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Infringements

NAFO CONSERVATION AND ENFORCEMENT MEASURES

AMEND PART IV - Scheme of Joint International Inspection and Surveillance

Insert new paragraphs 9 and 10 to read as follows:

9. The following apparent infringements shall be subject to paragraph 10:
- i) misreporting of catches;
 - ii) mesh size violations;
 - iii) hail system violations;
 - iv) interference with the satellite tracking system;
 - v) preventing an inspector or an observer from carrying out his or her duties;
 - vi) directed fishing for a stock which is subject to a moratorium or for which fishing is prohibited.
10. Notwithstanding paragraphs 7 and 8 above:
- i) If a NAFO inspector cites a vessel for having committed, to a serious extent, an apparent infringement as listed in paragraph 9 above, the Contracting Party of the vessel shall ensure that the vessel concerned is inspected within 72 hours by an inspector duly authorized by that Contracting Party. In order to preserve the evidence, the NAFO inspector shall take all necessary measures to ensure security and continuity of the evidence, and may remain on board the vessel, for the period necessary to provide information to the duly authorized inspector concerning the apparent infringement.
 - (ii) Where justified, the competent authority of the Contracting Party or the inspector authorized by the competent authority of the Contracting Party of the vessel concerned shall, where duly authorized to do so, require the vessel to proceed immediately to a nearby port, chosen by the Master, which should be either St. John's, Halifax, the home port of the vessel or a port designated by the Flag State, for a thorough inspection under the authority of the Flag State and in the presence of a NAFO inspector from any other Contracting Party that wishes to participate. If the vessel is not called to port, the Contracting Party must provide due justification in a timely manner to the Executive Secretary who shall make it available on request to any Contracting Party.

- iii) Where a NAFO inspector cites a vessel for having committed an apparent infringement as listed in paragraph 9 above, the inspector shall immediately report this to the Executive Secretary, who shall in turn immediately report, for information purposes, to the other Contracting Parties with an inspection vessel in the Convention Area;
- iv) Where a vessel is required to proceed to port for a thorough inspection pursuant to paragraph ii) above, a NAFO inspector from another Contracting Party may, subject to the consent of the Contracting Party of the vessel, board the vessel as it is proceeding to port, may remain on board the vessel as it proceeds to port and may be present during the inspection of the vessel in port;
- v) If an apparent infringement of the Conservation and Enforcement Measures has been detected which in the view of the duly authorized inspector is sufficiently serious, the inspector shall take all necessary measures to ensure security and continuity of the evidence including, as appropriate, sealing the vessel's hold for eventual dockside inspection.

Existing paragraph 9 of the NAFO Conservation and Enforcement Measures to be renumbered as paragraph 11.