



SPRFMO
South Pacific Regional Fisheries Management Organisation

8TH FINANCE AND ADMINISTRATION COMMITTEE MEETING REPORT

*22 January 2021
Held on Microsoft Teams*

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8TH ANNUAL MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE

Held virtually, 22 January 2021

FAC8 –Report

1. Welcome and Introduction

1. Ms. Kerrie Robertson (Australia), Chairperson of the Finance and Administration Committee (FAC), welcomed Members, CNCPs and Observers to the 8th meeting of the FAC (FAC8) and declared the meeting open. The Chair noted that the FAC would discuss its agenda in a single session (22nd January) but that the Committee would need to reconvene in the margins of the Commission meeting to adopt its report. The Chair noted that discussion of Agenda items 7b and 7c would necessarily be held in closed session towards the end of the meeting.

2. Administrative Arrangements

a. Adoption of the Agenda

2. **The FAC adopted** the agenda (FAC8-Doc01 _rev1 and FAC8-Doc02) without further amendment.

b. Meeting Documents

3. The Chair noted the list of documents submitted to the meeting (FAC8-Doc03) and **the FAC approved** the list without amendment.

3. SPRFMO Financial Reporting

a. Financial Statements

4. **The FAC noted** that the Secretariat provided pre-recorded presentations for the 2019-2020 Annual Financial Statements of the Commission (FAC8-Doc04, FAC8-Doc04.1, FAC8-Doc04.2 and FAC8-Doc04.3) and made them available on the SPRFMO Meeting platform Microsoft Teams under the FAC8 Section on 14th January 2021. A summary of the important points within those presentations is included in this report.
5. The Secretariat reported that the total Members' contribution for Financial Year 2019-2020 was NZ\$1,143,902, based on the invoiced amounts for all 15 Members. The FAC noted with concern that one Member was approaching two years in arrears regarding payment of its contributions (refer to item 4). During 2019-2020, CNCP voluntary contributions were received from Liberia, Panama, Curacao and Colombia in the amount of NZ\$42,651.
6. Four voluntary contributions were received from the Members in total of NZ\$554,371 from Australia NZ\$58,034, China NZ\$29,230, EU NZ\$291,217, and USA NZ\$175,890. The FAC thanked those Members for their generous contributions.
7. The Secretariat reported that in Financial Year 2019-2020, the Organisation spent NZ\$1,097,521, which was within its budget.
8. The Secretariat also noted that in Financial Year 2018-2019, costs associated with the Executive Secretary (ES) Changeover and recruitment/installation of internationally recruited staff were budgeted and reported as Personnel Costs; however, for Financial Year 2020-2021, these types of costs have been classified as Non-Routine Expenses. For comparison purposes, the ES changeover cost in Financial Year 2019-2020 has been reported under the Personnel Costs.



9. The expenses under Category “Premises & Equipment” for Financial Year 2019-2020 is reported in the Financial Statements at NZ\$67,848. NZ\$6,099 was spent on office & computer equipment, and was capitalized for accounting purposes, therefore, the total expense for this category is NZ\$73,947, versus budget NZ\$85,000.
10. The Commission allocated NZ\$110,000 into the “Meeting and Travel” Expense Category and the Secretariat reported that the spend was NZ\$74,849 with an associated underspend of NZ\$35,151 predominantly due to the impact of the COVID-19 and cancelled (non-SPRFMO) meetings.
11. The Commission had allocated NZ\$30,000 to the expense Category “Operational Expenses”, and the actual expense was NZ\$29,340.
12. The actual expense for the expense category “Information and Communications”, excluding database improvement costs, was NZ\$40,640. In addition, Database Improvement cost was NZ\$21,260, and was capitalized for accounting purposes. The VMS annual licence fee was NZ\$96,677.
13. At the 7th Commission Meeting in the Hague, the Netherlands, January 2019, the Commission allocated NZ\$20,000 to Rebuild the Contingency Fund. In accordance with this decision, NZ\$20,000 was transferred into this Fund.
14. The Scientific Support Fund and Developing States Fund annual expense were NZ\$32,833 and NZ\$19,357, respectively.
15. An expense in amount of NZ\$10,760 related to the hosting cost for the 7th Commission Meeting. It occurred due to foreign exchange loss between different currencies.
16. In accordance with Financial Regulation 9(1), **the FAC recommended** the Commission accept these Annual Financial Statements.

