

This document is meant purely as a documentation tool and the institutions do not assume any liability for its contents

► **B**

COUNCIL REGULATION (EC) No 1386/2007

of 22 October 2007

laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation

(OJ L 318, 5.12.2007, p. 1)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Council Regulation (EC) No 538/2008 of 29 May 2008	L 157	1	17.6.2008
► <u>M2</u>	Council Regulation (EC) No 679/2009 of 7 July 2009	L 197	1	29.7.2009

Corrected by:

► **C1** Corrigendum, OJ L 311, 10.11.2012, p. 18 (538/2008)

**COUNCIL REGULATION (EC) No 1386/2007****of 22 October 2007****laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) The Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, hereinafter referred to as the NAFO Convention, was approved by the Council by Regulation (EEC) No 3179/78 of 28 December 1978 concerning the conclusion by the European Economic Community of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries ⁽²⁾ and entered into force on 1 January 1979.
- (2) The NAFO Convention provides an appropriate framework for multilateral cooperation on the rational conservation and management of fishery resources in the Area defined by the Convention.
- (3) At its 25th Annual Meeting, held in Halifax on 15-19 September 2003, NAFO substantially revised the Conservation and Enforcement Measures applicable to fishing vessels operating in Areas beyond the limits of the national jurisdiction of the Contracting Parties in the Convention Area.
- (4) These measures also incorporate provisions to promote compliance by Non-Contracting Party vessels with the conservation and enforcement measures in order to ensure full respect for conservation and management measures adopted by NAFO.
- (5) The measures provide for control measures applicable to vessels flying the flag of the Contracting Parties and operating in the NAFO Area, and arrangements for inspections at sea and in port, which include inspection and surveillance procedures and infringement procedures which must be implemented by the Contracting Parties.
- (6) The measures also provide for the mandatory inspection of Non-Contracting Party vessels where they enter the ports of the Contracting Parties voluntarily and a prohibition on the landing and transshipment of catches if, during such inspection, it is established that they have been taken in breach of the conservation measures adopted by NAFO.

⁽¹⁾ Opinion delivered on 7 June 2007 (not yet published in the Official Journal).

⁽²⁾ OJ L 378, 30.12.1978, p. 1. Regulation as amended by Regulation (EEC) No 653/80 (OJ L 74, 20.3.1980, p. 1).

▼B

- (7) Under Articles 11 and 12 of the NAFO Convention, these measures enter into force on 1 January 2004 and become binding on the Contracting Parties; the Community should apply these measures.
- (8) Most of those provisions have been transposed into Community law by Council Regulation (EEC) No 1956/88 of 9 June 1988 adopting provisions for the application of the scheme of joint international inspection adopted by the Northwest Atlantic Fisheries Organisation⁽¹⁾, by Commission Regulation (EEC) No 2868/88 of 16 September 1988 laying down detailed rules for the application of the Scheme of Joint International Inspection adopted by the Northwest Atlantic Fisheries Organisation⁽²⁾, by Council Regulation (EEC) No 189/92 of 27 January 1992 adopting provisions for the application of certain control measures adopted by the Northwest Atlantic Fisheries Organisation⁽³⁾, by Council Regulation (EC) No 3680/93 of 20 December 1993 laying down certain conservation and management measures for fishery resources in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries⁽⁴⁾, by Council Regulation (EC) No 3069/95 of 21 December 1995 establishing a European Community observer scheme applicable to Community fishing vessels operating in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO)⁽⁵⁾ and by Council Regulation (EC) No 1262/2000 of 8 June 2000 laying down certain control measures in respect of vessels flying the flag of non-Contracting Parties to the Northwest Atlantic Fisheries Organisation (NAFO)⁽⁶⁾.
- (9) With a view to effectively implementing the reviewed conservation and enforcement measures adopted by the NAFO, those Regulations should be repealed and replaced by one Regulation bringing together and completing all provisions relating to fishing activities arising from the Community's obligations as a Contracting Party to the Convention.
- (10) Certain measures adopted by NAFO have also been implemented into Community Law via the yearly TAC and quota Regulation, most recently in Council Regulation (EC) No 51/2006 of 22 December 2005 fixing for 2006 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required⁽⁷⁾. Provisions of that kind which are not of a temporary nature should be transferred into the new Regulation.

⁽¹⁾ OJ L 175, 6.7.1988, p. 1. Regulation as last amended by Regulation (EC) No 3067/95 (OJ L 329, 30.12.1995, p. 1).

⁽²⁾ OJ L 257, 17.9.1988, p. 20. Regulation as last amended by Commission Regulation (EC) No 494/97 (OJ L 77, 19.3.1997, p. 5).

⁽³⁾ OJ L 21, 30.1.1992, p. 4. Regulation as last amended by Regulation (EC) No 1048/97 (OJ L 154, 12.6.1997, p. 1).

⁽⁴⁾ OJ L 341, 31.12.1993, p. 42. Regulation as amended by Regulation (EC) No 1043/94 (OJ L 114, 5.5.1994, p. 1).

⁽⁵⁾ OJ L 329, 30.12.1995, p. 5. Regulation as last amended by Regulation (EC) No 855/2004 (OJ L 161, 30.4.2004, p. 1).

⁽⁶⁾ OJ L 144, 17.6.2000, p. 1.

⁽⁷⁾ OJ L 16, 20.1.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 2017/2006 (OJ L 384, 29.12.2006, p. 44).

▼B

- (11) Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾ was adopted in 2002. Under that Regulation, Member States are to control the activities carried out by vessels flying their flag outside Community waters.
- (12) Article 2(3) of Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the Common Fisheries Policy ⁽²⁾ provides that each Member State must ensure that the activities of its vessels outside the Community fishery zone are subject to proper monitoring and, where such Community obligations exist, to inspections and surveillance, in order to ensure compliance with Community rules applicable in those waters; provision should therefore be made that Member States whose vessels are authorised to fish in the NAFO Regulatory Area assign inspectors to NAFO to undertake monitoring and surveillance, together with adequate resources for inspection.
- (13) In order to ensure the monitoring of fishing activities in the NAFO Regulatory Area, it is necessary that Member States cooperate with one another and with the Commission when applying these measures.
- (14) It is the responsibility of Member States to ensure that their inspectors are required to comply with the inspection procedures laid down by NAFO.
- (15) In order to ensure that additional conservation and enforcement measures adopted by NAFO which become obligatory for the Community can be implemented within the timeframe set out in the NAFO Convention, the Council may amend this Regulation by qualified majority on a proposal of the Commission,

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation lays down the rules for the application by the Community of the Conservation and Enforcement Measures established by the Northwest Atlantic Fisheries Organisation (NAFO).

Article 2

Scope

1. The provisions in Chapters II to V of this Regulation apply to all commercial fishing activities conducted by Community fishing vessels fishing for species covered by the NAFO Convention in the NAFO Regulatory Area.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59. Regulation as last amended by Regulation (EC) No 865/2007 of 10 July 2007 (OJ L 192, 24.7.2007, p. 1).

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1967/2006 (OJ L 409, 30.12.2006, p. 11).

▼B

2. Conservation and management measures pertaining to the taking of fish, in particular concerning mesh size, size limits, closed Areas and seasons do not apply to research vessels active in the NAFO Regulatory Area.

*Article 3***Definitions**

For the purposes of this Regulation:

1. 'Fishing vessel' means any vessel which is or has been engaged in fishing activities, including fish processing vessels and vessels engaged in transshipment or any other activity in preparation for or related to fishing, including experimental or exploratory fishing.
2. 'Research vessel' means any permanent research vessel or vessel normally engaged in fishing activities or fisheries support activity employed or chartered for fishery research, which has been duly notified.
3. 'Fishing activities' means fishing, fish processing operations, the transshipment of fish or fish products, and any other activity in preparation for or related to fishing in the NAFO Regulatory Area.
4. 'Inspector' means an inspector of the fishery control services of the NAFO Contracting Parties assigned to the Joint Inspection and Surveillance Scheme of NAFO.
5. 'Fishing trip' means the time beginning when a vessel enters the NAFO Regulatory Area and ending when the vessel leaves the Regulatory Area and all catch on board from the Regulatory Area is unloaded or transhipped.
6. 'Non-Contracting Party vessel' means a vessel which has been sighted or by other means identified and reported as having engaged in fishing activities in the NAFO Regulatory Area and
 - (a) which flies the flag of a State which is not a Contracting Party to the NAFO Convention; or
 - (b) for which there are reasonable grounds for suspecting it to be without nationality.
7. 'IUU fishing' means illegal, unregulated and unreported fishing activities in the NAFO Regulatory Area.
8. 'IUU vessel' means any Non-Contracting Party vessel engaged in illegal, unregulated and unreported fishing activities in the NAFO Regulatory Area.
9. 'IUU list' means the list containing the particulars of vessels which have been found by NAFO to have engaged in IUU fishing.

▼ B

10. 'NAFO Regulatory Area' means the Area defined in Article I of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries (NAFO Convention).
11. 'Sub-Area' means a Sub-Area as defined in Annex III to the NAFO Convention.
12. 'Division' means a division as defined in Annex III to the NAFO Convention.
13. 'Other quota' means a quota which Community vessels share with vessels flying the flag of other Contracting Parties of NAFO.
14. 'NAFO Scheme' means the Joint Inspection and Surveillance Scheme adopted by the NAFO.
15. 'Conservation and Enforcement Measures of NAFO' means Conservation and Enforcement Measures adopted by the Fisheries Commission and the General Council of NAFO.
16. 'Fishing logbook' means the logbook referred to in Commission Regulation (EEC) No 2807/83 ⁽¹⁾, in which fishing operations and catches are recorded.
17. 'Production logbook' means the logbook in which the fish in product form is recorded.
18. 'Capacity plan' means the drawing or description indicating the storage capacity in cubic meters of all holds and other storage places on board a fishing vessel.
19. 'Stowage plan' means the drawing that shows the location where fish is stowed in the holds or other storage places on board a fishing vessel.

▼ M1

20. 'Transshipment' means the transfer, over the side, of any quantity of fisheries resources or products thereof retained on board, from one fishing vessel to another.

▼ M2

21. 'Bottom fishing activities' means any fishing activity involving gear that contacts or is likely to contact the ocean bottom during the normal course of fishing operations.
22. 'Existing bottom fishing areas' means areas where, as indicated by VMS and/or other geo-reference data, bottom fishing activities have been conducted at least in two years within a reference period of 1987 to 2007.

⁽¹⁾ OJ L 276, 10.10.1983, p. 1.

▼M2

23. 'New bottom fishing areas' means any area, other than existing bottom fishing areas, in which bottom fishing activities are conducted.;

▼B

CHAPTER II
TECHNICAL MEASURES

Article 4

By-catch retained on board

1. Fishing vessels shall limit their by-catch to a maximum of 2 500 kg or 10 %, whichever is the greater, for each species regulated by NAFO for which no quota has been allocated to the Community.
2. In cases where a ban on fishing is in force or an 'Others' quota has been fully utilised, the by-catch of the species concerned may not exceed 1 250 kg or 5 %, whichever is the greater.
3. The percentages in paragraphs 1 and 2 shall be calculated as the percentage, by weight, for each species of the total catch retained on board. Catches of shrimp shall not be included in the calculation of by-catch levels of ground fish species.

Article 5

By-catch in any one haul

1. If the percentages of by-catches in any one haul exceed the percentages laid down in Article 4(1) and (2) the vessel shall immediately move a minimum of 10 nautical miles from any position of the previous tow and throughout the next tow keep a minimum distance of 10 nautical miles from any position of the previous tow. If after moving, the next haul exceeds these by-catch limits the vessel shall leave the Division and not return for at least 60 hours.
2. Should total by-catches of all ground fish species subject to quota in any haul in the shrimp fishery exceed 5 % by weight in Division 3M or 2,5 % by weight in Division 3L, the vessel shall move a minimum of 10 nautical miles from any position of the previous tow and throughout the next tow keep a minimum distance of 10 nautical miles from any position of the previous tow. If after moving, the next haul exceeds these by-catch limits the vessel shall leave the Division and not return for at least 60 hours.
3. The percentage of by-catch authorised in any one haul shall be calculated as the percentage, by weight, for each species of the total catch in that haul.

▼ B*Article 6***Directed fishery and by-catch**

1. Masters of Community vessels shall not conduct directed fisheries for species for which by-catch limits apply. A directed fishery for a species shall be considered to have been conducted when that species comprises the largest percentage by weight of the total catch in any one haul.
2. However, when a vessel is conducting a directed fishery for skate with a legal mesh size appropriate for that fishery, the first time that, in a haul, catches of species for which by-catch limits comprise the largest percentage, by weight of the total catch, they shall be considered as incidental. In this event the vessel shall immediately change position in accordance with Article 5(1) and (2).
3. Following an absence from a Division of at least 60 hours in accordance with the provisions of Article 5(1) and (2), masters of Community vessels shall undertake a trial tow the duration of which shall not exceed three hours. By way of derogation from paragraph 1 of this Article, if in a haul from such a trial tow catches of species for which by-catch limits apply comprise the largest percentage, by weight of the total catch, it shall not be considered as a directed fishery. In this event the vessel shall immediately change position in accordance with Article 5(1) and (2).

▼ M2

4. Masters of Community vessels shall record coordinates pertaining to the start and end locations of any trial tow conducted in accordance with paragraph 3.

▼ B*Article 7***Mesh sizes**

1. The use of trawl net having in any section thereof net meshes of dimensions less than 130 mm shall be prohibited for directed fishing of the groundfish species referred to in Annex I except for fishing for *Sebastes mentella* as referred to in paragraph 3. That mesh size may be reduced to a minimum of 60 mm for direct fishing of short-finned squid (*Illex illecebrosus*). For direct fishing of skates (*Rajidae*) this mesh size shall be increased to minimum of 280 mm in the codend and 220 mm in all other parts of the trawl.
2. Vessels fishing for shrimp (*Pandalus borealis*) shall use nets with a minimum mesh size of 40 mm.
3. Vessels fishing for pelagic *Sebastes mentella* (Oceanic redfish) in Sub-Area 2 and Division F and 3K shall use nets with a minimum mesh size of 100 mm.

▼ M1

4. Vessels fishing for redfish in Division 3O using midwater trawls shall use nets with a minimum mesh size of 90 mm.

▼M2

5. Vessels conducting a directed fishery for species other than those specified in paragraphs 1, 2 and 3 of this Article are permitted to take regulated species with nets having a mesh size less than specified in those paragraphs, provided that the by-catch requirements in Article 4 are complied with.

▼B*Article 8***Carrying of nets**

1. When fishing directly for one or more of the species regulated by NAFO, Community vessels may not carry nets with a mesh size smaller than that laid down in Article 7.

▼M2

2. However, Community vessels fishing in areas outside the NAFO Regulatory Area may retain on board nets with a mesh size smaller than that prescribed in Article 7, provided that these nets are securely lashed and stowed and are not available for immediate use.

▼B*Article 9***Attachments to nets**

1. The use of any means or device other than those described in this Article which obstructs the meshes of a net or which diminishes their size shall be prohibited.

2. Canvas, netting or any other material may be attached to the underside of the codend in order to reduce or prevent damage.

3. Devices may be attached to the upper side of the codend provided that they do not obstruct the meshes of the codend. The use of top-side chafers shall be limited to those mentioned in Annex V.

4. Vessels fishing for shrimp (*Pandalus borealis*) shall use sorting grids or grates with a maximum spacing between bars of 22 mm. Vessels fishing for shrimp in Division 3L shall also be equipped with toggle chains of a minimum 72 cm in length as described in Annex VI.

*Article 10***Minimum size of fish**

1. Fish from the NAFO Regulatory Area which do not have the size required as set out in Annex III may not be processed, retained on board, transhipped, landed, transported, stored, sold, displayed or offered for sale, but shall be returned immediately to the sea after being unloaded from the net or removed from the sea.

2. Where the quantity of caught fish not having the required size exceeds 10 % of the total quantity, the vessel must move away to a distance of at least five nautical miles from any position of the previous haul before continuing fishing. Any processed fish for which minimum fish size requirements apply which is below a length equivalent to that set out in Annex III, shall be deemed to originate from fish that is below the minimum fish size.

▼ **M2***Article 11***Special provisions for shrimp fishery in Division 3L**

Fishing for shrimp in Division 3L shall take place in depths greater than 200 metres.

*Article 12***Fisheries restricted areas**

1. The conduct of bottom fishing activities shall be prohibited in the following areas:

Area	Coordinate 1	Coordinate 2	Coordinate 3	Coordinate 4
Orphan Knoll	50.00.30 N 45.00.30 W	51.00.30 N 45.00.30 W	51.00.30 N 47.00.30 W	50.00.30 N 47.00.30 W
Corner Seamounts	35.00.00 N 48.00.00 W	36.00.00 N 48.00.00 W	36.00.00 N 52.00.00 W	35.00.00 N 52.00.00 W
Newfoundland Seamounts	43.29.00 N 43.20.00 W	44.00.00 N 43.20.00 W	44.00.00 N 46.40.00 W	43.29.00 N 46.40.00 W
New England Seamounts	35.00.00 N 57.00.00 W	39.00.00 N 57.00.00 W	39.00.00 N 64.00.00 W	35.00.00 N 64.00.00 W
Fogo Seamount 1	42.31.33 N 53.23.17 W	42.31.33 N 52.33.37 W	41.55.48 N 53.23.17 W	41.55.48 N 52.33.37 W
Fogo Seamount 2	41.07.22 N 52.27.49 W	41.07.22 N 51.38.10 W	40.31.37 N 52.27.49 W	40.31.37 N 51.38.10 W

2. The area in NAFO Division 3O defined by connecting the following coordinates (in numerical order and back to coordinate 1) shall be closed to all bottom fishing activities:

Coordinate No	Latitude	Longitude
1	42°53'00"N	51°00'00"W
2	42°52'04"N	51°31'44"W
3	43°24'13"N	51°58'12"W
4	43°24'20"N	51°58'18"W
5	43°39'38"N	52°13'10"W
6	43°40'59"N	52°27'52"W
7	43°56'19"N	52°39'48"W
8	44°04'53"N	52°58'12"W
9	44°18'38"N	53°06'00"W
10	44°18'36"N	53°24'07"W

▼ **M2**

Coordinate No	Latitude	Longitude
11	44°49'59"N	54°30'00"W
12	44°29'55"N	54°30'00"W
13	43°26'59"N	52°55'59"W
14	42°48'00"N	51°41'06"W
15	42°33'02"N	51°00'00"W

CHAPTER IIa

PROTECTION OF VULNERABLE MARINE ECOSYSTEMS*Article 12a***Definition of vulnerable marine ecosystems**

For the purposes of this Chapter, ‘vulnerable marine ecosystems’ means:

- (a) marine ecosystems that are unique or that contain rare species whose loss could not be compensated for by similar areas or ecosystems. These include:
 - (i) habitats that contain endemic species;
 - (ii) habitats of rare, threatened or endangered species that occur only in discrete areas;
 - (iii) nurseries or discrete feeding, breeding, or spawning areas;
- (b) marine ecosystems that are necessary for the survival, function, spawning/reproduction or recovery of fish stocks, particular life-history stages (e.g. nursery grounds or rearing areas), or of rare, threatened or endangered marine species;
- (c) marine ecosystems that are highly susceptible to degradation by anthropogenic activities;
- (d) marine ecosystems that are characterised by populations or assemblages of species with one or more of the following characteristics:
 - (i) slow growth rates;
 - (ii) late age of maturity;
 - (iii) low or unpredictable recruitment; or
 - (iv) long-lived;

▼ M2

- (e) marine ecosystems that are characterised by complex physical structures created by significant concentrations of biotic and abiotic features. In these ecosystems, ecological processes are usually highly dependent on these structured systems. Further, such ecosystems often have high diversity, which is dependent on the structuring organisms.

