



**Small Entity Compliance Guide  
for the Regulations Implementing the  
Third Extension of the South Pacific Tuna Treaty**

**for Purse Seine Vessels<sup>1</sup>**

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<sup>1</sup> A separate guide has been prepared for longline vessels.

This guide is issued by NOAA's National Marine Fisheries Service (NMFS) in accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.

This is one of two guides intended to provide plain-language summaries of how small businesses can comply with changes made in February 2007 to regulations governing the conduct of U.S. fishing vessels in the area covered by the Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America (South Pacific Tuna Treaty, or "Treaty").

The regulations are issued under the authority of the South Pacific Treaty Act of 1988 and are published in the *Code of Federal Regulations* at Title 50, Part 300, Subpart D. The regulations were revised in February 2007 to implement changes agreed to in the Third Extension of the Treaty (in 2002), as well as subsequent technical modifications made in the seventeenth annual formal consultation of the parties to the Treaty (in 2005).

This guide is intended for owners and operators of, persons aboard, and other persons with interests in purse seine vessels used for fishing in the western and central Pacific Ocean and that are licensed or required to be licensed under 50 CFR 300.32. A separate guide has been prepared for owners and operators of longline vessels.

For the official regulatory changes, see the final rule published in the *Federal Register* on February 9, 2007 (volume 72, pages 6144-6155), which is effective March 12, 2007.

For the complete set of official regulations that were changed, see Title 50, Part 300, Subpart D, of the *Code of Federal Regulations*.

Regulations are subject to change, so this guide may become out of date. Any discrepancy between the contents of this guide and regulations in the *Federal Register* will be resolved in favor of the regulations published in the *Code of Federal Regulations* and the *Federal Register*.

The regulatory changes made in February 2007 and explained in this guide relate to new requirements for U.S. purse seine vessels fishing under the Treaty, including: (1) vessel monitoring system (VMS) requirements, (2) vessel reporting requirements, and (3) area restrictions.

In addition to these substantive changes, the regulations were also revised to explicitly include the details of certain requirements that were previously incorporated only by reference to the Treaty and its annexes. These changes do not affect the responsibilities of vessel owners or operators. However, in order to clarify such responsibilities with respect to reporting requirements, detailed explanations and instructions are provided here for all the reporting requirements under the Treaty (50 CFR 300.34).

## 1. Vessel reporting requirements

The purse seine vessel reporting requirements have been modified such that:

- times must be reported in Coordinated Universal Time (UTC, also known as Universal Coordinated Time) rather than Greenwich Mean Time (GMT);
- catches must be reported in metric tons (rather than short tons);
- the weekly report (WEEK) to the FFA<sup>2</sup>, is eliminated;
- the weekly report (WEEK) to national authorities continue but are amended to indicate whether or not an observer is on board the vessel;
- the report for entry into port for unloading (LFIN) must be submitted at least 24 hours prior to (rather than any time prior to) the vessel's arrival into port and must include the vessel's ETA (estimated date and time of arrival) and EDD (estimated date of departure) after the unloading.

To aid the reader, all reporting requirements under the Treaty (not just the changes listed above) are explained in the following sub-sections. The revised regulations at 50 CFR 300.34 state that certain reporting details, such as the report format, transmission mode, and/or destination address, will be provided by the Regional Administrator of the NMFS Pacific Islands Region. Those instructions are provided here.

Holders of licenses issued under 50 CFR 300.32 are required, with respect to the licensed vessel, to comply with the reporting requirements summarized here.

The vessel operator is responsible for preparing and submitting accurate, complete, and timely notifications, requests, and reports, and any such information must be true, complete and correct.

Any change in circumstances that has the effect of making any reported information false, incomplete or misleading must be communicated immediately to the NMFS (Pacific Islands Regional Office or American Samoa field station – see section 1.11. for contact information).

Each of the required reports is listed in Table 1, along with the corresponding section number of this guide and the parties to whom it must be submitted. The contact information for these parties is provided in section 1.11.

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<sup>2</sup> Throughout this guide, references to the “FFA” mean the Pacific Islands Forum Fisheries Agency, in its capacity of Treaty Administrator (called “Administrator” in the regulations at Title 50, Part 300, Subpart D) on behalf of the Pacific Island Parties to the Treaty (see section 1.11 for contact information).

**Table 1. South Pacific Tuna Treaty required reports and recipients**

Report	To		
	FFA	Pacific Island Parties	NMFS
1.1 Catch report (RPL)	Y		Y
1.2 Unloading and transshipment logsheet (UL and FOT)	Y		Y
1.3 Port departure report (LBEG)	Y		
1.4 Entry into port for unloading report (LFIN)	Y		
1.5 Intent to transship notification and request	Y	Y	
1.6 Zone entry and exit report (ZENT/ZEXT)		Y	
1.7 Weekly report (WEEK)		Y	
1.8 Port entry report (PENT)		Y	
1.9 Transshipment report (TRANS)	Y	Y	
1.10 Other reports and notifications to Pacific Island Parties		Y	

### 1.1. Catch reports

A record of catch, effort and other information must be maintained on board the vessel, on catch report forms (also known as “Regional Purse Seine Logsheets”, or RPLs). Vessel operators should always carry an adequate supply of RPL forms, which may be obtained from the NMFS American Samoa field station.

At the end of each day that the vessel is in the Licensing Area, the information requested on the form must, for that day, be recorded on the form.<sup>3</sup> The form should be filled out in ink, in English, and must be signed by the vessel operator. All information in the header section of the form must be completely filled out on each page. For each set made, if there was no catch for a given species, including both target and discard species, a zero (0) must be entered in the appropriate column.