b. Auditor Report

17. The FAC Chairperson noted that the auditor’s report was presented together with the Annual Financial Statements in FAC8-Doc04 and highlighted that the auditor’s report did not identify any issues or concerns. The FAC noted that the special purpose statements present fairly, in all material respects, the financial position of the Organisation as at 30 June 2020, and its financial performance and its cash flows for the year then ended in accordance with the Financial Regulations of the Commission.
18. **The FAC recommended** the Commission accept the Auditor’s Report.

c. Statement of Transfers of Appropriations

19. **The FAC noted** that no transfers of appropriations were made during the Financial Year 2019-2020 (FAC8- Doc04.1).

d. The Status of the Accumulated Surplus Account

20. The FAC reviewed the amount available in the Accumulated Surplus Account in accordance with Financial Regulation 4.5. The FAC noted that the amount available in the Accumulated Surplus Account was NZ\$577,500 as at 30 June 2020.
21. The Secretariat drew attention to Financial Regulation 4.5 stating that “the Commission ...shall attempt to maintain the Accumulated Surplus Account at a level sufficient to finance operations during the first three months of the financial year. Any additional funds credited to the Accumulated Surplus Account that exceed this level shall be returned to the Members of the Commission unless decided otherwise by the Commission”, as well as that three months of operational costs for Financial Year 2019-20 account for NZ\$341,200 (COMM8- Report Annex 6c). The FAC noted that the amount available in excess of 3 months operating cost is NZ\$236,300.



22. The FAC Chairperson reminded the FAC that the Financial Regulations provided several options for the accumulated surplus account, including to return the balance to Members or to retain unspent funds in the accumulated surplus account. The FAC Chairperson suggested that the FAC should consider whether a portion of the funds should be transferred to the Contingency Fund to ensure that there is sufficient funding in that account to fund the Commission's contribution to any future Review Panels or other contingencies. The Chairperson noted the Commission had never returned funds to Members as a matter of practice, which ensured that the Commission could fund large ad hoc expenditure without impacting Member contributions.
23. **The FAC recommended** that NZ\$20,000 of the excess funds in the Accumulated Surplus Account be allocated to the Contingency Fund, noting the Commission could allocate further funding in the budget, with the remainder retained in the Accumulated Surplus account.

e. SPRFMO Contingency Fund

24. The FAC reviewed the amount available in the SPRFMO Contingency Fund (FAC8-Doc04.2_rev1) in accordance with Annex 2 of the Financial Regulations. The FAC noted that the balance of the Contingency Fund as of 30 November 2020 was NZ\$89,996.
25. **The FAC recommended** that the Commission allocate NZ\$20,000 from the budget to the Contingency Fund plus an additional NZ\$20,000 as noted under agenda item 3d.
26. The FAC noted that if the Commission accepts these recommendations, the forecast status of the Contingency Fund as of 1 July 2022 will be NZ\$129,996.

