remedy to address instances of persistent non-compliance which have not been resolved even after sufficient time and assistance have been provided through a Compliance Action Plan.
<u>Not assessed</u>	<u>Proven ambiguity of relevant obligations</u>	<u>Commission to clarify obligation and if necessary, amend relevant provisions</u>

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**Provisional template for ~~the National~~ Implement~~ation~~ing Report on
Implementation of the SPRFMO Conservation and Management Measures**

Reporting Member/CNCP:

Calendar Year to which this report refers:

Date report prepared:

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

Have any of your vessels transited the Area while carrying gillnets?

(If so, was 36hrs advance notice given, did the vessels operate a VMS, were VMS reports submitted and were any Gillnets lost overboard? (refer Paras 2a, b, c & d))

CMM 1.04 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?

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

Were any of your flagged vessels on the draft IUU list?

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

Were any of your flagged vessels on the final IUU list?

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

Also what measures were taken to eliminate these IUU activities?

Did you enforce any of the measures described under paragraph 12? If so, please elaborate.

CMM 2.01 *Trachurus murphyi*

Do your vessels fish for T. murphyi in, or adjacent to, the Convention Area?

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

Table 1: CMM 2.01 Effort Management

Gross Tonnage (GT) Limit	GT of Active fishing vessels	Number of vessels actively fishing for CJM	Number of vessels only engaged in Transhipment(s)
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Enter n/a if not applicable.

Table 2: CMM 2.01 Catch Management

CJM catch limit	CJM catch limit taking into account any catch transfers	Provisional CJM catch total
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Table 3: CMM 2.01 Data collection and reporting

Number of Monthly reports provided	VMS implemented and data provided?	List of authorised vessels provided?	Annual report provided to SC?	Observer coverage level
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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 para 8)? If so, please elaborate.

Did you conduct any research or stock assessments for T. murphyi during this past year and were they submitted to the Scientific Committee?

Did any of your vessels land or tranship T. murphyi within your ports and did you take measures to verify those catches?

Is any part of your national jurisdiction area adjacent to the Area to which CMM 2.01 applies? If so, have you decided to apply the measures described in Para 11 -22 within your national jurisdiction areas? Also, have you submitted measures in effect for T. murphyi within your national jurisdiction areas to the Secretariat?

CMM 2.02 Standards for the Collection, Reporting, Verification and Exchange of Data

Table 4: Participation in SPRFMO fisheries during the past year

Fishing method	Activities undertaken?	Main species?	Number of vessels	Activities observed?
Demersal Drop/dahn line				
Demersal Longline				
Demersal Potting				
Demersal Trawl				
Pelagic Purse seine				
Pelagic Trawl				
Squid jigging				
Transshipment				

***Were you able to meet the data collection requirements described in paragraphs 1(b) (c) and (d)?
(Being information on fishing activity, non-target species impacts and transshipments/landings)***

Do you have a national observer programme, and if so have you submitted an annual observer implementation report to the Secretariat?

- Note this section could be expanded to include the observer implementation report

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 Paras 3(b) and 3(c)?

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

CMM 2.03 Bottom fishing in the SPRFMO Convention Area

*Do you fish in the **Convention Area** using **bottom fishing methods**?*

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?	2002-06 average annual catch (t)	Provisional catch total for last year (t)	Observer coverage level (Trawl)	Observer coverage level (other)	Number of VME encounters above the threshold	Number of monthly reports provided
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Have you prohibited your vessels from participating in bottom fishing activities in the Convention Area, except when in accordance with this measure?

*Have you established threshold levels for VME encounters? If so what are they?
Also, do you require your vessels to cease fishing operations within 5 miles of any site where threshold levels are exceeded?*

Have you divided your footprint into sub-areas for the purposes of preventing significant adverse impacts to VMES? If so, please elaborate.

*Do you have additional measures that apply to your bottom fishing vessels in the Convention Area?
If so, please elaborate.*

Have you identified any sites within the Convention Area where VMEs are likely to occur? If so have you provided this information to the Secretariat?

Have you taken steps to ensure that your bottom fishing vessels are able to comply with all of the requirements detailed in paragraph 24?

Are you aware of any non-member (or non- CNCP) that has recently bottom fished in the Convention Area? 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?

CMM 2.04 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?

Do you have any vessels which are exempt from applying seabird mitigation measures? And if so, when was the last time these vessels were reviewed?

Do you require your observers to record seabird interactions? If so, are the records in accordance with CMM 2.02 and is the resulting data reported to the Secretariat?