In the case of a vessel arriving in Pago Pago, NMFS representatives will endeavor to pick up the original RPLs from the vessel operator within two days of arrival at port, and the NMFS will forward them to the FFA.<sup>4</sup> In these cases it is suggested that the

<sup>3</sup> The RPL has been developed by the FFA for the use of all purse seine vessels operating in the waters of Pacific Island Parties. As such, it is subject to change by the FFA. Operators of vessels licensed under the Treaty, however, are required to provide information only for those fields included in the version of the RPL as indicated in Schedule 5 of the Treaty. This means that responding to certain questions on FFA’s current RPL, such as NUMBER OF FADS USED and TENDER VESSELS USED: (Y/N), is voluntary under U.S. regulations. Similarly, although the current RPL indicates that positions are to be reported to the nearest one one-thousandth of a minute of latitude and longitude (MM.MMM), under U.S. regulations, vessel operators are obligated to report positions only to the nearest minute (MM). In order to facilitate smooth operation of the Treaty, the NMFS encourages vessel operators to respond to the extent possible to all questions on the RPL, and to report positions to at least the nearest one one-hundredth of a minute (MM.MM).

<sup>4</sup> Under the regulations, the license holder and vessel operator are responsible for having the original RPLs submitted to the FFA (by registered airmail within 14 days of the vessel’s next arrival into port for

operator request that the NMFS representative initial and date the vessel's duplicate copies of the RPLs to serve as an indication that the operator has complied with this requirement.

If a vessel delivers to a port other than Pago Pago or if a NMFS representative does not pick up the RPLs from the vessel operator, copies of the RPLs should be e-mailed or faxed, within two days of arrival into port, to the NMFS American Samoa field station.<sup>5</sup> The NMFS will then review the RPLs to ensure they are complete, and forward them to the FFA. In these cases, the original RPLs (along with the unloading and transshipment logsheet, or UL) should be mailed, by registered airmail, at the completion of unloading, to the NMFS American Samoa field station, which will forward the reports to the FFA.

In all cases copies of the completed RPLs should be retained by the vessel operator.

## **1.2. Unloading and transshipment logsheets**

At the completion of any unloading or transshipment of fish from the vessel, all the information specified on the unloading and transshipment logsheet form (UL) must, for that unloading or transshipment, be recorded on such forms. A separate form must be completed for each fish processing destination to which the unloaded or transshipped fish are bound. Vessel operators should carry an adequate supply of UL forms, which may be obtained from the NMFS American Samoa field station. The form should be filled out in ink, in English, and must be signed by the vessel operator and the receiving agent.

For a vessel unloading or transshipping in Pago Pago, NMFS representatives will endeavor to pick up the original UL from the cannery to which the fish were delivered, and the NMFS will forward it to the FFA.<sup>6</sup>

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the purpose of unloading its catch) and having copies of the RPLs submitted to the NMFS (received within two days of the vessel reaching port). Delivery of the original RPLs to the NMFS, whether picked up by NMFS representatives or sent to the NMFS by registered airmail, will satisfy this requirement to submit to both the FFA and the NMFS.

<sup>5</sup> With respect to this and other reports being submitted to NMFS, the regulations require that they be submitted to the "Regional Administrator", which means the Regional Administrator, Pacific Islands Region, NMFS, or a designee. All reports to NMFS should be sent to the NMFS American Samoa field station, using the addresses given in section 1.11.

<sup>6</sup> Under the regulations, the license holder and vessel operator are responsible for having the original UL (with FOT - see below) submitted to the FFA (by registered airmail within 14 days of the completion of the unloading or transshipment) and having a copy of the UL submitted to the NMFS (received within two days of the completion of the unloading or transshipment). Delivery of the original UL to the NMFS, whether picked up by NMFS representatives or sent to the NMFS by registered airmail, will satisfy this requirement to submit to both the FFA and the NMFS.

If the vessel unloads or transships at a port other than Pago Pago or if a NMFS representative does not pick up the UL from the cannery, a copy of the UL should be e-mailed or faxed, within two days of the unloading or transshipment, to the NMFS American Samoa field station. The NMFS will then review the UL to ensure it is complete, and forward it to the FFA. In these cases the original UL (along with the RPL) should be mailed, by registered airmail, at the completion of unloading, to the NMFS American Samoa field station, which will forward the report to the FFA.

For every UL, it is also required that a report of the size breakdown of the catch as determined by the receiver(s) of the fish be submitted to the FFA and the NMFS. This report, known as a “final outturn” report (FOT), should be filled out in ink, in English, and include the name of the vessel; the name of the company/vessel to which the catch was received/transshipped; the signature of the receiver, the weight unloaded by size and species; the unit of measurement (e.g., short tons, metric tons, kilograms, pounds); and the name of the processing company to which the fish were delivered/consigned. There is not a specific time requirement for the FOT, but the original should be submitted within a reasonable time after the fish were received at their final destination. For vessels unloading to the canneries in Pago Pago, a NMFS representative will endeavor to pick up a copy of this report from the cannery(ies), which will satisfy the submission requirement for this report. If not picked up by a NMFS representative or if the vessel unloads or transships at a port other than Pago Pago, the FOT should be mailed, by registered airmail, to the NMFS American Samoa field station, which will forward it to the FFA.

### **1.3. Port departure reports**

Before the vessel’s departure from port for the purpose of beginning a fishing trip in the Licensing Area, a report must be submitted to the FFA by facsimile or e-mail that includes the following information:<sup>7</sup>

1. report type (“LBEG”)
2. FFA Vessel Register number
3. trip begin date (in UTC)
4. date and time (in UTC) of report
5. vessel’s international radio call sign
6. port name
7. weight of catch on board (in metric tons) for each of skipjack tuna, yellowfin tuna, and all other species combined
8. intended action

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<sup>7</sup> Although the regulations allow for this and other reports to be sent by telex or VMS transmission, the FFA and NMFS currently do not have contact addresses for these means, so reports currently must be sent by facsimile or email (see section 1.11 for contact details).

This information must be reported in the following format:

LBEG/RREG#/TBD/ddmmyy/TIME/CALL SIGN/PORT/SJxxxmt YFyyymt  
OTHzzzmt/INTENDED ACTION

Example:

LBEG/9999/110106/110106/0930Z/ABC1234/PAGO/SJ000mt YF000mt  
OTH000mt/START TRIP

Translation:

In report sent 11 January 2006 at 0930 UTC, vessel ABC1234, with FFA Vessel Register number 9999, intends to depart from Pago Pago on that day, with no fish aboard, to start a fishing trip.