f. Scientific Support (SC) Fund and Developing States (DS) Fund

27. The FAC reviewed the Status of the Scientific Support Fund and Developing States Fund (FAC8-Doc04.3_rev1) and noted that Scientific Support Fund account balance as at 30 November 2020 was NZ\$87,985; and the Developing States Fund account balance as at 30 November 2020 was NZ\$66,632.
28. The FAC noted that due to the global pandemic, several large budget items requiring in-person meetings were deferred or replaced by virtual method from the 2020-2021 Financial Year, which resulted in the unusually large balance available in both the Scientific Support Fund and Developing States Fund.
29. Notwithstanding Financial Regulation 2.4, and in line with the SC8's request (SPRFMO SC8-Report, paragraph 279) **the FAC recommended** that the Commission make an exceptional decision allowing for an amount of NZ\$34,715 to be carried forward to the next financial year for the Scientific Support Fund, if the COVID-19 pandemic continues to limit activities that are planned to be undertaken during the current Financial Year 2020-2021.
30. Given the COVID situation this year it was noted that the Developing States Fund has exceeded the current cap of NZ\$30,000 by NZ\$36,632. Different options were discussed for this year's surplus. The United States of America noted that money in the Developing States Fund that had been voluntarily contributed for this specific purpose should either be used for that purpose or returned to the donor, rather than be redirected to the Accumulated Surplus Fund if it is unused or the Fund exceeds the cap prescribed in the Financial Regulations.
31. Recognising the importance of the Developing States Fund, several Members expressed concern that the proposed budget amount for the Budget Category 9 Developing States (of NZ\$30,000) was less than the forecasted figure (of NZ\$35,000). Several Members noted that they did not support any reduction from the forecasted figure and expressed that they would support consideration of an increase from that amount. Given the importance of this item **the FAC recommended** that NZD\$35,000, consistent with that forecast, be retained for Budget Category 9 Developing States (FAC8-Doc06_rev1) for both the proposed and forecasted budgets.
32. The FAC noted that, in addition to travel support, the Developing States Fund can be used to provide technical assistance and capacity-building for Developing States including to support implementation of CMMs, and the FAC encouraged the eligible States to consider applying for funds to support those purposes.
33. After discussion, notwithstanding Financial Regulation 2.4, **the FAC recommended** the Commission exceptionally carry forward NZ\$36,632 for the Developing States fund into the 2021-2022 Financial Year.



34. Some Members expressed concern about the current operation of the Financial Regulations, in particular about the cap on the Developing States Fund, recommending that there be a review of the cap on the funds set in Financial Regulation 2.4. **The FAC requested** that Secretariat provide a paper for next year's meeting based on their experience managing these funds.

4. SPRFMO Report of Income

35. The Secretariat reported (FAC8-Doc05) on the financial contributions received from Members, CNCP contributions, voluntary contributions, interest earned, and other miscellaneous incomes, in accordance with Financial Regulations 4.7 and 4.11.
36. The FAC noted that the total of contributions invoiced in full to all Members in 2020-2021 was NZ\$1,300,896.
37. The Secretariat provided an update of the Member contributions to the current date. It noted that since the FAC8-Doc05 version was produced on 30 November 2020, Ecuador has made its payment in full. This leaves three Members with payments outstanding. Cuba explained the difficulties it was experiencing with bank restrictions. Peru apologized and noted that they are taking the necessary steps to make the payment of the balance for the 2020-2021 period as soon as possible. Chile explained that during the year 2020 there were national administrative proceedings concerning the payment of all financial contributions of the different international organisations in which Chile participates. This change caused considerable delays in the corresponding payments which were further accentuated by the economic conditions resulting from the pandemic.
38. The Secretariat noted their understanding that there was one Member at risk of losing its ability to participate in decision making on 1 July 2021. Australia pointed out that on the basis of Financial Regulation 4.9, overdue annual contributions should be considered to be in arrears after the date that they are due and payable, i.e. after 90 days from the date the Executive Secretary informed Members of the annual contribution. Regarding whether a Member with two years' worth of contributions in arrears is precluded from decision-making, Australia pointed out that on the basis of Article 15.9 of the Convention, read with Financial Regulation 4.9, such a Member would not be "in arrears with its payment of any monies owed to the Organisation by more than two years" until more than two years from the date a particular payment became in arrears, that is, more than two years and one day from the date that particular payment was due and payable. This would mean that the relevant Member would be at risk of losing its ability to participate in decision making earlier than 1 July 2021.
39. The EU requested that next year's paper give more detail about which Members were in arrears and for which financial year(s). The EU agreed with Australia's interpretation and suggested that when a Member is in arrears by more than 2 years the Secretariat should circulate this information to all Members as it is relevant for any intersessional decisions.
40. **The FAC recommended** that the Commission clarify the operation of Article 15.9 of the Convention and Financial Regulation 4.9 and consider circulating information on arrears by more than 2 years to all Members as it is relevant for any intersessional decisions.
41. The FAC thanked Australia, China, and United States of America for their respective voluntary contributions and the EU for their grants during Financial Year 2019-2020 and Financial Year 2020-2021.
42. The USA requested that their contribution be reported under voluntary contributions and clearly indicated that this contribution was subject to availability of funds. The Secretariat provided an updated version (FAC8-Doc05_rev1) and noted that the EU Grants would also be reported as a voluntary contribution in a similar fashion.
43. The FAC noted the information contained in paper (FAC8-Doc05_rev1).



