Council of the European Union

Brussels, 9 November 2022
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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a Regulation of the European Parliament and of the Council laying down conservation and management measures for the Conservation of the Southern Bluefin Tuna – Letter from the Chairman of Coreper to the President of PECH Committee of the European Parliament

Delegations will find attached the letter of 9 November 2022 from the Chairman of the Permanent Representatives Committee (Part 1) addressed to the President of the Committee on Fisheries of the European Parliament regarding the abovementioned proposal.

Council of the European Union

SGS 22 / 04870

Brussels, 9 November 2022

Mr Pierre Karleskind
Chair of the Committee on Fisheries
European Parliament

Subject: Proposal for a Regulation of the European Parliament and of the Council laying down conservation and management measures for the Conservation of the Southern Bluefin Tuna - 2021/0242 (COD)

Dear Mr Karleskind,

Following the inter-institutional meeting on the 24th of October 2022, where agreement was reached by our institutions on a draft compromise text, as set out in the Annex to this letter, I am pleased to inform you that the Permanent Representatives Committee decided today to approve this compromise text.

I am therefore able to confirm that, should the European Parliament adopt its position at first reading, in accordance with Article 294 paragraph 3 of the Treaty on the Functioning of the European Union, in the exact same form as set out in the compromise text contained in the Annex to this letter, subject to revision by the lawyer-linguists of both institutions, the Council would, in accordance with Article 294 paragraph 4 of the Treaty, approve the European Parliament's position and the act shall be adopted in the wording which corresponds to that position.

On behalf of the Council, I would like to thank you for your cooperation, which should enable us to rapidly reach agreement on this file at first reading.

Yours sincerely,

Jaroslav Zajíček
Chairman of the Permanent
Representatives Committee
(Part 1)

copy to: Mrs Grace O'Sullivan, Rapporteur
Mr Virginijus Sinkevičius, Commissioner

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ANNEX

2021/0242 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

laying down conservation and management measures for the Conservation of the 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,

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[2], is to ensure that the exploitation of living aquatic resources contributes to long-term environmental, economic and social sustainability.

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1 OJ

2 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) The European Union has, by means of Council Decision 98/392/EC[3], approved the United Nations Convention of 10 December 1982 on the Law of the Sea. By means of Council Decision 98/441/EC, the Union has approved the Agreement for the Implementation of that Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks[4], which contain 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***.

(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 ('SBF'), 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 meeting to which they were reported, 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[5], the Union is a member of the Extended Commission.

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3 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).

4 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).

5 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 366, 23.12.2015, p. 27).

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

(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 this 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 related to the activities and characteristics of the Union fleet and in relation to the trade of 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 Tuna 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 the relevant resolutions of the CCSBT adopted until 2020, except for measures which already form part of Union law. This Regulation covers only the CCSBT provisions applicable to the Union, notably taking into consideration the specificity of the Union fleet (no targeted fishery, exclusively accidental by-catch in the past and none since 2012, no transhipments or landing) and the trade of Southern bluefin tuna. In practice, most obligations will be only triggered if the Union fleet accidentaly by-catches 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 the CFP, 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[6] establishes a Union system for control, inspection and enforcement with a global and integrated approach so as to ensure compliance with all the rules of the CFP.

[6] 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).

Commission Implementing Regulation (EU) No 404/2011[7] lays down detailed rules for the implementation of Council Regulation (EC) No 1224/2009. Council Regulation (EC) No 1005/2008[8] establishes a Community system to prevent, deter and eliminate IUU fishing. Those regulations already include provisions covering a number of the measures laid down in CCSBT resolutions. It is therefore not necessary to include those provisions in this Regulation.

(10) In accordance with Article 29(2) of Regulation (EU) No 1380/2013, the positions of the Union in RFMOs are to be based on the best available scientific advice so as to ensure that fishery resources are managed in accordance with the objectives of the CFP, in particular with the objective of progressively restoring and maintaining populations of fish stocks above biomass levels capable of producing maximum sustainable yield ('MSY'), and with the objective of providing conditions for economically viable and competitive fishing capture and processing industry and land-based fishing related activity.

(10a) Pursuant to Regulation (EU) No 1380/2013, Union activities in international fisheries organisations are to be based on the best available scientific advice so as 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 for 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 incorporate future CCSBT measures 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 ***amendments to this Regulation***

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7 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).

8 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).

concerning the information provided for in the CCSBT Record of Vessels, and time limits or periods related to reporting for catch tagging forms, retention of CDS documents, transmission of transhipment notifications and declarations, transmission of information to the CCSBT Compliance Committee concerning the IUU vessel list and investigation reports, transmission of information concerning point of contact for port inspections, and transmission of notification of delays in the submission of port inspection reports, transmission of by-catch report, and deadlines for the submission of annual reports***, as well as Annexes I to IV***.