*Article 12b***Definition of significant adverse impacts**

For the purposes of this Chapter ‘significant adverse impacts’ means impacts that compromise ecosystem structure or function in a manner that:

- (a) impairs the ability of affected populations to replace themselves;
- (b) degrades the long-term natural productivity of habitats; or
- (c) causes, on more than a temporary basis, significant loss of species richness, habitat or community types.

*Article 12c***Definition of vulnerable marine ecosystem indicator species**

For the purposes of this Chapter, ‘vulnerable marine ecosystem indicator species’ means antipatharians, gorgonians, cerianthid anemone fields, lophelia, and sea penfields.

*Article 12d***Definition of an encounter with vulnerable marine ecosystems**

For the purposes of this Chapter, an ‘encounter with vulnerable marine ecosystems’ means a catch, per gear set, of vulnerable marine ecosystem indicator species exceeding 100 kg of live coral and/or 1 000 kg of live sponge.

*Article 12e***Assessment of bottom fishing**

1. Member States whose vessels intend to conduct bottom fishing activities in the NAFO Regulatory Area shall carry out in 2009 an assessment of the known and anticipated impacts of those activities on vulnerable marine ecosystems. Member States shall only authorise bottom fishing activities in cases where the assessment concludes that such activities are not likely to have significant adverse impacts on vulnerable marine ecosystems.

2. For the purposes of the implementation of the assessment referred to in paragraph 1, Member States shall rely on the best scientific and technical information available concerning the location of vulnerable marine ecosystems in the areas in which their fishing vessels intend to operate. That information shall include, where available, scientific data on the basis of which the likelihood of occurrence of such ecosystems can be estimated.

▼ M2

3. The evaluation of the risk of significant adverse impacts on vulnerable marine ecosystems carried out under the assessment referred to in paragraph 1 shall take into account, as appropriate, differing conditions prevailing in new bottom fishing areas and existing bottom fishing areas.

4. Member States shall submit their assessment referred to in paragraph 1 to the Commission as soon as possible but not later than 30 June 2009. That submission shall also include a description of the mitigation measures intended to prevent significant adverse impacts on vulnerable marine ecosystems. The Commission shall promptly forward this information to the NAFO Secretariat.

*Article 12f***Bottom fishing activities in new bottom fishing areas**

1. All fishing activities in new bottom fishing areas, or with bottom gear not previously used in the area concerned, shall be considered as exploratory fisheries and shall be conducted in accordance with an Exploratory Fishery Protocol referred to in paragraph 2.

2. Member States, whose vessels intend to conduct fishing activities in new bottom fishing areas, or with bottom gear not previously used in the area concerned, shall set up an Exploratory Fishery Protocol using the templates in Annex XVI.

3. The Exploratory Fishery Protocol shall include the following information:

- (a) a harvesting plan which outlines target species, dates and areas. Area and effort restrictions shall be considered to ensure that fisheries occur on a gradual basis in a limited geographical area;
- (b) a mitigation plan including measures to prevent significant adverse impacts to vulnerable marine ecosystems which may be encountered during the fishery;
- (c) a catch monitoring plan which includes recording and reporting of all species caught, 100 % satellite tracking and 100 % observer coverage. The reporting and recording must be sufficiently detailed to conduct an assessment of the activity, if required;
- (d) a data collection plan to facilitate the identification of vulnerable marine ecosystems and species in the area fished.

4. Member States shall ensure that the exploratory bottom fishing activities are subject to the assessment procedure set out in Article 12e.

▼M2

5. Member States shall submit the Exploratory Fisheries Protocol referred to in paragraph 2 and the assessment referred to in Article 12e(1) to the Commission for onward transmission to the NAFO Secretariat. Member States shall ensure that the exploratory fishing activities are not authorised before this information has been received by the NAFO Secretariat.

*Article 12g***Unforeseen encounters with vulnerable marine ecosystems in existing bottom fishing areas**

1. Where, in the course of fishing operations, a vessel conducting fishing activities in existing bottom fishing areas encounters vulnerable marine ecosystem indicators, the master shall quantify the vulnerable marine ecosystem indicator species caught.

2. If the quantity of vulnerable marine ecosystem indicator species caught in a fishing operation, such as trawl tow or set of a gillnet or longline, is beyond the threshold defined in Article 12d, the provisions set out in paragraphs 3 and 4 of this Article shall apply.

3. The vessel master shall report the incident to the flag Member State, which without delay shall forward the information to the Executive Secretary through the Commission. The Commission shall immediately alert other Member States whose vessels operate in the Area. The relevant Member States shall immediately alert all fishing vessels in the area flying their flag.

4. The vessel master shall cease fishing and move away at least 2 nautical miles from the endpoint of the tow/set in the direction least likely to result in further encounters. The captain shall use his best judgment based on all available sources of information.

*Article 12h***Unforeseen encounters with vulnerable marine ecosystems in new bottom fishing areas**

1. Where, in the course of fishing operations, a vessel conducting fishing activities in new bottom fishing areas encounters vulnerable marine ecosystem indicators, the master shall quantify the vulnerable marine ecosystem indicator species caught. Observers deployed shall identify corals, sponges and other organisms to the lowest possible taxonomical level.

2. If the quantity of such species caught per gear set, such as trawl tow or set of a gillnet or longline, is beyond the threshold defined in Article 12d, the provisions set out in paragraphs 3, 4 and 5 of this Article shall apply.

3. The vessel master shall report the incident to the flag Member State, which without delay shall forward the information to the Executive Secretary through the Commission. The Commission shall immediately alert other Member States whose vessels operate in the Area. The relevant Member States shall immediately alert all fishing vessels in the area flying their flag.

▼M2

4. A temporary closure shall apply of a two mile radius around an encounter position reported by a vessel flying the flag of a Contracting Party to NAFO. The reporting position is that provided by the vessel, either the endpoint of the tow/set or another position that the evidence suggests is closest to the exact encounter location. This temporary closure shall apply until such time when the NAFO Secretariat advises that the area can be reopened.

5. The vessel shall cease fishing and move away at least 2 nautical miles from the endpoint of the tow/set in the direction least likely to result in further encounters. The captain shall use his best judgment based on all available sources of information.

CHAPTER III

CONTROL MEASURES

SECTION 1

*Monitoring of fisheries**Article 13***Authorisation**

Only Community vessels of more than 50 gross tonnes which have been issued a special fishing permit by their flag Member State and are included in the NAFO vessel register shall be authorised, on the conditions set out in the permit, to fish, keep on board, tranship and land fishery resources from the NAFO Regulatory Area.

*Article 14***List of vessels**

1. Each Member State shall establish a list of vessels flying its flag and registered in the Community that are authorised to fish in the NAFO Regulatory Area and shall notify that list to the Commission in computer readable form. The Commission shall forward the list promptly to the NAFO Secretariat.

2. Each Member State shall inform the Commission in computer readable form, at least 15 days before the vessel enters the NAFO Regulatory Area, of any amendment to its list of vessels flying its flag and registered in the Community that are authorised to fish in the NAFO Regulatory Area. The Commission shall forward this information promptly to the NAFO Secretariat.

3. The list referred to in paragraph 2 shall contain the following information:

- (a) where applicable, the internal number of the vessel, as defined in Annex I to Commission Regulation (EC) No 26/2004 of 30 December 2003 on the Community fishing fleet register⁽¹⁾;

⁽¹⁾ OJ L 5, 9.1.2004, p. 25. Regulation as amended by Regulation (EC) No 1799/2006 (OJ L 341, 7.12.2006, p. 26).

▼B

- (b) international radio call sign;
 - (c) vessel charterer, where applicable.
4. For vessels temporarily flying the flag of a Member State (bare boat charter), the information forwarded shall furthermore include:
- (a) date from which the vessel has been authorised to fly the flag of the Member State;
 - (b) date from which the vessel has been authorised by the Member State to engage in fishing in the NAFO Regulatory Area;
 - (c) name of the State where the vessel is registered or has been previously registered and the date as from which it ceased flying the flag of that State;
 - (d) name of the vessel;
 - (e) official registration number of the vessel assigned by the competent national authorities;
 - (f) home port of the vessel after the transfer;
 - (g) name of owner or charterer of the vessel;
 - (h) a declaration that the master has been provided with a copy of the regulations in force in the NAFO Regulatory Area;
 - (i) the principal species which can be fished by the vessel in the NAFO Regulatory Area;
 - (j) the sub-Areas where the vessel may be expected to fish.

*Article 15***Chartering of Community vessels**

1. Member States may allow that a fishing vessel flying their flag and authorised to fish in the NAFO Regulatory Area to be subject to a chartering arrangement for the utilisation in part or in full of a quota and/or fishing days allocated to another Contracting Party of NAFO. Chartering arrangements involving vessels identified by NAFO or any other regional fisheries organisation as having been involved in IUU fishing shall, however, not be permitted.

2. On the date of the conclusion of a chartering arrangement, the flag Member State shall send the following information to the Commission which shall forward this information to the Executive Secretary of NAFO:

- (a) its assent to the charter arrangement;
- (b) species covered by the charter and fishing opportunities allocated by the charter contract;

▼B

- (c) length of the charter arrangement;
 - (d) name of the charterer;
 - (e) Contracting Party which chartered the vessel.
3. When the charter arrangement ends, the flag Member State shall inform the Commission which shall promptly forward this information to the Executive Secretary of NAFO.
4. The flag Member State shall act to ensure that:
- (a) the vessel is not authorised to fish during the charter period against the fishing opportunities allocated to the flag Member State;
 - (b) the vessel is not authorised to fish under more than one charter arrangement during the same period;
 - (c) all catches and by-catches from notified chartering arrangements are recorded in the fishing logbook by the chartered vessel separate from other catch data recorded pursuant to Article 18.
5. Member States shall report all catches and by-catches referred to in paragraph 4(c) to the Commission separately from other national catch data pursuant to Article 21. The Commission shall promptly forward this data to the Executive Secretary of NAFO.

*Article 16***Monitoring of fishing effort**

1. Each Member State shall take the necessary measures to ensure that the fishing effort of its vessels is commensurate with the fishing opportunities available to that Member State in the NAFO Regulatory Area.
2. Member States shall transmit to the Commission the fishing plan for their vessels fishing in the NAFO Regulatory Area no later than 31 January each year or, thereafter, at least 30 days before the commencement of such activity. The fishing plan shall identify, *inter alia*, the vessel or vessels which will engage in these activities and the intended number of fishing days those vessels will spend in the NAFO Regulatory Area.
3. Member States shall, on an indicative basis, inform the Commission of the intended activities of the vessels in other Areas.
4. The fishing plan shall represent the total fishing effort to be deployed in the NAFO Regulatory Area in relation to the fishing opportunities available to the Member State making the notification.
5. Member States shall, no later than 31 January each year, report to the Commission on the implementation of their fishing plans. Those reports shall include the number of vessels actually engaged in fishing activities in the NAFO Regulatory Area, the catches of each vessel and the total number of days each vessel fished in that Area. Activities of vessels fishing for shrimp in Divisions 3M and 3L shall be reported separately for each Division.

▼B*Article 17***Vessel monitoring system (VMS)**

1. Member States shall ensure that information obtained by the vessel monitoring system (VMS) pursuant to Commission Regulation (EC) No 2244/2003 ⁽¹⁾ concerning vessels flying their flag which fish in the NAFO Regulatory Area is transmitted electronically to the NAFO Secretariat on a real time basis.
2. When an inspector observes a fishing vessel in the NAFO Regulatory Area for which he has not received VMS data in accordance with the Conservation and Enforcement Measures of NAFO, he shall promptly inform the master and the Executive Secretary of NAFO thereof.

*Article 18***Transshipments**

1. Community vessels shall not engage in transshipment operations in the NAFO Regulatory Area unless they have received prior authorisation to do so from their competent flag State authorities.
2. Community vessels shall not engage in transshipment operations of fish from or to a Non-Contracting Party vessel which has been sighted or otherwise identified as having engaged in fishing activities in the NAFO Regulatory Area.
3. Community vessels shall report each transshipment in the NAFO Regulatory Area to their competent authorities. Donor vessels shall make that report at least twenty-four hours in advance and receiving vessels not later than one hour after the transshipment.
4. The report referred to in paragraph 3 shall include the time, the geographical position, the total round weight by species to be off-loaded or on-loaded in kilograms as well as the call sign of the vessels involved in the transshipment.
5. The receiving vessel shall report, in addition to the total catch on board and the total weight to be landed, the name of the port and the expected time of landing at least 24 hours in advance of any landing.
6. Member States shall promptly transmit the reports referred to in paragraph 3 and 5 to the Commission, which shall promptly forward them to the NAFO Secretariat.

*Article 19***Fishing and production logbooks and stowage plan**

1. In addition to complying with Articles 6, 8, 11 and 12 of Regulation (EEC) No 2847/93, masters of vessels shall enter in the fishing logbook the information listed in Annex IV.

⁽¹⁾ OJ L 333, 20.12.2003, p. 17.

▼ B

2. The masters of a Community vessel shall, in respect of catches of the species referred to in Article 15(1) of Regulation (EEC) No 2847/93, keep:

- (a) a production logbook stating their cumulative production by species on board in product weight stated in kilograms;
- (b) a stowage plan that shows the location of the different species in the holds. In the case of shrimp, vessels shall keep a stowage plan that specifies the location of shrimp taken in Division 3L and in Division 3M as well as the quantities of shrimp by Division on board in product weight stated in kilograms.

3. The production logbook and stowage plan referred to in paragraph 2 shall be updated on a daily basis for the preceding day reckoned from 00.00 hrs (UTC) until 24.00 hrs (UTC) and shall be kept onboard until the vessel has unloaded completely.

4. The master of a Community vessel shall provide the necessary assistance to enable the quantities declared in the production logbook and the processed products stored on board to be verified.

▼ M1

5. Member States shall every two years certify the correctness of the capacity plans for all vessels authorised to fish pursuant to Article 14. The master shall ensure that a copy of this certification remains onboard to be shown to an inspector upon request.

▼ B*Article 20***Product labelling and separate stowage****▼ M2**

1. All processed fish harvested in the NAFO Regulatory Area shall be labelled in such a way that each species and product category as referred to in Article 1 of Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisations of the market in fishery and aquaculture products ⁽¹⁾, and in case of shrimp the date of capture, is identifiable, using respectively the 3-Alpha code in Annex I to that Regulation, and the product form codes in Annex XIV(b) to this Regulation.

2. All shrimp harvested in Divisions 3L and 3M and all Greenland halibut harvested in Subarea 2 and Divisions 3KLMNO shall be marked as having been caught in these respective zones.

▼ B

3. Taking into account consideration for the legitimate safety and navigational responsibilities of the master of the vessel, the following shall apply:

- (a) all catches taken inside the NAFO Regulatory Area shall be stowed separately from all catches taken outside the area. They shall be kept clearly separate, for example with plastic, plywood or netting;
- (b) catches of the same species may be stowed in more than one part of the hold but the location where it is stowed shall be clearly represented in the stowage plan referred to in Article 19.

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.;

▼B*Article 21***Reporting of catches**

1. The masters of Community fishing vessels shall send to the Fisheries Monitoring Centre (FMC) of their flag Member State catch reports in accordance with paragraph 2.

2. Catch reports shall include:

- (a) the quantities held on board when the Community fishing vessels enter the NAFO Regulatory Area. Reports shall be transmitted no earlier than 12 hours and no later than six hours in advance of each entry into the NAFO Regulatory Area and shall include the date, time, geographical position of the vessel, total round weight by species, including directed species;
- (b) daily catches of shrimp caught in Division 3L. These reports shall be transmitted no later than 12.00 UTC of the day following that in which the catches were made;
- (c) every second Monday, catches of redfish in Sub-Area 2 and Divisions 1F, 3K and 3M caught in the two-week period ending at 12 midnight on the previous Sunday. When accumulated catches reach 50 % of the TAC, the report shall be made weekly each Monday;
- (d) the quantities held on board when a vessel leaves the NAFO Regulatory Area. These reports shall be transmitted no earlier than eight hours and no later than six hours in advance of each departure from the NAFO Regulatory Area and shall include the date, time, geographical position of the vessel and total round weight by species;
- (e) the quantities loaded and unloaded for each transshipment of fish during the vessel's stay in the NAFO Regulatory Area. Donor vessels shall transmit this report at least 24 hours in advance of the transshipment. Receiving vessels shall transmit this report not later than one hour after the transshipment. These reports shall include the date, time, geographical position of the transshipment and total round weight by species to be off-loaded or which have been on-loaded in kilograms and call signs of the vessels to or from which quantities are transhipped. The receiving vessel shall report the total catch on board and the total weight to be landed, the name of the port and the expected time of landing at least 24 hours in advance of any landing;

▼M1

- (f) the catch prior to entry and exit from Division 3L. These reports shall be made by vessels that fish shrimp in Division 3L and shall be sent one hour prior to crossing the boundary of that Division. The report shall indicate the catches taken onboard since the previous catch report, by Division and species (3 alpha code) in kg, rounded to the nearest 100 kg.

