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[Adopted]

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Improvements in Reporting Apparent Infringements and follow up actions (Article 40.4)

Background

Currently Article 40.4 of the Measures state that each Contracting Party shall provide an explanation when no action is taken regarding an infringement, however no explanation is required where a Flag State Contracting Party takes action but does not impose a penalty.

In the interest of improving the effectiveness of enforcing CEM compliance, an explanation, detailing the reasons for a flag State Contracting Party's inability to impose a penalty in the case of an infringement, would allow Contracting Parties with an enforcement presence in the NRA to adapt enforcement processes to better facilitate flag State Contracting Party follow-up.

Proposed Amendments

Amend Article 40.4 as follows:

4. A Contracting Party shall provide a **sufficiently detailed** explanation regarding every infringement for which it has taken no action **or where no penalties were imposed.**

