EUROPEAN UNION

THE EUROPEAN PARLIAMENT **THE COUNCIL**

Strasbourg, 15 March 2023
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REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL LAYING DOWN CONSERVATION AND MANAGEMENT MEASURES FOR THE CONSERVATION OF SOUTHERN BLUEFIN TUNA

REGULATION (EU) 2023/…
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 15 March 2023

laying down conservation and management measures
for the conservation of southern bluefin tuna

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Acting in accordance with the ordinary legislative procedure[2],

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1 OJ C 105, 4.3.2022, p. 151.

2 Position of the European Parliament of 2 February 2023 (not yet published in the Official Journal) and decision of the Council of 21 February 2023.

Whereas:

(1) The objective of the Common Fisheries Policy ('CFP'), as set out in Regulation (EU) No 1380/2013 of the European Parliament and of the Council[1], is to ensure that the exploitation of living aquatic resources contributes to long-term environmental, economic and social sustainability.

(2) Under Council Decision 98/392/EC[2], the Union approved the United Nations Convention of 10 December 1982 on the Law of the Sea. Under Council Decision 98/414/EC[3], the Union approved the Agreement on the implementation of that convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, which contains principles and rules with regard to the conservation and management of the living resources of the sea. In the framework of its wider international obligations, the Union participates in efforts made in international waters to conserve fish stocks and strives to strengthen global ocean governance and to promote sustainable fisheries management.

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1 Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

2 Council Decision 98/392/EC of 23 March 1998 concerning the conclusion by the European Community of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement of 28 July 1994 relating to the implementation of Part XI thereof (OJ L 179, 23.6.1998, p. 1).

3 Council Decision 98/414/EC of 8 June 1998 on the ratification by the European Community of the Agreement for the implementing 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 stocks and highly migratory fish stocks (OJ L 189, 3.7.1998, p. 14).

(3) The Convention for the Conservation of Southern Bluefin Tuna ('the Convention'), which established the Commission for the Conservation of Southern Bluefin Tuna ('CCSBT'), does not provide for the accession of regional economic integration organisations such as the Union. To promote cooperation in the conservation and management of southern bluefin tuna, the CCSBT has created the Extended Commission for the Conservation of Southern Bluefin Tuna ('Extended Commission'), in which the Union can participate as a member. Decisions adopted by the Extended Commission become decisions of the CCSBT at the end of the session of the CCSBT meeting to which they were reported by the Extended Commission, unless the CCSBT decides to the contrary. Members of the Extended Commission have the same obligations as members of the CCSBT, including compliance with the decisions of the CCSBT and the provision of financial contributions to the CCSBT.

(4) Pursuant to Council Decision (EU) 2015/2437[1], the Union is a member of the Extended Commission.

(5) The Extended Commission adopts annual conservation and management measures that its members, including the Union, have firmly committed to respecting and complying with.

[1] Council Decision (EU) 2015/2437 of 14 December 2015 on the conclusion, on behalf of the European Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) concerning the membership of the Union in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna (OJ L 336, 23.12.2015, p. 27).

(6) Unlike in other regional fisheries management organisations ('RFMOs') in which the Union participates, the Union has no fishing vessels that target southern bluefin tuna and it has reported only accidental by-catch of that species in the past and none since 2012. Nevertheless, it is still appropriate for the Union to comply with the relevant conservation and management measures adopted by the CCSBT relating to the activities and characteristics of the Union fleet and in relation to the trade in southern bluefin tuna.

(7) The area of distribution of southern bluefin tuna overlaps with the convention areas of the Indian Ocean Tuna Commission, the Western and Central Pacific Fisheries Commission and the International Commission for the Conservation of Atlantic Tunas, where the Union long-line fleet that targets tropical tunas and tuna-like species has reported limited amounts of by-catch of southern bluefin tuna in the past.

(8) This Regulation implements into Union law the relevant resolutions of the CCSBT adopted by 2020, except for measures which already form part of Union law. This Regulation covers only the CCSBT provisions applicable to the Union, taking into consideration in particular the specificities of the Union fleet, such as no targeted fishery, exclusively accidental by-catch in the past and none since 2012 and no transhipments or landing, and the trade in southern bluefin tuna. In practice, most obligations will only be triggered if the Union fleet accidentally has by-catches of southern bluefin tuna, which has not occurred since 2012, and retains those fish on-board, something that has not been reported to date.

(9) To ensure compliance with Regulation (EU) No 1380/2013, Union legislation has been adopted to establish a system of control, inspection and enforcement, which includes the fight against illegal, unreported and unregulated (IUU) fishing. In particular, Council Regulation (EC) No 1224/2009[1] establishes a Union system for control, inspection and enforcement with a global and integrated approach to ensure compliance with all the rules of Regulation (EU) No 1380/2013. Commission Implementing Regulation (EU) No 404/2011[2] lays down detailed rules for the implementation of Regulation (EC) No 1224/2009. Council Regulation (EC) No 1005/2008[3] establishes a Community system to prevent, deter and eliminate IUU fishing. Those Regulations already cover a number of the measures laid down in CCSBT resolutions. It is therefore not necessary to cover those measures in this Regulation.

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1 Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

2 Commission Implementing Regulation (EU) No 404/2011 of 8 April 2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system, for ensuring compliance with the rules of the Common Fisheries Policy (OJ L 112, 30.4.2011, p. 1).

3 Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

(10) Pursuant to Regulation (EU) No 1380/2013, the position of the Union in RFMOs and Union activities in international fisheries organisations are to be based on the best available scientific advice to ensure that fishery resources are managed in accordance with the objectives of the CFP, in particular to ensure that exploitation of living marine biological resources is environmentally sustainable in the long-term and restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield, to provide conditions for an economically viable and competitive fishing capture and processing industry and land-based fishing-related activity, to cooperate with RFMOs to strengthen their performance in reinforcing compliance with measures to combat IUU fishing, and to contribute to the availability of sustainable food supplies.

(11) In order to swiftly implement future CCSBT resolutions into Union law, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending this Regulation concerning the targeting of southern bluefin tuna by Union fishing vessels, the information provided for in the Record of Vessels, the time-limits or periods related to the submission of the information in the catch tagging forms, the retention of catch documentation scheme documents, the transmission of transhipment notifications, the transmission of information to the Secretariat established by the CCSBT ('Secretariat') concerning the IUU vessel list and investigation reports, the transmission of information concerning points of contact for port inspections, the transmission of by-catch notifications, the submission of annual reports and Annexes I to IV. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

[1] OJ L 123, 12.5.2016, p. 1.

(12) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council[1] and delivered an opinion on 20 September 2021. Personal data processed in the framework of this Regulation should be treated in accordance with the applicable provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council[2] and Regulation (EU) 2018/1725. In order to ensure effective enforcement of this Regulation, the personal data should be stored for a period of ten years. In the event that the personal data in question are needed for the follow-up on an infringement, an inspection or judicial or administrative procedures, it should be possible to store those data for a period exceeding ten years, but no longer than 20 years.

HAVE ADOPTED THIS REGULATION:

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1 Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

2 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).

Article 1

Subject matter

This Regulation implements into Union law management, conservation and control measures established under the Convention for the Conservation of Southern Bluefin Tuna that are binding on the Union.

Article 2

Scope

This Regulation shall apply to:

(a) Union fishing vessels carrying out fishing in the area of distribution of southern bluefin tuna under the Convention; and

(b) Member States importing, exporting or re-exporting southern bluefin tuna.

