

MARINE STEWARDSHIP COUNCIL - TECHNICAL ADVISORY BOARD

TAB DIRECTIVE SERIES

TAB Directive Number	Title	Date of Issue
TAB D-017 v2.1	Implementation of Version 2 of the Fisheries Assessment Methodology (including RBF)	1 May 2010
Decision Date: 16 June 2009 Effective Date: 1 November 2009		

Documents Supplemented or Modified by this Directive

MSC Scheme Document	Status Change
TAB Directive 017 v2	Superseded

Background

The MSC 'Fishery Assessment Methodology' (FAM) is comprised of a standardised, default Assessment Tree and associated guidance. It was developed for use in assessments of a fishery's performance against the MSC's 'Principles and Criteria for Sustainable Fishing'. The FAM was developed to simplify and standardise the assessment structure so as to increase the consistency between assessments, improve the robustness and credibility of fishery assessments and reduce the time taken and consequential cost to assess a fishery.

Version 1 of the FAM was released for compulsory use in the assessment of new fisheries entering the MSC certification processes from 21 July 2008. Version 1 of this TAB Directive provided for the implementation of FAM v1, including mechanisms to enable Certification Bodies to suggest adjustments to the FAM where such adjustments are justified by the special characteristics of individual fisheries.

The MSC Risk Based Framework (RBF) was developed to provide methodological guidance for the assessment of fisheries having limited availability of the type of information required for full assessments against the FAM. It provides risk-based tools and guidance that can be applied as appropriate to scoring of fisheries against specified Principle 1 and Principle 2 Performance Indicators in the default FAM Assessment Tree.

Version 1 of the RBF was released for interim use by Certification Bodies on 6 February 2009 at the start of a period of public consultation on both the FAM and RBF. Directions on the use of the RBF were provided in Policy Advisory 6, as released 28 January 2009.

This Directive provides for the implementation of version 2 of the FAM, which now includes the RBF as an integral part of the methodology and guidance.

Intent

This Directive's intent is to implement the arrangements agreed by the MSC Board of Trustees for the implementation of version 2 of the Fisheries Assessment Methodology (FAM) including the Risk Based Framework (RBF). The Directive sets out the procedures that shall be implemented by Certification Bodies in relation to new fisheries entering full assessment and existing certified fisheries entering re-assessment when applying or developing the Assessment Tree and guidance against which the assessment is undertaken.

Directive

Implementation of this Directive

1. This Directive shall enter into effect on 1 November 2009 (the Effective Date).
 - 1.1. Where a Certification Body wishes to apply this Directive and use FAM v2 prior to this Effective Date (in place of the requirements of TAB Directive D-017 (v1) and/or Policy Advisory 6), such application shall be permitted so long as the Directive is applied in its entirety.
 - 1.2. Where the Directive is applied by a Certification Body prior to the Effective Date (as allowed in Section 1.1), references to "1 November 2009" in the following sections shall be interpreted as having been applied earlier than this mandatory date and the Certification Body shall include a statement confirming its early application of the Directive in any relevant announcements.
2. From 1 November 2009, TAB Directive D-017 (v1) and Policy Advisory 6 are superseded.
3. The directions provided below with reference to the development of Assessment Trees shall be applied in place of the instructions provided in Section 2.3 of the current FCM (v6).

New Fisheries

4. At the pre-assessment stage, the Certification Body shall examine the characteristics of the fishery to determine whether it is within scope of the MSC Principles and Criteria for Sustainable Fisheries. A fishery shall be within scope if it is not excluded by any issue identified in Section 3 of FAM v2.
 - 4.1. Where a fishery is determined as being within scope and the client has taken the decision to enter full assessment, Certification Bodies shall provide with their Notification Report (Fisheries Certification Methodology v6 Section 2.1.1.1) and in all fishery assessment reports a statement of their determination that the fishery is within scope.
 - 4.2. Where a fishery does not meet one or more of the scope criteria, it shall not be eligible for assessment under the MSC scheme.
5. Certification bodies shall use version 2 of the FAM (incorporating the RBF and hereafter referred to as FAM v2) as guidance in all pre-assessments of new fisheries from 1 November 2009.
6. For all new fisheries entering the MSC assessment process¹ after 1 November 2009, Certification Bodies shall use FAM v2 as the basis of assessment against the MSC's 'Principles and Criteria for Sustainable Fishing'. The following process shall be used to either confirm use of the FAM without changes or to make changes to the FAM (including the Assessment Tree and/or guidance) prior to the assessment site visit.

¹ Having signed a contract with a Certification Body for a full assessment.

- 6.1. The assessment team shall review the FAM v2 to ensure its applicability to the specific characteristics of the fishery under assessment.
- 6.2. If, following the review of the FAM v2 by the Assessment Team, the Certification Body decides that the fishery can be assessed without any changes to the FAM v2, a notification of intent to use the default FAM Assessment Tree and guidance shall be made publicly available and provided to stakeholders for at least 30 days prior to the on-site assessment visit, to enable any stakeholder who wishes to comment a chance to do so.
- 6.3. If, following the review of the FAM v2 by the Assessment Team, the Certification Body decides to apply to the MSC Executive for an adjustment to the FAM v2 in order to allow for the specific characteristics of the fishery in assessment, they shall make a proposal (in writing) to the MSC Executive's Senior Fisheries Assessment Manager outlining the proposed adjustment(s) to the FAM v2 and the rationale for proposing such adjustments.
- 6.4. The MSC Executive shall consider each suggested adjustment to the FAM v2 on a case by case basis. The MSC shall only allow such adjustments to the FAM v2 where it is convincingly justified by the specific characteristics of the fishery in assessment and that the proposed adjustment meets the intent of the MSC's *Principles and Criteria for Sustainable Fishing*. The MSC Executive shall respond in writing to the Certification Body's request to adjust the FAM v2 with decisions on whether to approve adjustments, and the reasons for reaching those decisions.
- 6.5. Where a Certification Body's proposal to adjust the default FAM v2 is approved by MSC, the draft Assessment Tree (including Principles, Components, Performance Indicators and Scoring Guideposts) shall be made publicly available and provided to stakeholders for at least 30 days prior to the on-site assessment visit to enable any stakeholder who wishes to comment a chance to do so. Where an adjusted FAM v2 is proposed for use in the assessment, a summary statement identifying any areas where changes have been made to the FAM v2 and their justification shall also be provided to the MSC for publication on the MSC website.
- 6.6. Any comments or changes to the FAM v2 suggested by stakeholders shall be considered by the assessment team, and if appropriate, further adjustments to the FAM v2 shall be submitted to the MSC in writing for consideration (according to Paragraphs 6.3 and 6.4 above).
- 6.7. If the FAM v2 is revised, the revised version shall be provided to the MSC, who shall place it on the MSC website for the remainder of the assessment process.