5. Future Budgets and Contributions

a. Draft Budget for Financial Years 2021-2022 and 2022-2023

44. The Acting Executive Secretary Mr. Loveridge introduced the draft budget (FAC8-Doc06_rev1) supported by three supplementary information documents: SPRFMO Secretariat Travel Plan for Financial Year 2021-2022 (FAC8-Doc06.1), Explanatory note regarding database developments and update (FAC8-Doc06.2_rev1) and Estimate of additional financial impacts or influence on the Secretariat work arising from proposed CMMs (FAC8-Doc06.3).
45. The Acting Executive Secretary Mr. Loveridge explained the difference between the grand total of the forecasted budget (NZ\$1,445,000) and the proposed budget for Financial Year 2021-2022 (NZ\$1,626,000) was predominantly caused by three budget categories, Personnel Cost (+NZ\$65,000), Meeting and Travel (+NZ\$12,000, based upon planned travel), and Non-Routine Expenses (+NZ\$105,000, including expected Observer accreditations (now 4) and Recruitment and Installation of a New Executive Secretary).
46. The total proposed budget of NZ\$1,626,000 is reduced by voluntary contributions made by the USA and EU, in amount of NZ\$150,000 and NZ\$80,000, respectively. Therefore, the net total for Financial Year 2021-2022 will be NZ\$1,396,000, which is the amount expected to be covered by Members' contributions.
47. Regarding Budget Category 1 (Personnel Costs) some Members queried the inclusion of the Programme Coordinator position, noting no job description had been provided. After discussion of resourcing needs of the Secretariat, **the FAC requested** that the Secretariat prepare and provide a job description for this position and information on the proposed advertisement process to enable consideration of the proposal, consistent with the FAC's practice.
48. Regarding budget Item 4.5 (Database development), Members noted that the database may need to be modified if certain CMM proposals were adopted and noted the Secretariat's suggestions to introduce an implementation reporting module and an information dashboard module.
49. Some Members queried the need for database development to ease the Member's burden of filing implementation reports, noting it was a high cost and that the implementation reporting was not very complex in this RFMO. Some Members queried if the Secretariat had sought quotes. The Secretariat noted it had informal discussions with its service provider, but no formal quote had been received.
50. Under the Budget Category 7 (Non-Routine Expenses), the EU queried the plans for the 10-year Anniversary campaign which was forecast in financial year 2022-2023 and invited the Secretariat to provide additional detail. The Secretariat explained that no detailed plans have yet been developed but that the campaign would seek to advertise the Organisations' successes and achievements to date to audiences outside the current membership.
51. One Member queried the figure of NZ\$85,000 for the Executive Secretary recruitment/installation. It was clarified that this is an estimate based upon previous recruitments and that until a candidate is selected this figure should be considered provisional.
52. Regarding SC funds, a few Members noted that they preferred to increase the budget amount to fully support Scientific Committee activities. Some Members suggested that the budget be increased to support the predicted deficit of NZD13,060 to enable the full Scientific Committee workplan to be funded.
53. In addition to the carry forward values discussed under item 3f above, **the FAC recommended** that the Commission approve for the Financial Year 2020-2021 the proposed budget amount of NZ\$44,000 for Budget Category 8 Scientific Support (consistent with the SC workplan)
54. As noted under Budget Category 9 **the FAC recommended** that the Commission allocate NZ\$35,000 to the Developing State Fund.
55. Several Members requested that the way that contributions are calculated should be reviewed, as called for in the Financial Regulation 4.7, and it was suggested that this could commence intersessionally.



