

IOTC Agreement – Article X

Report of Implementation for the year 2016

DEADLINE FOR SUBMISSION OF THE REPORT 17 MARCH 2017

Reporting CPC: AUSTRALIA

Date of submission: 17/03/2017

Please NOTE: this document is composed of 3 sections to report on the implementation of IOTC Resolutions

Part A. *Describe the actions taken, under national legislation, in the previous year to implement conservation and management measures adopted by the Commission at its Twentieth Session.*

- Resolution 16/01 On an Interim Plan for Rebuilding the Indian Ocean Yellowfin tuna Stock in the IOTC area of competence

Australia has implemented this Resolution by determining a 5,000t Total Allowable Catch under the Western Tuna and Billfish Fishery Management Plan – see link:

www.legislation.gov.au/Details/F2014L01588

The report on methods for achieving the YFT catch reductions has already been provided to the IOTC Secretariat:

Yes Date of reporting (DD/MM/YYYY): 17/03/2017

No

Additional information:

N/A

- Resolution 16/02 On harvest control rules for Skipjack tuna in the IOTC area of competence. This Resolution is not binding on Australia.

- Resolution 16/03 On the second performance review follow-up

This Resolution does not require implementation at a national level (there are no specific obligations for CPCs) therefore reporting under this item is not applicable.

- Resolution 16/04 On the implementation of a Pilot project in view of promoting the Regional observer scheme of IOTC

This Resolution does not require implementation at a national level (there are no specific obligations for CPCs) therefore reporting under this item is not applicable.

- Resolution 16/05 On vessels without nationality

Australia did not sight or board any vessels without nationality in the IOTC area of competence in 2016. In accordance with paragraph 5 of the Resolution, Australia has shared information with regional partners on vessels suspected to be without nationality to prevent and deter IUU fishing. No vessels without nationality requested or were permitted access to Australian ports in 2016.

- Resolution 16/06 On measures applicable in case of non fulfilment of reporting obligations in the IOTC

“NOTING that incomplete reporting or no data reporting and that, despite the adoption of numerous measures intended to address the matter, lack of compliance with reporting obligations is still a problem for the Scientific Committee and for the Commission;”

Actions taken to implement their reporting obligations for all IOTC fisheries (in terms of Resolutions 15/01 and 15/02), including shark species caught in association with IOTC fisheries, and in particular the steps taken to improve their data collection for direct and incidental catches.

Note: where applicable, please report actions separately for artisanal (coastal), and industrial IOTC fisheries:

- **Action(s) to improve data collection that facilitate improvements in compliance in terms of IOTC mandatory reporting obligations (e.g. development or improvements in the implementation of logbooks, port-based sampling or related fisheries surveys, national observer scheme, vessel registry, electronic data capture, VMS, or on-board electronic monitoring):**

Australia's National Report to the Scientific Committee is submitted to the IOTC Executive Secretary annually. This report details Australia's implementation of IOTC Resolutions relevant to the Scientific Committee, including Resolutions 15/01 and 15/02 concerning the reporting of catch and effort data for Australian vessels operating in the IOTC Area of Competence. The report includes details of and data from Australia's logbook (paper and electronic), port sampling, observer, electronic monitoring and VMS programs. Australia also completes the annual data submission each year as required.

- **Action(s) to improve data processing and reporting systems that facilitate submission of data to the IOTC Secretariat (e.g., development of fisheries databases and data dissemination systems, development of automated routines to process and extract IOTC data submissions, steps to minimise data entry errors):**

Australia is progressing systems that facilitate observer reporting from e-monitoring data, including linkage of logsheet and e-monitoring data.



- **Action(s) to improve the quality and accuracy of data submitted to the IOTC Secretariat (e.g., steps to improve data validation, improvements in sampling coverage, frame surveys, etc.; coherence of data with alternative fisheries datasets, comparability of data from previous years):**

Australia is continually identifying areas to improve the quality and accuracy of data. The implementation of e-monitoring has provided improved certainty around logbook reporting.

Additional information:

N/A

- Resolution 16/07 On the use of artificial lights to attract fish

Under Australia's Fish Aggregation Device Management Plan in Australia's Tropical Tuna Fisheries, Australian fishing concession holders wishing to utilise FADs must apply to AFMA in writing for permission to do so. In assessing applications, AFMA would ensure all IOTC requirements relating to FADs are met, including any relating to the use of artificial lights. No FAD fishing was authorised in Australian fisheries relevant to the IOTC in 2016.