Article 3

Definitions

For the purposes of this Regulation, the following definitions apply:

(1) ‘SBF’ means southern bluefin tuna or fish products originating from southern bluefin tuna;

(2) ‘Record of Vessels’ means the record of vessels established by the CCSBT authorised to fish for or by-catch SBF;

(3) ‘Union fishing vessel’ means any vessel flying the flag of a Member State, used or intended for use for the purposes of commercial exploitation of marine biological resources, including support vessels, fish processing vessels, vessels engaged in transhipment and carrier vessels equipped for the transportation of fishery products, but excluding container vessels;

(4) ‘transhipment’ means the unloading of all or any fishery product(s) on board a fishing vessel to another fishing vessel;

(5) ‘SBF tag’ means an external label attached to the whole SBF that contains information on the individual fish;

(6) ‘CDS’ means the specific catch documentation scheme for SBF established by the CCSBT comprising the catch monitoring form, catch tagging form and export or re-export form;

(7) ‘catch monitoring form’ means the document set out in Annex I, that records information on the catch, transhipment, export and import of SBF;

(8) ‘catch tagging form’ means the document set out in Annex II, that records information on individual fish tagged;

(9) ‘import’ means the introduction of SBF into the territory of the Union, including for transhipment purposes at ports in its territory;

(10) ‘export or re-export form’ means the document set out in Annex III, that contains information on SBF already tracked on the catch monitoring form of an import that is, either in full or part, exported or re-exported;

(11) ‘export’ means any movement to a third country of SBF harvested by Union fishing vessels;

(12) ‘re-export’ means any movement from the territory of the Union of SBF that had been previously imported into the territory of the Union;

(13) ‘whole SBF’ means SBF which has not undergone filleting or loining;

(14) ‘processed SBF’ means SBF which has undergone cleaning, gilling gutting, freezing, removal of fins, operculae (gill plates/covers) and tail and removal of the head or parts of the head;

(15) ‘SBF parts other than the meat’ means the head, eyes, roe, guts and tail;

(16) ‘transhipment declaration’ means the document set out in Annex IV;

(17) ‘conservation and management measures’ means the resolutions and other binding measures adopted by the CCSBT;

(18) ‘Annual VMS summary report’ means the document the format of which is set out in Attachment A to CCSBT-CC/0910/06 or in any document which supersedes it, in which the relevant VMS information is provided;

(19) ‘Compliance Committee’ means the subsidiary body of the CCSBT that monitors, reviews and assesses compliance with conservation and management measures;

(20) ‘draft IUU vessel list’ means the initial list drawn up by the Secretariat.

Article 4

General prohibition on the targeting of SBF

The targeting of SBF by Union fishing vessels shall be prohibited. Any SBF retained on board Union fishing vessels shall count exclusively as by-catch.

Article 5

Record of vessels

1. Each flag Member State shall submit to the Commission the list of Union fishing vessels authorised by it to have SBF by-catch that are to be included in the Record of Vessels. That list shall include the following information for each vessel:

(a) Lloyds/International Maritime Organization (IMO) Number;

(b) name of vessel(s), register number(s);

(c) previous name(s) (if any);

(d) previous flag(s) (if any);

(e) previous details of deletion from other registries (if any);

(f) international radio call sign(s) (if any);

(g) type of vessel(s), length overall and gross registered tonnage (GRT);

(h) name and address of owner(s);

(i) name and address of operator(s);

(j) gear(s) used; and

(k) time period authorised for fishing SBF or transhipping.

2. Union fishing vessels that are not included in the Record of Vessels shall be prohibited from retaining on board, transhipping or exporting SBF.

3. Member States shall indicate, when submitting their list of vessels in accordance with paragraph 1, those vessels which are new additions and those which replace vessels currently on the list.

4. Member States shall notify the Commission of any changes to their list of vessels without delay. The Commission shall forward that information to the Secretariat without delay.

5. Where a Union fishing vessel has been involved in IUU fishing, a Member State shall only send to the Commission the information required under paragraph 1 after receiving sufficient commitment from the owner of the vessel concerned that it will no longer conduct such fishing.

Article 6

Tagging of SBF

1. Where SBF that has been by-caught by Union fishing vessels is intended for export or re-export, an SBF tag shall be attached to each whole SBF at the time of harvesting. In exceptional circumstances, where a tag becomes accidentally detached and cannot be reattached, a replacement tag shall be attached as soon as possible and in any event no later than the time of transhipment or export.

2. Non-processed whole SBF shall not be imported, exported or re-exported without a SBF tag except where the tag is no longer required because further processing has occurred.

3. The SBF tag shall remain attached to each individual fish for as long as the fish carcass remains whole and shall include the month, area and method of capture, and the weight and length of each SBF.

4. Each SBF tag shall have a unique pre-recorded tag number in an easily readable form which shall include a unique flag state identifier and a fishing year identifier and shall be:

   (a) capable of being securely fastened to SBF;

   (b) non-reusable;

(c) tamper-proof;

(d) secure from counterfeiting or replication;

(e) capable of withstanding at least minus sixty degrees Celsius temperatures, salt water and rough-handling; and

(f) food safe.

5. Flag Member States shall record the distribution of SBF tags to the vessels flying their flag and shall ensure that the vessels flying their flag, the operators of those vessels and the relevant authorities, have reporting procedures and formats which enable the required tagging information to be collected.

Article 7

Catch tagging form

1. Where SBF by-caught by Union fishing vessels is intended for export or re-export, a catch tagging form shall be completed as soon as possible after each individual SBF is harvested. The length and weight of the SBF shall be measured before the SBF is frozen.

2. Where the length and weight of the SBF cannot be accurately measured on board the vessel, those measurements shall be taken, and the associated catch tagging form shall be completed, at the time of transhipment, and in any event before any further transfer of the SBF.

3. Masters of Union fishing vessels shall provide the completed catch tagging forms to the authorities of the flag Member States. Member States shall submit the information in the catch tagging forms to the Commission on a quarterly basis. The Commission shall forward that information to the Secretariat without delay.

Article 8

Trade in SBF

1. All imports, exports and re-exports of SBF shall be accompanied by CDS documents and tags, as provided for in this Regulation.

2. SBF parts other than the meat may be imported, exported and re-exported without an export or re-export form, as applicable.

Article 9

Imports of SBF into the Union

1. SBF imported into the Union shall be accompanied by a catch certificate in accordance with Article 12 of Regulation (EC) No 1005/2008 and by an export or re-export form, as applicable.

2. Member States shall not accept for import any consignment of SBF that is not accompanied by the CDS documents and tags.

3. Member States shall not accept for import full or partial consignments of untagged non-processed whole SBF.

Article 10

Exports or re-exports of SBF

1. Without prejudice to the validation, in accordance with Article 15(1) of Regulation (EC) No 1005/2008, of catch certificates relating to the export of catches made by Union fishing vessels, exports or re-exports of SBF by Member States shall be accompanied by an export or re-export form, as applicable.

2. Member States shall not validate for export or re-export any consignment of SBF that is not accompanied by the CDS documents and tags.

3. Member States shall not validate for export or re-export full or partial consignments of untagged non-processed whole SBF.

Article 11

Validation of CDS documents issued by flag Member States or Member States

1. The competent authorities of the flag Member State or Member State, as appropriate, shall verify the information contained in the CDS documents. They shall not validate CDS documents that are incomplete or contain incorrect information.

