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DRAFT CMM FOR CHARTER ARRANGEMENTS AS ENDORSED BY TCC5

WCPFC6-2009/DP08 (Rev.2)

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TECHNICAL AND COMPLIANCE COMMITTEE

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DRAFT CHARTER NOTIFICATION SCHEME CMM

WCPFC-TCC5-2009/34 (Rev.1)

5 October 2009

Prepared by Fiji at the request of the TCC Chair

WCPFC CHARTER NOTIFICATION SCHEME

The Western and Central Pacific Fisheries Commission (WCPFC)

ACKNOWLEDGING the important contribution of chartered vessels to sustainable fisheries development in the Western & Central Pacific Ocean;

CONCERNED with ensuring that charter arrangements do not promote IUU fishing activities or undermine conservation and management measures;

| *REALIZING* that there is a need for the WCPFC to ~~regulate~~ [establish procedures for] charter arrangements;

Adopts, in accordance with Article 10 of the WCPF Convention that:

1. The provisions of this measure shall apply to Commission Members and Participating Territories that charter, lease or enter into other ~~similar~~ mechanisms with vessels [eligible under Para.4] flagged to a ~~CCM~~ [another State or Fishing Entity] for the purpose of conducting fishing operations in the Convention Area as an integral part of the domestic fleet of that chartering Member or Participating Territory.
2. Each chartering Member or Participating Territory shall notify the Commission of any vessel to be identified as chartered in accordance with this measure by submitting electronically where possible to the Executive Director by 1 July 2010 the following information with respect to each chartered vessel:
 - a) name of the fishing vessel;
 - b) WCPFC Identification Number (WIN);
 - c) name and address of owner(s);
 - d) name and address of the charterer;
 - e) the duration of the charter arrangement; and
 - f) the flag state of the vessel.
3. After 1 July 2010, each chartering Member or Participating Territory shall notify the Executive Director [as well as the flag State], within 15 days, or in any case within 72 hours before commencement of fishing activities under a charter arrangement of:
 - a) any additional chartered vessels along with the information set forth in paragraph 2;
 - b) any change in the information referred to in paragraph 2 with respect to any chartered vessel; and
 - c) termination of the charter of any vessel previously notified under paragraph 2.

4. Only vessels listed on the WCPFC Record of Fishing Vessels or the WCPFC Interim Register of Non-CCM Carriers and Bunkers, and not on the WCPFC IUU vessel list, or IUU List of another RFMO, are eligible for charter.

5. The Executive Director shall make the information required in paragraph 2 and 3 available to all CCMs [and the flag State].

6. Each year the Executive Director shall present a summary of all notified chartered vessels to the Commission for review. If necessary, the Commission may review and revise this measure.

7. The Commission will continue to work on the development of a broader framework for the management and control of chartered vessels. In particular, this work shall cover the issues of attribution of catch and effort by chartered vessels and the relationship between the flag State and the chartering Member or Participating Territory on control of, and responsibilities towards, the chartered vessels.