- Resolution 16/08 On the prohibition of the use of aircrafts and unmanned aerial vehicles as fishing aids

No aircraft or unmanned aerial vehicles were deployed as fishing aids in Australia's Western Tuna and Billfish Fishery or western Skipjack Tuna Fishery in 2016.

- Resolution 16/09 On establishing a Technical Committee on Management Procedures

This Resolution does not require implementation at a national level (there are no specific obligations for CPCs) therefore reporting under this item is not applicable.

- Resolution 16/10 To promote implementation of IOTC Conservation and Management Measures

This Resolution supersedes Resolution 12/10. Australia's implementation and its support for implementation by other CPCs meets the standard set out by the IOTC, including in relation to the submission of proposals.

- Resolution 16/11 On Port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing

Australia has implemented the requirements of this resolution through national legislation and policies. Australia ratified the FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing in 2015, after establishing the procedures and

arrangements required to implement the Agreement. No foreign fishing vessels entered Australia in 2016.

- Resolution 16/12 Working Party on the Implementation of Conservation and Management Measures (WPICMM)

This Resolution does not require implementation at a national level (there are no specific obligations for CPCs) therefore reporting under this item is not applicable.

Note: ^a indicate that a template report exists for some of the requirements and can be downloaded at <http://www.iotc.org/compliance/reporting-templates>

Part B. *Describe the actions taken, under national legislation, to implement conservation and management measures adopted by the Commission in previous Sessions, and which have not been reported previously.*

Several Australian fisheries targeting IOTC species fall within the IOTC Area of Competence. In general, these fisheries are managed in accordance with regulations, including statutory management plans, which are developed under Australia's overarching fisheries management legislation.

Australia takes actions under this legislation to implement IOTC Resolutions by updating fishing concession conditions that apply to concessions issued to Australian fishing vessels and by updating the regulations that set out the obligations applicable to fishing within the IOTC Area of Competence. Australia sets catch limits and allocates quota for target species, taking into account a number of criteria, including advice from the IOTC Scientific Committee.

Australia has provided detailed information about the implementation of IOTC Resolutions through the reports required under IOTC Resolutions and within this report.

Part C. Data and information reporting requirements for CPCs to be included in this report (please refer to the section “Implementation Report due by 17 March 2016” of the *Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties*, available for download at <http://www.iotc.org/compliance/reporting-templates>).

- Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme

CPCs which export bigeye tuna shall examine export data upon receiving the import data from the Secretary, and report the results to the Commission annually [A template report exists].

Nil report, specify the reason: No large scale longline vessels on the IOTC RAV
 Do not export frozen big eye tuna

The report has already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)
 No

The report is attached to the implementation report:

Yes No

Additional information:

Australia has previously reported on Resolution 01/06, concerning the IOTC bigeye tuna statistical document programme. The Australian Government has implemented a Statistical Document Programme to meet statistical document requirements adopted by the IOTC under Resolution 03/03 as well as by other RFMOs and import markets.

- Recommendation 05/07 Concerning a management standard for the tuna fishing vessels

The CPC flag States which issues licenses to their AFVs should report annually to the Commission all measures taken to meet the minimum management standards when they issue fishing licenses to their “authorised fishing vessels”.

a. Management in the fishing grounds (of flag vessels).

	<i>Scientific Observer boarding</i>	<i>Satellite-based vessel monitoring system</i>	<i>Daily or required periodic catch report</i>	<i>Entry/Exit report</i>
Yes, No?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	% Refer to report on Resolution 11/04	% or number of vessels 100% – additional information below refers	Method Daily catch and effort reporting through Logbooks – additional	Method Report required prior to entering the high seas. VMS is also used to monitor entry

			information below refers	into and exit from the high seas
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b. Management of transhipment (from the fishing grounds to the landing ports; of flag vessels)

	<i>Transhipment report</i>	<i>Port inspection</i>	<i>Statistical document program</i>
Yes, No?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	Method Not applicable, Australia does not permit transhipment at-sea – additional information below refers	Method Risk assessment process to identify priority areas that require targeted compliance and enforcement action. Inspections conducted in accordance with IOTC Resolutions	Report on Resolution 01/06 above refers

c. Management at landing ports (of flag vessels).