The departure from port to run to another location for repairs, maintenance, etc., technically does not require a report to the FFA. However, such reporting is advisable to avoid any misunderstanding.

#### **1.4. Entry into port for unloading reports**

At least 24 hours before the vessel's entry into port for the purpose of unloading fish from any trip involving fishing within the Licensing Area, a report must be submitted to the FFA by facsimile or e-mail that includes the following information:<sup>8</sup>

1. report type ("LFIN")
2. FFA Vessel Register number
3. trip begin date (in UTC)
4. date and time (in UTC) of report
5. vessel's international radio call sign
6. port name
7. weight of catch on board (in metric tons) for each of skipjack tuna, yellowfin tuna, and all other species combined
8. intended action
9. estimated date and time (in UTC) of entry into port (ETA)
10. estimated date of departure (in UTC) from port after unloading (EDD)

This information must be reported in the following format:

LFIN/RREG#/TBD/ddmmyy/TIME/CALL SIGN/PORT/SJxxxmt YFyyymt  
OTHzzzmt/INTENDED ACTION/ddmmyy/TIME/ddmmyy

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<sup>8</sup> Note that there are additional regulations with requirements related to providing notice/reports to U.S. government agencies prior to entering U.S. ports, including regulations issued by the Coast Guard and the Bureau of Customs and Border Protection.

Example:

LFIN/9999/110106/130306/0645Z/ABC1234/PAGO/SJ750mt 0YF325mt  
OTH030mt/CANNERY/140306/1200Z/010406

Translation:

In report sent 13 March 2006 at 0645 UTC, vessel ABC1234, with FFA Vessel Register number 9999, which started a trip 11 January 2006 UTC, expects to arrive Pago Pago on 14 March 2006 at 1200 hours UTC with 750 metric tons skipjack, 325 metric tons yellowfin and 30 metric tons other fish (e.g., bigeye) on board to discharge to cannery, and expects to subsequently depart from Pago Pago on 1 April 2006 UTC.

### **1.5. Intent to transship notification and request**

At least 48 hours before transshipping any or all of the fish on board the vessel, a notification must be submitted to the FFA and a request must be submitted to the Pacific Island Party in whose jurisdiction the transshipment is requested to occur (the notification to the FFA and the request to the Pacific Island Party should be identical). The notification to the FFA must be submitted by facsimile or e-mail. The request to the Pacific Island Party must be submitted to any one of the addresses (i.e., email, telephone, or fax) that are provided for that Party in section 1.11.<sup>9</sup>

No notice or request need be sent prior to transshipment in a U.S. port.

The notification and request must include the following information:

1. name of vessel
2. vessel's international radio call sign
3. vessel position (latitude and longitude to nearest minute of arc)
4. weight of catch on board the vessel (in metric tons) for each of skipjack tuna, yellowfin tuna, and all other species combined
5. the date and time (in UTC) and location where such transshipment is requested to occur

The notification to the FFA and the request to the Pacific Island Party must be reported in the following format:

NAME/CALL SIGN/LA1111/L011111/SJxxxmt YFyyymt  
OTHzzzmt/ddmmyy/TIME/PLACE

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<sup>9</sup> The contact information in section 1.11 is subject to change; the NMFS will notify license holders of any such changes.



Example:

MARINERSPRIDE/ABC1234/LAS0137/LOE17012/SJ580mt YF200mt  
OTH050mt/150506/2100Z/TARAWA

Translation:

Vessel named Marinerspride, with call sign ABC1234, currently positioned at 01° 37' South latitude and 170° 12' East longitude, with 580 metric tons skipjack, 200 metric tons yellowfin and 50 metric tons other fish (e.g., bigeye) on board, intends to transship on 15 May 2006 at 2100 hours UTC in Tarawa.

## 1.6. Zone entry and exit reports

Each time the vessel enters or exits the waters under the jurisdiction of a Pacific Island Party, a report must be submitted to that Pacific Island Party that includes the following information:

1. report type (“ZENT” for entry or “ZEXT” for exit)
2. FFA Vessel Register number
3. trip begin date (in UTC)
4. date and time (in UTC) of the entry or exit
5. vessel’s international radio call sign
6. vessel position on entry/exit (latitude and longitude to nearest minute of arc)
7. weight of catch on board (in metric tons) for each of skipjack tuna, yellowfin tuna, and all other species combined
8. intended action

This information must be reported in the following format:

ZENT (or ZEXT)/RREG#/TBD/ddmmyy/TIME/CALL  
SIGN/LA1111/LO11111/SJxxxmt YFyyymt OTHzzzmt/INTENDED ACTION

Example:

ZENT/9999/250606/130706/1800Z/ABC1234/LAS0100/LOE17710/ SJ155mt YF120mt  
OTH008mt/CONTINUE.

Translation:

Vessel ABC1234, with FFA Vessel Register number 9999, which started trip 25 June 2006, enters Pacific Island Party waters positioned at 01° 00' South latitude and 177° 10' East longitude on 13 July 2006 at 1800 hours UTC. There are 155 metric tons skipjack, 120 metric tons yellowfin and 8 metric tons other fish (e.g., bigeye) aboard. The vessel intends to continue the fishing trip.

The report must be submitted to any one of the addresses (i.e., email, telephone, or fax) that are provided for the relevant Pacific Island Party in section 1.11.

In many cases, an entry into one zone means an exit from another, in which case two reports must be sent: a zone exit report (ZEXT) to one Pacific Island Party and a zone entry (ZENT) to the other. However, there will be occasions when only an exit or entry report must be sent, and there may be occasions when no report is required. For example, when moving between the waters of a Pacific Island Party and either the high seas, the waters of the United States, or the waters of a country or territory that is not a party to the Treaty,<sup>10</sup> only one report (an entry or exit report) need be sent. For entry into a high-seas area within the Treaty Area from outside the Treaty Area, no entry or exit report need be sent. For exit from the Treaty Area, as long it does not involve exiting the waters of a Pacific Island Party, no entry or exit report need be sent. For entry into or out of the waters of a state not a party to the Treaty, no entry or exit report need be sent. Specific examples follow:

- a) Exit high-seas waters within Licensing Area to enter waters under U.S. jurisdiction (e.g., Baker, Howland, Jarvis, Palmyra): No report need be sent to any Pacific Island Party.
- b) Exit Kiribati waters to enter high-seas waters within Licensing Area: Only one report need be sent – an exit report to Kiribati.
- c) Exit Wallis and Futuna waters to enter waters of Samoa: Only one report need be sent – an entry report to Samoa.