Fisheries Undergoing a First Full Assessment

7. For new fisheries currently undergoing a first full assessment²:
 - 7.1. where a declaration of intent to use the FAM v1 has already been released for consultation (FCM v6 step 2.3.4) by 1 November 2009, Certification Bodies are encouraged to use FAM v2 but may use the FAM v1 (subject to any changes following the normal stakeholder review process), except in assessments where the CB has decided to use the RBF, in which case FAM v2 shall be mandatory for scoring the fishery;
 - 7.2. where a declaration of intent relating to the use of an Assessment Tree has not been posted for consultation (FCM v6 step 2.3.4) by 1 November 2009, Certification Bodies shall use the FAM v2 Assessment Tree and associated guidance, and proceed according to Paragraphs 6.1 to 6.7 of this TAB Directive.

Re-assessment of Fisheries

² Having signed a contract with a Certification Body before [Effective Date], but where assessment has not yet been completed

8. For fisheries that enter re-assessment³ by 21 July 2010, Certification Bodies may use either:
 - 8.1. the existing method of Assessment Tree development (as set out in FCM v6 Section 2.3); or
 - 8.2. the FAM v1 default Assessment Tree and associated guidance, and the process established in Paragraphs 6.3 and 6.4 of this TAB Directive, if they enter re-assessment before 1 November 2009; or
 - 8.3. the FAM v2 default Assessment Tree and associated guidance, and the process established in Paragraphs 6.3 and 6.4 of this TAB Directive, if they enter re-assessment on or after 1 November 2009.
9. For fisheries that enter re-assessment after 21 July 2010, Certification Bodies shall use the FAM v2 (or any more recent version released at that time) and the process established in Paragraphs 6.1 to 6.7 of this TAB Directive.

Mapping of Performance Indicators and Scoring Guideposts

10. Where a Certification Body uses the existing method of Assessment Tree development (as set out in FCM v6 Section 2.3), pursuant to the requirements of Section 7 of this TAB Directive, Certification Bodies shall provide a document mapping the PISGs to be used in the assessment against the PISGs included in the FAM Assessment Tree for publishing on the MSC website.

Use of the Risk Based Framework (RBF)

11. Sections 13 to 16 of this Directive shall be applicable whenever (regardless of at what stage in the assessment process the fishery has reached) a Certification Body wishes to use the RBF in the scoring of one or more specified Performance Indicators in the FAM default Assessment Tree.
12. The RBF guidance in FAM v2 supersedes the GASS/DD guidance, RBF v1, and all other draft versions of the RBF.
13. All fisheries using the FAM v2 with or without adjustments, regardless of size, scale or type shall be considered potentially eligible for application of the RBF.
14. At least one assessment team member shall have been adequately trained as determined by the MSC in the use of the risk-based assessment tools included in the RBF (SICA and PSA) prior to using the RBF.
15. Application of the RBF shall be subject to the following provisions:
 - 15.1. A proposal to apply the RBF shall be based on the application of Paragraph 2.4 in FAM v2 by the Certification Body's assessment team.
 - 15.2. The Certification Body shall submit to MSC for publication a notification to stakeholders of its intention to use the RBF and an invitation for stakeholder comment on the use of the RBF in the fishery.
 - 15.3. A notification of RBF intent (as submitted against Paragraph 15.2) shall include an adequate justification for the decision to use the RBF, and an indication of which PIs will be scored using the RBF.
 - 15.4. A notification of RBF intent should be submitted at the same time as a notification of intent in relation to use of the FAM (as required by Section 6), but may also be submitted

³ Sign a contract with a Certification Body for re-assessment

at some time after such notification, subject to sufficient time being made available for the stakeholder consultation required by Paragraph 15.5.

- 15.5. The notification of RBF intent shall be made publicly available and provided to stakeholders for at least 30 days prior to the on-site assessment visit, so as to enable any stakeholder who wishes to comment a chance to do so.
 - 15.6. Following the end of the stakeholder consultation period (30 days), the Certification Body shall review comments from stakeholders on its decision to use the RBF, and shall review its decision to use the RBF on all or some performance indicators. Records of this review, including justification of why comments have been accepted or rejected shall be kept. If the decision to use the RBF changes, the Certification Body shall notify the MSC of this decision.
 - 15.7. Where the RBF is used, a statement on the rationale for its use shall be included in the Public Comment Draft Report, and all related fishery assessment reports.
16. The MSC shall place all notifications regarding use of the RBF on the MSC website for the entire assessment process.

Stakeholder Consultation Process when using the RBF

17. When using the RBF, additional stakeholder consultation requirements shall be applied as given in Sections A3.2.2 to A3.2.6 of the FAM v2.

END