	<i>Landing inspection</i>	<i>Landing reporting</i>	<i>Cooperation with other Parties</i>
Yes, No?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Note	Method Risk assessment process to identify priority areas that require targeted compliance and enforcement action. Inspections conducted in accordance with IOTC Resolutions	Method Catch Disposal Records - additional information below refers	Australia has ratified the FAO Port State Measures Agreement, and cooperates with relevant CPCs on an as needs basis

Additional information:

The Western Tuna and Billfish Fishery is managed under a management plan, determined under the Australian Government Fisheries Management Act 1991. The plan provides for quota-based management of the fishery. Fishing in the Western Skipjack Tuna Fishery is authorised through fishing permits, issued under section 32 of the Australian Government Fisheries Management Act 1991. These permits authorise fishing subject to conditions.

An operational VMS is mandatory for all Australian flagged fishing vessels authorised to fish in the IOTC Area of Competence. AFMA monitors VMS data to ensure vessel compliance with relevant obligations. Vessels must also complete a daily report of all catches in an AFMA Logbook.



Australian vessels maintain a level of observer coverage in order to meet the IOTC target of five per cent. From July 2015, Australia meets this requirement through implementation of electronic monitoring (on board cameras and sensors) on all vessels fishing for more than 30 days in one trip. An audit is performed on 10% of recorded footage.

Australia also undertakes in-port and at-sea inspections of its fishing vessels to monitor fishing activity.

Australian flagged fishing vessels fishing for tuna and tuna-like species are not permitted to tranship at-sea within the IOTC Area of Competence.

All catch data is required to be verified by a licensed fish receiver by completing an AFMA Catch Disposal Record at the time of landing. Paper based audits may be used to verify compliance with requirements.

- Resolution 10/10 Concerning market related measures

For CPCs that import tuna and tuna-like fish products, or in whose ports those products are landed or transhipped, should report a range of information (e.g. information on vessels / owners, product data (species, weight), point of export) annually. *[A template report exists].*

Nil report, specify the reason(s): No landing from foreign vessels in national ports
 No transhipment by foreign vessels in national ports
 Do not import tuna and tuna-like fish products

The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2016 have already been provided to the IOTC Secretariat:

Yes Date of reporting (DD/MM/YYYY): 12/02/2016
No

The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2016 is attached to the implementation report:

Yes No

Additional information:

Australia has previously reported on Resolution 10/10 concerning market related measures. Landings of fisheries products into Australia by foreign flagged vessels are prohibited, except where ministerial approval has been granted. No such approvals were granted in 2016. Australia did not authorise any transhipments by Australian flagged fishing vessels authorised to fish in the IOTC Area of Competence in 2016.

Australia has reported its tuna imports to the IOTC Executive Secretary. As required under paragraph 1 of Resolution 10/10, Australia currently provides available information on the imported products and associated vessels.

- Resolution 11/02 Prohibition of fishing on data buoys

CPCs are to notify the IOTC Secretariat of all reports of observations of damaged data buoys.

Nil Report

The report has already been provided to the IOTC Secretariat:

Yes

Date of reporting (DD/MM/YYYY): [Click here to enter text.](#)

No

The report is attached to the implementation report:

Yes

No

Additional information:

In 2011, Australia implemented a condition on fishing concessions in relevant fisheries to prohibit the intentional fishing within 1 nautical mile of a data buoy or intentional interaction with a data buoy. Interacting with a data buoy includes, but is not limited to: encircling the buoy with fishing gear; tying up to or attracting the boat or any fishing gear, part or portion of the boat to a data buoy or its moorings; or cutting a data buoy anchor line. Operators must also report any data buoys observed to be damaged to AFMA.

- Resolution 11/04 On a Regional observer scheme

CPCs shall provide to the Executive Secretary and the Scientific Committee annually a report of the number of vessels monitored and the coverage achieved by gear type in accordance with the provisions of this Resolution.

Type of gear	No of vessels monitored in 2015	Coverage in 2015 (%)
Purse seine	0*	0
Longline	2**	7.1**
Gillnet	0	0
Bait Boat	0	0
Hand line	0	0
Insert other gear type Click here to enter text.		
Insert other gear type Click here to enter text.		
Insert other gear type Click here to enter text.		
Insert other gear type Click here to enter text.		