Table 6: Seabird mitigation measures in Demersal Longline

Biological discharge during shooting/hauling prohibited?	List of Seabird mitigation measures used in SPRFMO Area	Observer coverage level ¹	Number of Seabird captures	Approximate seabird mortality rate (per 1000 hooks observed)
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Table 7: Seabird mitigation measures in Trawl Fisheries

Number of vessels that do not discharge Biological material	Number of vessels discharging Biological material	List of Seabird mitigation measures used in SPRFMO Area	Observer coverage level ²	Number of Seabird captures	Approximate seabird mortality rate (per tow observed vessel)
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¹ Provided as a percentage of number of hooks

² Provided as percentage of number of tows

CMM 2.05 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.

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.

Do you maintain your own register of fishing vessels for the SPRFMO Area and does it contain all the necessary information (as described in Annex 1 of the measure)?

Table 8: Vessel data submission summary

Number of vessels authorised to fish in the SPRMO Area	Number of new authorisations within past year	Number of revoked authorisations within past year	Authorisation details submitted to Secretariat?	Number of Active fishing vessels*	Number of vessels only engaged in Transhipment(s)*
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*** 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 have ports able, or expected, to receive SPRFMO-managed species?

If so please complete the following table and questions.

Table 9: Implementation of Port Standards

Point of Contact	Designated port	Number of	Number of	Number of	Percentage of
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transmitted to Secretariat?	list provided to Secretariat?	foreign fishing vessels seeking to use port services	foreign fishing vessels denied entry	inspections	foreign landings /transhipments inspected
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Do you have sufficient capacity to conduct inspections in every designated port?

Do you require foreign fishing vessels to provide the information prior to any landing or port transhipment? If so, does that information comply with paragraph 11?

Is the notification period for a foreign fishing vessels port request different than 48 hours? If so, please elaborate.

Did you receive any requests from other Members, CNCs or relevant RFMOs to inspect particular vessels? If so, please elaborate.

Did you encounter any difficulties with the inspection procedures described in paragraphs 17-21? If so, please elaborate.

Did any of your inspections discover evidence that a SPRFMO had occurred? If so, did you encounter any difficulties with the infringements procedures described in paragraphs 22-25?

*Have you provided (or received) any assistance as described under Paragraph 26?
(Being the development of capacity, facilitation of participation and assessment of requirements for developing members and CNCs)*

ANNEX III

Draft Compliance Report

Reporting Member/CNCP:

Calendar Year to which this report refers:

Date report prepared:

The Conservation and Management Measures which have been assessed include:

- CMM 1.02
- CMM 1.04
- CMM 2.01
- CMM 2.02
- CMM 2.03
- CMM 2.04
- CMM 2.05
- CMM 2.06
- CMM 2.07
- Relevant CMMs adopted at the 2015 Annual Meeting

The obligations under the Convention which have been assessed include:

- Obligations under articles 24, 25 and 26 of the SPRFMO Convention

In general throughout this paper, a “Nil” is used when a Member or CNCP did not conduct fishing in the Area during that period. A blank cell indicates that the Member or CNCP did conduct fishing, but no information relevant to that measure has been provided to the Secretariat.

Note all [year] figures are preliminary, and assessments of compliance are made using the best information available at this time.

Members and CNPs are invited to provide comments where a possible compliance issue has been raised and there are mitigating circumstances or additional information that may explain the possible non-compliance .

*CMM 2.01 *Trachurus murphyi* (example to be followed for all CMMs)*

Effort management

Paragraph 4:

Members and CNCPs shall limit the total gross tonnage (GT) of vessels flying their flag and participating in the *Trachurus murphyi* fisheries in the Convention Area to the total tonnage of their flagged vessels that were actively fishing in 2007 or 2008 or 2009 in the Convention Area and as set out in Table 1 of CMM1.01. Members and CNCPs may substitute their vessels as long as the total level of GT for each Member and CNCP does not exceed the level recorded in that Table.

Table 1: Gross Tonnage limits as referred to in Paragraph 5 (CMM 2.01) compared with vessels actively fishing for *Trachurus murphyi* in the Convention Area during 2014 and any possible compliance issues.

Member/CNCP	Gross Tonnage limit	Year X Active fishing Vessels	Year X-1 Compliance Status (as agreed by the Commission)	Year X - Any possible compliance issues?
Name of Member or CNCP			[Compliant/ Non-compliant]	[Y/N]

Note: Tonnage is GT unless otherwise stated.