2. Where the competent authorities of the flag Member State responsible for the validation of the CDS documents referred to in paragraph 1 of this Article are different from the authorities referred to in Article 15(1) of Regulation (EC) No 1005/2008, the flag Member State shall notify the Commission of those competent authorities. The Commission shall transmit that information to the Secretariat without delay.

3. Member States shall carry out verifications, including inspections of vessels, landings and where possible markets, to the extent necessary to validate the information contained in the CDS documents. Member States shall report to the Commission details regarding the measures undertaken to ensure compliance with this paragraph.

Article 12

Verification of CDS documents received by Member States

1. Member States shall carry out verifications, including inspections of vessels, landings and where possible markets, to the extent necessary to validate the information contained in the CDS documents. Member States shall not validate CDS documents that are incomplete or contain incorrect information.

2. Without prejudice to the verifications required pursuant to Article 17 of Regulation (EC) No 1005/2008, Member States shall ensure that their competent authorities identify each consignment of SBF imported into, or exported or re-exported from the Union and examine the CDS documents for each consignment of SBF. The competent authorities may also examine the content of the consignment to verify the information contained in the CDS documents and related documents and, where necessary, shall carry out verifications with the operators concerned.

3. Member States shall report to the Commission details regarding the measures undertaken to ensure compliance with paragraphs 1 and 2.

4. Each Member State shall, as soon as possible, notify the Commission of any consignments of SBF where there are doubts about the information contained in any CDS documents or related documents, or incomplete, missing or non-validated CDS documents. The Commission shall report that information to the Secretariat without delay.

Article 13

Review and investigation of CDS reports

1. Where the Commission receives a report from the Secretariat on the implementation of the CDS provisions containing information to be reviewed by a Member State, it shall forward it without delay to the relevant Member State, which shall review the information and investigate any irregularities identified.

2. The Member State shall cooperate and take all necessary steps to investigate matters related to the implementation of the CDS and notify the Commission of the outcome of any such action.

3. Member States shall cooperate to ensure that CDS documents are not forged or do not contain misinformation.

Article 14

Records of CDS documents

1. Member States shall retain all original CDS documents received by them, or scanned electronic copies of the original documents, for a period of at least three years or longer if so required under national law.

2. Member States shall retain a copy of any CDS document issued by them for a period of three years or longer if so required under national law.

3. Copies of the documents referred to in paragraphs 1 and 2, except the catch tagging form, shall be forwarded to the Commission without delay and at the latest before the end of the subsequent quarter following the date where they were issued or received. The Commission shall transmit those documents to the Secretariat without delay.

Article 15

Transhipment ports

1. All transhipments of SBF shall take place in port.

2. Flag Member States shall designate ports for the transhipment of SBF for vessels flying their flag and communicate with the designated port States to share information required for effective monitoring.

Article 16

Transhipment notification

1. Prior to transhipping, the master of the Union fishing vessel involved in a transhipment of SBF shall notify the following information to the port State authorities at least 48 hours in advance or as specified by the port State authorities or, if the time to the port is less than 48 hours, immediately after the end of fishing operations:

   (a) the name of the Union fishing vessel and its number in the Record of Vessels;

(b) the SBF product and quantities to be transhipped;

(c) the date and location of transhipment;

(d) the FAO area or subarea of the SBF by-catches.

2. The master of the Union fishing vessel shall, at the time of the transhipment, inform its flag Member State of the following:

(a) the name, registration number and flag of the receiving carrier vessel, and its number in the Record of Vessels;

(b) the SBF products and quantities transhipped;

(c) the date and location of the transhipment;

(d) the FAO alpha-3 code, area or subarea of the SBF catches.

Article 17

Transhipment declaration

1. The master of the Union fishing vessel involved in a transhipment of SBF shall complete and transmit to its flag Member State the transhipment declaration, along with the number of that Union fishing vessel in the Record of Vessels.

2. By way of derogation from Article 22(1) of Regulation (EC) No 1224/2009, the transhipment declaration shall be transmitted to the flag Member State at the latest 15 days after the transhipment.

Article 18

Vessel Monitoring System (VMS)

1. When the Commission receives a request from a member or cooperating non-member of the Extended Commission to provide VMS data concerning a Union fishing vessel in relation to an incident in which that Union fishing vessel is suspected to have infringed conservation and management measures, the Commission shall forward those VMS data to the relevant Member State without delay.

2. The flag Member State of the Union fishing vessel shall investigate the incident and provide details of the investigation to the Commission, which shall transmit, without delay, the outcome of the investigation to the member or cooperating non-member of the Extended Commission which requested VMS data.

3. Flag Member States of vessels that retained SBF by-catch on board in a given year shall provide the Annual VMS summary report for that year to the Commission six weeks in advance of the Compliance Committee meeting. The Commission shall transmit that summary report to the Secretariat without delay.

Article 19

Draft IUU vessel list

1. Where the Secretariat notifies the Commission of the inclusion of a Union fishing vessel in the draft IUU vessel list, the Commission shall transmit that notification, including the supporting evidence and any other documented information provided by the Secretariat, to the flag Member State and shall invite the flag Member State to submit comments on that information at least eight weeks in advance of the Compliance Committee meeting. The Commission shall examine any comments submitted by the flag Member State and forward them to the Secretariat at least six weeks in advance of the Compliance Committee meeting.

2. Once notified by the Commission, the authorities of the flag Member State shall inform without delay the owner of the Union fishing vessel of the inclusion of that vessel in the draft IUU vessel list and of the consequences of its potential inclusion in the IUU vessel list adopted by the CCSBT.

Article 20

Possible infringement

1. If the Commission receives from the Secretariat any information concerning a possible infringement of the Convention or conservation and management measures by a Member State or a Union fishing vessel, the Commission shall transmit that information to the Member State concerned without delay.

2. The Member State shall provide the Commission with the findings of any investigation undertaken in relation to the possible infringement and any actions taken to address it at least eight weeks in advance of the annual meeting of the Compliance Committee.

Article 21

Points of contact and port inspection reports

1. Port Member States shall designate a point of contact for the purpose of receiving port inspection reports from CCSBT members.

2. Member States shall notify the Commission of any changes to the designated point of contact at least 21 days before the changes take effect. The Commission shall forward that information to the Secretariat at least 14 days before such changes take effect.

3. If the point of contact designated by a Member State receives an inspection report from a CCSBT member providing evidence that a fishing vessel flying the flag of that Member State has infringed conservation and management measures, the flag Member State shall investigate the alleged infringement without delay and notify the Commission thereof and of any enforcement action taken. The Commission shall inform the Secretariat within three months of receipt of the notification by the Member State.

4. The flag Member State shall provide the Commission with a status report regarding the investigation within six months of receiving the inspection report. If that Member State cannot provide the status report on time, it shall notify the Commission before the end of that six-month period of the reasons why and of the date by which the status report will be submitted. The Commission shall transmit all information regarding the status of or delay in the investigation to the Secretariat without delay.

Article 22

Monthly by-catch reporting

Flag Member States whose flagged vessels retained SBF by-catch on board, shall notify to the Commission on the 15th day of each month data on the by-catch of the preceding month, in accordance with Article 33 of Regulation (EC) No 1224/2009. The data to be notified shall include data on any discards, including whether the discarded by-catch was live or dead, and the total cumulative SBF by-catch for the year. The Commission shall transmit those data to the Secretariat no later than the last day of each month.