▼B

3. Each Member State shall, upon receipt, forward catch reports by computer transmission to the Commission which shall forward these reports to the NAFO Secretariat.

▼ B

4. The Member States shall record the data contained in the catch reports in the database referred to in Article 19(2) of Regulation (EEC) No 2847/93.

5. The detailed rules for the format and the specifications for the transmissions referred to in paragraph 2 are laid down in Annex VII.

*Article 22***Global reporting of catches and fishing effort**

1. Each Member State shall, in computer readable form, before the 15th of each month, notify the Commission of:

- (a) the quantities of stocks specified in Annex II landed;
- (b) the number of fishing days used for fishing shrimp in Division 3M during the preceding month and
- (c) any information received in accordance with Articles 11 and 12 of Regulation (EEC) No 2847/93.

2. The Commission shall compile the data referred to in paragraph 1 for all Member States and forward those data to the NAFO Secretariat within 30 days of the end of the calendar month in which the catches were made.

*SECTION 2***Observers***Article 23***Assignment of observers**

1. Member States shall assign observers to all their fishing vessels engaged in or about to engage in fishing activities in the NAFO Regulatory Area. Observers shall remain on board the fishing vessels to which they are assigned until they are replaced by other observers.

2. Except for reasons of *force majeure*, fishing vessels without an observer on board shall not be allowed to commence or continue fishing in the NAFO Regulatory Area.

3. Observers shall be appropriately qualified and experienced. They shall possess the following skills:

- (a) sufficient experience to identify species and gear;
- (b) navigational skills;
- (c) a satisfactory knowledge of the Conservation and Enforcement Measures of NAFO;
- (d) the ability to carry out elementary scientific tasks e.g. collecting samples, as requested and observe and record accurately;
- (e) a satisfactory knowledge of the language of the flag State of the vessel observed.

▼B

4. Member States shall take all appropriate steps to ensure that observers are received on board fishing vessels at the duly designated time and location and facilitate their departure at the termination of the observation period.

5. Member States shall forward to the Commission a list of observers they have assigned pursuant to paragraph 1 by 20 January each year and, thereafter, immediately following the assignment of any new observer.

*Article 24***Main task of observers**

1. Observers shall monitor the fishing vessel's compliance with the relevant conservation and enforcement measures of NAFO.

2. All observation duties shall be confined to the NAFO Regulatory Area.

*Article 25***Recording**

Observers shall:

- (a) complete a daily log of the vessels' fishing activities which covers at least the information laid down in the format presented in Annex VIII;
- (b) record the gear, mesh size and attachments utilised by the master.

*Article 26***Monitoring of catches**

1. Observers shall:

- (a) observe and estimate catches taken on a set-by-set basis (location, depth, time the net is in the water);
- (b) identify catch composition;
- (c) monitor discards, by-catch and catches of undersized fish;
- (d) verify entries made in the fishing logbook and production logbook; verification of production logbook shall be made using the conversion factor employed by the master;
- (e) verify catch communication reports.

2. When monitoring discards, by-catches and catches of undersized fish in accordance with paragraph 1(c), the observers shall collect the data on discards and retained undersized fish following, whenever circumstances permit, the following sampling scheme:

▼B

- (a) for every haul, estimates of the total catch by species in terms of weight and in addition estimates of discards by species in terms of weight shall be recorded;
- (b) every 10th haul shall be sampled in detail by species, providing in addition to weights of the sample measured also numbers per length representing the part of the catch to be landed and the part of the catch discarded;
- (c) whenever the fishing site is changed pursuant to Articles 5 and 6.

*Article 27***Other specific tasks**

Observers shall:

- (a) verify the position of the vessel when engaged in fishing activity;
- (b) supervise transhipments, if any, from vessels subject to a chartering arrangement pursuant to Article 14;
- (c) monitor the functioning of automatic remote position recording facilities if on board and used by the vessel observed;
- (d) carry out scientific work and sampling if so requested by the NAFO Fisheries Commission or by the appropriate authorities of the Flag State of the vessel observed.

*Article 28***Observer's reports**

1. Observers shall present a report, to the Commission and the competent authorities of the Member State which assigned them, within 20 days following the termination of each fishing trip. When an observer's assignment ends before the termination of the fishing trip, the report shall be presented to the Commission and the competent authorities of the Member State in respect of the period of the assignment within 20 days following the end of the assignment. The report shall summarise the main findings of the observer. The report shall be transmitted to the Commission which shall forward this report to the NAFO Secretariat.

2. Observers shall report, within 24 hours, any evidence of a suspected serious infringement. Such reports shall be made to a NAFO inspection vessel in the NAFO Regulatory Area which shall report the suspected infringement to the Executive Secretary of NAFO. Observers shall use an established code when communicating to an inspection vessel.

*Article 29***Precautions**

1. Observers shall take all appropriate steps to ensure that their presence on board fishing vessels does not hinder or interfere with the proper functioning of the vessels including fishing activities.

▼ B

2. Observers shall respect the property and equipment on board the fishing vessels including the confidentiality of all documents pertaining to the said vessels.

*Article 30***Obligations of the master of the vessel**

1. Masters of Community fishing vessels shall receive the assigned observers and cooperate with them in order to allow them to discharge their duties while on board the vessels.

2. The master of the vessel designated to receive an observer on board shall take all reasonable steps to facilitate the arrival and departure of the observer. While on board the observer shall be offered appropriate and adequate accommodation and working facilities.

3. The master of the vessel shall permit the observer to have access to the vessel's documents (fishing logbook, production logbook, capacity plan, and stowage plan) and to different parts of the vessel, including, as required, to the retained catch and catch which is intended to be discarded, in order to facilitate the discharge of the observer's duties.

4. The master shall be informed in good time of the date and location for receiving observers and the likely duration of the observation period.

▼ M1

5. The master of the vessel observed may, on his own request, be provided with a copy of the observer's report referred to in Article 28(1).

▼ B*Article 31***Costs**

All costs arising from the operation of observers under this Section shall be borne by the Member States. Member States may charge these costs, in part or in full, to the operators of their vessels.

*Article 32***Follow-up****▼ M1**

1. The competent authorities of the Member States receiving the report of the observer in accordance with Article 28 shall evaluate the contents and conclusions of that report.

▼ B

2. In the event that the report indicates that the vessel observed has engaged in fishing practices at variance with conservation and enforcement measures of NAFO, the authorities referred to in paragraph 1 shall take all appropriate action to investigate the matter in order to prevent the repetition of such practices.

▼B*SECTION 3**Programme for observers, satellite tracking and electronic reporting**Article 33***Rules of application**

1. By way of derogation from the provisions of Article 23 Member States may permit fishing vessels flying their flag to commence and conduct fishing activities in the NAFO Regulatory Area without an assigned observer under the conditions laid down in this Section.
2. Vessels may conduct fishing activities without an observer pursuant to paragraph 1 provided that the following requirements are fulfilled:
 - (a) the necessary technical facilities to send electronic observer reports and catch reports are installed onboard;
 - (b) the technical facilities referred to in a) have been successfully tested with a 100 % reliability rate with the NAFO Secretariat and inspection vessels active in the NAFO Regulatory Area; and
 - (c) VMS reports are transmitted on an hourly basis.

*Article 34***Member State obligations**

1. Member States shall notify the names of the vessels intending to apply the provisions of this section to the Commission at the latest 30 days prior to the start of the fishing season.
2. Member States shall keep the Commission informed of the names of the vessels applying the provisions of this Section and the period during which no observer is assigned onboard. The Commission shall promptly forward this information to the NAFO Secretariat.
3. Member States with a vessel or vessels applying the provisions of this section shall permit the vessel to conduct fishing activities in the NAFO Regulatory Area without an observer for no more than 75 % of the time that the vessel or vessels are active in the Regulatory Area during the year.
4. Member States shall ensure that there is a balance between vessels flying their flag with an observer and without an observer in the type of fishery in which the vessels are engaged.

*Article 35***Obligation of masters and observers**

1. Masters of vessels and observers applying the provisions of this section shall transmit daily reports by Division.

▼B

2. The daily reports shall be transmitted to the NAFO Secretariat through the flag State FMC no later than 12.00 UTC. The reporting period shall be from 00.01 hours to 24.00 hours of the previous day.
3. The catch recorded in the daily report of the master shall correspond with the catches in the fishing logbook.
4. The daily reports shall include as appropriate the amounts, by division, of the following categories:
 - (a) daily catch by species retained onboard;
 - (b) discards;
 - (c) undersized fish.
5. Formats for Daily Catch (CAX) and Observer Reports (OBR) are contained in Annex XIV(a).
6. Observers onboard vessels applying the provisions of this section shall, in addition to their duties under Chapter III Section 2 report daily by electronic channels via the FMC to the NAFO Secretariat (OBR report) on their duties described in Article 26(1).

*Article 36***Technical failure**

If the electronic means for transmitting daily reports to and from an FMC is not functioning, the master and the observer shall continue to report on a daily basis by other means and keep a written log of these transmissions onboard and available to inspectors.

*Article 37***Infringements**

If a vessel without an observer is cited for an infringement, the provisions of Chapter IV Section 5 shall apply. If the vessel is not rerouted following this infringement, an observer shall embark the vessel without delay.

*Article 38***Report on implementation**

Member States shall no later than 15 February each year submit a report to the Commission on the implementation of the provisions of this section. This report shall contain, *inter alia*, information on the overall compliance of the vessels concerned with a comparison between vessels with and without observers, possible cost savings for the industry and Member States authorities, interaction with other means of control as well as the technical functioning and reliability of the operative systems.

▼B

CHAPTER IV
INSPECTION AND SURVEILLANCE AT SEA

SECTION 1

General provisions

Article 39

General rules for inspection and surveillance

1. The Commission and/or Member States shall assign inspectors to carry out surveillance and inspection in the NAFO Regulatory Area in accordance with the Conservation and Enforcement Measures of NAFO. They may also appoint trainees to accompany the inspectors.
2. The Member States and the Commission shall ensure that inspectors carry out their duties in accordance with the rules laid down in the NAFO Scheme. Inspectors shall remain under the operational control of their competent authorities and shall be responsible to them.
3. Each Member State and the Commission shall ensure that inspections by Community inspectors are conducted in a non-discriminatory manner and in accordance with the Conservation and Enforcement Measures of NAFO.
4. The number of inspections shall be based on the size of the fleets of the Contracting Parties present in the NAFO Regulatory Area, taking into account the time spent in the Area, the level of catches and compliance records.
5. In addition to their functions under the Conservation and Enforcement Measures of NAFO, inspectors shall inspect Community vessels in the NAFO Regulatory Area for compliance with any other Community conservation and control measure applying to those vessels.
6. Inspectors may be placed onboard any Member State vessel engaged or about to be engaged in inspection duties in the NAFO Regulatory Area.
7. Inspectors operating in the NAFO Regulatory Area shall on a regular basis coordinate their activities with other NAFO inspectors active in the NAFO Regulatory Area in order to exchange information on sightings and boarding or other relevant information.

Article 40

Means of inspection

Member States or the Commission shall make available to their inspectors adequate means to enable them to carry out their surveillance and inspection tasks. To that end they shall assign inspection vessels to the NAFO Scheme.

Article 41

Programming

1. The Community Fisheries Control Agency shall coordinate the surveillance and inspection activities for the Community. It may draw up, in concert with the Member States concerned, joint operational

▼B

surveillance and inspection programmes for that purpose. The Member States whose vessels are engaged in fisheries in the NAFO Regulatory Area shall adopt the necessary measures to facilitate the implementation of these programmes particularly as regards the human and material resources required and the periods and zones in which these resources are to be deployed.

2. When drawing up joint operational surveillance and inspection programmes, the Community Fisheries Control Agency and Member States shall ensure that, where, at any time, more than 15 Community fishing vessels are engaged in fishing activities in the NAFO Regulatory Area, a Community inspection vessel is present in the Area or that an agreement has been concluded with another Contracting Party to ensure the presence of an inspection vessel.

3. Member States shall inform the Community Fisheries Control Agency by 15 October each year of the names of the inspectors and the inspection vessels they are intending to assign to the NAFO Scheme during the following year. This notification shall include the name, the radio call sign and communication capacity for the assigned inspection vessels. Using this information the Community Fisheries Control Agency shall draw up, in collaboration with the Member States, a plan for Community participation in the NAFO Scheme in the following calendar year, which it shall send to the NAFO Secretariat and the Member States.

4. Member States shall inform the Community Fisheries Control Agency electronically of the date and time of the start and end of the activities of inspection vessels.

*SECTION 2****Surveillance procedure****Article 42***Surveillance procedure**

1. Inspectors shall carry out surveillance based on sightings of fishing vessels from a vessel assigned to the NAFO scheme. When an inspector observes a vessel of a Contracting Party of NAFO and such observation does not correspond to other information available to him, he shall record his findings in a surveillance report using the form set out in Annex XI and shall forward that report to his authorities. The report shall include photographs of the vessel which shall record the position, date and time the photographs were taken.

2. Member States shall forward the surveillance report promptly, by electronic transmission, to the flag State of the sighted vessel or to the authorities designated by that State, as notified by the NAFO Secretariat, to the NAFO Secretariat and to the Commission. They shall also forward the original of each surveillance report to the flag State of the vessel concerned at its request.

3. Member States shall, upon receipt of a surveillance report concerning its vessels, take prompt action on it and conduct any further investigation necessary to allow them to determine appropriate follow up.

4. Member States shall by 15 February each year report to the Commission on the action taken with regard to surveillance reports involving their vessels during the previous year. In cases where the follow up action results in the imposition of penalties, those penalties shall be described in specific terms. The Commission shall forward this information to the NAFO Secretariat by 1 March each year.

▼B*SECTION 3****Inspection procedure****Article 43***General provisions**

1. When conducting an inspection during daylight hours in conditions of normal visibility, inspection vessels shall display a NAFO pennant to show that inspectors are carrying out an inspection under the NAFO Scheme. Boarding vessels shall also display a pennant, which may be half scale.
2. Inspections of vessels engaged in research shall be limited to ascertaining that the vessel is not conducting a commercial fishing operation.
3. Inspectors shall not interfere with the ability of masters to communicate with the authorities of their flag State during boarding and inspection.
4. Inspection vessels shall manoeuvre at a safe distance from the fishing vessel in accordance with the rules of good seamanship.
5. Inspectors shall avoid the use of force save where and to the extent that it is necessary to ensure their safety. When conducting inspections on board fishing vessels, inspectors shall not carry firearms.
6. Inspections shall be conducted in a manner such as to cause the least disturbance or inconvenience to the vessel, its activities and catches.

*Article 44***Boarding**

1. Inspectors and trainees shall carry and produce a document of identity issued by the NAFO Secretariat when boarding a fishing vessel.
2. Inspectors shall not board a vessel without prior notice being given by radio to the vessel or without the vessel being given the appropriate signal using the International Code Signal, including details of the inspection team and inspection platform.
3. Inspectors shall not require the vessel that is being boarded to stop or manoeuvre during fishing, or to stop the shooting or hauling of fishing gear. Inspectors may, however, require the interruption or delay of the shooting of gear until they have boarded the vessel but in any event this delay shall not last more than 30 minutes after the signal referred to in paragraph 2 has been received.

*Article 45***On board activities**

1. Inspection teams shall comprise no more than two inspectors. When vessel conditions so permit, an inspection trainee may accompany the inspectors and shall be identified to the master of the fishing vessel. The trainee's activities shall be limited to the observation of the inspection conducted by the inspectors.

▼B

2. The inspection shall not exceed three hours or the period until the net and catch are hauled in and inspected, whichever is longer. Where an infringement is detected, inspectors may remain on board for the period necessary to complete their duties as referred to in Article 48 and in Article 51. The inspector shall leave the vessel within one hour following the completion of the original inspection or following the completion of their duties pursuant to Article 48, as the case may be.
3. Precautions shall be taken to avoid causing damage to packaging, wrapping, cartons, or other containers and content. Cartons and containers shall be opened in such a way that will facilitate prompt resealing, re-packing and re-storage.
4. Inspectors shall convert production weight recordings in the production logbooks into live weight to allow for a verification of logbook entries which are made in live weight. Inspectors shall be guided by the conversion factors used by the master of the vessel.
5. Inspectors shall be authorised to examine all relevant areas, decks and rooms of the fishing vessel, processed and unprocessed catches, nets and other gear, equipment and any relevant documents which are necessary for verifying compliance with the Conservation and Enforcement Measures of NAFO.
6. In carrying out their inspection, inspectors may ask the master for any assistance they may require. The master may comment on the inspection report, which must be signed by inspectors on completion of the inspection. A copy of the inspection report shall be given to the master of the fishing vessel.

*Article 46***Drawing up of inspection reports**

1. Inspectors shall draw up an inspection report using the form set out in Annex IX and forward it to their authorities.
2. Inspectors shall summarise from logbook records, for the current fishing trip, the vessel's catch in the NAFO Regulatory Area by species and by Division and shall record this summary in point 14 of the inspection report.
3. In the event of a difference between the recorded catches and the estimates of the inspector, the inspector may re-check calculations, procedures, the relevant documentation and the catch onboard the vessel. Any such differences shall be noted in point 18 of the inspection report.

*Article 47***Obligations of masters of fishing vessels during inspection**

The master of a Community fishing vessel which is being boarded and inspected shall:

- (a) facilitate safe and effective boarding in accordance with good seamanship when given the appropriate signal in the International Code of Signals by a vessel or helicopter carrying an inspector;

▼ M1

- (b) provide a boarding ladder constructed and used as described in the conservation and enforcement measures of NAFO;
- (b)a if a mechanical hoist is provided, ensure that its ancillary equipment is of a type approved by the national administration. It shall be of such design and construction as to ensure that the inspector can embark and disembark in a safe manner including a safe access from the hoist to the deck and vice versa. A boarding ladder complying with point (b) shall be kept on deck adjacent to the hoist and available for immediate use;

▼ B

- (c) cooperate with and assist in the inspection of the fishing vessel conducted in accordance with the procedures laid down in this Regulation; he shall ensure the safety of inspectors and shall not obstruct, intimidate or interfere with the inspectors in the performance of their duties;
- (d) permit the inspectors to communicate with the authorities of the flag State and the inspecting State;
- (e) provide access to areas, decks, rooms of the vessel, processed or unprocessed catches, nets and other gear, equipment, registration documents, drawings or descriptions of fish rooms, production logbooks and stowage plans and any other relevant documents as well as give such assistance as is possible and reasonable to ascertain that stowage conforms to the stowage plans;
- (f) facilitate safe disembarkation by inspectors;

▼ M2

- (g) provide to an inspector upon request, coordinates pertaining to the start and end locations of any trial tow conducted in accordance with Article 6(4).