(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[9] and delivered an opinion on ***20 September 2021***. ***Personal data processed in the framework of this Regulation is to be treated in accordance with the applicable provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council[10] and Regulation (EU) 2018/1725. In order to ensure effective enforcement of this Regulation, it is necessary to store the data for a period of 10 years. In case that the personal data in question is needed for the follow up on an infringement, inspection or judicial or administrative procedures, this data might be stored for a period exceeding 10 years, but no longer than 20 years.***

(13) It is of particular importance that the Commission carries 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[11]. 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.

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9 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).

10 ***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)***

11 Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation ***implements into Union law*** provisions concerning management, conservation and control measures relating to by-catch of Southern bluefin tuna (Thunnus maccoyii) ***established by*** the Convention for the Conservation of the Southern Bluefin Tuna ***and that are binding on the Union***.

Article 2

Scope

This Regulation shall apply to Union fishing vessels carrying out fishing in the area of distribution of Southern bluefin tuna under the Convention for the Conservation of the Southern Bluefin Tuna and Member States importing, exporting or re-exporting Southern bluefin tuna.

Article 3

Definitions

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

(a) 'CCSBT' means the Commission for the Conservation of Southern bluefin tuna;

(b) 'SBF' means Southern bluefin tuna or fish products originating from Southern bluefin tuna;

(c) 'Convention' means the Convention for the Conservation of the Southern Bluefin Tuna;

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

(e) '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, except container vessels;

(f) 'Transhipment' means the unloading of all or any fishery products on board a fishing vessel to another fishing vessel;

(g) 'SBF tag' means an external label attached to the whole SBF that contains information on the individual fish;

(h) 'CCSBT 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;

(i) 'Catch monitoring form' means the ***document in Annex I,*** that records information on the catch, transhipment, export, and import of SBF;

(j) 'Catch tagging form' means the ***document in Annex II,*** that records information on individual fish tagged;

(k) 'Importation' means the introduction of SBF into the territory of the Union, including for transhipment purposes at ports in its territory;

(l) 'Export or re-export form' means the ***document 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;

(m) 'Exportation' means any movement to a third country of SBF harvested by Union fishing vessels;

(n) 'Re-exportation' means any movement from the territory of the Union of SBF that had been previously imported into the territory of the Union;

(o) 'Whole SBF' means SBF which has not undergone filleting or loining;

(p) 'Processed SBF' means SBF which has been undergone cleaning, gilling gutting, freezing removal of fins, operculae (gill plates/covers) and tail and removal of the head or parts of the head ;

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

(r) ‘CCSBT Secretariat’ means the Secretariat established by the CCSBT;

(s) ‘CCSBT Transhipment declaration’ means ***the document in Annex IV***;

(t) ‘CCSBT conservation and management measures’ means the resolutions and other binding measures adopted by the CCSBT;

(u) ‘Annual VMS summary report’ means the document of Attachment A of CCSBT-CC/0910/06 where the relevant VMS information is provided[12];

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

(w) ‘Draft CCSBT IUU vessel list’ means the initial list drawn up by the CCSBT 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 of Union fishing vessels shall account exclusively for by-catch.

Article 5

CCSBT Record of vessels

1. Member States shall provide the Commission with the following information with respect to each Union fishing vessel authorised by the flag Member States to have SBF by-catch to be included in the CCSBT Record of Vessels:

   (a) Lloyds/IMO Number;

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

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

[12] https://www.ccsbt.org/en/system/files/resource/en/4d9169c192044/cc06.pdf

(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 and /or transhipping.

2. It shall be prohibited to retain on board, tranship or export SBF by Union fishing vessels not included in the CCSBT Record of Vessels.

3. Member States shall indicate, when submitting their list of vessels according to paragraph 1, those vessels which are newly added and those which replace vessels currently on the list.

4. Member States shall promptly notify the Commission of any modifications to the information provided under paragraph 1. The Commission shall forward that information to the CCSBT Secretariat without delay.

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

Article 6

Tagging of SBF

1. Where SBF by-caught by Union fishing vessels is intended for export or re-export, a 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 no later than the time of transhipment or export.

2. Non-processed whole SBF may 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 be attached to each individual fish while the fish carcass remains whole and shall include month, area, method of capture, and weight and length for 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. SBF tags shall be able to be securely fastened to SBF, be non-reusable, tamper-proof and secure from counterfeiting or replication. SBF tags shall withstand at least minus sixty degrees Celsius temperatures, salt water, rough-handling and be food safe.