Article 23

Annual reporting

Member States shall submit the following information to the Commission at the latest six weeks before the annual meeting of the Compliance Committee:

(a) the details on the verifications undertaken in accordance with Article 12 to validate the information contained in the CDS documents;

(b) the quantities and percentages of SBF transhipped in port during the previous fishing season and the list of the vessels flying their flag which have transhipped in port during the previous fishing season.

Flag Member States whose flagged vessels retained SBF by-catch on board shall notify to the Commission at the latest six weeks before the annual meeting of the Compliance Committee data on the annual by-catch for the year in accordance with Article 33 of Regulation (EC) No 1224/2009, including any discards and information on whether the discarded by-catch was live or dead, and the Annual VMS summary report.

Article 24

Confidentiality and data protection

1. In addition to the obligations laid down in Articles 112 and 113 of Regulation (EC) No 1224/2009, Member States and the Commission shall ensure confidential treatment of electronic reports and messages transmitted to and received from the Secretariat.

2. The collection, transfer, storage or otherwise processing of any data pursuant to this Regulation shall be in accordance with Regulations (EU) 2016/679 and (EU) 2018/1725.

   Personal data processed under this Regulation shall not be stored for a period longer than 10 years, except if those personal data are necessary to enable the follow-up of an infringement, an inspection or judicial or administrative procedures. In such cases, the personal data may be stored for up to 20 years. If personal data are retained for a longer period, the data shall be anonymised.

Article 25

Delegation of power

1. The Commission is empowered to adopt delegated acts amending this Regulation in accordance with Article 26 in respect of the following:

(a) the targeting of SBF by Union fishing vessels as referred to in Article 4;

(b) the information to be provided under Article 5(1);

(c) the time-limits or periods related to any of the following:

(i) the submission of the information in the catch tagging forms under Article 7(3);

(ii) the retention of CDS documents under Article 14(2);

(iii) the transmission of transhipment notifications under Article 16(1);

(iv) the transmission of information to the Secretariat under Article 19(1) and Article 20(1);

(v) the transmission of information concerning points of contact for port inspections under Article 21(2);

(vi) the transmission of by-catch notifications under Article 22; and

(vii) the submission of information under Article 23;

(d) areas covered by Annexes I to IV.

2. Delegated acts referred to in paragraph 1 shall be strictly limited to the implementation into Union law of amendments to the conservation and management measures.

Article 26

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 25 shall be conferred on the Commission for a period of five years from … [the date of entry into force of this Regulation].

3. The delegation of power referred to in Article 25 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated act already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 25 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 27

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg,

For the European Parliament	*For the Council*
The President	*The President*

ANNEX I

Commission for the Conservation of Southern Bluefin Tuna	**CATCH MONITORING FORM** **Catch Documentation Scheme**	Document number CM –

	Catch Tagging Form Document Numbers			
CATCH/HARVEST SECTION – Tick and complete only one part				
☐	**For Wild Fishery**	Name of Catching Vessel	Registration Number	Flag State/Fishing Entity
Or				
☐	**For Farmed southern bluefin tuna (SBT)**	CCSBT Farm Serial Number	Name of Farm	
		Document Number(s) of associated Farm Stocking (FS) Form(s)		

	Description of Fish						
	Product F (Fresh) FR (Frozen)	Type: RD/GGO/GGT/DRO/DRT/FL/OT*	Month of Catch/Harvest (mm/yy)	Gear Code	CCSBT Statistical Area	Net Weight (kg)	Total Number of whole Fish (including RD/GGO/GGT/DRO/DRT)
	* For Other (OT): Describe the Type of Product				* For Other (OT): Specify Conversion Factor		

	Name of Processing Establishment (if applicable)	Address of Processing Establishment (if applicable)

	Validation **by Authority (not required for exports transhipped at sea)**: I validate that the above information is complete, true and correct				OFFICIAL SEAL
	Name and Title		Signature		
			Date		

INTERMEDIATE PRODUCT DESTINATION SECTION – (only for transhipments and/or exports) – tick and complete required part(s)										
☐	**Transhipment**		Certification **by Master of Fishing Vessel**: I certify that the catch/harvest information is complete, true and correct to the best of my knowledge and belief.							
	Name				Date		Signature			
And/ Or	Name of Receiving Vessel				Registration Number		Flag State/Fishing Entity			
	Certification **by Master of Receiving Vessel**: I certify that the above information is complete, true and correct to the best of my knowledge and belief.									
	Name				Date		Signature			
	Signature **of Observer (<u>only</u> for transhipment at sea)**:									
	Name				Date		Signature			
☐	**Export**		**Point of Export**[*]						**Destination** (State /Fishing Entity)	
	City		State or Province		State/Fishing Entity					
	[*] For transhipments on the high seas, enter the CCSBT Statistical Area instead of State/Fishing Entity and leave other fields blank.									
	Certification **by Exporter**: I certify that the above information is complete, true and correct to the best of my knowledge and belief.									
	Name		Licence No./Company Name			Date		Signature		

	Validation **by Authority**: I certify that the above information is complete, true and correct to the best of my knowledge and belief.				OFFICIAL SEAL
	Name and Title		Signature		
			Date		

FINAL PRODUCT DESTINATION SECTION – tick and complete only one destination						
☐	**Landing of Domestic Product for Domestic sale**	Certification of Domestic Sale: I certify that the above information is complete, true and correct to the best of my knowledge and belief				
	Name	Address	Date	Signature	Type: RD/GGO/GGT/DRO/DRT/FL/OT	Weight (kg)
Or						
☐	**Import**	**Final Point of Import**				
	City		State or Province		State/Fishing Entity	
	Certification **by Importer**: I certify that the above information is complete, true and correct to the best of my knowledge and belief.					
	Name	Address	Date	Signature	Type: RD/GGO/GGT/DRO/DRT/FL/OT	Weight (kg)

Commission for the Conservation of Southern Bluefin Tuna	**CATCH MONITORING FORM** **Instruction Sheet**	

This form is to be issued by the State/Fishing Entity that holds the national quota allocation against which these SBT have been taken.

This form (CMF) must accompany all transhipments, landings of domestic product, exports, imports and re-exports of SBT, and a copy of this form must be provided to the issuing State/Fishing Entity. The only exception is that export/import of fish parts other than the meat (i.e. head, eyes, roe, guts, tails and fins) may be allowed without this document. Please note that:

– **For farms. Farm Stocking Form(s) must have been produced by the State/Fishing Entity for all SBT on the CMF and the document number of those Farm Stocking Form(s) must be recorded on the CMF.**

– **Catch Tagging Form(s) must have been completed for all SBT on the CMF and copies must be provided to the issuing State/Fishing Entity. The document numbers of these Catch Tagging Form(s) must be recorded on the CMF.**

If a language other than one of the CCSBT official languages (English and Japanese) is used in completing the form, please add the English or Japanese translation on the Document. The Catch Monitoring Form has 3 main sections: (1) Catch/Harvest; (2) Intermediate Product Destination; and (3) Final Product Destination. The Catch/Harvest and Final Product Destination sections must always be completed. However, the Intermediate Product Destination section only needs to be completed if the product is being exported and/or transhipped.

The top of the form contains 2 additional pieces of information that must always be completed. These are:

– **Document Number**: Enter the unique document number that was allocated by the State/Fishing Entity of origin for this form.