▼ B*Article 48***Transmission of inspection reports**

1. The Member State carrying out an inspection shall send the original NAFO inspection report drawn up in accordance with Article 45(1) to the Commission within 20 days after the return of the inspection vessel to port. The Commission shall forward it to the flag State of the inspected vessel with a copy to the NAFO Secretariat within 30 days after the return of the inspection vessel to port.
2. In case of an infringement or difference between the recorded catches and the inspectors estimates of the catches onboard, the original inspection report with supporting documents, including copies of photographs taken, shall be sent to the Commission as soon as possible after the return of the inspection vessel to port. The Commission shall forward this documentation to the flag State of the inspected vessel with a copy to the NAFO Secretariat within 10 days after the return of the inspection vessel to port.

▼B

3. The inspector shall in the situation referred to in paragraph 2 also issue a statement constituting an advance notification of the presumed infringement. That statement shall quote the information entered under points 16, 18 and 20 of the inspection report and describe in detail the basis for issuing the citation for an infringement and the evidence in support thereof. The Community inspector shall send the statement within the working day following the inspection to the flag State and the NAFO Secretariat via the Commission.

4. Inspectors shall provide the Commission on a 10 day basis with a list of vessels inspected. The Commission shall on a monthly basis establish a list of inspected vessels and forward this list to the NAFO Secretariat.

*SECTION 4****Infringements****Article 49***Procedures to deal with infringements**

1. Where inspectors find an infringement of the Conservation and Enforcement Measures of NAFO, they shall:

- (a) note the infringement in their inspection report, sign the entry and obtain the countersignature of the master;
- (b) enter and sign a notation in the fishing logbook or other relevant documentation stating the date, location, and type of infringement found. The inspector may make a copy of any relevant entry in the fishing logbook or other relevant documentation and require the master to certify the authenticity thereof in writing on each page of the copy;
- (c) if necessary, document the infringement with photographs of the gear and catch. The inspector shall in such case give one copy of the photograph to the master and attach a second copy of the photograph to the report;
- (d) attempt immediately to communicate with an inspector or the designated authorities of the flag State of the inspected fishing vessel;
- (e) transmit the inspection report as well as the advance notification of infringement referred to in Article 47(3) promptly to their authorities.

2. Inspectors may request that the master remove any part of the fishing gear which appears to be contrary to the Conservation and Enforcement Measures of NAFO. The inspector shall affix a NAFO inspection seal in accordance with Annex X securely to any part of the gear which appears to be in contravention and record this fact in the inspection report. The gear shall be preserved with the seal attached until examined by the competent authorities of the Contracting Party of the vessel.

*Article 50***Follow-up in the case of infringements**

1. The competent authorities of a Member State notified of an infringement committed by one of its vessels shall investigate that infringement immediately and fully to obtain the evidence required which shall include, where appropriate, the physical inspection of the vessel concerned.

▼B

2. The competent authorities of the Member State shall take immediate judicial or administrative action in accordance with their national legislation against the nationals responsible for the vessel flying its flag where the measures adopted by NAFO have not been respected.

3. The competent authorities of the flag Member State shall ensure that the proceedings initiated pursuant to paragraph 2 are capable, in accordance with the relevant provisions of national law, of providing effective measures that are adequate in severity, secure compliance, deprive those responsible of the economic benefit of the infringement and effectively discourage future infringements.

*SECTION 5****Serious infringements****Article 51***List of serious infringements**

The following infringements shall be considered serious:

- (a) fishing on an 'Others' quota without prior notification to the Executive Secretary of NAFO, or more than seven working days after the notification by the Executive Secretary of NAFO that fishing under an 'Others' quota for that stock or species was closed;
- (b) directed fishing for a stock which is subject to a moratorium or for which fishing is prohibited;
- (c) directed fishing for stocks or species after the date on which the Flag State of the inspected vessel has notified the Executive Secretary of NAFO that its vessels will cease directed fishery for those stocks or species;
- (d) fishing in a closed Area or with gear prohibited in a specific Area;
- (e) mesh size violations;
- (f) fishing without a valid authorisation issued by the flag Contracting Party;
- (g) mis-recording of catches;
- (h) interference with the satellite monitoring system;
- (i) catch communication violations;
- (j) preventing inspectors or observers from carrying out their duties.

*Article 52***Inspector activities**

1. Where inspectors cite a vessel for having committed a serious infringement as listed in Article 51, they shall promptly notify the flag State, their own authorities, the Commission and the NAFO Secretariat thereof.

▼B

2. In the case of a serious infringement, inspectors shall take all necessary steps to ensure the security and continuity of the evidence, including as appropriate, sealing the vessel's hold for the following port inspection. At the request of the inspector, the master shall cease all fishing activities which according to the inspector constitute a serious infringement.
3. As long as the inspector remains onboard, the master may not resume fishing until the inspector is reasonably satisfied, as a result of either the action taken by the vessel's master or the inspector's communication with an inspector or competent authority of the flag State of the inspected vessel, that the serious infringement will not be repeated.
4. Inspectors may remain on board a fishing vessel for the period necessary to obtain the relevant information concerning the infringement. During this time the inspectors shall complete the inspection and shall thereafter leave the vessel. However, inspectors may remain on board the vessel if they succeed in establishing communications with the competent authorities of the Contracting Party of the inspected vessel and those authorities agree. If they are unable within a reasonable period of time to communicate with those competent authorities, they shall leave the inspected vessel and shall communicate as soon as possible with them.
5. The Member State or the Commission carrying out the inspection shall take a decision, with the consent of the flag State, on whether the inspector remains on board during a re-routing of the vessel in accordance with Article 54(1). The Member State and the Commission carrying out the inspection shall decide also whether an inspector shall be present during the thorough inspection of the vessel in port in accordance with Article 53(3). Member States shall inform the Commission promptly of the decisions they take in accordance with this paragraph.

*Article 53***Inspection by an inspector authorised by the flag Member State**

1. Where a flag Member State receives information from an inspector that a serious infringement is suspected to have been committed by a fishing vessel flying its flag or where the Commission receives such information, the flag Member State and the Commission shall inform one another thereof without delay.
2. After being notified by another Contracting Party of a serious infringement committed by a Community vessel, the flag Member State in cooperation with the Commission shall ensure that the vessel is inspected within 72 hours by a duly authorised inspector.
3. The duly authorised inspector shall board the fishing vessel concerned and examine the evidence of the suspected infringement, and forward as quickly as possible to the competent authority in the flag Member State and the Commission the results of this examination.

*Article 54***Re-routing**

1. Following notification of the results and where the suspected infringement is of a serious nature, the flag Member State of the inspected vessel shall, if the situation so warrants, within 24 hours, itself require or authorise the duly authorised inspector to require the vessel to proceed to a designated port. This port should be St Johns or Halifax, Canada, St Pierre, France, or its home port, unless another port is designated by the flag Member State.

▼B

2. The 24 hour time limit referred to in paragraph 1 may be extended by the Commission upon a written request of the flag Member State, up to a maximum of 72 hours.
3. Where the flag Member State does not require the vessel to be re-routed to a port, it shall immediately inform the Commission of the reasons for its decision. The Commission shall notify the NAFO Secretariat in due course of that decision and its justification.

*Article 55***Inspection in port following a re-routing**

1. On arrival in the designated port, the vessel suspected of having committed a serious infringement shall undergo a thorough inspection under the authority of its flag Member State and in the presence of an inspector from any other Contracting Party which wishes to participate. The port inspection report in Annex XII shall be used.
2. The flag Member State shall inform the Commission promptly of the outcome of the thorough inspection and of the measures it has adopted as a result of the infringement, including measures taken to prevent a repetition of the infringement.

*Article 56***Enhanced follow-up with regard to certain serious infringements**

1. In addition to the provisions of this section, in particular Articles 54 and 55, the flag Member State shall take action under this Section where a vessel flying its flag has committed one of the following serious infringements:
 - (a) directed fishing for a stock which is subject to a moratorium or for which fishing is prohibited;
 - (b) mis-recording of catches. To be considered for follow-up action under this Article the difference between the inspector's estimates of processed catch on board, by species or in total, and the figures recorded in the production logbook shall be 10 tonnes or 20 %, whichever is the greater, calculated as a percentage of the production logbook figures. In order to calculate the estimate of the catch on board a stowage factor agreed between the inspectors of the inspecting Contracting Party and the Contracting Party of the inspected vessel shall be used;
 - (c) the repetition of the same serious infringement mentioned in Article 51, that has been confirmed in accordance with Article 52(4), during a hundred day period or within the fishing trip, whichever is shorter.
2. The flag Member State shall ensure that following the inspection referred to in paragraph 3 the vessel concerned ceases all fishing activities and an investigation into the serious infringement is initiated.
3. If no inspector or other person designated by the flag Member State of the vessel to carry out the investigation as outlined in paragraph 1 is present in the Regulatory area, the flag Member State shall require the vessel to proceed immediately to a port where the investigation can be initiated.

▼B

4. When completing the investigation for any serious infringement of mis-recording of catch referred to in paragraph 1(b), the flag Member State shall ensure that the physical inspection and enumeration of total catch on board takes place under its authority in port. Such inspection may take place in the presence of an inspector from any another Contracting Party that wishes to participate, subject to the consent of the flag Member State.

5. When a vessel is required to proceed to port pursuant to paragraphs 2, 3 and 4, an inspector from another Contracting Party may board and/or remain on board the vessel as it is proceeding to port, provided that the competent authority of the Member State of the inspected vessel does not require the inspector to leave the vessel.

*Article 57***Enforcement measures**

1. Each flag Member State shall take enforcement measures with respect to a vessel, where it has been established in accordance with its laws that this fishing vessel flying its flag committed a serious infringement referred to in Article 56.

2. The measures referred to in paragraph 1 may include, in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- (a) fines;
- (b) seizure of illegal fishing gear and catches;
- (c) sequestration of the vessel;
- (d) suspension or withdrawal of fishing authorisation;
- (e) reduction or withdrawal of the fishing quota.

3. The flag Member State of the vessel concerned shall notify the Commission without delay of the appropriate measures taken in accordance with this Article. Based on this notification, the Commission shall notify the NAFO Secretariat of those measures.

*Article 58***Report on serious infringements**

1. In case of a serious infringement referred to in Article 56, the Member State concerned shall provide the Commission with a report on the progress of the investigation, including details of any action taken or proposed to be taken in relation to the serious infringement as soon as practicable and in any case within three months following the notification of the infringement and a report on the outcome of the investigation when the investigation is completed.

2. The Commission shall compile a Community report on the basis of the reports of the Member States. It shall send the Community report on the progress of the investigation to the NAFO Secretariat within four months following the notification of the infringement and as soon as possible the report on the outcome of the investigation when the investigation is completed.

▼B*SECTION 6***Reports***Article 59***Treatment of inspection reports**

1. Inspection and surveillance reports drawn up by NAFO inspectors shall constitute admissible evidence for judicial or administrative proceedings of any Member State. For establishing facts, those reports shall be treated on the same basis as inspection and surveillance reports of their own inspectors.

2. Member States shall collaborate in order to facilitate judicial or other proceedings arising from a report submitted by an inspector under this scheme, subject to the rules governing the admissibility of evidence in domestic judicial and other systems.

*Article 60***Reports on infringements**

1. Member States shall each year forward to the Commission by 25 January for the period 1 July to 31 December, and by 25 August for the period 1 January to 30 June, a report containing the following information:

- (a) the result of action taken in respect of infringements by its vessels; infringements shall be listed annually until the action is concluded;
- (b) any significant differences between records of catches in its vessels' logbooks and inspector's estimates of catches onboard the vessels. A difference shall be considered as significant where the inspector's estimate differs from the catch recorded in the logbook by 5 % or more;
- (c) details of the progress of the proceedings stating in particular whether the cases are pending, under appeal or under investigation;
- (d) a specific description of the penalties imposed, stating in particular the amount of the fines, the value of forfeited fish and/or gear, the written warnings, etc. and
- (e) an explanation if no action has been taken.

2. The Commission shall compile a Community report on the basis of the reports of the Member States. It shall send the Community report to the NAFO Secretariat by 1 February and 1 September each year.

*Article 61***Reporting on inspection and surveillance activities**

1. Each Member State shall report to the Commission by 15 February each year for the previous calendar year on:

▼B

- (a) the number of inspections it has carried out under the NAFO Scheme specifying the number of inspections on the vessels of each Contracting Party and, where an infringement has been committed, the date and location of the inspection of the vessel concerned and the nature of the suspected infringement;
 - (b) the number of air hours flown on NAFO surveillance, the number of sightings and the number of surveillance reports that have been drawn up together with the follow-up action that has been taken on these surveillance reports.
2. The Commission shall compile a Community report on the basis of the reports of the Member States. It shall send the Community report to the NAFO Secretariat by 1 March each year.

▼M2

CHAPTER V

PORT STATE CONTROL OF VESSELS FLYING THE FLAG OF ANOTHER CONTRACTING PARTY

*Article 62***Scope**

1. This Chapter shall apply to landings or transshipments in ports of Member States, by fishing vessels flying the flag of another Contracting Party to NAFO of fish caught in the NAFO Regulatory Area or fish products originating from such fish that have not been previously landed or offloaded at a port.
2. This Chapter shall apply without prejudice to Regulations (EEC) No 2847/93 and (EC) No 1005/2008.

*Article 63***Designated ports**

Member States shall designate ports to which fishing vessels may be permitted access for the purpose of landing or transshipment. Member States shall notify their designated ports to the Commission, which shall transmit the list of these ports to the NAFO Secretariat. Any subsequent amendments to the list shall be notified to the NAFO Secretariat no less than fifteen days before the amendment comes into effect.

*Article 63a***Competent authority**

1. Member States shall designate the competent authority which shall act as the contact point for the purposes of receiving notifications in accordance with Article 63b, receiving confirmation and issuing authorisations in accordance with Article 63c.
2. Member States shall advise the Commission about the competent authority name and its contact information. The Commission shall forward the information to the NAFO Secretariat.

▼ M2*Article 63b***Prior notice of entry into port**

1. By way of derogation from Article 28e(1) of Regulation (EEC) No 2847/93, the master of the fishing vessel referred to in Article 62(1) of this Regulation or his representative intending to call into a port to land or tranship shall notify the competent authority of the port Member State referred to in Article 63a of this Regulation at least three working days before the estimated time of arrival.

2. However, a Member State may make provisions for another prior notification period, taking into account, inter alia, distance between fishing grounds and its port. Member States shall advise the Commission or a body designated by it of that prior notification period. The Commission shall forward the information to the NAFO Secretariat.

3. The prior notification shall be accompanied by the following forms with Part A duly completed:
 - (a) form PSC 1, as referred to in Annex XV (A), where the vessel intends to land or tranship its own catch;

 - (b) form PSC 2, as referred to in Annex XV (B), where the vessel intends to land or tranship catch that was received through transhipment. A separate form shall be used for each donor vessel;

 - (c) both forms PSC 1 and PSC 2, where the vessel intends to land or tranship both its own catch and catch that was received through transhipment.

4. Masters or their representative may cancel a prior notification by notifying the competent authorities of the port they intended to use, not later than 24 hours before the notified estimated time of arrival in the port. However, the port Member State may make provisions for another notification period. The notification shall be accompanied by a copy of the original PSC 1 or PSC 2 with the word 'cancelled' written across it.

5. The competent authority of the port Member State shall forward a copy of the prior notification form as referred to in paragraphs 3 and 4 without delay to the flag State Contracting Party of the fishing vessel which intends to land/or tranship and, if that vessel has engaged in transhipment operations, to the flag State Contracting Party of donor vessels.

6. A copy of the form shall also be forwarded to the Commission or a body designated by it, which shall transmit it to the NAFO Secretariat without delay.

▼ **M2***Article 63c***Authorisation to land or tranship**

1. Landing or transhipment operations may only commence after authorisation has been given by the competent authority of the port Member State. Such authorisation shall only be given after the returning by the flag State of the copy of form PSC1 and/or form PSC2, transmitted pursuant to Article 63b(5) with part B duly completed, confirming that:

- (a) the fishing vessel declared to have caught the fish had sufficient quota for the species declared;
- (b) the declared quantity of fish on board has been duly reported by species and taken into account for the calculation of any catch or effort limitations that may be applicable;
- (c) the fishing vessel declared to have caught the fish had authorization to fish in the areas declared; and
- (d) the presence of the vessel in the area in which it has declared to have taken its catch has been verified by VMS data.

2. By way of derogation from paragraph 1 the competent authority of the port Member State may authorise all or part of a landing in the absence of the confirmation referred to in paragraph 1. In such cases the fish concerned shall be kept in storage under the control of the competent authority. The fish shall only be released to be sold, taken over or transported once the confirmation referred to in paragraph 1 has been received and checked by the competent authorities. If the confirmation has not been received within 14 days of the landing the competent authority of the port Member State may confiscate and dispose of the fish in accordance with national rules.

3. The competent authority of the port Member State shall notify without delay to the master its decision on whether or not to authorise the landing or transhipment by returning a copy of form PSC 1 and/or form PSC 2 with Part C duly completed. This copy shall also be transmitted to the Commission or a body designated by it without delay, which shall forward the information to the NAFO Secretariat.

*Article 63d***Inspections**

1. Unless otherwise required in a recovery plan, the port Member State shall carry out inspections of at least 15 % of all such landings or transhipments during each reporting year.

2. Inspections shall be conducted by authorised national inspectors who shall present credentials to the master of the vessel prior to the inspection.

3. The port Member State may invite inspectors of other Contracting Parties to accompany their own inspectors and observe the inspection of landings or transhipment operations within the meaning of this Chapter.

