



Compliance Information Sheet

Compliance benchmarking for New Zealand fisheries

The Ministry of Fisheries Field Operations group has developed an operating model that emphasises the concept of “informed and assisted” compliance to support the principles of enforcement. In practical terms this means that, where possible, the Ministry of Fisheries will bring to the attention of industry matters that are of direct interest and concern to the Ministry.

The purpose of this information sheet is to identify a series of performance indicators and the performance targets that relate specifically to the deepwater fisheries sector. Performance targets for other sectors will be developed in time and the Field Operations group welcomes discussions that would allow this to happen. The purpose of these indicators is to:

- clarify and standardise compliance performance monitoring across the deepwater sector
- enable compliance benchmarking over time and across sectors of the deepwater fleet
- provide regular assessments of compliance in the deepwater sector in language and a format that can be widely understood.

Three performance indicators have been identified in collaboration with operators of the deepwater fleet (i.e. vessels over 28 m in length).



Performance Indicator 1: Pre-fishing preparation

Performance Indicator 2: Fishing documentation

Performance Indicator 3: Retrospective analysis

Performance against these indicators will be assessed either through a pre-trip inspection by a Fishery Officer, a “boarding at sea” inspection, and a post-fishing documentation review and audit.

Performance Indicator 1 – Pre-fishing preparation

This performance indicator relates to the requirement for a vessel to be in possession of the correct permits, documentation paperwork, and fishing gear before the vessel participates in any fishing activity. Specifically this performance indicator relates to a vessel's ability to fish legally and includes the following:

- valid fishing permit
- valid certification of registration
- valid ALC certificate and operational ALC
- fishing gear that meets legal requirements
- logbooks or electronic forms appropriate for the type of fishing the vessel expects to be engaged in
- seabird and sea lion mitigation devices
- current copies of the required non-regulatory documentation including DWG operating procedures
- evidence that the vessel (if it is over 46 m in length) can comply with the Observer Standard.

Performance target: A performance target of 100 percent has been set for this indicator. A high target is considered appropriate because there is little interpretation required in meeting this performance indicator in that a vessel either has a valid fishing permit, logbooks, and legal fishing gear on board or it does not.

Performance Indicator 2 – Fishing documentation

This performance target relates to vessel/crew compliance with paperwork and catch documentation requirements associated with the harvest of fish and the storage of that fish onboard the vessel as well as any associated non-fish interactions. The specific elements of this indicator include:

- accurate and timely completion of catch effort returns
- accurate and timely completion of non-fish bycatch and protected species returns.

Performance target: As with Performance Indicator 1, this indicator is administrative in nature and the process to comply is relatively uncomplicated. Therefore a performance target of 90 percent has been set for this indicator. This target recognises that the completion of documentation does inevitably result in some non-deliberate human error with regards to administrative or data entry mistakes. Therefore it was considered appropriate to set a target level below 100 percent initially, although there is an expectation that this target level will be increased over time.

Ongoing evidence of non-deliberate human error in terms of the completion and filing of returns will be addressed through training and advice as part of the informed and assisted compliance model.

Performance Indicator 3 – Retrospective Analysis

This performance indicator relates to the reconciliation of the key documents that make up the harvest against ACE declaration, i.e. catch effort returns, monthly harvest returns, and licensed fish receiver returns that occur at the company level.

It is important to note that when discrepancies are identified in this area the follow-up investigation often results in simple and valid reasons for the discrepancy.

Performance target: This is the most complex of the three performance indicators in terms of setting and achieving a performance target. An initial target of 85 percent has been established but, as with Performance Indicator 2, this target will increase over time as operators improve their knowledge and experience in undertaking in-house retrospective analysis.

Measured performance against this target will not include discrepancies that were subsequently found to be due to administrative or data entry error.

Frequency of Reporting

Performance of the deepwater fisheries sector against these three performance indicators will be reported every quarter. Each report will provide information on:

- number of inspections in each category
- performance against indicator
- comparison of performance against last quarter
- comparison of performance against same period 12 months previously.

The first performance report will be available in January 2010 for the period October–December 2009.

An annual performance report will also be produced at the end of each fishing year.

If you require further information or clarification around the content of this information sheet please contact either your local Fishery Officer or the Deepwater Group Ltd.



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Disclaimer

Nothing in this information sheet should be read to preclude obligations for all current requirements. The purpose of this information sheet is to achieve informed and assisted compliance.