³ This total includes the vessel Lafayette. Operational fishing data, in accordance with the consolidated data standards, has not been supplied to the Secretariat in respect of this vessel and information supplied by some delegations indicates that the vessel probably was not capable of fishing in either 2009 or 2010. Some delegations requested the GT for this vessel (49,173 GT) should be held in abeyance pending receipt of operational fishing information. The Russian delegation stated that vessel Lafayette has duly obtained all certificates from the Russian Maritime Register of Shipping to be qualified for the fishing class; the vessel has undergone initial physical inspections and subsequent annual surveys to confirm its ability to be engaged in direct fishing operations.

Secretariat Assessment of Compliance and potential compliance issues

- Statement of Secretariat raising any potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment
Member/CNCP	<i>This is the opportunity for members to comment on the secretariat's provisional assessment of potential compliance issues in relation to the obligation in this CMM that is being reviewed. This section should only be completed by a member country if they have any issues with the provisional assessment or if there is any further information they wish to add for the CTC to consider.</i>

Catch Management

Paragraph 7:

...That Member or CNCP shall close the fishery for its flagged vessels when the total catch of its flagged vessels is equivalent to 100% of its catch limit. Such Member or CNCP shall notify promptly the Executive Secretary of the date of the closure.

Paragraph 9:

A Member may transfer to another Member all or part of its entitlement to catch up to the limit set out in Table 1, subject to the approval of the receiving Member. Before the transferred fishing takes place, the transferring Member shall notify the transfer to the Executive Secretary for circulation to Members and CNCPs without delay.

Table 2: Catch Tonnages in 2014 for *T. murphyi* (t) referred to in paragraph 5 of CMM2.01 and any possible compliance issues

Member/CNCP	Year X Catch limit (Table 1 in CMM 2.01)	Effect of Catch Transfers	Preliminary Year X Catch Total*	Year X-1 Compliance Status (as agreed by the Commission)	Year X - any possible compliance issues?
Total			[total]	[Compliant/ Non-compliant]	[Y/N]

*Data only available up to and including [Date and year]

Secretariat Assessment of Compliance

- Statement of Secretariat raising any potential compliance issues.
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Member Comments on Potential Compliance Issues

Member	Comment
<i>Name of member</i>	<i>This is the opportunity for members to comment on the secretariat's provisional assessment of potential compliance issues in relation to the obligation in this CMM that is being reviewed. This section should only be completed by a member country if they have any issues with the provisional assessment or if there is any further information they wish to add for the CTC to consider.</i>

Data Collection and Reporting

Paragraph 11:

Members and CNCPs participating in the *Trachurus murphyi* fishery shall report in an electronic format the monthly catches of their flagged vessels to the Secretariat within 20 days of the end of the month, in accordance with the Data Standards CMM 2.02 and using templates prepared by the Secretariat and available on the SPRFMO website.

Table 3: Assessment of compliance for year X Monthly Catch returns and any possible compliance issues

Member/CNCP	Number of reports	% received within 10 days	Year X-1 Compliance Assessment (as agreed by the Commission)	Year X - Any potential compliance issues?
Name of Member			[Compliant/ Non-compliant]	[Y/N]

Secretariat Assessment of Compliance

- Statement of Secretariat raising any potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment
Name of member	<i>This is the opportunity for members to comment on the secretariat's provisional assessment of their compliance status in relation to the CMM. This section should only be completed by a member country if they have any issues with the provisional compliance assessment or if there is any further information they wish to add for the CTC to consider.</i>

Paragraph 13:

Except as described in paragraph 11 above, each Member and CNCP participating in the *Trachurus murphyi* fishery shall collect, verify, and provide all required data to the Executive Secretary, in accordance with the SPRFMO Data Standards CMM 2.02 and the templates available on the SPRFMO website, including an annual catch report.

Please refer to the below section on CMM 1.03.

Paragraph 15:

Members and CNCPs participating in the *Trachurus murphyi* fisheries shall implement a vessel monitoring system (VMS) in accordance with the SPRFMO Data Standards CMM 2.02 and other relevant CMMs adopted by the Commission. These VMS data shall be provided to the Executive Secretary within 10 days of each quarter in the format prescribed by the SPRFMO Data Standards CMM 2.02 and using the templates on the SPRFMO website.

Table 4: Assessment of compliance for year X VMS data

Member/CNCP	Number of reports	% received within 10 days	using templates	Provided in prescribed format	Year X-1 Compliance Assessment (as agreed by the Commission)	Year X - Any potential compliance issues?
Name of member					[Compliant/ Non-compliant]	[Y/N]

When calculating %; nil reports are ignored.