▼M2

4. An inspection shall involve the monitoring of the entire discharge or transshipment in that port and the national inspectors shall as a minimum:

- (a) cross-check against the quantities of each species landed or transhipped:
 - (i) the quantities by species recorded in the logbook,
 - (ii) the catch and activity reports, and
 - (iii) all information on catches provided in the prior notification (PSC 1 or PSC 2);
- (b) verify and record the quantities by species of catch remaining on board upon completion of landing or transshipment;
- (c) verify any information from inspections carried out at sea;
- (d) verify all nets on board and record mesh size measurements;
- (e) verify fish size for compliance with minimum size requirements.

5. The national inspectors shall make all possible efforts to avoid unduly delaying the fishing vessel and ensure that the vessel suffers the minimum interference and inconvenience and that unnecessary degradation of the quality of the fish is avoided.

6. The master of a fishing vessel shall:

- (a) cooperate with and assist in the inspection of the fishing vessel conducted pursuant to these procedures and shall not obstruct, intimidate or interfere with the port State inspectors in the performance of their duties;
- (b) provide access to any areas, decks, rooms, catch, nets or other gear or equipment, and provide any relevant information which the port State inspectors request including copies of any relevant documents.

*Article 63e***Serious infringements**

1. The following infringements shall be considered serious:

- (a) preventing inspectors from carrying out their duties;
- (b) landing or transshipping in a port not designated;

▼M2

- (c) failure to comply with the provisions related to the pre-notification of arrival;
- (d) landing or transhipping without authorization of the port Member State.

2. Each port Member State shall take enforcement measures with respect to a fishing vessel where it has been established in accordance with its law that the vessel committed a serious infringement referred to in paragraph 1. The measures may include, in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law:

- (a) fines;
- (b) seizure of illegal fishing gear and catches;
- (c) sequestration of the vessel.

*Article 63f***Inspection reports**

1. Each inspection shall be documented by completing the port inspection report form as set out in Annex XII.
2. The inspection report may be commented upon by the master and shall be signed by the inspector and the master at the end of the inspection. A copy of the inspection report shall be given to the master of the fishing vessel.
3. A copy of each inspection report shall be transmitted without delay to the flag State of the inspected fishing vessel and to the flag State of the donor vessel where the vessel has engaged in transhipment operations. A copy shall also be sent to the Commission or a body designated by it without delay, which shall forward the information to the NAFO Secretariat. The original or a certified copy of each inspection report shall be forwarded on request to the flag State of the inspected vessel.

▼B

CHAPTER VI

NON-CONTRACTING PARTY ACTIVITIES*Article 64***IUU activities carried out by Non-Contracting Party vessels**

1. A Non-Contracting Party vessel engaged in fishing activities in the NAFO Regulatory Area shall be presumed to have carried out IUU activities that have undermined the effectiveness of the Conservation and Enforcement Measures of NAFO.
2. In the case of transhipment activities involving a sighted identified Non-Contracting Party vessel, inside or outside the NAFO Regulatory Area, the presumption of undermining the Conservation and Enforcement Measures of NAFO applies to any other non-Contracting Party vessel which was engaged in those activities with that vessel.

▼B*Article 65***Information on Non-Contracting Party vessels**

1. If a Member State or Commission inspector sights or by other means identifies a Non-Contracting Party vessel, they shall attempt to inform the vessel that it is presumed to be undermining the Conservation and Enforcement Measures of NAFO and that this information will be transmitted to Contracting Parties of NAFO, to other regional fisheries Organisations and to the flag State of the vessel.
2. Member States shall immediately transmit to the Commission information regarding sightings, denial of port access, landings and transshipments, and the results of all inspections at sea or in their ports, and any subsequent action they have taken in respect of the vessel concerned. The Commission shall transmit all information immediately to the NAFO Secretariat.
3. The information referred to in paragraph 2 shall include the name of the Non-Contracting Party vessel and its flag State, the date and the port of inspection, the grounds for a subsequent prohibition of landing and/or transshipment or, where no such prohibition was applied, the evidence presented pursuant to Article 67(3).
4. Member States may at any time submit to the Commission for immediate transmission to the NAFO Secretariat any additional information, which may be relevant to the identification of Non-Contracting Party vessels that might be carrying out IUU fishing in the NAFO Regulatory Area.
5. The Commission shall notify Member States each year of the Non-Contracting Party vessels appearing on the IUU list adopted by NAFO.

*Article 66***Prohibition against transshipments and joint fishing operations**

Community fishing vessels shall be prohibited from receiving or delivering transshipments of fish to or from Non-Contracting Party vessels referred to in Article 63 and from engaging in joint fishing operations with such vessels.

*Article 67***Inspection at sea**

Inspectors shall, if appropriate, request permission to board a Non-Contracting Party vessel which has been sighted or by other means identified engaging in fishing activities in the Regulatory Area of NAFO. Vessels that consent to be boarded shall be inspected in accordance with the provisions of Chapter IV.

▼M2*Article 68***Entry into port**

1. Without prejudice to Regulations (EEC) No 2847/93, (EC) No 1093/94 and (EC) No 1005/2008, Member States shall ensure that masters of non-Contracting Party vessels may only call into a port designated according to Article 63. The master intending to call into

▼ M2

a designated port shall notify the competent authority of the port Member State in accordance with the provisions of Article 63b. The port Member State shall forward without delay this information to the flag State of the vessel and to the Commission or a body designated by it, which shall transmit it without delay to the NAFO Secretariat.

2. The provisions of Articles 63b and 63c shall apply *mutatis mutandis*. The port Member State shall prohibit the entry into its ports of vessels that have not given the required prior notice referred to in paragraph 1 and for which the confirmation by the flag State referred to in Article 63c(1) has not been provided.

3. A Member State denying landing or transhipment shall inform the master of the vessel concerned of its decision.

*Article 68a***Inspection in port**

1. Member States shall ensure that each non-Contracting Party vessel which enters one of its ports is inspected by their competent authorities. The vessel shall not be allowed to land or tranship until this inspection has taken place. Such inspections shall include the vessels documents, logbooks, fishing gear, catch on board and any other matter relating to the vessel activity in the NAFO Regulatory Area.

2. If, on completion of inspection, the competent authorities find that the non-Contracting Party vessel holds on board any of the stocks or group of stocks regulated by NAFO or referred to in Annex II to this Regulation, the Member State concerned shall prohibit any landing and/or transhipment of catches from that vessel.

3. However, no such prohibition shall apply if the master of the inspected vessel or his representative proves to the satisfaction of the competent authorities of the Member State concerned that:

- (a) the species held on board were caught outside the NAFO Regulatory Area; or
- (b) the species held on board and listed in Annex II were caught in accordance with the Conservation and Enforcement Measures of NAFO.

4. A Member State denying landing or transhipment shall inform the master of the vessel concerned of its decision.

5. The inspection shall be documented by at least completing the port inspection report form provided in Annex XII.

▼ M2

6. Information on the results of all inspections of non-Contracting Party vessels conducted in the ports of Member States, and any subsequent action, shall be transmitted without delay to the flag State of the vessel and to the Commission or a body designated by it, which shall transmit it without delay to the NAFO Secretariat.

▼ B*Article 69***Measures in respect of IUU vessels**

1. The following measures shall apply to vessels that have been placed by the Northwest Atlantic Fisheries Organisation (NAFO) on the list of IUU vessels in Annex XIII:

- (a) Fishing vessels, support vessels, refuel vessels, mother-ship and cargo vessels flying the flag of a Member State shall not in any way assist IUU vessels, engage in fish processing operations or participate in any transhipment or joint fishing operations with vessels on the IUU list;
- (b) IUU vessels shall not be supplied in ports with provisions, fuel or other services;
- (c) IUU vessels shall not be authorised entry into port of a Member State, except in case of *force majeure*;
- (d) IUU vessels shall not be authorised to change the crew, except as required in relation to *force majeure*;
- (e) IUU vessels shall not be authorised to fish in Community waters and shall be prohibited to be chartered;
- (f) Member States shall refuse the granting of their flag to IUU vessels and encourage importers, transporters and other sectors concerned to refrain from negotiating and transshipping fish caught by such vessels;
- (g) Imports of fish coming from IUU vessels shall be prohibited.

2. The Commission shall amend the IUU vessels list to be in accordance with the NAFO list as soon as NAFO adopts a new list.

CHAPTER VII

FINAL PROVISIONS*Article 70***Procedure for amendments**

The Council, acting by qualified majority on a proposal from the Commission, may amend the provisions of this Regulation in order to transpose into Community law NAFO Conservation and Enforcement Measures which become obligatory for the Community.

▼B

Article 71

Repeal

Regulations (EC) No 1262/2000, (EC) No 3069/95, (EC) No 3680/93, (EEC) No 189/92, (EEC) No 1956/88 and (EEC) No 2868/88 are hereby repealed.

Article 72

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.



ANNEX I

LIST OF SPECIES

Common English name	Scientific Name	3-Alpha Code
Groundfish		
Atlantic Cod	<i>Gadus morhua</i>	COD
Haddock	<i>Melanogrammus aeglefinus</i>	HAD
Atlantic redfishes	<i>Sebastes</i> sp.	RED
Golden redfish	<i>Sebastes marinus</i>	REG
Beaked redfish (deepwater)	<i>Sebastes mentella</i>	REB
Acadian redfish	<i>Sebastes fasciatus</i>	REN
Silver hake	<i>Merluccius bilinearis</i>	HKS
Red hake (*)	<i>Urophycis chuss</i>	HKR
Pollock (= Saithe)	<i>Pollachius virens</i>	POK
American plaice	<i>Hippoglossoides platessoides</i>	PLA
Witch flounder	<i>Glyptocephalus cynoglossus</i>	WIT
Yellowtail flounder	<i>Limanda ferruginea</i>	YEL
Greenland halibut	<i>Reinhardtius hippoglossoides</i>	GHL
Atlantic halibut	<i>Hippoglossus hippoglossus</i>	HAL
Winter flounder	<i>Pseudopleuronectes americanus</i>	FLW
Summer flounder	<i>Paralichthys dentatus</i>	FLS
Windowpane flounder	<i>Scophthalmus aquosus</i>	FLD
Flatfishes (NS)	<i>Pleuronectiformes</i>	FLX
American angler (= Goosefish)	<i>Lophius americanus</i>	ANG
Atlantic searobins	<i>Prionotus</i> sp.	SRA
Atlantic tomcod	<i>Microgadus tomcod</i>	TOM
Blue antimora	<i>Antimora rostrata</i>	ANT
Blue whiting	<i>Micromesistius poutassou</i>	WHB
Cunner	<i>Tautoglabrus adspersus</i>	CUN
Cusk (= Tusk)	<i>Brosme brosme</i>	USK
Greenland cod	<i>Gadus ogac</i>	GRC
Blue ling	<i>Molva dypterygia</i>	BLI
Ling	<i>Molva molva</i>	LIN
Lumpfish = (Lumpsucker)	<i>Cyclopterus lumpus</i>	LUM
Northern kingfish	<i>Menticirrhus saxatilis</i>	KGF
Northern puffer	<i>Sphaeroides maculatus</i>	PUF
Eelpouts (NS)	<i>Lycodes</i> sp.	ELZ
Ocean pout	<i>Macrozoarces americanus</i>	OPT
Polar cod	<i>Boreogadus saida</i>	POC
Roundnose grenadier	<i>Coryphaenoides rupestris</i>	RNG
Roughhead grenadier	<i>Macrourus berglax</i>	RHG

▼B

Common English name	Scientific Name	3-Alpha Code
Sandeels (= Sand Lances)	<i>Ammodytes</i> sp.	SAN
Sculpins	<i>Myoxocephalus</i> sp.	SCU
Scup	<i>Stenotomus chrysops</i>	SCP
Tautog	<i>Tautoga onitis</i>	TAU
Tilefish	<i>Lopholatilus chamaeleonticeps</i>	TIL
White hake (*)	<i>Urophycis tenuis</i>	HKW
Wolfishes (NS)	<i>Anarhicas</i> sp.	CAT
Atlantic wolffish	<i>Anarhichas lupus</i>	CAA
Spotted wolffish	<i>Anarhichas minor</i>	CAS
Groundfish (NS)		GRO
Pelagics		
Atlantic herring	<i>Clupea harengus</i>	HER
Atlantic mackerel	<i>Scomber scombrus</i>	MAC
Atlantic butterfish	<i>Peprilus triacanthus</i>	BUT
Atlantic menhaden	<i>Brevoortia tyrannus</i>	MHA
Atlantic saury	<i>Scomberesox saurus</i>	SAU
Bay anchovy	<i>Anchoa mitchilli</i>	ANB
Bluefish	<i>Pomatomus saltatrix</i>	BLU
Crevalle jack	<i>Caranx hippos</i>	CVJ
Frigate tuna	<i>Auxis thazard</i>	FRI
King mackerel	<i>Scomberomourus cavalla</i>	KGM
Atlantic Spanish mackerel	<i>Scomberomourus maculatus</i>	SSM
Sailfish	<i>Istiophorus platypterus</i>	SAI
White marlin	<i>Tetrapturus albidus</i>	WHM
Blue marlin	<i>Makaira nigricans</i>	BUM
Swordfish	<i>Xiphias gladius</i>	SWO
Albacore tuna	<i>Thunnus alalunga</i>	ALB
Atlantic bonito	<i>Sarda sarda</i>	BON
Little tunny	<i>Euthynnus alletteratus</i>	LTA
Bigeye tunny	<i>Thunnus obesus</i>	BET
Northern bluefin tuna	<i>Thunnus thynnus</i>	BFT
Skipjack tuna	<i>Katsuwonus pelamis</i>	SKJ
Yellowfin tuna	<i>Thunnus albacares</i>	YFT
Tunas (NS)	Scombridae	TUN
Pelagic fish (NS)		PEL
Invertebrates		
Long-finned squid (<i>Loligo</i>)	<i>Loligo pealei</i>	SQL
Short-finned squid (<i>Illex</i>)	<i>Illex illecebrosus</i>	SQI
Squids (NS)	Loliginidae, Ommastrephidae	SQU
Atlantic razor clam	<i>Ensis directus</i>	CLR
Hard clam	<i>Mercenaria mercenaria</i>	CLH

▼B

Common English name	Scientific Name	3-Alpha Code
Ocean quahog	<i>Arctica islandica</i>	CLQ
Soft clam	<i>Mya arenaria</i>	CLS
Surf clam	<i>Spisula solidissima</i>	CLB
Stimpson's surf clam	<i>Spisula polynyma</i>	CLT
Clams (NS)	Prionodesmacea, Teleodesmacea	CLX
Bay scallop	<i>Argopecten irradians</i>	SCB
Calico scallop	<i>Argopecten gibbus</i>	SCC
Iceland scallop	<i>Chlamys islandica</i>	ISC
Sea scallop	<i>Placopecten magellanicus</i>	SCA
Scallops (NS)	Pectinidae	SCX
American cupped oyster	<i>Crassostrea virginica</i>	OYA
Blue mussel	<i>Mytilus edulis</i>	MUS
Whelks (NS)	<i>Busycon</i> sp.	WHX
Periwinkles (NS)	<i>Littorina</i> sp.	PER
Marine molluscs (NS)	Mollusca	MOL
Atlantic rock crab	<i>Cancer irroratus</i>	CRK
Blue crab	<i>Callinectes sapidus</i>	CRB
Green crab	<i>Carcinus maenas</i>	CRG
Jonah crab	<i>Cancer borealis</i>	CRJ
Queen crab	<i>Chionoecetes opilio</i>	CRQ
Red crab	<i>Geryon quinque-dens</i>	CRR
Stone king crab	<i>Lithodes maia</i>	KCT
Marine crabs (NS)	Reptantia	CRA
American lobster	<i>Homarus americanus</i>	LBA
Northern prawn	<i>Pandalus borealis</i>	PRA
Aesop shrimp	<i>Pandalus montagui</i>	AES
Penaeus shrimps (NS)	<i>Penaeus</i> sp.	PEN
Pink (= Pandalid) shrimps	<i>Pandalus</i> sp.	PAN
Marine crustaceans (NS)	Crustacea	CRU
Sea-urchin	<i>Strongylocentrotus</i> sp.	URC
Marine worms (NS)	<i>Polychaeta</i>	WOR
Horseshoe crab	<i>Limulus polyphemus</i>	HSC
Marine invertebrates (NS)	Invertebrata	INV
Other fish		
Alewife	<i>Alosa pseudoharengus</i>	ALE
Amberjacks	<i>Seriola</i> sp.	AMX
American conger	<i>Conger oceanicus</i>	COA
American eel	<i>Anguilla rostrata</i>	ELA
Atlantic hagfish	<i>Myxine glutinosa</i>	MYG
American shad	<i>Alosa sapidissima</i>	SHA
Argentines (NS)	<i>Argentina</i> sp.	ARG

▼B

Common English name	Scientific Name	3-Alpha Code
Atlantic croaker	<i>Micropogonias undulatus</i>	CKA
Atlantic needlefish	<i>Strongylura marina</i>	NFA
Atlantic salmon	<i>Salmo salar</i>	SAL
Atlantic silverside	<i>Menidia menidia</i>	SSA
Atlantic thread herring	<i>Opisthonema oglinum</i>	THA
Barid's slickhead	<i>Alepocephalus bairdii</i>	ALC
Black drum	<i>Pogonias cromis</i>	BDM
Black seabass	<i>Centropristis striata</i>	BSB
Blueback herring	<i>Alosa aestivalis</i>	BBH
Capelin	<i>Mallotus villosus</i>	CAP
Chars (NS)	<i>Salvelinus sp.</i>	CHR
Cobia	<i>Rachycentron canadum</i>	CBA
Common (Florida) pompano	<i>Trachinotus carolinus</i>	POM
Gizzard shad	<i>Dorosoma cepedianum</i>	SHG
Grunts (NS)	<i>Pomadasyidae</i>	GRX
Hickory shad	<i>Alosa mediocris</i>	SHH
Lanternfish	<i>Notoscopelus sp.</i>	LAX
Mulletts (NS)	<i>Mugilidae</i>	MUL
North Atlantic harvestfish	<i>Pepilus alepidotus (= paru)</i>	HVF
Pigfish	<i>Orthopristis chrysoptera</i>	PIG
Rainbow smelt	<i>Osmerus mordax</i>	SMR
Red drum	<i>Sciaenops ocellatus</i>	RDM
Red porgy	<i>Pagrus pagrus</i>	RPG
Rough scad	<i>Trachurus lathami</i>	RSC
Sand perch	<i>Diplectrum formosum</i>	PES
Sheepshead	<i>Archosargus probatocephalus</i>	SPH
Spot croaker	<i>Leiostomus xanthurus</i>	SPT
Spotted weakfish	<i>Cynoscion nebulosus</i>	SWF
Squeteague (Gray Weakfish)	<i>Cynoscion regalis</i>	STG
Striped bass	<i>Morone saxatilis</i>	STB
Sturgeons (NS)	<i>Acipenseridae</i>	STU
Tarpon	<i>Tarpon (= megalops) atlanticus</i>	TAR
Trouts (NS)	<i>Salmo sp.</i>	TRO
White perch	<i>Morone americana</i>	PEW
Alfonsinos (NS)	<i>Beryx sp.</i>	ALF
Spiny (= picked) dogfish	<i>Squalus acantias</i>	DGS
Dogfishes (NS)	<i>Squalidae</i>	DGX
Sand Tiger shark	<i>Odontaspis taurus</i>	CCT
Porbeagle	<i>Lamna nasus</i>	POR
Shortfin mako shark	<i>Isurus oxyrinchus</i>	SMA