Additional information:

* Excludes purse seining for southern bluefin tuna, which is reported to CCSBT.

**Note that coverage in 2015 is based on the number of hooks monitored and is derived from both human observers and electronic monitoring.

Australia has previously reported on Resolution 11/04, including in the Australian National Report to the Scientific Committee of the Indian Ocean Tuna Commission for 2016, concerning a regional observer scheme.

Australia has placed observers on Australian flagged vessels operating in the IOTC Area of Competence since 2003 and Australian vessels maintain a level of observer coverage in order to achieve the five per cent target for observer coverage each year, based on the number of hook sets. Australia provides information on observer coverage achieved, including the coverage rates by gear type.

In mid-2015, electronic monitoring became compulsory in the Western Tuna and Billfish Fishery. Electronic monitoring is now the primary method of data collection and monitoring in these fisheries. Electronic monitoring is a system of sensors and video cameras capable of monitoring and recording fishing activities, which can be reviewed later to independently verify logbook data.

In 2015, observer coverage of Australian flagged longline vessels in the Western Tuna and Billfish Fishery was 7.1 per cent of the 430 515 hooks set. Australia has submitted observer reports and information from electronic monitoring in 2015 to the IOTC.

Observer coverage for the Southern Bluefin Tuna Fishery purse seine fleet is reported to the Commission for the Conservation of Southern Bluefin Tuna. The ongoing target observer coverage for the fleet is ten per cent of the total catch and effort for the fishery.

- Resolution 12/04 On marine turtles

CPCs shall report to the Commission, in accordance with Article X of the IOTC Agreement, their progress of implementation of the FAO Guidelines and this Resolution.

Australia has previously reported on the implementation of Resolution 12/04, including in the Australian National Report to the Scientific Committee of the IOTC.

Australia's current turtle bycatch management and mitigation measures fulfil Australia's obligations under the FAO Sea Turtles Guidelines. All marine turtles found in Australian waters are protected under the Australian Government Environment Protection and Biodiversity Conservation Act 1999 and a recovery plan implemented in 2003.

AFMA requires the operators of longline vessels to carry at least one line cutter and one de-hooker on board at all times to facilitate the handling and prompt release of turtles caught or entangled, consistent with paragraph 8 of Resolution 12/04. Further, a number of materials, including a video, have been produced to educate the Australian longline fishing industry on methods to minimise fishing impacts on turtle populations. Consistent with the IOTC Marine Turtle Identification Cards, these show how to safely bring turtles aboard and handle them on the deck of a fishing vessel, how

to use de-hooking devices on turtles in the water and on deck, how to help comatose turtles recover and how to release them back into the water.

- Resolution 12 /06 On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries
CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of Competence.

Australia has previously reported on the implementation of Resolution 12/06, including in the Australian National Report to the Scientific Committee of the Indian Ocean Tuna Commission for 2016. Australia will continue to report on its implementation of, and information relating to seabird interactions in accordance with Resolution 12/06, including through the annual Australian National Report to the Scientific Committee of the Indian Ocean Tuna Commission. Australia has implemented fishing concession conditions aimed at reducing seabird mortality, consistent with and exceeding the minimum requirements detailed in Resolution 12/06. These include mandatory use of tori lines, best practice line weighting regimes and night setting.

- Resolution 12/12 To Prohibit the use of large-scale driftnets on the high seas in the IOTC Area
CPCs shall include in their Annual Report a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the IOTC area of competence.

Australia has previously reported on Resolution 12/12 concerning the prohibition on the use of large-scale driftnets on the high seas in the IOTC Area of Competence. Australia's previous submission remains current.

Australian legislation prohibits the use of large-scale driftnets within Australia's exclusive economic zone and on the high seas by Australian nationals.

- Resolution 13/04 On the conservation of cetaceans

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

Not applicable (No PS vessels on the IOTC RAV in 2016);

No encirclement reported by flag vessels in 2016,

Encirclement reported by flag vessels in 2016 (Complete the table below):

Name of the species	Number of instances of encirclement
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Click here to enter text.	Click here to enter text.
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Additional information:

There were no active Australian flagged purse seine vessels in fisheries relevant to the IOTC in 2016, except the Southern Bluefin Tuna Fishery. All data pertaining to the Southern Bluefin Tuna Fishery is reported to the Commission for the Conservation for Southern Bluefin Tuna. All cetacean species are protected under Australian legislation.

- Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which whale sharks have been encircled by the purse seine nets of their flagged vessels.

Not applicable (No PS vessels on the IOTC RAV in 2016);

No encirclement reported by flag vessels in 2016,

Encirclement reported by flag vessels in 2016 (Complete the table below):

Name of the species	Number of instances of encirclement
Whale sharks (<i>Rhincodon typus</i>)	Click here to enter text.

Additional information:

There were no active Australian flagged purse seine vessels in fisheries relevant to the IOTC in 2016, except the Southern Bluefin Tuna Fishery. All data pertaining to the Southern Bluefin Tuna Fishery is reported to the Commission for the Conservation for Southern Bluefin Tuna. Whale sharks are protected under Australian legislation.

- Resolution 14/05 Concerning A Record Of Licensed Foreign Vessels Fishing For IOTC Species In The IOTC Area Of Competence And Access Agreement Information

For Government to Government access agreement in existence prior to the entry into force of this resolution, where coastal CPCs allow foreign-flagged vessels to fish in waters in their EEZ in the IOTC Area for species managed by IOTC through a CPC-to-CPC agreement, CPCs involved in the referred agreement:

- Shall submit copy of the access agreement,
- Shall submit information concerning these agreements (paragraphs 3a, b, c, d, e, f, g),

A report template exists and can be requested at secretariat@iotc.org

Additional information:

Australia did not authorise any foreign fishing vessels to fish in Australia's exclusive economic zone within the IOTC Area of Competence in 2016.

- Resolution 14/06 On establishing a programme for transhipment by large-scale fishing vessels (Report of flag vessels transhipping in foreign ports)

Each flag CPC of the LSTV shall include in its annual report each year to IOTC the details on the transhipments in ports by its vessels (Name of LSTV, IOTC Number, name of carrier vessel, species and quantity transhipped, date and location of transhipment). *[A template report exists]*.

Nil report, specify the reason(s): No LSTVs on the RAV
 Flag LSTVs do not tranship in foreign ports

The details on transhipment in ports for 2016 have already been provided to the IOTC Secretariat:

Yes **Date of reporting (DD/MM/YYYY):** [Click here to enter text.](#)
No

The details on transhipment in ports for 2016 are attached to the implementation report:

Yes No

Additional information:

Australia has prohibited at-sea transhipments in Australian fisheries relevant to the IOTC since 2011. There were no at-sea transhipments by Australian flagged vessels in the IOTC Area of Competence in 2016. There were no transhipments in Australian ports in 2016.

- Resolution 15/04 Concerning the IOTC record of vessels authorised to operate in the IOTC Area of Competence.

CPCs shall review their own internal actions and measures taken pursuant to paragraph 7, including punitive actions and sanctions and, in a manner consistent with domestic law as regards disclosure, report the results of the review to the Commission annually. In consideration of the results of such review, the Commission shall, if appropriate, request the flag CPCs of AFVs on the IOTC Record to take further action to enhance compliance by those vessels with IOTC Conservation and Management Measures.

The flag CPCs of the vessels on the record shall:

- take measures to ensure that their AFVs comply with all the relevant IOTC Conservation and Management Measures;

Describe the measures:

Pursuant to paragraphs 7(b) and 8 of Resolution 15/04, Australia takes measures to ensure Australian flagged fishing vessels comply with relevant IOTC measures and are not associated with IUU fishing. For example, outcomes from IOTC meetings are reported to industry in order to raise awareness of obligations. Relevant measures are given effect as part of fishing concession

conditions. Australian fishing vessels are monitored through electronic monitoring (in selected fisheries), VMS, catch and effort reporting (logbooks, catch disposal records), on-board observers and in-port and at-sea inspections. AFMA undertakes a biennial risk assessment process to identify priority areas that require targeted compliance and enforcement action. The risk assessment process is conducted across all major Commonwealth fisheries, including in the IOTC Area of Competence. AFMA adopts a structured approach to monitor existing and emerging risks that may require mitigation strategies during this two year period.

Australia has also implemented a multi-faceted strategy to deter IUU fishing in its jurisdiction, which includes on-the-water surveillance and enforcement, cooperation with regional neighbours, diplomatic representations, in-country education and capacity building, and international cooperation through RFMOs and other international agreements and arrangements.