– **Catch Tagging Form Document numbers**: Enter the unique document number of each Catch Tagging Form that is associated with this form. If there is insufficient room to enter all document numbers, enter this information on a separate page and attach that page.

CATCH HARVEST SECTION – tick and complete only one part

Tick the box to specify whether the catch is for the Wild fishery or for Farmed SBT.

You must complete the part of the Catch Harvest section corresponding to the box that you ticked, and then complete the remainder of the section.

For Wild Fishery – This should only be completed for the wild fishery (not for farmed SBT)

Name of Catching Vessel: Enter the name of the catching vessel.

Registration Number: Enter the Registration Number of the catching vessel.

Flag State / Fishing Entity: Enter the Flag State or Fishing Entity of the catching vessel.

For Farmed SBT – This should only be completed for farmed SBT

CCSBT Farm Serial Number: Enter the serial number of the farm as recorded on the CCSBT list of authorised farms.

Name of Farm: Enter the Name of the Farm.

Document number(s) of the Associated Farm Stocking (FS) Form(s): Enter the unique document number of each Farm Stocking Form that is associated with this form. The Farm Stocking Form Number(s) associated with this form should all be for fish stocked in the same fishing season. If there is insufficient room to enter all document numbers, enter this information on a separate page and attach that page.

Description of Fish

All SBT described in this section must be sent to the Final Product Destination. Split shipments are not permitted, so if SBT are to go to two or more different destinations, a separate Catch Monitoring Form must be completed for the catch sent to each destination.

The shipment of SBT must be described, to the highest degree of accuracy using the following Information.

NOTE: One row shall describe one product type

Product: Enter the type of product being shipped as either FRESH (F) or FROZEN (FR).

Type: Enter the type code from the table below that most closely matches the type of the SBT. For OT, describe the type of product, and specify a conversion factor.

CODE	NAME	DESCRIPTION
RD	Round	SBT Without any processing
GGO	Gilled and Gutted – Tail on	Processed with gills and gut removed. Operculae (gill plates/covers) and dorsal, pelvic and anal fins may or may not be removed
GGT	Gilled and Gutted – Tail off	Processed with gills, gut and tail removed. Operculae (gill plates/covers) and dorsal, pelvic and anal fins may or may not be removed
DRO	Dressed – Tail on	Processed with gills, gut operculae (gill plates/covers) and head removed. Dorsal, pelvic and anal fins may or may not be removed
DRT	Dressed – Tail off	Processed with gills, gut operculae (gill plates/covers) head and tail removed. Dorsal, pelvic and anal fins may or may not be removed
FL	Fillet	Processed further than DRT, with the trunk cut into fillets
OT	Other	None of the above

Month of Catch/Harvest (mm/yy): Enter the month and year of harvest of the southern bluefin tuna; in the case of farmed fish, this applies to the month of kill, not the month of initial harvest.

Gear code: Identify the gear type that was used to harvest the southern bluefin tuna using the list below; for OTHER TYPE, describe the type of gear. In the case of farmed fish, write "FARM".

GEAR CODE	**GEAR TYPE**
BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water Trawl
PS	Purse Seine
RR	Rod and Reel
SPHL	Sport Handline
SPOR	Sport Fisheries Unclassified
SURF	Surface Fisheries Unclassified
TL	Tended Line
TRAP	Trap
TROL	Troll
UNCL	Unspecified Method
OT	Other Type

CCSBT Statistical Area: Enter the area in which the southern bluefin tuna were harvested using the main CCSBT Statistical Areas (1 to 10 and 14 to 15) or the other CCSBT Statistical Areas (11 to 13) where there is no corresponding main area. In the case of farmed fish, it is not necessary to fill in this column. A map showing the statistical areas is provided on page 8 of these instructions.

Net Weight (kg): Enter the net product weight in kilograms. In the case of farmed SBT, this is the weight at the time of harvest from the farm (as opposed to when originally caught).

Total Number of whole Fish (including RD, GGO, GGT, DRO, DRT): Enter the number of fish that remain whole. A fish remains whole despite cleaning, gilling and gutting, freezing, removing fins, operculae (gill plates/covers) and tail and removing the head or parts of the head. A fish is no longer considered to be whole if it has undergone processes such as filleting or loining.

For Other (OT) Describe the type of product: If Product Type is Other (OT), then describe the product.

For Other (OT) Specify the Conversion Factor: If Product Type is Other (OT) then specify the Conversion Factor to be used to convert this weight to a whole weight equivalent.

Name of Processing Establishment (if applicable): Enter the name of the establishment that processed the southern bluefin tuna (if applicable).

Address of Processing Establishment (if applicable): Enter the address of the establishment that processed the southern bluefin tuna (if applicable).

Validation

Validation by Authority (not required for exports transhipped at sea): If this is not an export being transhipped at sea, enter the name and full title of the official[1] signing the document, together with the signature of the official, date (dd/mm/yyyy) and official seal. For SBT transhipped at sea and then landed domestically, validation should occur at the point of domestic landing (i.e. after transhipment).

INTERMEDIATE PRODUCT DESTINATION SECTION – only for transhipments and/or exports – tick and complete required part(s)

This section only needs to be completed if the product is being exported and/or transhipped.

Tick the box to specify whether the product is being transhipped or exported. If this is both a transhipment and an export then tick both boxes.

You must then complete the parts of the intermediate product destination section corresponding to the box(es) that you ticked.

Transhipment

Certification by Master of Fishing Vessel: In the case of all transhipments, the master of the fishing vessel shall complete this section, with his/her full name, signature and date (dd/mm/yyyy) to certify that the form correctly records the catch/harvest information.

The next part should be completed by the Master of the vessel receiving the southern bluefin tuna.

Name of Receiving Vessel: Enter the name of the Receiving vessel.

Registration Number: Enter the Registration Number of the Receiving vessel.

Flag State / Fishing Entity: Enter the Flag State or Fishing Entity of the Receiving vessel.

Certification by Master of Receiving Vessel: The master of the receiving vessel shall complete this section, with his/her full name, signature and date (dd/mm/yyyy) to certify that the form correctly records the fish that were transferred to the receiving vessel.

Signature of Observer (only for transhipments at sea): If a transhipment is covered by the CCSBT Resolution on Establishing a Program for Transhipment by Large-Scale Fishing Vessels (i.e. is transhipped at sea), then the observer must enter his/her full name, signature and date (dd/mm/yyyy). If there were any discrepancies between the observed transhipment and the information recorded on the Catch Monitoring Form, the observer's transhipment report should document those discrepancies.

Export

Point of Export

City: Enter the City of Export.

State or Province: Enter the State or Province of Export.

State/Fishing Entity: Enter the State/Fishing Entity of Export. For transhipments on the high seas, enter the CCSBT Statistical Area where the transhipment occurred and leave other fields blank.

Destination

State/Fishing Entity: Enter the State/Fishing Entity to which the southern bluefin tuna is being exported.

Certification by Exporter: The Exporter[2] must provide his/her name, signature, date (dd/mm/yyyy) and either the exporter license number or the exporter company name to certify the information provided in relation to the export shipment (i.e. that the form correctly records what is being exported). If the exporter does not have a licence number or exporter company name, then they should write their own name in this field.

Validation by Authority: Enter the name and full title of the official[1] signing the document, together with the signature of the official, date (dd/mm/yyyy) and official seal.