▼B

Common English name	Scientific Name	3-Alpha Code
Dusky shark	<i>Carcharhinus obscurus</i>	DUS
Great Blue shark	<i>Prionace glauca</i>	BSH
Large sharks (NS)	<i>Squaliformes</i>	SHX
Atlantic Sharpnose shark	<i>Rhizoprionodon terraenova</i>	RHT
Black Dogfish	<i>Centroscyllium fabricii</i>	CFB
Boreal (Greenland) shark	<i>Somniosus microcephalus</i>	GSK
Basking shark	<i>Cetorhinus maximus</i>	BSK
Skates (NS)	<i>Raja sp.</i>	SKA
Little skate	<i>Leucoraja erinacea</i>	RJD
Arctic skate	<i>Amblyraja hyperborea</i>	RJG
Barndoor skate	<i>Dipturus laevis</i>	RJL
Winter skate	<i>Leucoraja ocellata</i>	RJT
Thorny skate (Starry Ray)	<i>Amblyraja radiata</i>	RJR
Smooth skate	<i>Malcoraja senta</i>	RJS
Spinytail skate (Spinetail Ray)	<i>Bathyraja spinicauda</i>	RJO
Finfishes (NS)		FIN

(*) In accordance with a recommendation adopted by STACRES at the 1970 Annual Meeting (ICNAF Redbook 1970, Part 1, Page 67), hakes of the Genus *Urophycis* are designated as follows for statistical reporting: (a) hake reported from Sub-Areas 1, 2, and 3, and Divisions 4R, S, T and V be designated as white hake, *Urophycis tenuis*; (b) hake taken by line gears or any hake greater than 55 cm standard length, regardless of how caught, from Divisions 4W and X, Sub-Area 5 and Statistical Area 6 be designated as white hake, *Urophycis tenuis*; (c) Except as noted in (b), other hake of the Genus *Urophycis* taken in Divisions 4W and X, Sub-Area 5 and Statistical Area 6 be designated as red hake, *Urophycis chuss*.

▼ M1

ANNEX II

The list that follows is a list of stocks that need to be reported in accordance with Article 22.

ANG/N3NO	<i>Lophius americanus</i>	American angler
CAA/N3LMN	<i>Anarhichas lupus</i>	Atlantic wolffish
CAP/N3LM	<i>Mallotus villosus</i>	Capelin
CAT/N3LMN	<i>Anarhichas</i> spp.	Catfishes (Wolffishes) nei
HAD/N3LNO	<i>Melanogrammus aeglefinus</i>	Haddock
HAL/N23KL	<i>Hippoglossus hippoglossus</i>	Atlantic halibut
HAL/N3M	<i>Hippoglossus hippoglossus</i>	Atlantic halibut
HAL/N3NO	<i>Hippoglossus hippoglossus</i>	Atlantic halibut
HER/N3L	<i>Clupea harengus</i>	Herring
HKR/N2J3KL	<i>Urophycis chuss</i>	Red hake
HKR/N3MNO	<i>Urophycis chuss</i>	Red hake
HKS/N3LMNO	<i>Merluccius bilinearis</i>	Silver hake
RNG/N23	<i>Coryphaenoides rupestris</i>	Roundnose grenadier
HKW/N2J3KL	<i>Urophycis tenuis</i>	White hake
POK/N3O	<i>Pollachius virens</i>	Pollock (= Saithe)
PRA/N3M	<i>Pandalus borealis</i>	Northern prawn
RHG/N23	<i>Macrourus berglax</i>	Roughhead grenadier
SKA/N2J3K	<i>Raja</i> spp.	Skates
SKA/N3M	<i>Raja</i> spp.	Skates
SQI/N56	<i>Illex illecebrosus</i>	Short-fin squid
VFF/N3LMN	—	Fishes unsorted, unidentified
WIT/N3M	<i>Glyptocephalus cynoglossus</i>	Witch flounder
YEL/N3M	<i>Limanda ferruginea</i>	Yellow-tail flounder

▼B*ANNEX III***MINIMUM FISH SIZE ⁽¹⁾**

Species	Gilled and gutted fish whether or not skinned; fresh or chilled, frozen, or salted			
	Whole	Head off	Head and tail off	Head off and split
Atlantic cod	41 cm	27 cm	22 cm	27/25 cm ⁽¹⁾
Greenland halibut	30 cm	N/A	N/A	N/A
American plaice	25 cm	19 cm	15 cm	N/A
Yellowtail flounder	25 cm	19 cm	15 cm	N/A

⁽¹⁾ Lower size for green salted fish.⁽¹⁾ Fish size refers to fork length for Atlantic cod, whole length for other species.



ANNEX IV

RECORDING OF CATCH (LOGBOOK ENTRIES)

FISHING LOGBOOK ENTRIES

<i>Item of information</i>		<i>Standard Code</i>
Vessel name		01
Vessel nationality		02
Vessel registration number		03
Registration port		04
Types of gear used (separate record for different gear types)		10
Type of gear	Date — day	20
— month,		21
— year,		22
Position — latitude		31
— longitude,		32
— statistical area,		33
(*) Number of hauls during the 24-hour period		40
(*) Number of hours gear fished during the 24-hour period		41
Species names (Annex II)		
Daily catch of each species (metric tons round fresh weight)		50
Daily catch of each species for human consumption in the form of fish		61
Daily catch of each species for reduction		62
Daily discard of each species		63
Place(s) of transshipment		70
Date(s) of transshipment		71
Master's signature		80

(*) When two or more types of gear are used in the same 24-hour period, records should be separate for the different types.

Gear codes

Gear categories	Standard abbreviation code
<i>SURROUNDING NETS</i>	
With purse lines (purse seines)	PS
One boat operated purse seines	PS1
Two boat operated purse seines	PS2
Without purse lines (lampara)	LA
<i>SEINE NETS</i>	
Boat or vessel seines	SV
Danish seines	SDN
Scottish seines	SSC
Pair seines	SPR

▼ B

Gear categories	Standard abbreviation code
Seine nets (not specified)	SX
<i>TRAWLS</i>	
Pots	FPO
Bottom trawls	
Beam trawls	TBB
Otter trawls ⁽¹⁾	OTB
Pair trawls	PTB
Nephrops trawls	TBN
Shrimp trawls	TBS
Bottom trawls (not specified)	TB
Midwater trawls	
Otter trawls	OTM
Pair trawls	PTM
Shrimp trawls	TMS
Midwater trawls (not specified)	TM
Otter twin trawls	OTT
Otter trawls (not specified)	OT
Pair trawls (not specified)	PT
Other trawls (not specified)	TX
<i>DREDGES</i>	
Boat dredges	DRB
Hand dredges	DRH
<i>LIFT NETS</i>	
Portable lift nets	LNP
Boat operated lift nets	LNB
Shore operated stationary lift nets	LNS
Lift nets (not specified)	LN
<i>FALLING GEAR</i>	
Cast nets	FCN
Falling gear (not specified)	FG
<i>GILLNETS AND ENTANGLING NETS</i>	
Set gillnets (anchored)	GNS
Drift nets	GND
Encircling gillnets	GNC
Fixed gillnets (on stakes)	GNF
Trammel nets	GTR
Combined gillnets-Trammel nets	GTN
Gillnets and entangling nets (not specified)	GEN
Gillnets (not specified)	GN

▼ **B**

Gear categories	Standard abbreviation code
TRAPS	
Stationary uncovered pound-nets	FPN
Fyke nets	FYK
Stow nets	FSN
Barriers, fences, weirs, etc.	FWR
Aerial traps	FAR
Traps (not specified)	FIX
HOOKS AND LINES	
Hand-lines and pole-lines (hand operated) ⁽²⁾	LHP
Hand-lines and pole-lines (mechanised)	LHM
Set lines (longlines set)	LLS
Drifting longlines	LLD
Longlines (not specified)	LL
Trolling lines	LTL
Hooks and lines (not specified) ⁽³⁾	LX
GRAPPLING AND WOUNDING	
Harpoons	HAR
HARVESTING MACHINES	
Pumps	HMP
Mechanised dredges	HMD
Harvesting machines (not specified)	HMX
MISCELLANEOUS GEAR ⁽⁴⁾	MIS
RECREATIONAL FISHING GEAR	RG
GEAR NOT KNOWN OR NOT SPECIFIED	NK

⁽¹⁾ Fisheries agencies may indicate side and stern bottom and side and stern midwater trawls, as OTB-1 and OTB-2, and OTM-1 and OTM-2, respectively.

⁽²⁾ Including jigging lines.

⁽³⁾ Code LDV for dory operated line gears will be maintained for historical data purposes.

⁽⁴⁾ This item includes: hand and landing nets, drive-in-nets, gathering by hand with simple hand implements with or without diving equipment, poisons and explosives, trained animals, electrical fishing.

Fishing vessel codes

1. Main vessel types

FAO Code	Type of vessel
BO	Protection vessel
CO	Fish training vessel
DB	Dredger non continuous
DM	Dredger continuous
DO	Beamer
DO	Dredger NEI
FO	Fish carrier
FX	Fishing vessel NEI

▼B

FAO Code	Type of vessel
GO	Gill netter
HOX	Mother ship NEI
HSF	Factory mother ship
KO	Hospital ship
LH	Hand liner
LL	Long liner
LO	Liner
LP	Pole and line vessel
LT	Troller
MO	Multipurpose vessels
MSN	Seiner hand liner
MTG	Trawler drifter
MTS	Trawler purse seiner
NB	Lift netter tender
NO	Lift netter
NOX	Lift netter NEI
PO	Vessel using pumps
SN	Seine netter
SO	Seiner
SOX	Seiner NEI
SP	Purse seiner
SPE	Purse seiner european
SPT	Tuna purse seiner
TO	Trawler
TOX	Trawlers NEI
TS	Side trawler
TSF	Side trawler freezer
TSW	Side trawler wetfish
TT	Stern trawler
TTF	Stern trawler freezer
TTP	Stern trawler factory
TU	Outrigger trawlers
WO	Trap setter
WOP	Pot vessels
WOX	Trap setters NEI
ZO	Fish research vessel
DRN	Drifnetter

NEI = Not elsewhere identified

▼B2. *Main vessel activities*

ALFA Code	Category
ANC	Anchoring
DRI	Drifting
FIS	Fishing
HAU	Hauling
PRO	Processing
STE	Steaming
TRX	Transshipping on or off loading
OTH	Others — to be specified

▼B

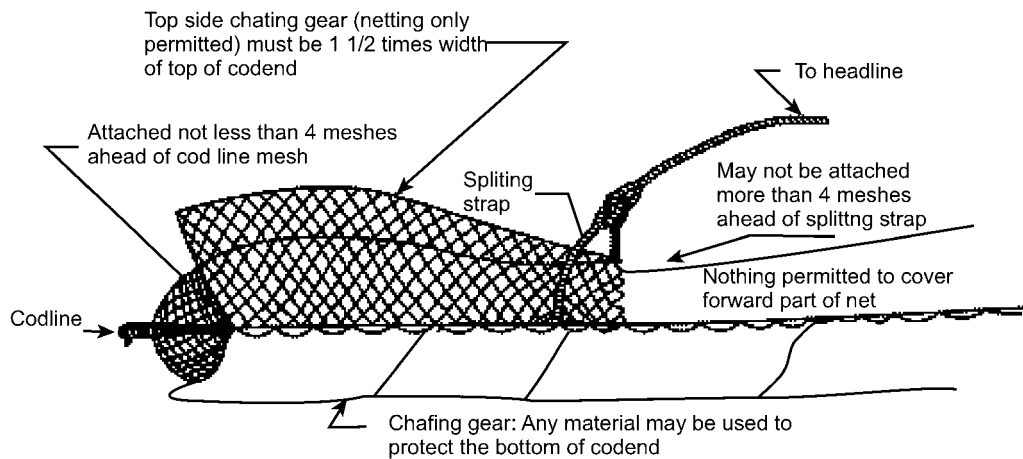
ANNEX V

AUTHORISED TOPSIDE CHAFERS

1. ICNAF-type topside chafer

The ICNAF-type topside chafer is a rectangular piece of netting to be attached to the upper side of the codend of the trawl net to reduce and prevent damage so long as such netting conforms to the following conditions:

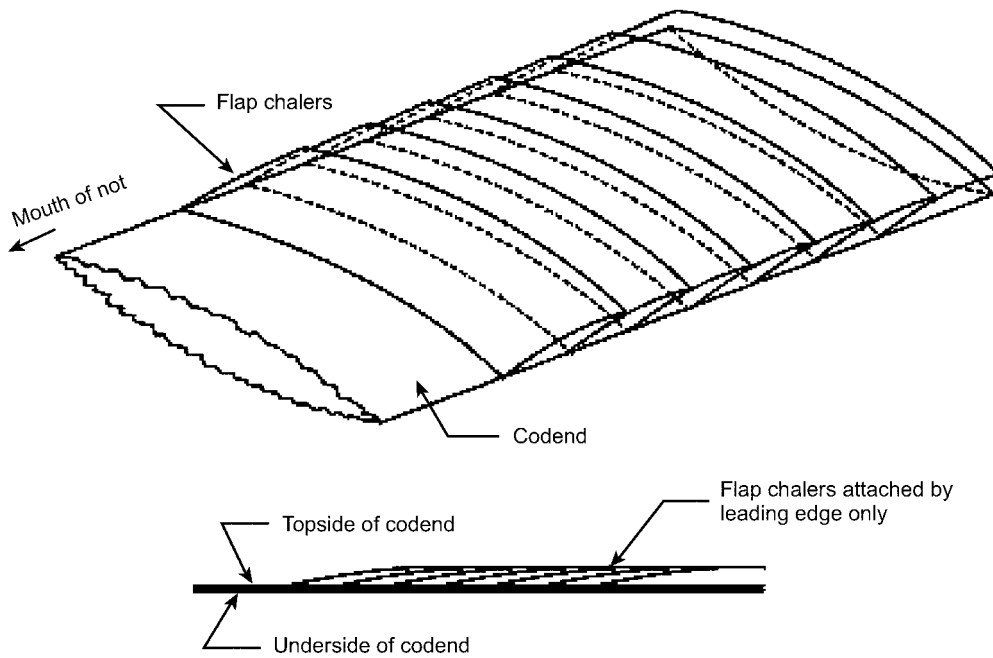
- (a) this netting shall have a mesh size not less than that specified for the codend in Article 5;
- (b) this netting may be fastened to the codend only along the forward and lateral edges of the netting and at no other place in it, and shall be fastened in such a manner that it extends forward of the splitting strap no more than four meshes and ends not less than four meshes in front of the cod line mesh; where a splitting strap is not used, the netting shall not extend to more than one-third of the codend measured from not less than four meshes in front of the cod line mesh;
- (c) the width of this netting shall be at least one and a half times the width of the Area of the codend which is covered, such widths to be measured at right angles to the long axis of the codend.



▼ B**2. Multiple flap-type topside chafer**

The multiple flap-type topside chafer is defined as pieces of netting having in all their parts meshes the size of which, whether the pieces of netting are wet or dry, is not less than that of the codend, provided that:

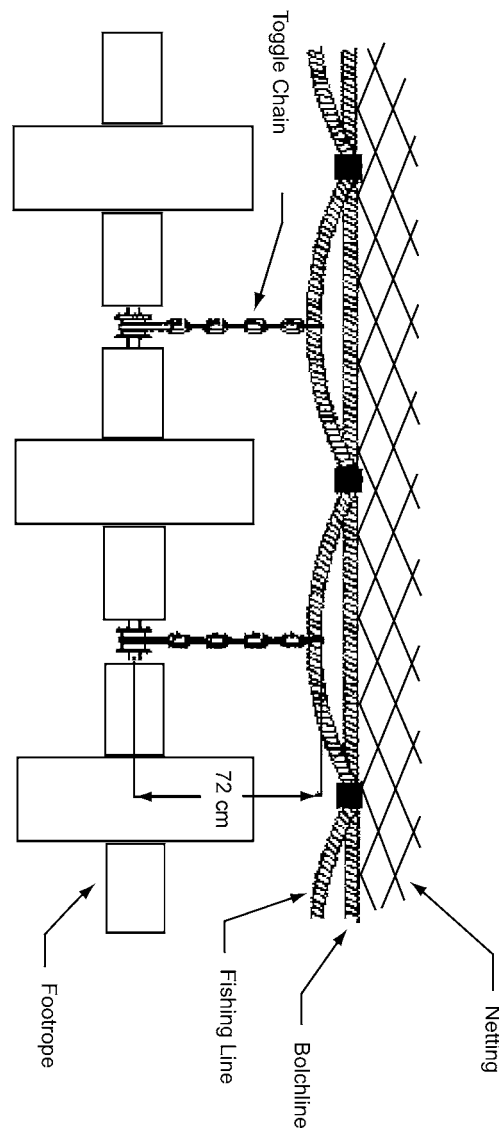
- (i) each piece of netting
 - (a) is fastened by its forward edge only across the codend at right angles to its long axis;
 - (b) is of a width of at least the width of the codend (such width being measured at right angles to the long axis of the codend at the point of attachment); and
 - (c) is not more than 10 meshes long; and
- (ii) the aggregate length of all the pieces of netting so attached does not exceed two-thirds of the length of the codend.