Vessel operators should obtain and consult the chart “Claimed and Potential Maritime Zones in the Central and South Pacific,” which is available from the NMFS American Samoa field station.

## 1.7. Weekly reports

Each Wednesday (local time) while the vessel is within waters under the jurisdiction of a Pacific Island Party, a report must be submitted to that Pacific Island Party that includes the following information:

1. report type (“WEEK”)
2. FFA Vessel Register number
3. trip begin date (in UTC)
4. date and time (in UTC) of report
5. vessel’s international radio call sign

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<sup>10</sup> Such countries and territories with waters situated within the Treaty Area include Wallis and Futuna, New Caledonia, French Polynesia, Indonesia, and Philippines. Although there are no requirements under U.S. regulations to report to these countries, they may have their own reporting requirements. Note that the waters of these countries and territories are not part of the Licensing Area so a license issued under the Treaty does not authorize fishing in their waters.

6. vessel position (latitude and longitude to nearest minute of arc)
7. weight of catch on board (in metric tons) for each of skipjack tuna, yellowfin tuna, and all other species combined
8. intended action
9. whether or not there is a vessel observer on board (“Y” or “N”)

This information must be reported in the following format:

WEEK/RREG#/TBD/ddmmyy/TIME/CALL SIGN/LA1111/LO1111/SJxxxmt  
YFyyymt OTHzzzmt/INTENDED ACTION/Y or N

Example:

WEEK/9999/250506/180606/0600Z/ABC1234/LAN0325/LOW17525/SJ695mt  
YF230mt OTH015mt/CONTINUE/Y

Translation:

Vessel ABC1234, with FFA Vessel Register number 9999, which started trip 25 May 2006, reports on 18 June 2006 at 0600 hours UTC that it is positioned at 03° 25' North latitude and 175° 25' West longitude, has 695 metric tons skipjack, 230 metric tons yellowfin and 15 metric tons other fish (e.g., bigeye) on board, that it intends to continue fishing, and that an observer is on board.

The report must be submitted to any one of the addresses (i.e., email, telephone, or fax) that are provided for the relevant Pacific Island Party in section 1.11.

### **1.8. Port entry reports**

At least 24 hours before the vessel’s entry into port of any Pacific Island Party, a report must be submitted to that Pacific Island Party that includes the following information:

1. report type (“PENT”)
2. FFA Vessel Register number
3. trip begin date (in UTC)
4. date and time (in UTC) of report
5. vessel’s international radio call sign
6. vessel position (latitude and longitude to nearest minute of arc)
7. weight of catch on board (in metric tons) for each of skipjack tuna, yellowfin tuna, and all other species combined
8. estimated date and time (in UTC) of entry into port
9. port name
10. intended action

This information must be reported in the following format:

PENT/RREG#/TBD/ddmmyy/TIME/CALL SIGN/ETA/LA1111/LO11111/SJxxxmt  
YFyyymt OTHzzzmt/ddmmyy/TIME/PORT/INTENDED ACTION

Example:

PENT/9999/090406/100506/0630Z/ABC1234/LAS2930/LOE17320/SJ350mt YF180mt  
OTH010mt/110506/0800Z/WHANGAREI/NET REPAIR

Translation:

In report sent 10 May 2006 at 0630 UTC, vessel ABC1234, with FFA Vessel Register number 9999, which started trip on 9 April 2006 and is currently positioned at 29° 30' South latitude and 173° 20' East longitude, with 350 metric tons skipjack, 180 metric tons yellowfin and 10 metric tons other fish (e.g., bigeye) on board, plans to arrive at Whangarei on 11 May 2006 at 0800 hours UTC for net repair.

The report must be submitted to any one of the addresses (i.e., email, telephone, or fax) that are provided for the relevant Pacific Island Party in section 1.11.

### **1.9. Transshipment reports**

Upon completion of transshipment of any or all of the fish on board the vessel, a report must be submitted to the FFA and to the Pacific Island Party in whose jurisdiction the transshipment occurred. The report must include the following information:

1. report type ("TRANS")
2. FFA Vessel Register number
3. trip begin date (in UTC)
4. date and time (in UTC) of the transshipment
5. vessel's international radio call sign
6. vessel position at time of transshipment (latitude and longitude to nearest minute of arc)
7. amount of fish transshipped (in metric tons) for each of skipjack tuna, yellowfin tuna, and all other species combined
8. name of vessel to which the fish were transshipped
9. the destination of the transshipped fish

The reports to the FFA and the Pacific Island Party must be in the following format:

TRANS/RREG#/TBD/ddmmyy/TIME/CALL SIGN/LA1111/LO11111/SJxxxmt  
YFyyymt OTHzzzmt/CARRIER/DESTINATION

Example:

TRANS/9999/010506/100506/1200Z/ABC1234/LAN1013/LOE15530/SJ750mt  
YF205mt OTH010mt/PINCHE MARU 2/BANGKOK

Translation:

Vessel ABC1234, with FFA Vessel Register number 9999, which started trip 1 May 2006, transshipped 750 metric tons skipjack, 205 metric tons yellowfin and 10 metric tons other fish (e.g., bigeye) on 10 May 2006 at 1200 hours UTC at 10° 13' North latitude and 155° 30' East longitude to the Pinche Maru 2 bound for Bangkok.

The report to the FFA must be submitted by facsimile or e-mail.

The report to the Pacific Island Party must be submitted to any one of the addresses (i.e., email, telephone, or fax) that are provided for that Party in section 1.11.

### **1.10. Other reports and notifications to Pacific Island Parties**

In addition to the general requirements for reporting to Pacific Island Parties, as described above, certain Pacific Island Parties have additional reporting requirements, as described below.

