



38th ANNUAL MEETING – SEPTEMBER 2016

Notification process for the closure of directed fishing in the Regulatory Area for a particular stock under an “Others” Quota.

Explanatory memorandum

The closure of an “Others” quota within fisheries in Annex I A. relies heavily on timely notifications from the NAFO Executive Secretary.

At the May 2016 Intersession meeting in London, the NAFO Secretariat sought guidance from STACTIC WG on whether the Secretariat is required to Notify Contracting Parties after the 5-day prior notification, when 100 % of the “Others” quota uptake is projected to be reached. In considering the request it was agreed that clarification in the NCEM was required. Canada agreed to review Article 5.5 (g) **Closure of Fisheries for Stocks Listed in Annex I.A and I.B Subject to Quota or Fishing Effort - Duties of the Executive Secretary** and draft a proposal which will include revised text that further clarifies the article.

The amendments outlined below clarify that Contracting Parties shall ensure that no vessel continue a directed fishery in the Regulatory Area for a particular stock under an “Others” quota after 5 days of notification according to Article 5.15. Separately, the amendment clearly states that no Contracting Party should commence a directed fishery for a stock under an “Others” quota anytime following notification by the Executive Secretary that the “Others” quota is projected to be taken.

In addition to clarify these provisions apply only to “Others” quota, the term “subject to” has been changed to “under”.

New edit of Article 5.5 (g) – Closure of Fisheries for Stocks Listed in Annex I.A and I.B Subject to Quota or Fishing Effort

Duties of the Contracting Party

The current text in 5.5 (g) (below) is being replaced with the proposed amended text:

- (g) ~~ensure that no vessels entitled to fly its flag commence or continue a directed fishery in the Regulatory Area for a particular stock subject to an “Others” quota within 7 days of notification by the Executive Secretary that the quota is taken;~~



Proposed text:

- (g) ensure that no vessel entitled to fly its flag **continues a directed fishery in the Regulatory Area for a particular stock under an “Others” quota beyond 5 days of notification** by the Executive Secretary that that particular “Others” quota is projected to be taken, in accordance with paragraph 15 of this Article;

The following text is proposed to be inserted as 5.5 (h):

- (h) **ensure that no vessel entitled to fly its flag commences a directed fishery in the Regulatory Area for a particular stock under an “Others” quota following notification by the Executive Secretary that that particular Others quota is projected to be taken, in accordance with paragraph 15 of this Article; and**

The current text in 5.5 (h) (below) will now move to be referenced as 5.5 (i):

- (i) ensure that, after a closure of its fishery in accordance with this paragraph, no more fish of the stock concerned is retained on board the vessels entitled to fly its flag unless otherwise authorized by the CEM.

*Duties of the Executive Secretary***The current text in 5.15 (d) ii (below) is being replaced with the proposed amended text:**

- (d) notifies all Contracting Parties by electronic means 5 calendar days in advance of the date on which the available data indicates that total reported catch , including discards, is projected to:
- (i) reach 50% of the TAC, for Redfish in Division 3M and in Sub Area 2 and Division 1F + 3K;
 - ~~(ii) Equals 80 % and then 100% of the TAC for any particular stock subject to the others “Others” quota, when such quota exists in accordance with Annex I.A;~~
 - (ii) reach 100% of an “Others” quota, when such quota exists in accordance with Annex I.A;**