**▼ M2**

▼B*ANNEX VI***SHRIMP TRAWL TOGGLE CHAINS: NAFO Area**

Toggle chains are chains, ropes, or a combination of both, which attach the footrope to the fishing line or bolchline at varying intervals. The terms 'fishing line' and 'bolchline' are interchangeable. Some vessels use one line only; others use both a fishing line and a bolchline as shown in the sketch. The toggle chain length shall be measured from the centre of the chain or wire running through the footrope (centre of footrope) to the underside of the fishing line.

The attached sketch shows how to measure the toggle chain length.





ANNEX VII

FORMAT FOR THE COMMUNICATION OF CATCHES AND REPORTS BY FISHING VESSELS

1. 'Catch on entry' report

Data element:	Field code	Mandatory/ Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
From	FR	M	Name of transmitting party
Address	AD	M	Message detail; destination, 'XNW' for NAFO
Sequence number	SQ	M	Message detail; serial number in current year
Type of message	TM	M	Message detail; message type, 'COE' as entry report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	NA	O	Vessel registration detail; name of the vessel
Master name	MA	M	Name of the master of vessel
External registration number	XR	O	Vessel registration detail; the side number of the vessel.
Latitude	LA	M	Activity detail; position at time of transmission
Longitude	LO	M	Activity detail; position at time of transmission
Relevant area	RA	M	NAFO Division into which the vessel is about to enter
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
On board	OB	M	Total round weight of fish by species (3-alpha code) on board upon entry into the NAFO Regulatory Area in kilograms rounded to the nearest 100 kilograms. Allow several pairs of fields, consisting of species + 9 weight, with each field separated by a space, e.g.//OB/species weight species weight species weight//
Directed species	DS	M	Directed species. Allow several species to be entered with the value separated by spaces, e.g.//DS/species species species//
End of record	ER	M	System detail; indicates end of the record

2. 'Entry' report

Data element:	Field code	Mandatory/ Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
From	FR	M	Name of transmitting Party
Address	AD	M	Message detail; destination, 'XNW' for NAFO
Sequence number	SQ	M	Message detail; serial number in current year
Type of message	TM	M	Message detail; message type, 'ENT' as Entry report

▼B

Data element:	Field code	Mandatory/ Optional	Remarks:
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	NA	O	Vessel registration detail; name of the vessel
External registration number	XR	O	Vessel registration detail; the side number of the vessel.
Latitude	LA	M	Activity detail; position at time of transmission
Longitude	LO	M	Activity detail; position at time of transmission
Relevant area	RA	M	NAFO Division into which the vessel has entered
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

▼M1**3. 'Catch' report**

Data element	Field code	Mandatory/ optional	Remarks
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, 'XNW' for NAFO
From	FR	M	Name of transmitting party
Sequence number	SQ	M	Message detail; message serial number in current year
Type of message	TM	M	Message detail; message type, 'CAT' as catch report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 flag state code followed by number
External registration number	XR	O	Vessel registration detail; the side number of the vessel
Relevant area	RA	M	NAFO Division into which the vessel has entered
Latitude	LA	M (!)	Activity detail; position at time of transmission
Longitude	LO	M (!)	Activity detail; position at time of transmission

▼ **M1**

Data element	Field code	Mandatory/ optional	Remarks
Catches	CA		Activity detail; cumulative catch by species retained on board, either since commencement of fishing in RA or last 'Catch' report, in pairs as needed.
Species		M	FAO species code
Live weight		M	Live weight in kilograms, rounded to the nearest 100 kilograms
Days fished	DF	M	Activity detail; number of fishing days in the NAFO Regulatory area since commencement of fishing or last 'Catch' report
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

(¹) Optional if a vessel is subject to satellite tracking.

▼ **B**

4. 'Transshipment' report

Data element:	Field code:	Mandatory/ Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
From	FR	M	Name of transmitting Party
Address	AD	M	Message detail; destination, 'XNW' for NAFO
Sequence number	SQ	M	Message detail; message serial number in current year
Type of message	TM	M	Message detail; message type, 'TRA' as Transshipment report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	NA	O	Vessel registration detail; name of the vessel
Name of master	MA	O	Name of master of vessel
External registration number	XR	O	Vessel registration detail; the side number of the vessel
Quantity on-loaded or off-loaded	KG		Quantity by species on-loaded or off-loaded in the R.A., in pairs as needed.
Species		M	FAO species code
Live weight		M	live weight in kilograms, rounded to the nearest 100 kilograms,
Transhipped to	TT	M (¹)	Vessel registration detail; international radio call sign of the receiving vessel
Transhipped from	TF	M (¹)	Vessel registration detail; international radio call sign of the donor vessel

▼ **B**

Data element:	Field code:	Mandatory/Optional:	Remarks:
Latitude	LA	M ⁽²⁾	Activity detail; estimated latitude where the master intends to do the transhipment
Longitude	LO	M ⁽²⁾	Activity detail; estimated longitude where the master intends to do the transhipment
<i>Predicted date</i>	<i>PD</i>	<i>M</i> ⁽²⁾	<i>Activity detail; estimated date UTC when the master intends to do the transhipment (YYYYMMDD)</i>
<i>Predicted time</i>	<i>PT</i>	<i>M</i> ⁽²⁾	<i>Activity detail; estimated time UTC when the master intends to do the transhipment (HHMM)</i>
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

(¹) Whichever one is appropriate.

(²) Optional for reports sent by the receiving vessel after the transhipment.

5. 'Catch on exit' report

Data element	Field code	Mandatory/Optional:	Remarks:
Start record	<i>SR</i>	M	System detail; indicates start of record
Address	<i>AD</i>	M	Message detail; destination, 'XNW' for NAFO
From	<i>FR</i>	M	Name of transmitting party
Sequence number	<i>SQ</i>	M	Message detail; message serial number in current year
Type of message	<i>TM</i>	M	Message detail; 'COX' as exit report
Radio call sign	<i>RC</i>	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	<i>NA</i>	O	Vessel registration detail; name of the vessel
Master name	<i>MA</i>	M	Name of master of vessel
External registration number	<i>XR</i>	O	Vessel registration detail; the side number of the vessel
Latitude	<i>LA</i>	M	Activity detail; position at time of transmission
Longitude	<i>LO</i>	M	Activity detail; position at time of transmission
Relevant area	<i>RA</i>	M	NAFO Area from which the vessel is about to exit
Catch	<i>CA</i>		Activity detail; Cumulative catch retained on board by species, either since commencement of fishing in the R.A. or last 'Catch' report, in pairs as needed.
Species		M	FAO species code
Live weight		M	live weight in kilograms, rounded to the nearest 100 kilograms

▼ B

Data element	Field code	Mandatory/ Optional	Remarks:
Days fished	DF	M	Activity detail; number of fishing days in the NAFO Regulatory Area either since commencement of fishing or last 'Catch' report
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

6. 'Exit' report

Data element	Field code	Mandatory/ Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, 'XNW' for NAFO
From	FR	M	Name of transmitting party
Sequence number	SQ	M	Message detail; message serial number in current year
Type of message	TM	M	Message detail; 'EXI' as exit report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	NA	O	Vessel registration detail; name of the vessel
Master name	MA	M	Name of master of vessel
External registration number	XR	O	Vessel registration detail; the side number of the vessel
Latitude	LA	M	Activity detail; position at time of transmission
Longitude	LO	M	Activity detail; position at time of transmission
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

7. 'Port of landing' report

Data element:	Field code:	Mandatory/ Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
From	FR	M	Name of transmitting Party
Address	AD	M	Message detail; destination 'XNW' for NAFO

▼ **B**

Data element:	Field code:	Mandatory/Optional	Remarks:
Sequence number	SQ	M	Message detail; serial number of the report from the vessel in the relevant year
Type of message	TM	M	Message detail; message type, 'POR'
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	NA	O	Vessel registration detail; name of the vessel
Name of master	MA	O	Name of master of vessel
External registration number	XR	O	Vessel registration detail; the side number of the vessel
7.1. <i>Latitude</i>	LA	M ⁽¹⁾	Activity detail; position at time of transmission
Longitude	LO	M ⁽¹⁾	Activity detail; position at time of transmission
Coastal State	CS	M	Activity detail; coastal State of port of landing
Name of port	PO	M	Activity detail; name of port of landing
Predicted date	PD	M	Activity detail; estimated date UTC when the master intends to be in port (YYYYMMDD)
Predicted time	PT	M	Activity detail; estimated time UTC when the master intends to be in port (HHMM)
Quantity to be landed	KG	M	Activity detail; quantity by species to be landed in the port, in pairs as needed.
Species			FAO species code
Live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Quantity on board	OB	M	Activity detail; quantity by species on board, in pairs as needed
species			FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Date	DA	M	Message detail; UTC date of transmission
Time	TI	M	Message detail; UTC time of transmission
End of record	ER	M	System detail; indicates end of the record

⁽¹⁾ Optional if a vessel is subject to satellite tracking.

▼ B

ANNEX VIII

OBSERVER SUMMARY REPORT

FISHING OPERATION REPORT LOCAL TIME ZT +

1. Serial No Date Time Observer's name
 Vessel Registration No Nationality

2. Type of gear No of haul Mesh size mm
 No of hooks
 No of gill nets of m
 Attachments to nets Mesh size of attachments mm

3. Position N W Depth M Fishing time
 NAFO Division

Chance of NAFO division Position N W Time UTC
 yes no

Hail report transmitted Code Area
 yes no

Via Radio DTG UTC

Does the actual position correspond with the latest transmitted hail report

 yes no

▼ B

5. Undersized fish observed Species
 yes no Amount in kg
 in %
- Discards of undersized fish Amount in kg
 yes no
6. Other discards Species
 yes no Amount in kg
7. Other observations

8. Date Signature

▼B

ANNEX IX

Report of inspection

REPORT OF INSPECTION

THE NORTHWEST ATLANTIC FISHERIES ORGANISATION

(Inspector: Please use CAPITAL BLOCK LETTERS)

AUTHORISED INSPECTOR(S)

1. NAME(s) CONTRACTING PARTY
 2. Name and Identifying letters and/or Number of Vessel Carrying Inspector(s)
-

IIINFORMATION ON VESSEL INSPECTED

3. Contracting party and port of registry
4. Vessel's name and registration number
5. Master's name
6. Owner's name and address
7. Position as determined by inspecting vessel's master at UTC; Lat Long
8. Position as determined by fishing vessel's master at UTC; Lat Long

DATE AND TIMES THE INSPECTION COMMENCED AND FINISHED

9. Date Time arrived on board UTC-Time of departure UTC

MESH MEASUREMENT – IN MILLIMETRES

10. Type of net
Codend (inclusive of lengthener(s), if any) – Samples of 20 meshes 100 mm +

	Width (mesh size)	Average width	Legal size																					
1st Net	<table border="1" style="width: 100%; height: 15px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																							
2nd Net	<table border="1" style="width: 100%; height: 15px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																							

Chafer – Samples of meshes

1st Net	<table border="1" style="width: 100%; height: 15px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																						
2nd Net	<table border="1" style="width: 100%; height: 15px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																						

Rest of Net – Samples of 20 meshes

1st Net	<table border="1" style="width: 100%; height: 15px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																						
2nd Net	<table border="1" style="width: 100%; height: 15px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																						

11. Have the records of catches been retained aboard for the duration of the quota period?

YES/NO

Result of inspection of fish on board

▼ B

12. Result of inspection of fish observed in last tow (if appropriate)

TOTAL TONNES	ALL SPECIES TAKEN	PERCENTAGE OF EACH

13. Result of inspection of catches on board

FISH SPECIES WITH 3-ALPHA CODE	INSPECTORS ESTIMATE (TONNES)

Inspectors comments on how estimates were calculated:

.....

14. Summary of catches from logbooks for current fishing trip(1)/quota period (2):

DATE OF ENTRY INTO NAFO REGULATORY AREA	DIVISION	FISH SPECIES WITH 3-ALPHA CODE	CATCH (METRIC TONNES)	HOW PROCESSED	DISCARDS

15.

Nature of infringement:
 Signature of inspector:.....
 Signature of master:

COMMENTS AND OBSERVATIONS

16. Documents inspected following an infringement

17. Comments: (In the case of a difference between the inspector's estimates of the catches on board and the related summaries of catches from the logbooks, note this difference with the percentage)

.....

▼ B

- 18. Subjects of photographs taken relating to an infringement
.....
.....
- 19. Other comments, statements and/or observations by Inspector(s)
.....
.....
- 20. Statements of second inspector or witness
.....
.....
- 21. Name and signature of second inspector or witness
- 22. Signature of inspector in charge
- 23. Statement of master's witness(es)
.....
.....
- 24. Name and signature of master's witness(es)
- 25. Acknowledgement and receipt of report:

I, the undersigned, master of the vessel....., hereby confirm that a copy of this report and second photographs taken have been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of the report.

Date Signature.....
- 26. Comments and signature by the master of vessel
.....
.....
.....
.....

COPY TO MASTER, ORIGINAL TO BE RETAINED BY INSPECTOR FOR REQUIRED DISTRIBUTION

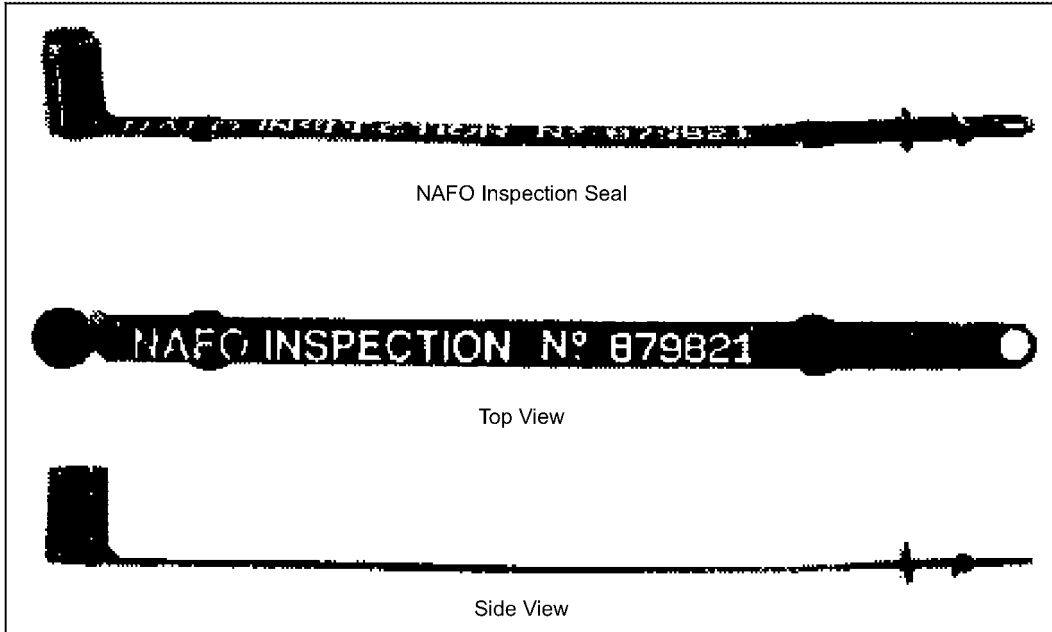
- 27. The forms for the report of inspection shall be collated in a booklet with each page having an original and two self-carbon copies (preferably coloured and preferably one yellow and one green).
- 28. Page packets are to be perforated at the top and bottom of the page for easy removal.
- 29. Items 1 through 8 and item 18 of the Report are to be highlighted with red ink.
- 30. Booklets should be bound preferably with 20 complete sets of the three-page report.

The size of every page, after removal from the packet, should be 355,5 mm (14") in length by 216 mm (8½") in width.

▼B

ANNEX X

NAFO Inspection Seal



The NAFO Inspection Seal shall be as follows:

- Name LOB TAG
- Mark ‘NAFO Inspection No of six digits’
- Material polyethylene recyclable
- Colour orange
- Melt index 6,70 + 0,60 (by international standard)
- Density 953 + 0,003 (by international standard)
- Breaking point (load) min. 45 kg (t° 20 °C)

▼B

PART II

(to be completed by the inspector not less than 72 hours following
the observation recorded in Part I)

(NOT APPLICABLE TO NON-CONTRACTING PARTIES)

I hereby certify that to date, in respect of the fishing vessel.....
information received by the authorities from the competent authorities of
the Contracting Party pursuant to Articles 21 and 22 of the Conservation and Enforcement Measures of NAFO,
does not correspond with the observation recorded in Part I of this report.

Authorised Inspector:

Signature:

▼ **M2**

B 3. INFORMATION ABOUT LANDINGS AUTHORISED WITHOUT CONFIRMATION FROM THE FLAG STATE							
Name of storage, name of competent authorities, deadline for receiving confirmation, ref. NEAFC art. 23,2/NAFO art. 45,6							
B 4. FISH RETAINED ON BOARD							
Species ⁽³⁾	Product ⁽⁴⁾	Area of catch	Product weight in kg	Conversion factor	Live weight kg	Diff. (kg) between product weight on board and PSC 1/2	Diff. (%) between product weight on board and PSC 1/2
1.1.1. C. GEAR INSPECTION IN PORT (NAFO only)							
C1. General data							
Number of gear inspected					Date gear inspection		
Has the vessel been cited?		Yes		No	If yes, complete the full "verification of inspection in port form". If no, complete the form with the exception of the NAFO Seal Details		
1.1.2. C2. Otter Trawl details							
NAFO Seal number					Is seal undamaged?		Yes <input type="checkbox"/> No <input type="checkbox"/>
Gear type							
Attachments							
Grate Bar Spacing mm.							
Mesh type							
Average mesh sizes (mm)							
Trawl part							
Wings							
Body							
Lenghtening Piece							
Codend							
D. OBSERVATIONS BY THE MASTER							
<p>I, the undersigned, Master of the vessel hereby confirm that a copy of this report have been delivered to me on this date. My signature does not constitute acceptance of any part of the contents of this report, except my own observations, if any.</p> <p>Signature: Date:</p>							

▼ **M2**

E. INFRINGEMENTS AND FOLLOW-UP			
E.1 Sea Inspection			
Infringements resulting from Inspections inside NAFO R.A.			
Inspection Party	Date of insp.	Division	NAFO CEM infringement legal reference
E.2 Port Inspection Infringements results			
(a) — Confirmation of Infringements found at sea inspection			
NAFO CEM infringement legal reference		National Infringement legal reference	
(b) — Infringements found at sea inspection and not possible to be confirmed during the Port Inspection.			
Comments:			
(c) — Additional infringements found during the Port Inspection			
NAFO CEM infringement legal reference		National Infringement legal reference	
Observations:			
F. DISTRIBUTION			
Copy to flag State	Copy to NEAFC Secretary	Copy to NAFO Executive Secretary	

⁽¹⁾ Fishing vessels not assigned an IMO number shall provide their external registration number.