The reports must be submitted to any one of the addresses (i.e., email, telephone, or fax) that are provided for that Party in section 1.11.

#### **Australia:**

- (A) Each day while the vessel is within the Australian Fishing Zone, a report must be submitted that includes the following information: vessel position (latitude and longitude to nearest minute of arc); and the amount of catch made during the previous day, by species.
- (B) At least 24 hours before entering the Australian Fishing Zone, a notification must be submitted that indicates intent to enter the Australian Fishing Zone.

#### **Fiji:**

- (A) Each day while the vessel is in Fiji fisheries waters, a report must be submitted that includes the following information: vessel name; international radio call sign; country of registration of the vessel; and vessel position at the time of the report (latitude and longitude to nearest minute of arc).
- (B) Each week while the vessel is in Fiji fisheries waters, a report must be submitted that includes the amount of the catch made during the preceding week, by species.

## **Kiribati:**

- (A) At least 24 hours before entering a Closed Area under the jurisdiction of Kiribati, a notification must be submitted that includes the following information: vessel name; international radio call sign; vessel position at the time of the report (latitude and longitude to nearest minute of arc); the reason for entering the Closed Area; and the estimated time (in UTC) of entry into the Closed Area (latitude and longitude to nearest minute of arc).
- (B) Immediately upon entry into or exit from a Closed Area under the jurisdiction of Kiribati, a report must be submitted that includes the following information: report type (“CAENT” for entry or “CAEXT” for exit); the number of the vessel’s license; international radio call sign; date and time (in UTC) of the report; vessel position (latitude and longitude to nearest minute of arc); amount of the catch on board the vessel, by species; and status of the boom (“up” or “down”), net (“deployed” or “stowed”), and skiff (“deployed” or “stowed”).
- (C) At least 24 hours prior to fueling the vessel from a tanker in the area of jurisdiction of Kiribati, a report must be submitted that includes the following information: report type (“SBUNK”); the number of the vessel’s license; international radio call sign; trip start date; name of port from which trip started; amount of the catch on board the vessel, by species; estimated time of bunkering; estimated position of bunkering (latitude and longitude to nearest minute of arc); and name of tanker.
- (D) After fueling the vessel from a tanker in the area of jurisdiction of Kiribati, but no later than 12:00 noon local time on the following day, a report must be submitted that includes the following information: report type (“FBUNK”); the number of the vessel’s license; international radio call sign; start time of bunkering; end time of bunkering; amount of fuel received, in kiloliters; and name of tanker.

## **New Zealand:**

- (A) At least 24 hours before entering the exclusive economic zone of New Zealand, a notification must be submitted that includes the following information: name of vessel; international radio call sign; position of point of entry into the exclusive economic zone of New Zealand (latitude and longitude to nearest minute of arc); amount of catch on board the vessel, by species; and condition of the catch on board the vessel (“fresh” or “frozen”).

- (B) For each day that the vessel is in the exclusive economic zone of New Zealand, a notification must be submitted no later than noon of the following day of the vessel's position (latitude and longitude to nearest minute of arc) at noon.
- (C) For each week or portion thereof that the vessel is in the exclusive economic zone of New Zealand, a report that covers the period from 12:01 a.m. on Monday to 12:00 midnight on the following Sunday must be submitted and received by noon of the following Wednesday (local time). The report must include the amount of the catch taken in the exclusive economic zone of New Zealand during the reporting period.
- (D) At least 10 days prior to an intended transshipment in an area under the jurisdiction of New Zealand, a notification must be submitted that includes the intended port, date, and time of transshipment.
- (E) At least 24 hours prior to exiting the exclusive economic zone of New Zealand, a notification must be submitted that includes the following information: position of the intended point of exit (latitude and longitude to nearest minute of arc); the amount of catch on board the vessel, by species; and condition of the catch on board the vessel ("fresh" or "frozen").

**Solomon Islands:**

- (A) At least 24 hours prior to entry into Solomon Islands Fisheries Limits, a report must be submitted that includes the following information: expected vessel position (latitude and longitude to nearest minute of arc) and expected date and time of entry.
- (B) For each week or portion thereof that the vessel is in the exclusive economic zone of Solomon Islands, a report that covers the period from 12:01 a.m. on Monday to 12:00 midnight on the following Sunday must be submitted and received by noon of the following Tuesday (local time). The report must include the amount of the catch taken and the number of fishing days spent in the exclusive economic zone of Solomon Islands during the reporting period.

**Tonga:**

- (A) Each day while the vessel is in the exclusive economic zone of Tonga, a report must be submitted that includes the vessel's position (latitude and longitude to nearest minute of arc).

**Tuvalu:**

- (A) At least 24 hours prior to entering Tuvalu fishery limits, a report must be submitted that includes the following information: vessel name; international radio call sign; country of registration of the vessel; the number of the vessel's license; intended vessel position (latitude and longitude to nearest minute of arc) at entry; and amount of catch on board the vessel, by species.
- (B) Every seventh day that the vessel is in Tuvalu fishery limits, a report must be submitted that includes vessel position (latitude and longitude to nearest minute of arc) and the total amount of catch on board the vessel.
- (C) Immediately upon exit from Tuvalu fishery limits, a notification must be submitted that includes vessel position (latitude and longitude to nearest minute of arc) and the total amount of catch on board the vessel.



### 1.11. Contact information

Contact information for the purpose of the reports described in section 1 follows; NMFS will advise license holders of any changes to this information.

If not picked up by NMFS representatives, original reports (RPLs, ULs and FOTs) can be sent to the **NMFS American Samoa field station** by registered airmail to the following address and copies of reports (RPLs, ULs and FOTs) can be sent to the following email or facsimile addresses:

NMFS American Samoa field station  
Mail: PO Box 4150  
Pago Pago, AS 96799  
Email: [gordon.yamasaki@noaa.gov](mailto:gordon.yamasaki@noaa.gov)  
Fax: 684-633-1400

The **NMFS** can be contacted for informational and other purposes at these addresses:

NMFS Pacific Islands Regional Office (attn: International Program)  
Mail: 1601 Kapiolani Blvd., Suite 1110  
Honolulu, HI 96814  
Email: [pirohonolulu@noaa.gov](mailto:pirohonolulu@noaa.gov)  
Tel: 808-944-2200  
Fax: 808-973-2941

NMFS American Samoa field station  
Email: [gordon.yamasaki@noaa.gov](mailto:gordon.yamasaki@noaa.gov)  
Tel: 684-633-5598  
Mobile tel: 684-258-9675 or 684-258-9674  
Fax: 684-633-1400

Reports to the **FFA** can be sent to these email or fax addresses and may be contacted for other purposes through this mailing address and telephone numbers:<sup>11</sup> If unable to contact the FFA, the report should be sent to the NMFS American Samoa field station with a request to forward it to the FFA.