FINAL PRODUCT DESTINATION SECTION – tick and complete only one Destination

Tick the box to specify whether the final destination of the product is for landing of domestic product or for import.

You must then complete the part of the final product destination section corresponding to the box that you ticked.

Landing of Domestic Product for Domestic Sale

> **Certification of domestic sale**: The initial person or company that receives southern bluefin tuna from a domestic vessel for the purpose of domestic sale must provide his/her/its name, address, date (dd/mm/yyyy) on which the southern bluefin tuna was landed/received, signature, type[3], and weight (kg) of the complete domestic landing of SBT.

Import

Final Point of Import

City: Enter the City of Import.

State or Province: Enter the State or Province of Import.

State/Fishing Entity: Enter the State/Fishing Entity of Final Import.

Certification by Importer: The person or company that imports southern bluefin tuna must provide his/her/its name, address, date (dd/mm/yyyy) on which the southern bluefin tuna was imported, signature, type[3], and weight (kg). For fresh and chilled product, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

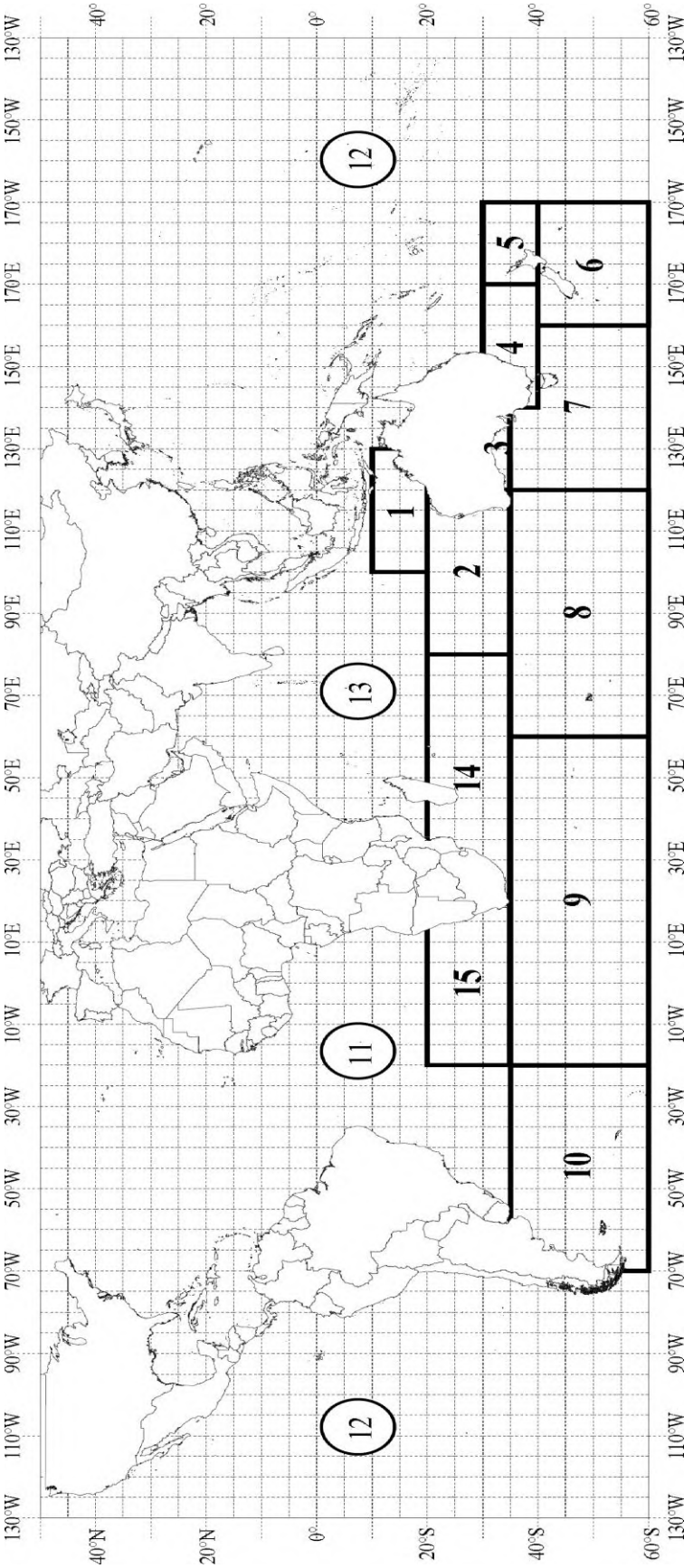
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1 The official must be in the employment of, or delegated by, the competent authority of the Member, or Co-operating Non-Member that issued the Catch Monitoring Form. The Member or Co-operating Non-Member which utilizes a delegated entity shall submit a certified copy of such delegation to the Executive Secretary.

2 The individual certifying as 'Exporter' must be an appropriate authority approved by the exporting company to make this declaration on the company's behalf, but it must not be the same individual as the authority validating the export.

3 A list of types is provided in the 'Description of Fish' section.

MAP OF CCSBT STATISTICAL AREAS



ANNEX II

Commission for the Conservation of Southern Bluefin Tuna	**CATCH TAGGING FORM** **Catch Documentation Scheme**	Document Number T –

☐ Wild Harvest OR ☐ Farmed (tick only one)

Document Number of Associated Catch Monitoring Form	

CATCH SECTION						
Name of Fishing Vessel (or Farm)			Vessel Registration Number (or CCSBT Farm serial number			Flag State/Fishing Entity
Information on other form(s) of Capture (e.g. Trap)						
Tag Information						
CCSBT Tag Number	Type: RD/GGO/GGT/DRO/ DRT	Weight (kg)	Fork length (cm)	Gear Code (if applicable)	CCSBT statistical area of catch (if applicable)	Month of Harvest (mm/yy)

Certification: I certify that the above information is complete, true and correct to the best of my knowledge and belief.						
Name			Signature		Date	Title

Commission for the Conservation of Southern Bluefin Tuna	**CATCH TAGGING FORM** **Instruction Sheet**	

This form is to be issued by the State/Fishing Entity that holds the national quota allocation against which these SBT have been taken.

This form must be completed and provided to the issuing State/Fishing Entity when completing the associated Catch Monitoring Form.

If a language other than one of the CCSBT official languages (English and Japanese) is used in completing the form, please add the English or Japanese translation on the Document.

Completed Catch Tagging Forms shall be provided to the Flag State/Fishing Entity, who shall provide the Information in the Catch Tagging Form to the CCSBT Executive Secretary in an electronic format on a quarterly basis.

The Catch Tagging Form has one main section (1) Catch.

The top of the form contains 3 additional pieces of Information that must always be completed. These are –

> **Document Number**: Enter the unique document number that was allocated by the State/Fishing Entity of origin for this form.

Wild Harvest or Farmed: Tick only one box to specify whether this information is from a Wild Capture, or from a Farm.

Document number of Associated Catch Monitoring Form: Enter the unique Document Number of the Catch Monitoring Form that relates to this form.

CATCH SECTION

Name of Fishing Vessel (or Farm): For farmed SBT, enter the name of the farm from which the SBT were harvested. For other SBT enter the name of the catching vessel.

Vessel Registration Number (or CCSBT Farm Serial Number): Enter the Registration Number of the Catching Vessel (or the CCSBT Farm Serial Number from the CCSBT Record of Authorised Farms).