⁽²⁾ In case where a vessel has engaged in transshipment operations, a separate form shall be used for each donor vessel.

⁽³⁾ FAO Species Codes — NEAFC Annex V — NAFO Annex II.

⁽⁴⁾ Product presentations — NEAFC Appendix 1 to Annex IV — NAFO Annex XX (C).

▼ **M1**



B. INFORMATION TO BE INSERTED IN THE REPORT

1. INSPECTION REFERENCES

Data element	M/O	Category; definition
Inspection authority	M	Inspection detail: Name of the inspection authority or of the alternate body nominated by the authority
Date	M	Inspection detail: Date the report is compiled
Port of inspection	M	Vessel activity detail: Place where the vessel is inspected: port followed by ISO-3 code of the country as "St Johns/CAN"
Vessel name	M	Vessel registration detail: name of the vessel

2. TRIP INFORMATION

Data element	M/O	Category; definition
Date trip started	M	Vessel activity details: date started the current fishing trip
Vessel trip number	O	Vessel activity details: Number of the fishing trip in current year
Date entry in the RA	M	Vessel activity details: Date the vessel entered the NRA for the current fishing trip
Date exit from the RA	M	Vessel activity details: Date the vessel exited from the NRA for the current fishing trip
Other areas visited	O	Vessel activity details: other area where vessel has been fishing during the current trip
Date trip ended	M	Vessel activity details: date ended the current fishing trip

3. VESSEL IDENTIFICATION

Data element	M/O	Category; definition
External identification number	M	Vessel registration details: Side number of the vessel
International radio call sign	M	Vessel registration details: International radio call sign of the vessel
Flag state	M	Vessel registration details: State where the vessel is registered, ISO-3 country code
NAFO Contracting Party	O ⁽¹⁾	Vessel registration detail: NAFO Contracting Party of the vessel, as ISO code of the country, EUR for European Community, NCP for Non-Contracting Party
Home port	O	Vessel registration details: Port of registration of the vessel or homeport
Vessel owner	M	Vessel registration details: Name and address of the vessel owner
Vessel operator	M ⁽²⁾	Vessel registration details: Responsible for using the vessel
Master name	O	Vessel activity details: Name of the master

⁽¹⁾ If different from the flag state.

⁽²⁾ If different from the flag state.If different from the vessel owner.



4. RESULT OF INSPECTION ON DISCHARGE

4.1. General information

Data element	M/O	Category; definition
Start date of discharge	M	Discharge detail: Date the vessel started discharge
End date of discharge	M	Discharge detail: Date the vessel finished discharge
Has vessel landed all catches on board?	M	Discharge detail: Has vessel landed all catches on board? "yes" or "no"
Comments	O	Discharge detail: Comments as necessary If discharge as not been completed, please give an estimation on catch still on board

4.2. Quantity discharged

Data element	M/O	Category; definition
Species	M	Discharge detail: FAO 3-alpha code (part V, schedule II, attachment II)
Presentation	M	Discharge detail: Product form
Live weight	M	Quantities determined from the logbook
Conversion factor	O	Product detail: Conversion factor as defined by the master for the corresponding species, size and presentation, optional if already mentioned in table B
Process weight	M	Discharge detail: Quantities landed by species and presentation, in kilograms of product, rounded to the nearest 10 kg
Equivalent live weight	M	Discharge detail: Quantities landed in equivalent live weight, as "product weight x conversion factor", in kilograms, rounded to the nearest 10 kg
Comments	O	Discharge details: Free text area

4.3. Quantities staying on board the vessel

Data element	M/O	Category; definition
Species	M	Discharge detail: FAO 3-alpha code (part V, schedule II, attachment II)
Presentation	M	Discharge detail: Product form
Conversion factor	O	Product detail: Conversion factor as defined by the master for the corresponding species, size and presentation, optional if already mentioned in table B
Process weight	M	Discharge detail: Quantities landed by species and presentation, in kilograms of product, rounded to the nearest 10 kg
Equivalent live weight	M	Discharge detail: Quantities landed in equivalent live weight, as "product weight x conversion factor", in kilograms, rounded to the nearest 10 kg
Comments	O	Discharge details: Free text area

5. RESULT OF GEAR INSPECTION ⁽⁶⁾

5.1. General information

Data element	M/O	Category; definition
Date of inspection	M	Inspection detail: Date of current gear inspection
Inspected gear	M	Inspection detail: Number of gear checked during port inspection

▼ **M1****5.2. Otter trawl details**

Data element	M/O	Category; definition
NAFO seal number	M	Inspection detail (if required): Number of the NAFO seal attached to the gear after inspection at sea
Is seal undamaged?	M	Whether NAFO inspection seal is intact: — “yes” or “no”
Gear type	M	International Standard Statistical Classification of the Fishing Gear, OTB for otter trawl
Attachments		Otter trawl detail: attachment to footrope
Grade bar spacing	M	Otter trawl detail: grade bar spacing in millimetres
Mesh type	M	Otter trawl detail: respectively mesh type: SQ for square mesh, DI for diamond mesh
Mesh size average	M	Otter trawl detail: average mesh size in the trawl part, by pair
Trawl part	M	Trawl part measured
Mesh size	M	Mesh size in millimetres

6. INFRINGEMENTS AND FOLLOW-UP**6.1. Sea inspection**

Data element	M/O	Category; definition
Inspectors team	M	Contracting Party name; Fishery patrol vessel name
Date of inspection	M	
Legal reference	M	Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement

6.2. Port inspection infringements results*(a) Confirmation of infringements found at sea inspection*

Data element	M/O	Category; definition
Identification of the NAFO infringement	M	Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement
Identification of the national infringement	O	Mention of the national reg. title Chapter; Article(s) paragraph(s) for each infringement

►⁽¹⁾ (c) *Additional infringements found during the port inspection* ◀

Data element	M/O	Category; definition
Identification of the NAFO infringement	M	Mention of the NAFO CEM Chapter; Article(s) paragraph(s) for each infringement
Identification of the national infringement	O	Mention of the national reg. title Chapter; Article(s) paragraph(s) for each infringement

⁽¹⁾ To be completed by the inspection authority or any alternate body nominated by the authorities as soon as the vessel land to port, based on logbook records.

⁽²⁾ Where applicable.

⁽³⁾ To be completed based on the licence information.

⁽⁴⁾ To be completed after completion of discharge.

⁽⁵⁾ Verification shall be done when non-compliance has been cited/observed during inspection at sea. To be completed when port inspection also concerns inspection of gears on board. A detail form shall be completed for every gear having been subject to port inspection.

⁽⁶⁾ Verification shall be done when non-compliance has been cited/observed during inspection at sea. To be completed when port inspection also concerns inspection of gear on board. A detail form shall be completed for every gear having been subject to port inspection.



ANNEX XIV(a)

1. Daily catch report — Chapter VII (CAX)

Data element	Code	Mandatory/ Optional	Remarks
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, 'XNW' for NAFO
Sequence number	SQ	M	Message detail; message serial number in current year
Type of message	TM	M	Message detail; message type, 'CAX' as Catch report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip number	TN	O	Activity detail; fishing trip serial number in current year
Vessel name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 Flag State code followed by number
External registration number	XR	O	Vessel registration detail; the side number of the vessel
Relevant area	RA	M	Activity detail: NAFO Division
Latitude	LA	M ⁽¹⁾	Activity detail; position at time of transmission
Longitude	LO	M ⁽¹⁾	Activity detail; position at time of transmission
Daily catches	CA		Activity detail; cumulative catch by species retained on board (exclusive of discards), either since commencement of fishing in R.A. ⁽²⁾ or last 'Catch' report, in pairs as needed.
species		M	FAO species code
live weight		M	Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding	RJ	M	Activity detail; discarded catch by species, either since commencement of fishing in R.A. ⁽²⁾ or last 'Catch' report, in pairs as needed.
Species			FAO species code
Live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize	US	M	Activity detail; undersize catch by species, either since commencement of fishing in R.A. ⁽²⁾ or last 'Catch' report, in pairs as needed.
Species			FAO species code
Live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

⁽¹⁾ Optional if a vessel is subject to satellite tracking

⁽²⁾ Meaning the first 'Catch Report' in current fishing trip in the R.A.

▼ B2. **Observer report (OBR)**

Data element	Code	Mandatory/ Optional	Remarks
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, 'XNW' for NAFO
Sequence number	SQ	M	Message detail; message serial number in current year
Type of message	TM	M	Message detail; message type, 'OBR' as Observer report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Fishing gear	GE	M	Activity detail; FAO code for fishing gear
Directed species ⁽¹⁾	DS	M	Activity detail; FAO species code
Mesh size	ME	M	Activity detail; average mesh size in millimeters
Relevant area	RA	M	Activity detail; NAFO Division
Daily catches	CA	M M	Activity detail; cumulative catch by species retained on board, (exclusive of discards), either since commencement of fishing in R.A. ⁽²⁾ or last 'Catch' report, in pairs as needed.
Species			FAO species code
Live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding	RJ	M ⁽³⁾	Activity detail; discarded catch by species, either since commencement of fishing in R.A. ⁽²⁾ or last 'Catch' report, in pairs as needed.
Species			FAO species code
Live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize	US	M ⁽³⁾	Activity detail; undersize catch by species, either since commencement of fishing in R.A. ⁽²⁾ or last 'Catch' report, in pairs as needed.
Species			FAO species code
Live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Log book	LB	M	Activity detail; 'Yes' or 'No' ⁽⁴⁾
Production	PR	M	Activity detail; code for the production. See Annex XIV(b)
Hails	HA	M	Activity detail; observers verification if the reports made by the captain are correct, 'Yes' or 'No' ⁽⁵⁾
Apparent infringements	AF	M	Activity detail; 'Yes' or 'No' ⁽⁶⁾

▼ B

Data element	Code	Mandatory/ Optional	Remarks
Observer name	ON	M	Message detail; name of the observer signing the report
Date	DA	M	Message detail; date of transmission
Free text	MS	O (?)	Activity detail; for further comments by the observer
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

(1) Directed species is the species which represents the greatest catch for that day.

(2) Meaning the first 'Catch Report' in current fishing trip in the R.A.

(3) Only to be transmitted if relevant

(4) 'Yes' if the observer approves the Log Book entries by the captain

(5) 'Yes' if the observer approves the Hails transmitted by the captain

(6) 'Yes' if an infringement is observed

(7) Mandatory if 'LB' = 'No', or 'HA' = 'No', or 'AF' = 'Yes'

▼ **M1***ANNEX XIV(b)*

Product form codes

Code	Product form
A	Round — Frozen
B	Round — Frozen (cooked)
C	Gutted head on — Frozen
D	Gutted head off — Frozen
E	Gutted head off — Trimmed — Frozen
F	Skinless fillets — Bone in — Frozen
G	Skinless fillets — Boneless — Frozen
H	Skin on fillets — Bone in — Frozen
I	Skin on fillets — Boneless — Frozen
J	Salted fish
K	Pickled fish
L	Canned products
M	Oil
N	Meal produced from whole fish
O	Meal produced from offal
P	Other (specify)

▼ M2

B — PSC 2

PORT STATE CONTROL FORM — PSC 2								
PART A: To be completed by the Master of the Vessel. A separate form shall be completed for each donor vessel. Please use black ink								
Name of Vessel:	IMO Number: ⁽¹⁾		Radio Call Sign:		Flag State:			
E-mail Address:	Telephone Number:		Fax Number:		Inmarsat Number:			
Port of Landing or Transhipment:								
Estimated Time of Arrival:	Date:	Time UTC:						
Catch Information for Donor Vessels * A separate form shall be completed for each Donor Vessel *								
Name of Vessel	IMO Number ⁽¹⁾		Radio Call Sign		Flag State			
Total catch on board — all areas						Catch to be landed ⁽²⁾		
Species ⁽³⁾	Product ⁽⁴⁾	Area of catch			Conversion factor	Product weight (kg)	Product weight (kg)	
		NEAFC CA (ICES subareas and divisions)	NAFO RA (Sub Division)	Other areas				
PART B: For official use only — to be completed by the Flag State								
The Flag State of the vessel must respond to the following questions by marking in the "Yes" or "No"					NEAFC CA		NAFO RA	
					Yes	No	Yes	No
(a) The fishing vessel declared to have caught the fish had sufficient quota for the species declared								
(b) The quantities on board have been duly reported and taken into account for the calculation of any catch or effort limitations that may be applicable								
(c) The fishing vessel declared to have caught the fish had authorisation to fish in the area declared								
(d) The presence of the fishing vessel in the area of catch declared has been verified according to VMS data								
Flag State confirmation: I confirm that the above information is complete, true and correct to the best of my knowledge and belief.								
Name and Title:			Date:					
Signature:				Official Stamp:				
PART C: For official use only — to be completed by the Port State								
Name of Port State:								
Authorisation:		Yes:		No:		Date:		
Signature:				Official Stamp:				

⁽¹⁾ Fishing vessels not assigned an IMO number shall provide their external registration number.⁽²⁾ If necessary an additional form or forms shall be used.⁽³⁾ FAO Species Codes – NEAFC Annex V – NAFO Annex II.⁽⁴⁾ Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex XX (C).

▼ **M2***ANNEX XVI***TEMPLATES FOR THE EXPLORATORY PROTOCOL FOR NEW FISHING AREAS WHERE FISHING GEAR IS LIKELY TO CONTACT THE SEAFLOOR****I. Member State submits notice of intent to undertake exploratory fishing to the NAFO secretariat via the Commission**

Harvesting plan	Mitigation plan	Catch monitoring	Data collection
Target species	Measures to prevent significant adverse impacts to VMEs	Identify and record all species brought onboard to the lowest possible taxonomic level	Data will be collected and reported in a standardised format
Fishing dates		100 % satellite coverage	
Description of area to be fished		100 % observer coverage	
Anticipated effort			
Bottom fishing gear-type(s) used			

II. Member State submits trip report to the NAFO secretariat via the Commission

ADVANCED NOTICE OF INTENT TO UNDERTAKE EXPLORATORY FISHING ⁽¹⁾

NAME OF VESSEL:

FLAG STATE OF VESSEL:

ANTICIPATED LOCATION(S) OF EXPLORATORY FISHING ACTIVITIES (INCLUDE LAT/LONG):

ANTICIPATED DATES OF EXPLORATORY FISHING ACTIVITIES:

HAS ANY PREVIOUS FISHING BEEN UNDERTAKEN IN ADJACENT AREAS (IF SO, IDENTIFY INFORMATION SOURCE):

DEPTHS EXPECTED TO BE ENCOUNTERED DURING EXPLORATORY FISHING ACTIVITIES:

DO HABITAT MAPS OF THE AREA EXIST (IF SO, PLEASE IDENTIFY SOURCE(S)):

ARE TAXONOMIC KEYS IDENTIFYING POTENTIALLY VULNERABLE SPECIES AVAILABLE (IF SO, IDENTIFY SOURCES(S)):

KNOWN VULNERABLE MARINE ECOSYSTEMS (VMEs) ⁽²⁾ IN THE LOCATION(S) TO BE FISHED:

MITIGATION MEASURES TO PREVENT SIGNIFICANT ADVERSE IMPACT TO VMEs, IF ENCOUNTERED:

DO BATHYMETRIC MAPS OF THE EXPLORATORY AREA EXIST (IF SO, PLEASE IDENTIFY SOURCE(S)):

DOES ANY FISHERIES SCIENTIFIC INFORMATION IN THE EXPLORATORY AREA EXIST (IF SO, IDENTIFY SOURCE(S)):

⁽¹⁾ Exploratory fishing is defined as all bottom fishing activities in new areas or with bottom gear not previously used in the area concerned.

⁽²⁾ Refer to FAO International Guideline for the Management of Deep-Sea Fisheries in the High Seas.

▼ M2

TARGET SPECIES BEING SOUGHT:

WHAT GEAR TYPE(S) ARE BEING PROPOSED TO BE USED (PLEASE IDENTIFY) IN WHAT AREAS (INCLUDE LAT/LONG):

III. Member State exploratory fishing ⁽¹⁾ trip report submitted to the NAFO scientific Council

NAME OF VESSEL:

FLAG STATE OF VESSEL:

LOCATION(S) OF AREAS FISHED (INCLUDE LAT/LONG):

DATES OF FISHING ACTIVITIES:

DEPTHS ENCOUNTERED DURING FISHING (LIST FOR EACH HAUL INCLUDING LAT/LONG):

TOTAL HOURS/AREA FISHED (LIST FOR EACH HAUL INCLUDING LAT/LONG):

GEAR TYPE(S) USED (PLEASE IDENTIFY) IN WHAT AREAS (INCLUDE LAT/LONG):

VULNERABLE MARINE ECOSYSTEMS (VMEs) ⁽²⁾ ENCOUNTERED (LIST FOR EACH HAUL INCLUDE LAT/LONG):

MITIGATION MEASURES TAKEN TO PREVENT SIGNIFICANT ADVERSE IMPACT TO VMEs IF ENCOUNTERED:

LIST OF ALL ORGANISMS (RETAINED, BYCATCH) BROUGHT ONBOARD (IDENTIFIED TO THE LOWEST TAXONOMIC UNIT):

LIST OF POTENTIAL VULNERABLE INDICATOR SPECIES ⁽³⁾ BROUGHT ONBOARD BY LOCATION (INCLUDE LAT/LONG):

LIST OF ORGANISMS RETAINED FOR BIOLOGICAL SAMPLING (E.G., LENGTH-WEIGHT, SEX, AGE), IF ANY:

Note: Data reporting should follow a standardised specification, for example, as adopted by Scientific Observer programs.

⁽¹⁾ Exploratory fishing is defined as all bottom fishing activities in new areas or with bottom gear not previously used in the area concerned.

⁽²⁾ Refer to FAO International Guideline for the Management of Deep-Sea Fisheries in the High Seas.

⁽³⁾ Refer to Annex 1 FAO International Guideline for the Management of Deep-Sea Fisheries in the High Seas.