Pacific Islands Forum Fisheries Agency  
Attn: Janet Inito, Treaties Data Officer  
Mail: PO Box 629  
Honiara, Solomon Islands  
Email: [treaty@ffa.int](mailto:treaty@ffa.int)  
Tel: +677 21124 or 21125 or 97875  
After-hrs tel: +677 23217  
Fax: +677 27194

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<sup>11</sup> Vessel operators are not disallowed from sending original RPLs, ULs and FOTs directly to the FFA, but they are strongly encouraged to send them instead to NMFS (via the American Samoa field station), as described in sections 1.1 and 1.2. NMFS will review them for completeness and forward them to the FFA.

Reports to the **Pacific Island Parties** can be sent to the following addresses. If unable to contact a Pacific Island Party, the report should be sent to the FFA with a request to forward it to the Pacific Island Party.

#### **Australia**

Attn: Richard Bland, VMS Officer  
Email: [richard.bland@afma.gov.au](mailto:richard.bland@afma.gov.au)  
Tel: +61 2 627-25298  
Mobile tel: +61 2 418-468134  
Fax: +61 2 627-25784

#### **Cook Islands**

Attn: Jason Marurai, VMS Officer  
Email: [J.Marurai@mnr.gov.ck](mailto:J.Marurai@mnr.gov.ck)  
Tel: +682 26018  
Fax: +682 26020

#### **Federated States of Micronesia**

Attn: Justino Helgen, VMS Manager  
Email: [fsmvms@mail.fm](mailto:fsmvms@mail.fm)  
Tel: +691 320-2384  
Mobile tel: +691 920-1622  
Fax: +691 320-2383

#### **Fiji**

Attn: Anare Raiwalui, VMS Officer  
Email: [araiwalui@mff.net.fj](mailto:araiwalui@mff.net.fj) or  
[anare\\_raiwalui@yahoo.com](mailto:anare_raiwalui@yahoo.com)  
Tel: +679 330-1011  
Mobile tel: +679 927-4662  
Fax: +679 336-1184

#### **Kiribati**

Attn: Ioneba Temoai, VMS Officer  
Email: [fishreport@mfmrd.gov.ki](mailto:fishreport@mfmrd.gov.ki) or  
[fleu@tskl.net.ki](mailto:fleu@tskl.net.ki)  
Tel: +686 21502  
Fax: +686 21120

#### **Marshall Islands**

Attn: Dennis Jibas, VMS Officer  
Email: [mimra@ntamar.net](mailto:mimra@ntamar.net)  
Tel: +692 625-7231  
Mobile tel: +692 455-4536  
Fax: +692 625-4979  
or  
Attn: Xavier Myazoe, Licensing Data Officer  
Email: [xmyazoe@mimra.com](mailto:xmyazoe@mimra.com)  
Tel: +692 625 8262  
Mobile tel: +692 455 7507  
or  
Attn: Slam Kelen, Assistance Licence Officer  
Email: [slamd@mimra.com](mailto:slamd@mimra.com)

#### **Nauru**

Attn: Karlick Agir, VMS Data Officer  
Email: [catchdata@naurufisheries.com.nr](mailto:catchdata@naurufisheries.com.nr)  
or  
[karlick.agir@naurufisheries.com.nr](mailto:karlick.agir@naurufisheries.com.nr)  
Tel: +674 444-3733  
Fax: +674 444-3812

#### **New Zealand**

Attn: Mike Lindsay, Personal Application Analyst  
Email: [mike.lindsay@fish.govt.nz](mailto:mike.lindsay@fish.govt.nz)  
Tel: +64 4 460-4600  
Fax: +64 4 04 819-4799

#### **Tokelau**

Attn: Feleti Tulafono, VMS Officer  
Email: [tkvms@clear.net.nz](mailto:tkvms@clear.net.nz)  
Tel: +690 3134 or 3127  
Fax: +690 3133

#### **Niue**

Attn: Brendon Pasisi, Director – Fisheries & Agriculture  
Email: [fisheries3@mail.gov.nu](mailto:fisheries3@mail.gov.nu)  
Tel: +683 4668  
Fax: +683 4079

#### **Palau**

Attn: Thomas Tuti, VMS Officer  
Email: [tunapal@palaunet.com](mailto:tunapal@palaunet.com)  
Tel: +680 488-2882  
Fax: +680 488-3997

#### **Papua New Guinea**

Attn: Donna Asi, Data Registry Officer  
Email: [dasi@fisheries.gov.pg](mailto:dasi@fisheries.gov.pg)  
Tel: +675 309 0467  
Fax: +675 320 2061/69  
or  
Attn: Rose Simon, Data Registry Clerk  
Email: [rsimon@fisheries.gov.pg](mailto:rsimon@fisheries.gov.pg)  
Tel: +675 321-2643  
Fax: +675 320-2061  
or  
Attn: David Karis, VMS Supervisor  
Email: [dkaris@fisheries.gov.pg](mailto:dkaris@fisheries.gov.pg)  
Tel: +675 309 0488  
Mobile tel: +675 684 7423  
Fax: +675 320-2061

**Samoa**

Attn: Philipo Logo, VMS Officer  
Email: [samoafisheries@lesamoa.net](mailto:samoafisheries@lesamoa.net)  
Tel: +685 25418  
Fax: +685 24292

