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**Notification to Inspecting Contracting Party Regarding Additional
Procedures for Serious Infringements**

Background

Currently the NCEM specify that in the case of a serious infringement, a flag state that does not order a vessel to port must provide written justification to the Executive Secretary no later than 3 working days following the notice of infringement.

As the inspecting Contracting Party often has inspectors remaining on the vessel to provide information to the Flag State Contracting Party to support the investigation, it is necessary for the Inspecting Contracting Party to know whether or not the infringement has been dealt with in order to better understand which information needs to be collected for investigation purposes.

Proposed Amendment

Add the following text to Article 38.10

1. The Executive Secretary:

(a) informs without delay the Contracting Parties having an inspection presence in the Regulatory Area of the serious infringement referred by its inspectors;

(b) informs without delay to the inspecting Contracting Party, the justification provided by the flag State Contracting Party, where it did not order its vessel to port in response to the finding of a serious infringement; and

~~(b)~~ **(c)** makes available to any Contracting Party, on request, the justification provided by the flag State Contracting Party where it did not order its vessel to port in response to the finding of a serious infringement.