

**40th ANNUAL MEETING OF NAFO - SEPTEMBER 2018****Amendments to NAFO CEM Chapter VII –
Port State Control****Background**

NEAFC adopted amendments to its port State control measures at the Annual Meeting in 2017. These amendments entail that Article 23 of the NEAFC Scheme of Control and Enforcement, as well as the PSC 1 and 2 forms, now include a requirement for flag State confirmation and port State authorization if foreign vessels with catch on board request port entry for other port services than landing or transshipment.

In order to align the NAFO port State control with the NEAFC requirements, Norway is proposing to include similar provisions in Chapter VII and annex II.L of the NAFO Control and Enforcement Measures (CEM).

Proposed amendments

CEM Article 42, first paragraph:

Subject to the right of the port State Contracting Party to impose requirements of its own under domestic laws and regulations for entry or denial to its ports, the provisions in this Chapter apply to landings, transshipments, or use of ports of Contracting Parties by fishing vessels entitled to fly the flag of another Contracting Party, conducting fishing activities in the Regulatory Area. The provisions apply to **vessels carrying** fish caught in the Regulatory Area, or fish products originating from such fish, that have not been previously landed or transhipped at a port.

CEM Article 43, paragraphs 6 and 8:

6. Fishing vessels may not enter port without prior authorization by the competent authorities of the port State Contracting Party. Authorization to land, ~~or~~ tranship **or make use of other port services** shall only be given if the confirmation from the flag State Contracting Party as referred to in Article 44.2 has been received.

...

8. The port State Contracting Party shall without delay notify the master of the fishing vessel of its decision on whether to authorize or deny the port entry, or if the vessel is in port, the landing, transshipment and other use of port. If the vessel entry is authorized the port State returns to the master a copy of the form PSC 1 or 2 with Part C duly completed. This copy shall also be posted to the NAFO MCS Website, in PDF format, without delay. In case of a denial the port State shall also notify the flag State Contracting Party.



CEM Article 44, second paragraph:

2. The flag State Contracting Party of a fishing vessel intending to land, ~~or~~ tranship *or make use of other port services*, or where the vessel has engaged in transshipment operations outside a port, the flag State Contracting Party or parties, shall confirm by returning a copy of the form, PSC 1 or 2, transmitted in accordance with Article 43.5 with part B duly completed, stating 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

CEM Article 45, paragraph 3:

3. The master of a fishing vessel shall not commence landing ~~or~~ transshipment operations, *or make use of other port services, before authorization has been given by the port State Contracting Party or* prior to the Estimated Time of Arrival (ETA) as reported in PSC 1 or PSC 2 has expired. However, landing, ~~or~~ transshipment operations *and make use of other port services* may commence prior to ETA with permission from the competent authorities of the port State *Contracting Party*.

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 <u>Note: NAFO Port State Authorization to use port for landing, transshipment or other</u>							
Name of Port State:							
Authorization:		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 I.C ⁴ Product presentations – NEAFC Appendix 1 to Annex IV – NAFO Annex II.K							

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 Note: NAFO Port State Authorization to use port for landing, transshipment or other							
Name of Port State:							
Authorization:			Yes:		No:		Date:
Signature:				Official Stamp:			
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