5. Flag Member States shall record the distribution of SBF tags to the vessels flying their flag and shall ensure that their vessels and operators, and the relevant authorities have reporting procedures and formats allowing for the collection of the required tagging information.

Article 7

Catch tagging forms

1. Where SBF by-caught by Union fishing vessels is intended for export or re-export, a catch tagging form shall be filled in as soon as possible after the time of harvesting of individual SBF. Length and weight measurements shall be conducted before the SBF is frozen.

2. Where measurements cannot be accurately done on board the vessel, the measurements and the associated catch tagging form may be made at the time of transhipment, and in any case 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 CCSBT Secretariat without delay.

Article 8

Trade of SBF

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

2. The importation, exportation and re-exportation of SBF parts other than the meat is allowed without the export or re-export form, as appropriate.

Article 9

Imports of SBF into the Union

1. SBF imported into the Union shall be accompanied by the catch certificate set out in Council Regulation (EC) No 1005/2008 and by the export or re-export form, as appropriate.

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

3. Full or partial consignments of untagged whole unprocessed SBF shall not be accepted for import.

Article 10

Exports or re-exports of SBF

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

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

3. Full or partial consignments of untagged whole unprocessed SBF shall not be validated for export or re-export.

Article 11

Validation of CCSBT 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 catch monitoring, catch tagging, export and re-export forms. They shall not validate any forms or CCSBT CDS documents that are incomplete or have incorrect information.

2. Flag Member States shall notify to the Commission their competent authorities for the validation of the catch certificates referred to in paragraph 1 where those authorities are different from the authorities referred to in Article 15(1) of Council Regulation (EC) No 1005/2008. The Commission shall transmit that information to the CCSBT Secretariat without delay.

3. Member States shall undertake an appropriate level of audit, including inspections of vessels, landings, and where possible markets, to the extent necessary to validate the information contained in the CDS documentation and report to the Commission details on the measures undertaken to ensure compliance with this paragraph.

Article 12

Verification of CCSBT CDS documents received by Member States

1. Member States shall undertake an appropriate level of verifications, including inspections of vessels, landings, and where possible markets, to the extent necessary to validate the information contained in the CCSBT CDS documents. They shall not validate any forms or CCSBT CDS documents that are incomplete or have incorrect information.

2. Without prejudice to the verifications of Article 17 of Council 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 CCSBT 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 CCSBT CDS document and in related documents and, where necessary, shall carry out verifications with the operators concerned.

3. Member States shall report to the Commission details on the measures undertaken to ensure compliance with this provision.

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

Article 13

Review and investigation of CCSBT CDS reports

1. Where the Commission receives a report from the CCSBT Secretariat on the implementation of the CCSBT 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. Each Member State shall cooperate and take all necessary steps to investigate matters related to the implementation of the CCSBT CDS and notify the Commission of the outcome of any such action.

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

Article 14

Records of CCSBT CDS documents

1. Member States shall retain all original CCSBT CDS documents, or scanned electronic copies of the original documents, received by them for a period of three years or longer in accordance with national rules.

2. Member States shall also retain a copy of any CCSBT CDS document issued by them fora period of three years or longer in accordance with national rules.

3. Copies of the documents referred to in paragraph 1 and 2, except the catch tagging form, shall be forwarded to the Commission without delay at the latest before the end of the

subsequent quarter following the date where they were issued or received, for submission to the CCSBT Secretariat.

Article 15

Transhipment ports

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

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

Article 16

Transhipment notification

1. Prior to transhipping, the master of the Union fishing vessel 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 immediately after the end of fishing operations if the time to the port is less than 48 hours:

   (a) the name of the Union fishing vessel and its number in the CCSBT record of vessels;

   (b) the SBF product to be transhipped and its tonnage;

   (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 SBF products and quantities involved;

   (b) the date and place of the transhipment;

   (c) the name, registration number and flag of the receiving carrier vessel, and its number in the CCSBT record of vessels authorised to receive transhipments;

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

Article 17

CCSBT 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 CCSBT transhipment declaration, along with its number in the CCSBT record of fishing vessels.

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

Article 18

Vessels 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 concerning an incident concerning a specific Union fishing vessel suspected to have operated in contravention of CCSBT conservation and management measures, the Commission shall forward it without delay to the relevant Member State.

2. The flag Member State of that vessel shall investigate the incident and provide details of the investigation to the Commission which will transmit without delay the information to the member or cooperating non-member which requested VMS data.

3. Flag Member States of vessels that have by-caught SBF on a given year shall provide the Annual VMS summary report for that year to the Commission 6 weeks in advance of the CCSBT Compliance Committee meeting for its transmission to the CCSBT Secretariat.

