



**COMMISSION
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FFA - CHARTER NOTIFICATION SCHEME CMM DP5

**WCPFC 2011-DP-5 Rev 1
29 March 2012**

FFA DRAFT 29 March (reflecting consultation with the USA)
The text in upper case is additional text to that in the original version of DP/05

CHARTER NOTIFICATION SCHEME
Conservation and Management Measure 2011-xx

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 establish procedures for charter arrangements;

SEEKING to build on the progress made in the adoption of CMM 2009-08:

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 mechanisms with vessels eligible under Para.4 flagged to a 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. Each chartering Member or Participating Territory notifying the Commission of any vessel to be identified as chartered shall include with its notification confirmation that:

- a) the vessel being notified is operating as an integral part of its domestic fleet (OR IN MATERIAL SUPPORT OF FISHERIES DEVELOPMENT – PROPOSAL BY THE USA), and
- b) that the chartering state ~~has in place arrangement will provide scientific data covering the vessel that is being notified in accordance with -to fulfil its reporting requirements for the vessel under~~ the Rules for Scientific Data to be Provided to the Commission.

3.4. Upon receipt of the information the Executive Director will immediately notify the flag State and ~~request~~ advise the flag state to cease reporting on the vessel in accordance with the Rules

for Scientific Data to be Provided to the Commission-. The Executive Director shall make publicly available on the Commission's website,

information on vessels notified as chartered publicly available on the Commission's website.

~~After 1 July 2010, each~~ 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.

5. 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 bis. A VESSEL MAY NOT BE NOTIFIED BY A CCM AS CHARTERED UNDER THIS SCHEME IF IT IS ALREADY RECORDED ON THE WCPFC WEBSITE AS CHARTERED BY ANOTHER CCM. THE EXECUTIVE DIRECTOR WILL WORK WITH RELEVANT CCMS TO RESOLVE ANY EXISTING CONCURRENT CHARTERS. THIS ARRANGEMENT WILL BE FOR THE PURPOSES OF THIS SCHEME, AND WILL NOT PREVENT VESSELS BEING INVOLVED CONCURRENTLY IN CHARTERS OR SIMILAR ARRANGEMENT FOR COMMERCIAL PURPOSES. HOWEVER, IN SUCH CASES, THE CHARTERING STATE RESPONSIBILITIES IN RESPECT OF THE VESSEL WILL APPLY ONLY TO THE COMMISSION MEMBER OR PARTICIPATING TERRITORY RECORDED AS HAVING NOTIFIED THE COMMISSION UNDER THIS MEASURE.

~~4.6.~~ The Executive Director shall make the information required in paragraph 2 and 3 available to all CCMs.

~~5.7.~~ 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.

9. 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.

~~6. This Measure shall expire on 31 December 2011xx unless renewed by the Commission.~~