

COMM-03-WP-11

**Minimum standards for prior notification and inspection reports
as required under CMM 2.07 (Minimum standards of inspection in Port)**

Secretariat

This paper is in 3 parts.

Part A proposes a template for port entry prior notification. This template is to be completed by foreign fishing vessels and transmitted to the relevant point of contact at least 48¹ hours prior to arrival.

Part B contains some proposed standards and guidance for port inspections, the suggestions closely follow the current IOTC regulations.

Part C proposes a template for the port inspection. It is to be completed by the port state inspector, signed by both the inspector and the vessel master. Copies of the report shall be provided to the vessel master and subsequently transmitted to the SPRFMO Executive Secretary within 7 days.

These proposals have been developed taking into accounts forms adopted in other Regional Fishery Management Arrangements (particularly CCAMLR, IOTC, NAFO and SEAFO) as well a report from the FAO/APFIC workshop held in Thailand during 2012 on implementing the 2009 FAO Agreement in Port State measures to combat IUU fishing (FAO report FIPI/R1008).

¹ Noting that Members may prescribe notification periods that vary from 48 hours.

Part A - PORT CALL REQUEST: *Foreign Fishing Vessels***Vessel Identification:**

Vessel Name	Vessel Flag	IMO ship number	Call sign	External Identification

Port Call Details:

Intended port of call ¹	Port State	Purpose ² of port call	Estimated arrival date	Estimated arrival time	Current date

¹Should be a designated port as listed on the SPRFMO port register

² Eg. Landing, Transshipment, refuelling.

SPRFMO managed species held on-board:

Species	FAO area of capture	Product state	Total kilograms held on-board	Amount to be Transhipped/Landed	Recipient of transferred/landed amount

If no SPRFMO species and/or fish products originating from such species are held on board, then enter 'nil'.

Relevant fishing authorisation details:

Identifier	Issued by	Validity	Fishing area(s)	Species	Gear ³

³If the authorisation is limited to Transshipments then enter "tranship" as the gear

- Is a copy of the crew list attached?

Yes	No

This form should be transmitted to the appropriate Point of Contact at least 48 hours prior to the estimated time of arrival at the port.

Contact information can be found on the SPRFMO website (<http://www.sprfmo.int/points-of-contact/>)

Part B - PORT STATE INSPECTION STANDARDS

(Modified from IOTC post state measures resolution 10/11)

Inspectors shall:

- a) verify, to the extent possible, that the vessel identification documentation onboard and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
- b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
- c) verify, to the extent possible, that the authorizations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in the port call request;
- d) review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State or SPRFMO Secretariat or other relevant regional fisheries management organizations (RFMOs). Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of fish holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- e) examine, to the extent possible, all relevant fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorizations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorized for the vessel;
- f) determine, to the extent possible, whether the fish on board was harvested in accordance with the applicable authorizations;
- g) examine the fish, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fish has been pre-packed and move the catch or containers to ascertain the integrity of fish holds. Such examination may include inspections of product type and determination of nominal weight;
- h) evaluate whether there is clear evidence for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;
- i) provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and
- j) arrange, where necessary and possible, for translation of relevant documentation.

Part C – PORT INSPECTION SUMMARY RESULTS

Inspection details:

Inspection report number		Principal Inspectors name	
Port State		Inspecting authority	
Port of inspection		Purpose of call	
Inspection start date		Inspection start time	
Inspection end date		Inspection end time	
Prior notification received?		Prior notification details consistent with inspection?	

Vessel details:

Vessel name		Vessel Flag	
Vessel type		IRCS	
External identification		IMO number	
Vessel owner			
Vessel operator			
Vessel master (and nationality)			
Vessel agent			
VMS present?		VMS type	

Relevant fishing authorisations:

Authorization identifier		Issued by	
Validity		Fishing areas	
Species		Gear ²	
Is vessel on the SPRFMO authorised vessel list?		Currently authorised?	

² If the authorisation is for transshipment the enter "tranship" as the gear.

SPRFMO managed species off loaded (during this port call):

Species	FAO area of capture	Product state	Declared quantity off loaded	Quantity off loaded

SPRFMO managed species retained onboard:

Species	FAO area of capture	Product state	Declared quantity held on-board	Quantity held on board

SPRFMO managed species received from Transshipment (during this port call):

Species	FAO area of capture	Product state	Declared quantity received	Quantity received

Examinations and Findings:

Section	Comments
Examination of Logbooks and other documentation	
Type of gear onboard	
Findings by inspector	
Apparent infringements (include reference to relevant legal instruments)	
Master's comments	
Actions taken	
Master's signature	
Inspector's signature	

Upon completion, a copy of this form shall be provided to the vessel master. Subsequently, a copy should also be transmitted to the SPRFMO Executive Secretary within 15 days. If this cannot be achieved then the reasons for the delay and an estimated submission date shall be transmitted to the SPRFMO Executive Secretary within 15 days of the completion of the inspection.

If the information collected provides evidence that a breach of any SPRFMO CMM has occurred then this form should be transmitted to the competent Port State authorities (who shall forward a copy to the SPRFMO Executive Secretary and to the relevant point of contact as soon as possible and no later than 5 working days);