56. **The FAC requested** that the Secretariat provide additional detail on the way an assessed contribution is calculated to ensure Members can understand the basis for the calculation. **The FAC also suggested** that meeting reports clearly reflect when final contributions have been modified from the budget formula assessment (e.g., if contributions have been capped or if other sources have subsidised the budget).
57. Regarding estimates of additional financial impacts or influence on the Secretariat work arising from proposed CMMs (FAC6-Doc06.3), Members queried the usefulness and accuracy of this paper prepared by the Secretariat and expressed concern that it could unduly influence decisions to be made by the Commission. Many Members expressed their discomfort with this paper and suggested the Secretariat in future advise the Commission if it requires additional resources to implement Commission decisions. The FAC Chairperson noted that the Secretariat should report anticipated resource requirements in the (upcoming) staffing strategy. The FAC did not note this paper.
58. The FAC noted FAC08-Doc06.1 and FAC08-Doc06.2_rev1.
59. **The FAC recommended** that the Commission continue working on the budget on the basis of the FAC's considerations, noting that several items depended on other Commission decisions (such as personnel costs for the Executive Secretary salary, ES recruitment costs, database upgrades) and on the provision of a position description/advertisement process for any new staff.

b. Calculation of Contributions for Financial Year 2021-2022 and Estimate of Contributions for Financial Year 2022-2023

60. The Secretariat prepared a schedule of contributions (FAC8-Doc07) in accordance with Financial Regulation 4.7. The FAC Chairperson noted that the schedule of contributions would need to be updated based on any revisions to the budget.
61. **The FAC recommended** the Commission continue working on the schedule of contributions (COMM9-WP17_rev2).

6. Matters Concerning the Financial Regulations

62. The FAC Chairperson noted that many Members had queried whether the carryover restrictions and caps on the Developing State and Scientific Support Fund should be reviewed. A number of Members expressed that they were in favour of reviewing the caps, particularly in relation to the Developing States Fund. However, the Chairperson noted there did not seem to be a strong appetite to amend the Financial Regulations at this meeting given the constraints of the virtual format. As noted above, **the FAC requested** that the Secretariat prepare a paper on these provisions given their experience managing these funds.

7. Matters Concerning the Secretariat and the Staff Regulations

a. Secretariat's Report on Activities in the 2020 Intersessional Period

63. FAC8-Doc08_rev1 contains a summary of the Commission's Membership, office holders, Observer status, cooperation with other organisations including meetings attended on behalf of SPRFMO by staff and delegates, and other important information about the Organisation and its activities in 2020.
64. This year the report has three supplementary documents containing unofficial translations of the SPRFMO Convention into both simplified and traditional Chinese (the results of a Partner agreement between SPRFMO and the RMIT University with additional input provided by Chinese Taipei for the traditional Chinese text) and into Spanish (made available by Chile) at FAC8-Doc08.1, Doc08.2_rev1 and Doc08.3, respectively. Several Members noted their appreciation for this initiative.
65. **The FAC recommended** that the three unofficial translations would be posted on the SPRFMO website where it would be made clear that the English version is the authentic, legally binding version. The FAC encouraged the Secretariat to continue to progress the translation of the most important SPRFMO documents as foreseen by Rule 10.2 of the Rules of Procedure within the limits of the budget.



b. Secretariat Staff Matters

66. In a closed session, the FAC noted the contents of the Staff Performance Summary (FAC8-Doc09) and also the Secondment Assessment (FAC8-Doc10). The Acting Executive Secretary identified the benefits both to the Organisation and the Membership resulting from the placement of a Chilean Compliance professional into the Secretariat. He also reflected on New Zealand's offer to provide a senior data analyst which ultimately was unable to go ahead due to the ongoing effects of the pandemic.
67. The FAC thanked Chile and New Zealand for their efforts to support the resourcing of the Secretariat.
68. The Acting Executive Secretary reported on a current difficulty in relation to identifying appropriate and "recognised" retirement funds (FAC8-Doc11) and the FAC discussed the proposed recommendations and the associated implications for both the Organisation and its staff.
69. There was no consensus to delete the word 'recognised' from Regulation 8.1 of the Staff Regulations, with some Members noting this would not address the difficulty described by the Secretariat and could lead to adverse consequences. The FAC suggested that the Secretariat should interpret 'recognised' as broadly as is feasibly possible to achieve a sensible outcome. New Zealand as the host offered to continue to work with the Secretariat to assist in finding suitable funds and the Acting Executive Secretary welcomed this commitment. Members also noted that this did not appear to be a SPRFMO only issue and that other RFMOs had found ways to support their staff which included direct payments or other options to support them to save for their retirement.
70. The FAC noted it would be preferable for funds not to be held in the SPRFMO bank account and requested that the Secretariat conduct additional investigations into possible solutions including the possibility of utilising home country funds, dispersing funds directly to staff to deposit in their own schemes and, if necessary, a costed proposal for a SPRFMO scheme.