Article 19

Inclusion of a Union fishing vessel in the draft CCSBT IUU vessel list

1. Where the Commission receives from the CCSBT Secretariat notification of the inclusion of a Union fishing vessel in the draft CCSBT IUU vessel list, it shall transmit the

notification, including the supporting evidence and any other documented information provided by the CCSBT Secretariat, to the flag Member State for information and comments. The Commission shall examine and forward the information provided by the flag Member State related to the inclusion of the vessel in the Draft CCSBT IUU vessel list to the CCSBT Secretariat at least 6 weeks in advance of the CCSBT Compliance Committee meeting.

2. Once notified by the Commission, the authorities of the flag Member State shall notify without delay the owner of the fishing vessel of its inclusion in the Draft CCSBT IUU vessel list and of the consequences that may result from its eventual inclusion in the IUU vessel list adopted by the CCSBT.

Article 20

Alleged non-compliance status reported by the CCSBT Secretariat

1. If the Commission receives from the CCSBT Secretariat any information indicating a possible non-compliance status with the Convention and/or CCSBT conservation and management measures by a Member State, the Commission shall transmit that information to the concerned Member State without delay.

2. The Member State shall provide the Commission with the findings of any investigation undertaken in relation to the possible non-compliance status and any actions taken to address it at least 8 weeks in advance of the annual meeting of the CCSBT Compliance Committee.

Article 21

Points of contact and alleged infringements of CCSBT conservation and management measures following a port inspection by a CCSBT Member

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 transmit any changes to the designated point of contact to the Commission at least 21 days before the changes take effect. The Commission shall forward that information to the CCSBT 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 committed an infringement of the CCSBT conservation and management measures, the flag Member State shall promptly investigate the alleged infringement and notify the Commission of the status of the investigation, and of any enforcement action that may have been taken, to enable the Commission to inform the CCSBT Secretariat within three months of receipt of the notification by the Member State.

4. If the Member State cannot provide the Commission with a status report within six months of the receipt of the inspection report, 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 without delay the information regarding the status or delay of the investigation to the CCSBT Secretariat.

Article 22

Monthly by-catch reporting

Flag Member States whose flagged vessels have by-caught SBF, shall report to the Commission on the 15th of each month for the by-catch of the preceding month in accordance with Article 33 of Regulation (EC) No 1224/2009. The information to be reported to the Commission shall also include any discards and information on whether the discarded by-catch was live and vigorous, moribund or dead and the total cumulative SBF by-catch for the year. The Commission shall transmit that information to the CCSBT Secretariat no later than the last day of each month.

Article 23

Annual reporting

1. Member States shall report to the Commission at the latest six weeks before the annual meeting of the CCSBT Compliance Committee the following information:

   (a) the details on any audits undertaken in accordance to Article 12 to validate the information contained in the CDS documentation;

(b) the quantities and percentage 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;

(c) flag Member States whose flagged vessels have by-caught SBF shall report to the Commission 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 and vigorous, moribund or dead, and the Annual VMS summary report.

Article 24

Confidentiality

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 CCSBT Secretariat.

2. Collecting, transfer, storage or otherwise processing any data pursuant to this Regulation shall comply 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 the personal data is necessary to allow the follow up of an infringement, an inspection, or judicial or administrative procedures. In these cases, the personal data may be stored for 20 years. If personal data is 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 concerning measures adopted by CCSBT in the following areas:

(a) targeting by Union fishing vessels of SBF of Article 4;

(b) the information to be provided for the inclusion of a vessel in the CCSBT Record of Vessels in Article 5;

(c) the time limits or periods related to reporting for catch tagging forms laid down in Article 7(3), retention of CDS documents laid down in Article 14(2), transmission of transhipment notifications and declarations laid down in Article 16(1), transmission of information to the CCSBT Compliance Committee concerning the IUU vessel list and investigation reports laid down in Article 19(1) and Article 20(1), transmission of information concerning point of contact for port inspections laid down in Article 21(2), transmission of by-catch report laid down in Article 22, and deadline for the submission of reports laid down in Article 23(1)***;***

(ca) areas covered by Annexes I to IV of this Regulation.

2. Delegated acts amending ▌ this Regulation in accordance with paragraph 1 shall be strictly limited to the implementation in Union law of amendments to the CCSBT ***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 2 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 2 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 Brussels,

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 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 to the best of my knowledge and belief.

Name and Title		Signature	
		Date	

OFFICIAL SEAL

• 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 (only 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 validate that the above information is complete, true and correct to the best of my knowledge and belief.

