

## Marine Stewardship Council - Variation Request Form V1.3

<b>Date submitted to MSC</b>	22/01/2015
<b>Conformity Assessment Body</b>	Intertek Fisheries Certification
<b>Fishery Name/CoC Certificate Number</b>	South Africa Hake Trawl Fishery MML-F-005
<b>Lead Auditor/Programme Manager</b>	Jim Andrews / Jason Combes
<b>Scheme requirement(s) to vary from</b>	CR 24.2.3.2 CR 7.5.9
<b>Is this variation sought in order to undertake an expedited P1 assessment (CR annex CL)?</b>	No

### 1. Proposed variation

Intertek Fisheries Certification (IFC) request 2 variations in order to allow this fishery assessment to be completed against a revised schedule.

#### 1. Deadline for publication of Public Comment Draft Report (CR 24.2.3.2).

We request that a 10 day extension should be granted to the PCDR publication deadline of the 26<sup>th</sup> January 2015. We propose that the PCDR shall be published on or before **5<sup>th</sup> February 2015**.

#### 2. Extension of Certificate expiry date (CR 7.5.9).

The current certificate for this fishery is due to expire on the 16<sup>th</sup> March 2015. IFC propose an extension to the certificate expiry date for a period of 6 weeks (i.e. to **27<sup>th</sup> April 2015**).

### 2. Rationale/Justification

These requests are made because of a number of delays to the assessment process since the site visit that arose in the later part of 2014 that were out of the control of both IFC and the client fishery. The rationale and justification for each request is set out below.

#### 1. Deadline for publication of Public Comment Draft Report.

The MSC Scheme requires that if, within 9 months of a site visit the Public Comment Draft Report (PCDR) has not yet been published, the CAB shall write to the client and MSC within 5 days to indicate the intention to review new information; and after a further 30 days the PCDR has not yet been published, to invite stakeholders to submit any new information that the team should consider in the assessment of the fishery.

The site visit for this re-assessment ended on the 21<sup>st</sup> March 2014. IFC wrote to the MSC and the client on the 26<sup>th</sup> December 2014 (in accordance with CR §24.2.3.1), indicating that the PCDR would be published on or before the 26<sup>th</sup> January 2015. Prior to this the assessment team had reviewed new information provided by the client and Government officials during December, and incorporated this in the report submitted for peer review in early January.

The process of peer review of the report has subsequently been delayed because IFC identified a

potential Conflict Of Interest (COI) for one peer reviewer and this has had to be formally investigated by an independent panel. This panel has concluded that there is no COI, and that this peer reviewer can work on this project. Meanwhile the other peer reviewer has largely completed his work.

The delay caused by COI scrutiny has meant that the deadline of 26<sup>th</sup> January for publication of the PCDR cannot now be met. Under other circumstances we would follow the normal process of requesting new stakeholder submissions. However the recent review of the report by the client and Government officials provides assurance that it accurately reflects the current status of the fishery; and with the peer review of the report now substantially complete this process would introduce further delay into the process with no benefit to the quality of the assessment, as well as rendering the peer review work completed to date obsolete.

We therefore request that a 10 day extension should be granted to the PCDR deadline (i.e. the PCDR shall be published on or before **5<sup>th</sup> February 2015**). If this deadline is missed, then we would submit to the procedure set out in §24.2.3.2.

## **2. Extension of Certificate expiry date**

The delay to the progress of the peer review has a knock-on effect on the date for completion of the second re-assessment of this fishery. The current certificate for this fishery is due to expire on the 16<sup>th</sup> March 2015.

IFC therefore request an extension to the certificate expiry date for a period of 6 weeks (i.e. to 27<sup>th</sup> April 2015).

## **Conformity with MSC Standard**

IFC confirms that these requests do not alter the conformity of the applicant or certificate holder with the relevant MSC standard.

## **3. Implications for assessment (required for fisheries assessment variations only)**

The variation request will extend the duration of the assessment.

## **4. Have the stakeholders of this fishery assessment been informed of this request? (required for fisheries assessment variations only)**

No.

If granted, stakeholders will be notified of the variation and asked to submit their comments prior to 5<sup>th</sup> February 2015.

## **5. Further Comments**

N/A