Flag State/Fishing Entity: Enter the State or Fishing Entity of the Vessel or Farm.

Information on Other forms of Capture: Enter any relevant Information on the form of capture (eg. Trap).

Tag Information

The Tagging Information for each fish must be recorded.

NOTE: One row shall describe one tagged southern bluefin tuna.

CCSBT Tag Number: Enter the unique tag number of the tag that has been inserted into the fish.

Type: Enter the type code from the table below that most closely matches the type of the SBT.

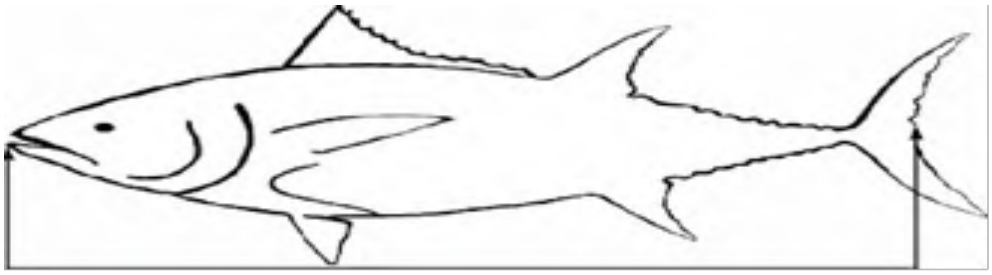
CODE	NAME	DESCRIPTION
RD	Round	SBT Without any processing
GGO	Gilled and Gutted – Tail on	Processed with gills and gut removed. Operculae (gill plates/covers) and dorsal, pelvic and anal fins may or may not be removed
GGT	Gilled and Gutted – Tail off	Processed with gills, gut and tail removed. Operculae (gill plates/covers) and dorsal, pelvic and anal fins may or may not be removed
DRO	Dressed – Tail on	Processed with gills, gut operculae (gill plates/covers) and head removed. Dorsal, pelvic and anal fins may or may not be removed
DRT	Dressed – Tail off	Processed with gills, gut operculae (gill plates/covers) head and tail removed. Dorsal, pelvic and anal fins may or may not be removed

Weight (kg): Enter the weight (kg) of the fish.

Fork Length (cm): Enter the fork length of the fish, rounded to the nearest whole centimetre.

In cases where SBT can be measured at the time of kill: measure the straight line horizontal (not curved over body) length of the fish from the closed mouth to the fork of the tail before freezing and falling as shown in the diagram below.

In cases where length cannot be measured immediately after the time of kill, but is instead measured upon landing, and after tailing and before freezing: Measure the straight line horizontal (not curved over body) length of the fish from the closed mouth up to the point where the tall was removed, and then apply an appropriate conversion factor to this length measurement to convert It to a fork length measurement.



Gear code (if applicable): Identify the gear type that was used to harvest the southern bluefin tuna using the list below; for OTHER TYPE, describe the type of gear. In the case of farmed fish, write "FARM".

GEAR CODE	**GEAR TYPE**
BB	Baitboat
GILL	Gillnet
HAND	Handline
HARP	Harpoon
LL	Longline
MWT	Mid-water Trawl
PS	Purse Seine
RR	Rod and Reel
SPHL	Sport Handline
SPOR	Sport Fisheries Unclassified
SURF	Surface Fisheries Unclassified
TL	Tended Line
TRAP	Trap
TROL	Troll
UNCL	Unspecified Method
OT	Other Type

CCSBT Statistical Area of Catch (if applicable): Enter the area in which the southern bluefin tuna were harvested using the main CCSBT Statistical Areas (1 to 10 and 14 to 15) or the other CCSBT Statistical Areas (11 to 13) where there is no corresponding main area. In the case of farmed fish, it is not necessary to fill in this column.

Month of harvest (mm/yy): Enter the month and year of harvest of the southern bluefin tuna tagged; in case of farmed fish, this applies to the time of kill, not the time of initial harvest.

Certification and Validation

Certification: An appropriate authority should complete this section, with his/her full name, signature, date and title to certify that the form correctly records the tagging Information.

ANNEX III

Commission for the Conservation of Southern Bluefin Tuna	**RE-EXPORT/EXPORT AFTER LANDING OF DOMESTIC PRODUCT FORM** **Catch Documentation Scheme**	Document Number RE –

☐ Re-Export Or ☐ Export after Landing of Domestic Product (tick only one)

Within this form, the term "Export" includes both exports and re-exports

☐ Full Shipment Or ☐ Partial Shipment (tick only one)

Form Number of Preceding Document (Catch Monitoring Form, or Re-Export/Export After Landing of Domestic Product Form)	

EXPORT SECTION

Exporting State/Fishing Entity	**Point of Export**		
	City	State or Province	State/Fishing Entity

Name of Processing Establishment (if applicable)	Address of Processing Establishment (if applicable)

Catch Tagging Form Document Numbers (if applicable)	

Description of Fish from previous CDS Document				**Description of Fish being Exported**			
Flag State/Fishing Entity		Date of previous Import/Landing					
Product: F (Fresh)/ FR (Frozen)	Type: RD/GGO/ GGT/DRO/DRT/ FL/OT*	Weight (kg)	Total Number of whole Fish (including RD/GGO/GGT/ DRO/DRT)	Product: F (Fresh)/ FR (Frozen)	Type: RD/GGO/ GGT/DRO/DRT/ FL/OT*	Weight (kg)	Total Number of whole Fish (including RD/GGO/GGT/ DRO/DRT)
* For Other (OT): Describe the type of product				* For Other (OT): Describe the type of product			

Destination (State/Fishing Entity)	

Certification **by Exporter**: I certify that the above information is complete, true and correct to the best of my knowledge and belief.

Name	Signature	Date	Licence No./Company Name

Validation **by Authority**: I validate that the above information is complete, true and correct to the best of my knowledge and belief.		OFFICIAL SEAL
Name and Title	Signature	
	Date	

IMPORT SECTION

Final Point of Import		
City	State or Province	State/Fishing Entity

Certification by Importer: I certify that the above information is complete, true and correct to the best of my knowledge and belief.			
Name	Address	Signature	Date

NOTE: The organization/person which validates the Export section shall verify the copy of the original CCSBT CDS Document. Such a verified copy of the original CCSBT CDS document must be attached to the Re-export/Export after Landing of Domestic Product (RE) Form. When SBT is exported, all verified copies of concerned forms must be attached.

Commission for the Conservation of Southern Bluefin Tuna	**RE-EXPORT/EXPORT AFTER LANDING OF DOMESTIC PRODUCT FORM** **Instruction Sheet**	

This form must accompany all re-exports of SBT and all exports of SBT that have previously been landed as domestic product, and a copy must be provided to the issuing State/Fishing Entity.

One REEF Form must be issued for:

– **Each CMF that was previously landed as domestic product but is now being exported, OR**

– **Each REEF shipment that was imported and is being re-exported, together with a copy of its previously associated REEF(s) and CMF(s).**

In addition, each REEF form must be accompanied by a copy of the associated Catch Monitoring Form and copies of any previously issued Re-Export/Export after Landing of Domestic Product Forms for the SBT being exported.

This form is not required for the "first" export of the particular SBT if those SBT are being landed for the sole purpose of exporting. In this circumstance, only a Catch Monitoring Form needs to be created and accompany the product.

If a language other than one of the CCSBT official languages (English and Japanese) is used in completing the form, please add the English or Japanese translation on the Document.