c. Contract for the Executive Secretary

71. The FAC reviewed the contract for the new Executive Secretary distributed to Heads of Delegation on 18 January 2021 in a closed session and **the FAC recommended** that it be used as a basis for the appointment by the Commission (FAC8-Doc12).

8. Meetings of the Commission and Subsidiary Bodies

72. The FAC welcomed:
 - i. The Russian Federation's offer to host the 2022 Annual Meeting (COMM10), in St Petersburg and
 - ii. Ecuador's offer to host the 2023 Annual Meeting (COMM11).
73. The FAC welcomed:
 - iii. Panama's offer to host the 2021 SC meeting (SC9), contingent on the COVID-19 situation and
 - iv. Korea's offer to host the 2022 SC meeting (SC10).
74. **The FAC recommended** that the Commission accept these offers (FAC8-Doc13_rev1). The FAC noted that the Russian Federation would consult Members bilaterally in the margins on dates for the next meeting; and that the Secretariat would work with Panama and the SC Chairperson in the margins to propose dates for the Scientific Committee meeting.



9. Office Holders

a. FAC Chairperson and Vice-Chairperson

75. Noting that the current FAC Chairperson (Ms. Kerrie Robertson, Australia) and Vice-Chairperson (Mr. Gerry Geen, Vanuatu) have served two terms in succession in the same capacity, the positions will be vacant from the end of the 2021 meeting.
76. **The FAC elected** Jimmy Villavicencio of Ecuador as the successor Chairperson of the FAC.
77. The FAC thanked Ms. Kerrie Robertson for her effective leadership and outstanding work during her terms as FAC Chairperson and she thanked Mr. Gerry Geen for his support and assistance during her terms.

10. Adoption of Report

78. **The FAC adopted** the Report at 1:23 pm on 28 January 2021 (NZDT).

11. Meeting Close

79. The meeting was closed at 1:24 pm on 28 January 2021 (NZDT)



8TH ANNUAL MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE

Held virtually, 22 January 2021

FAC8 –Report ANNEX 1 Meeting Agenda

1. WELCOME AND INTRODUCTION
2. ADMINISTRATIVE ARRANGEMENTS
 - a. Adoption of the Agenda
 - b. Meeting Documents
3. SPRFMO FINANCIAL REPORTING
 - a. Financial Statements
 - b. Auditor Report
 - c. Statement of transfers of appropriations
 - d. Accumulated Surplus Account
 - e. SPRFMO Contingency Fund
 - f. Status of SC Scientific Support Fund & Developing States Fund
4. SPRFMO REPORT OF INCOME
5. FUTURE BUDGETS AND CONTRIBUTIONS
 - a. Draft Budget for financial years 2021-2022 and 2022-2023
 - b. Contributions for financial years 2021-2022 and estimate for 2022-2023
6. MATTERS CONCERNING THE FINANCIAL REGULATIONS
7. MATTERS CONCERNING THE SECRETARIAT & THE STAFF REGULATIONS
 - a. Secretariat report on 2020 intersessional period activities
 - b. Secretariat staff matters
 - c. Contract for the new Executive Secretary
8. MEETINGS OF THE COMMISSION & SUBSIDIARY BODIES
 - a. Date and Venue for 2022
 - b. Potential hosting 2023 & 2024
 - c. Scientific Committee 2021 and potential hosting 2022 & 2023
9. OFFICE HOLDERS
 - a. FAC Chairperson and Vice-Chairperson
10. ADOPTION OF THE REPORT
11. CLOSE OF MEETING



8TH ANNUAL MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE

Held virtually, 22 January 2021

FAC8 –Report ANNEX 2

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