**Solomon Islands**

Attn: Charles Tabosala, VMS Officer  
Email: [solfish@Solomon.com.sb](mailto:solfish@Solomon.com.sb) or  
[tobasala@solomon.com.sb](mailto:tobasala@solomon.com.sb)  
Tel: +677 38730 or 38106  
Fax: +677 38730

**Tonga**

Attn: Ana Finau Taholo, VMS Officer  
Email: [anataholo@hotmail.com](mailto:anataholo@hotmail.com) or  
[anataholo@tongafish.gov.to](mailto:anataholo@tongafish.gov.to)  
Tel: +676 21399 or 23753 or 23921  
Mobile tel: +676 55713  
Fax: +676 23891

**Tuvalu**

Attn: Falasese Tupau, Licensing Officer  
Email: [ffavms@tuvalu.tv](mailto:ffavms@tuvalu.tv)  
Tel: +688 20143  
Mobile tel: +688 90400  
After-hrs tel: +688 20931  
Fax: +688 20151

**Vanuatu**

Attn: Wesley Obed, Licensing &  
Surveillance Officer  
Email: [wesley.obed@vanuatu.com.vu](mailto:wesley.obed@vanuatu.com.vu)  
Tel: +678 23621  
Mobile tel: +678 41318  
Fax: +678 23641

## **2. Closed and Limited Areas**

Changes to Closed Areas and Limited Areas have been made in the waters of two Pacific Island Parties, Papua New Guinea and Solomon Islands:

### **Papua New Guinea:**

Papua New Guinea's archipelagic waters are now closed to fishing by U.S. purse seine vessels. Previously, the archipelagic waters were open to fishing, with the exception of archipelagic waters within the area known as the Morgado Square, which is the area bounded by 0° 30' South and 3° 30' South latitude and 149° East and 153° East longitude. The Morgado Square includes both archipelagic waters and exclusive economic zone waters. Previously, the entire Morgado Square was a Closed Area. The portion of the Morgado Square that is in the exclusive economic zone – not archipelagic waters – is now open to fishing.

The Closed Areas in Papua New Guinea are now as follows: All territorial seas, archipelagic waters, and internal waters.

### **Solomon Islands:**

Previously, all but a small portion of the Solomon Islands exclusive economic zone was a Closed Area; the remainder was a Limited Area in which effort by U.S. purse seine vessels was restricted.

The Limited Area in Solomon Islands, which was the only Limited Area in the Treaty Area, has been removed – there are no longer any Limited Areas in the Treaty Area.

The Solomon Islands exclusive economic zone is now open to fishing under the Treaty, with the exception of the area from the archipelagic baseline for the main island group (as defined in Solomon Islands' Delimitation of Marine Waters Act 1978) out to 60 nautical miles (111 kilometers), which is a Closed Area.

The Closed Areas in Solomon Islands are now as follows: All internal waters, territorial seas, and archipelagic waters; and such additional waters around the main group archipelago, extending from the archipelagic baseline, as defined in Solomon Islands' Delimitation of Marine Waters Act 1978, out to 60 nautical miles.

### **3. VMS requirements**

#### **3.1. Basic requirements**

U.S. purse seine vessels licensed under the Treaty are required to have installed and to carry and operate a VMS unit at all times while in the Treaty Area. Specifically, vessel owners and operators must:

- Have installed a VMS unit on the licensed vessel; the unit must be installed by an installer authorized by the FFA;<sup>12</sup> a list of FFA-authorized VMS unit installers can be obtained from the NMFS or the FFA.
- Allow the FFA and the NMFS or their respective agents to program the VMS unit to transmit position and related information to the FFA and the NMFS, respectively.
- Except as provided in sections 3.5 and 3.6 below, at all times while in the Treaty Area, carry, have operational, and activate the VMS unit to transmit position reports.
- Ensure that nobody interrupts, interferes with, or impedes the operation of the VMS unit or tampers with, alters, damages, or disables the VMS unit.
- Ensure that nobody moves or removes the VMS unit from the installed position without first notifying the FFA by telephone, facsimile, or e-mail of such movement or removal.

#### **3.2. FFA Vessel Register**

As in the past, in order to be licensed under the Treaty, a vessel must be in good standing on the vessel register maintained by the FFA. In the past the FFA administered a “FFA Regional Register of Foreign Fishing Vessels”, and more recently, established a supplementary “FFA VMS Register of Foreign Fishing Vessels”. The two registers have now been consolidated into a single “FFA Vessel Register”. Registration must be done annually. Vessel owners and operators are responsible for completing the application forms, which are available from the NMFS or the FFA. Completed application forms must be submitted to the NMFS Pacific Islands Regional Office,<sup>13</sup> which will facilitate their transmittal to the FFA. The completed application form should be submitted to the NMFS Pacific Islands Regional Office at least seven days prior to the first day of the next licensing period (typically June 7) to avoid potential lapse of the registration and license between licensing periods. Vessel owners and operators are responsible for the payment of all required registration fees, which should be made to the American Tunaboat Association (ATA) designated account. The ATA

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<sup>12</sup> Throughout this guide, references to the “FFA” mean the Pacific Islands Forum Fisheries Agency, in its capacity of Treaty Administrator (called “Administrator” in the regulations at Title 50, Part 300, Subpart D) on behalf of the Pacific Island Parties to the Treaty (see section 3.8 for contact information).

<sup>13</sup> In referring to the NMFS, the regulations use the term “Regional Administrator” which means the Regional Administrator, Pacific Islands Region, NMFS, or a designee. The vessel register application form should be sent to the NMFS Pacific Islands Regional Office. The NMFS can otherwise be contacted via either the NMFS Pacific Islands Regional Office or the NMFS American Samoa field station, using the addresses given in section 3.8.

will alert the NMFS upon receipt of the fees and is responsible for forwarding them to the FFA.

### **3.3. VMS units must be type-approved**

The VMS unit and attendant software must be of a type approved by the FFA. A list of VMS units and associated software that are approved at this time is provided in Table 2. The approvals are subject to change; an up-to-date list can be obtained from the FFA (see contact information in section 3.8).