Secretariat Assessment of Compliance

- Statement of Secretariat raising any potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment
<i>Name of member</i>	<i>This is the opportunity for members to comment on the secretariat's provisional assessment of their compliance status in relation to the CMM. This section should only be completed by a member country if they have any issues with the provisional compliance assessment or if there is any further information they wish to add for the CTC to consider.</i>

Paragraph 16:

Each Member and CNCP participating in the *Trachurus murphyi* fishery shall provide the Executive Secretary a list of vessels (*Fishing vessels as defined in Article 1(h) of the Convention*) they have authorized to fish in the fishery in accordance with Article 25 of the Convention and shall provide data in respect of those vessels in accordance with paragraph 5 of CMM 2.05 and other relevant CMMs adopted by the Commission. They shall also notify the Executive Secretary of the vessels that are actively fishing or engaged in transshipment in the Convention Area within 20 days of the end of each month. The Executive secretary shall maintain lists of the vessels so notified and will make them available on the SPRFMO website.

[For information on authorized vessel submissions in accordance with the SPRFMO Record of Authorised Fishing Vessels, please refer to the Secretariat's assessment of compliance with CMM2.05. Monthly returns, which contain catch reports, also have information on active and transshipping vessels (refer Table 3).]

Paragraph 18:

In order to facilitate the work of the Scientific Committee, Members and CNCPs shall provide their annual national reports, in accordance with the existing guidelines for such reports, in advance of the 2014 Scientific Committee meeting. Members and CNCPs shall also provide observer data for the 2014 fishing season to the Scientific Committee to the maximum extent possible. The reports shall be submitted to the Executive Secretary at least one month before the 2014 Scientific Committee meeting in order to ensure that the Scientific Committee has an adequate opportunity to consider the reports in its deliberations.

Table 5: Assessment of compliance with CMM 2.01 Paragraph 18 and any potential compliance issues

Member/CNCP	Year X annual report provided	Received 1 month prior to SC01	Year X-1 observer data provided to SC01*	Year X-1 Compliance Assessment (as agreed by the Commission)	2014 - Any potential compliance issues?
Name of Member	[Y/N]	[Y/N]	[Y, N or n/a]	[Compliant/Non-compliant]	[Y/N]

*Observer data as defined in CMM 1.03

Australia, Ecuador, New Zealand and Chinese Taipei are not currently participating in the *Trachurus murphyi* fishery (in the Area covered by CMM 1.01) and are only included in Table 5 as a matter of completeness.

Secretariat Assessment of Compliance

- Statement of Secretariat raising any potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment
Name of member	<i>This is the opportunity for members to comment on the secretariat's provisional assessment of their compliance status in relation to the CMM. This section should only be completed by a member country if they have any issues with the provisional compliance assessment or if there is any further information they wish to add for the CTC to consider.</i>

Paragraph 19:

In accordance with Article 24(2), all Members and CNCPs participating in the *Trachurus murphyi* fishery shall provide, at least 10 days before the meeting of the Compliance and Technical Committee (CTC), a report describing their implementation of this CMM....

Secretariat Assessment of Compliance

- Secretariat's assessment of compliance.
- If the Secretariat is not able to assess compliance with this paragraph at the time of producing this report, Members and CNCPs may need to provide additional information.

Member Comments on Potential Compliance Issues

Member	Comment
<i>Name of member</i>	<i>This is the opportunity for members to comment on the secretariat's provisional assessment of their compliance status in relation to the CMM. This section should only be completed by a member country if they have any issues with the provisional compliance assessment or if there is any further information they wish to add for the CTC to consider.</i>

Paragraph 22:

Until the Commission adopts an Observer Programme in accordance with Article 28 of the Convention, all Members and CNCPs participating in the *Trachurus murphyi* fishery shall ensure a minimum of 10 % scientific observer coverage of trips for vessels flying their flag and ensure that such observers collect and report data as described in the SPRFMO Data Standards CMM 2.02. In the case of the flagged vessels of a

Member or CNCP undertaking no more than 2 trips in total, the 10% observer coverage shall be calculated by reference to active fishing days for trawlers and sets for purse seine vessels.

Secretariat Assessment of Compliance

- Secretariat's assessment of compliance.
- If the Secretariat is not able to assess compliance with this paragraph at the time of producing this report, Members and CNCPs may need to provide additional information.

Member Comments on Potential Compliance Issues

Member	Comment
<i>Name of member</i>	<i>This is the opportunity for members to comment on the secretariat's provisional assessment of their compliance status in relation to the CMM. This section should only be completed by a member country if they have any issues with the provisional compliance assessment or if there is any further information they wish to add for the CTC to consider.</i>