- take measures to ensure that their AFVs on the IOTC Record keep on board valid certificates of vessel registration and valid authorisation to fish and/or tranship;

Describe the measures:

As required under paragraphs 7(c) and 13 of Resolution 15/04, in Australian fisheries relevant to the IOTC, a copy of the extract from the boat statutory fishing right that states the name of the boat, or the original or a true copy of the fishing permit must be carried on board the nominated boat at all times.

Pursuant to Paragraph 3 of Resolution 15/04, Australia has provided samples of the official authorisations that are carried on board Australian flagged fishing vessels authorised to fish in the IOTC Area of Competence, and associated information to the Executive Secretary (submitted on 12 February 2014). There have been no changes to this information in the intervening period.

- ensure that their AFVs on the IOTC Record have no history of IUU fishing activities or that, if those vessels have such a history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels; the parties of the IUU incident have officially resolved the matter and sanctions have been completed; or that having taken into account all relevant facts, their AFVs are not engaged in or associated with IUU fishing;

Describe the measures:

No Australian flagged fishing vessels on the IOTC Record of Authorised Vessels have a history of IUU fishing activities in the IOTC Area of Competence.

- ensure, to the extent possible under domestic law, that the owners and operators of their AFVs on the IOTC Record are not engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record in the IOTC area of competence;

Describe the measures:

No Australian flagged fishing vessels on the IOTC Record of Authorised Vessels are engaged in or associated with tuna fishing activities conducted by vessels not entered into the IOTC Record of Authorised Vessels in the IOTC Area of Competence.

- take measures to ensure, to the extent possible under domestic law, that the owners of the AFVs on the IOTC Record are citizens or legal entities within the flag CPCs so that any control or punitive actions can be effectively taken against them;

Describe the measures:

Under section 4(1) of the Australian Government Fisheries Management Act 1991, a boat is an Australian boat and therefore may be nominated to a Commonwealth fishing concession if it satisfies one of the following conditions:

-- the boat is operated from Australia, is wholly owned by an Australian resident/company incorporated and was built in Australia; or

-- the boat is listed on the Australian Shipping Register (that is, it is an Australian flagged boat), with the exception of a boat wholly owned by a foreign resident and under a demise charter arrangement; or

-- the boat (which may be foreign flagged or Australian flagged and under a demise charter arrangement) has been declared to be an Australian boat by AFMA under section 4(2) of the Fisheries Management Act 1991. Under section 4(2) of the Fisheries Management Act 1991, AFMA may declare a boat is taken to be an Australian boat for the purposes of the Act when among other conditions that must be met, AFMA is satisfied that there is sufficient Australian control over the boat's operation. Any boat that does not meet these conditions is considered to be a foreign boat and is not eligible for nomination to a Commonwealth fishing concession.

With regard to foreign boats, under sections 34, 35, and 36 of the Fisheries Management Act 1991, foreign entities and governments can apply for foreign fishing licences authorising the use of a specified foreign boat in the Australian Fishing Zone. AFMA has not issued a foreign fishing licence since 1996.

- Resolution 15/08 Procedures on a fish aggregating devices (FADs) management plan, including a limitation on the number of FADs, more detailed specifications of catch reporting from FAD sets, and the development of improved FAD designs to reduce the incidence of entanglement of non-target species

From 2015 on, CPCs shall submit to the Commission, 60 days before the Annual Meeting, a report on the progress of the management plans of FADs, including reviews of the initially submitted Management Plans, and including reviews of the application of the principles set out in Annex III.

Not applicable (No PS vessels on the IOTC RAV in 2016);

The report has already been provided to the IOTC Secretariat:



Yes

Date of reporting (DD/MM/YYYY): 28/03/2014

No

The report is attached to the implementation report:

Yes

No

Additional information:

Australia submitted its Fish Aggregation Device Management Plan in Australia's Tropical Tuna Fisheries in 2014 to meet the requirements of Resolution 13/08 (now 15/08). There have been no updates to the plan since then, nor any change in Australia's implementation of the plan. Under the plan, Australian fishing concession holders wishing to utilise FADs must apply to AFMA in writing for permission to do so. In assessing applications, AFMA would ensure all IOTC requirements in force at that time relating to FADs are met. No FAD fishing was authorised in Australian fisheries relevant to the IOTC in 2016.