Name and Title		Signature	
		Date	

OFFICIAL SEAL

• 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)

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 exportation/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

• CATCH HARVEST SECTION - (continued)

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 3 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.

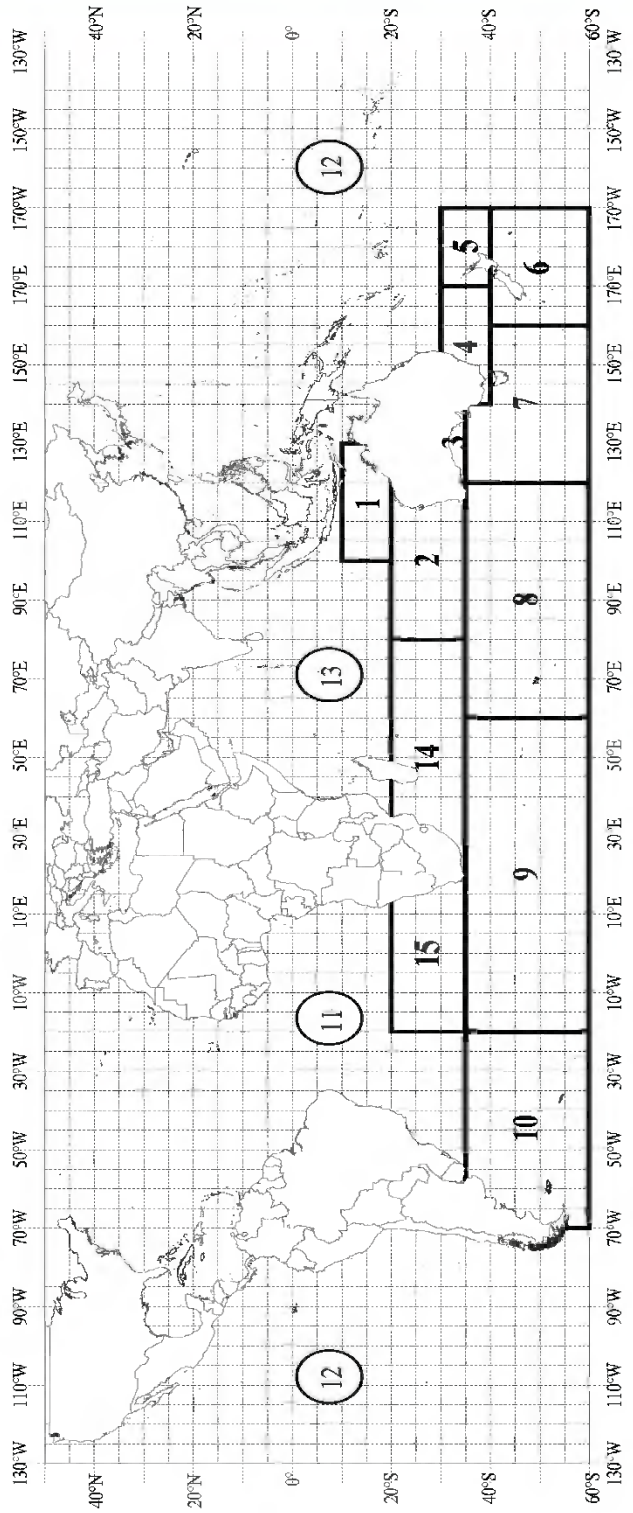
Certification by Importer: The person or company that imports southern bluefin tuna must provide his/her/its name, address, date (dd/mm/yyyy) on which the southern bluefin tuna was imported, signature, type[3], and weight (kg). For fresh and chilled product, the signature of the importer may be substituted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

[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 (eg. 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

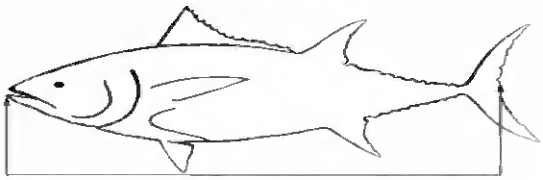
The Tagging information for each fish must be recorded.

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 tailing as shown in the diagram below.
In cases where length cannot be measured immediately after tht 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 tail 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 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			
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)
* For Other (OT): Describe the type of product			

Description of Fish being Exported			
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			

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.		
Name and Title	Signature	OFFICIAL SEAL
	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.

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, the 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.

[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.

• 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.

ANNEX IV

ANNEX I - CCSBT TRANSHIPMENT DECLARATION

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

	Day	Month	Hour	Year
Departure				
Return				
Transhipment				

From (Port name):

to (Port name):

Agent's name:

Signature:

Master's name of LSTLV:

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).

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