The Re-export/Export after Landing of Domestic Product Form has 2 main sections: (1) Export; and (2) Import.

Within this form, the term "Export" includes both Exports and Re-exports.

The top of the form contains 4 additional pieces of information that must always be completed. These are –

Re-Export or Export after Landing of Domestic Product: Tick only one box to indicate whether this is a Re-Export, or an Export after Landing of Domestic Product.

Document Number: Enter the unique document number that was allocated by the State/Fishing Entity of origin for this form.

Full Shipment or Partial Shipment: Tick only one box to specify whether this information is for a full or partial shipment. A Full shipment is where all the SBT in the preceding document are being exported.

Form number of Preceding Document: Enter the unique Document Number of the CDS form that precedes this. (Catch Monitoring Form or Re-Export/Export after Landing of Domestic Product Form).

EXPORT SECTION

Exporting State/Fishing Entity: Enter the Exporting State/Fishing Entity.

Point of Export: Enter the City, State or Province, and State/Fishing Entity of the point of Export.

Name of Processing Establishment (if applicable): Enter the full name of the Processing establishment (only required if further processing has taken place since the preceding CDS form).

Address of Processing Establishment (if applicable): Enter the full Address of the Processing establishment (only required if further processing has taken place since the preceding CDS form).

Catch Tagging Form Document Number(s) (if applicable): Enter the Document number of any Catch Tagging Forms that are associated with this form. This will be a subset of the Catch Tagging Forms that were recorded on the previous CDS document. The subset should include the Catch Tagging Forms for all whole SBT (including RD, GG, DR etc) that are being exported on this form. If no whole SBT are being exported, this field can be left empty.

Description of Fish from previous CDS Document

This section must describe all the SBT from the previous CDS document.

Flag State/ Fishing Entity: Enter the original catch/harvest Flag State/Fishing Entity.

Date of previous import/Landing: Enter the date (dd/mm/yyyy) of the import or landing from the previous CDS document.

NOTE: Each row shall describe only one product type

Product: Enter the product as either FRESH (F) or FROZEN (FR).

Type: Enter the type code from the table below that most closely matches the type of the SBT. For OT, describe the type of product, and specify a conversion factor.

CODE	NAME	DESCRIPTION
RD	Round	SBT Without any processing
GGO	Gilled and Gutted – Tail on	Processed with gills and gut removed. Operculae (gill plates/covers) and dorsal, pelvic and anal fins may or may not be removed
GGT	Gilled and Gutted – Tail off	Processed with gills, gut and tail removed. Operculae (gill plates/covers) and dorsal, pelvic and anal fins may or may not be removed
DRO	Dressed – Tail on	Processed with gills, gut operculae (gill plates/covers) and head removed. Dorsal, pelvic and anal fins may or may not be removed
DRT	Dressed – Tail off	Processed with gills, gut operculae (gill plates/covers) head and tail removed. Dorsal, pelvic and anal fins may or may not be removed
FL	Fillet	Processed further than DRT, with the trunk cut into fillets
OT	Other	None of the above

Weight(kg): Enter the weight (kg) of the fish.

Total Number of whole Fish (including RD, GGO, GGT, DRO, DRT): Enter the number of fish that remain whole. A fish remains whole despite cleaning, gilling and gutting, freezing, removing fins, operculae (gill plates/covers) and tail and removing the head or parts of the head. A fish is no longer considered to be whole if it has undergone processes such as filleting or loining.

Other: Describe the type of product (if type is Other).

Description of Fish being Exported

This Export of SBT must be described, to the highest degree of accuracy using the following information.

NOTE: Each row shall describe only one product type.

Product: Enter the product being exported as either FRESH (F) or FROZEN (FR).

Type: Enter the type code from the table of 'Types' in the previous section of these instructions that most closely matches the type of the SBT. For OT, describe the type of product, and specify a conversion factor.

Weight (kg): Enter the weight (kg) of the fish being exported.

Total Number of whole Fish (including RD, GGO, GGT, DRO, DRT): Enter the number of fish that remain whole. A fish remains whole despite cleaning, gilling and gutting, freezing, removing fins, operculae (gill plates/covers) and tail and removing the head or parts of the head. A fish is no longer considered to be whole if it has undergone processes such as filleting or loining.

Other: Describe the type of product (if type is Other).

Destination (State/Fishing Entity): Enter the State/Fishing Entity to which the southern bluefin tuna is being exported.

Certification and Validation

Certification by Exporter: The Exporter[1] must provide his/her name, signature, date (dd/mm/yyyy) and either the exporter license number or the exporter company name to certify the information provided in relation to the export shipment (i.e. that the form correctly records what is being exported). If the exporter does not have a licence number or exporter company name, then they should write their own name in this field.

Validation by Authority: Enter the name and full title of the official[2] signing the document, together with the signature of the official, date (dd/mm/yyyy) and official seal.

IMPORT SECTION

Final Point of Import

City: Enter the City of Import.

State or Province: Enter the State or Province of Import.

State/Fishing Entity: Enter the State/Fishing Entity of Final Import.

Certification

Certification by Importer: The person or company that imports southern bluefin tuna must provide his/her/its name, address, signature, date (dd/mm/yyyy) on which the southern bluefin tuna was imported. For fresh and chilled product, the signature of the importer may be substituted by a person of a customs clearance company when the authority for signature is properly accredited to it by the importer.

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[1] The Individual certifying as 'Exporter' must be an appropriate authority approved by the exporting company to make this declaration on the company's behalf, but it must not be the same individual as the authority validating the export.

[2] The official must be in the employment of, or delegated by, the competent authority of the State/Fishing Entity that exported the SBT appearing on the document. The Member, Co-operating Non-Member or Other State/Fishing Entity Cooperating in the CDS which utilizes a delegated entity shall submit a certified copy of such delegation to the Executive Secretary.

ANNEX IV

CCSBT TRANSHIPMENT DECLARATION

Carrier Vessel	**Fishing Vessel**
Name of the Vessel and Radio Call Sign: Flag: Flag State/Fishing Entity license number: National Register Number, if available: CCSBT Register Number, if available:	Name of the Vessel and Radio Call Sign: Flag: Flag State/Fishing Entity license number: National Register Number, if available: CCSBT Register Number, if available:

	Day		Month		Hour	
Departure						
Return						
Transhipment						

Year			

Agent's name:

From (Port name):

To (Port name):

Signature:

Master's name of Fishing Vessel:

Signature:

Master's name of Carrier:

Signature:

Indicate the weight in kilograms or the unit used (e.g. box, basket) and the landed weight in kilograms of this unit: |____ | kilograms

LOCATION OF TRANSHIPMENT

Species	Port		Sea	Type of product									
				RD[1]	GGO[1] (kg)	GGT[1] (kg)	DRO[1] (kg)	DRT[1] (kg)	Filleted[1]	Other[1] (kg)			

If transhipment effected at sea, CCSBT Observer Name and Signature:

[1] The type of product should be indicated as Round (RD), Gilled and gutted – tail on (GGO), Gilled and gutted - tail off, (GGT), Dressed – tail on (DRO), Dressed – tail off (DRT), Fillet (FL), or Other (OT).
If filling out an ICCAT, IOTC or WCPFC Transhipment Declaration (TD), record the SBT weight (kg) against the product type that most closely matches the appropriate CCSBT SBT product type (as listed above).