It is emphasized that occasionally VMS units may be removed from the list of approved units. Vessel owners are advised that as of this date, the FFA is considering the removal of all the currently listed Trimble units. Such removal is likely to be implemented in a phased fashion. For example, as a first step, the installation of these units would not be allowed – in other words, a unit installed prior to the step-one effective date could continue to be used as long as it is not removed from the vessel. As a second, later, step, the continued use of already installed units would be disallowed.

**Table 2. Current FFA-approved VMS units and software**

Model Name	Model Number	Software Version
Thrane and Thrane Capsat transceiver	TT-3022D	3.11
Thrane and Thrane Capsat transceiver	TT-3022D	3.24
Thrane and Thrane Capsat transceiver	TT-3022D	3.28 non-SOLAS Fishery DistFn-1
Thrane and Thrane Capsat transceiver	TT-3022D	3.32
Thrane and Thrane Capsat transceiver	TT-3026S Mini-C	2.12
Japan Radio Company Limited Inmarsat-C transceiver	JUE-75C	8.0
Japan Radio Company Limited Inmarsat-C transceiver	JUE-75CV	6.1
Japan Radio Company Limited Inmarsat-C transceiver	JUE-95VM	1.0
Trimble Galaxy transceiver	8005 (Courier)	5.10
Trimble Galaxy transceiver	TNL 7001	5.10a
Trimble Galaxy transceiver	TNL 7005 (non solas)	5.10
Trimble Galaxy transceiver	TNL 8001 (Sentinel)	5.10
Furuno Inmarsat-C Mobile Earth Station Transceiver	Felcom 15	DCE F15 V02+FFA
Furuno Inmarsat-C transceiver	Felcom 12 (IC-212)	DCE version .07+FFA
Furuno Inmarsat-C transceiver	Felcom 12 (IC-212)	DCE version .08+FFA
Furuno Mini-C Mobile Earth Station Transceiver	Felcom 16	DCE F16 V02+FFA
Furuno Mini-C Mobile Earth Station Transceiver	Felcom 16	DCE F16 V03+FFA
Sailor Inmarsat-C Mobile Earth Station Transceiver (SAT-C)	H1622D	TT-10202A Version 3.21 non-SOLAS Fishery

### 3.4. Repair and replacement of VMS units

After a fishing trip during which interruption of automatic position reports from the VMS units has occurred, the vessel's owner or operator must have the VMS unit repaired or replaced prior to departure on the vessel's next trip.

If the VMS unit is replaced, the new VMS unit must be installed by an FFA-authorized VMS unit installer, as indicated in section 3.1, above. The operational viability of the new unit should be verified by the FFA prior to departure on the next trip.

### **3.5. Procedures in case of VMS unit signal interruption**

When a vessel owner or operator is notified by the FFA or an authorized officer that automatic position reports from the vessel's VMS unit are not being received, or when the vessel owner or operator is otherwise alerted or aware that transmission of automatic position reports has been interrupted, the vessel owner and operator must do the following:

The vessel owner or operator must submit manual position reports to the FFA by telephone, facsimile, or e-mail that include:

- vessel name
- international radio call sign
- current vessel position (latitude and longitude to the nearest minute)
- date and time (in UTC)

The reports must be submitted at intervals of no greater than eight hours, or a shorter interval if and as specified by the FFA or an authorized officer.

The reports must continue to be submitted until the FFA has confirmed to the vessel owner or operator that the VMS unit is properly transmitting automatic position reports.

If the manual position reports cannot be made, the vessel operator or owner must notify the FFA of such as soon as possible, by any means possible.

If directed by the FFA or an authorized officer, the vessel operator must:

- immediately stow the fishing gear in a manner so as not to be readily available for fishing; in particular: the boom must be lowered as far as possible so that the vessel cannot be used for fishing but so that the skiff is accessible for use in emergency situations; the helicopter, if any, must be tied; and the launches must be secured;
- take the vessel directly to a port designated by the FFA or authorized officer in order to repair or replace the VMS unit; and
- notify the FFA by telephone, facsimile, or e-mail as soon as possible that the vessel is being taken to port with fishing gear stowed.

### **3.6. Optional VMS unit shutdown while in port or shipyard**

When the vessel is in port and not moving, the VMS unit may be shut down, provided that:

- the FFA has been notified by telephone, facsimile, or e-mail that the vessel is in port and of the intended shutdown,



and:

- manual position reports, as described in the previous section, are submitted to the FFA at intervals of no greater than 24 hours, or a shorter interval if and as specified by the FFA or an authorized officer.

If the VMS unit is shut down while the vessel is in port, the vessel owner or operator must:

- once the vessel subsequently leaves port, notify the FFA of such departure by telephone, facsimile, or e-mail as soon as possible after the departure (and it would be prudent to seek confirmation from the FFA before leaving port that the VMS unit is operating properly).

When the vessel is in a shipyard, the VMS unit may be shut down and the submission of manual position reports is not required, provided that:

- the FFA has been notified by telephone, facsimile, or e-mail that the vessel is in the shipyard and of the intended VMS unit shutdown.

If the VMS unit is shut down while the vessel is in a shipyard, the vessel owner or operator must:

- once the vessel subsequently leaves the shipyard, notify the FFA of such departure by telephone, facsimile, or e-mail as soon as possible after the departure (and it would be prudent to seek confirmation from the FFA before leaving the shipyard that the VMS unit is operating properly).

### **3.7. Access to, and treatment of, VMS data**

As a condition to obtaining a license, holders of licenses must allow the Regional Administrator of the NMFS Pacific Islands Region or his/her designee, authorized officers, the FFA, and authorized party officers and designees access to the vessel's position data that are obtained from the VMS unit, both at the time the data are transmitted from the unit and thereafter. From a practical standpoint, this generally means that the vessel operator should not allow the VMS unit, once installed, programmed and activated, to be tampered with in any way.

Vessel owners and operators are advised that the VMS signal data will be treated by the NMFS as confidential business information. However, if VMS data are requested under the Freedom of Information Act (FOIA), the responding agency will be required to determine, on a case-by-case basis, the releasability of the information under any applicable exemptions.

### 3.8. Contact information

NMFS will advise license holders of any changes to the information in this section.

For the purpose of the manual position reports and the notifications described in sections 3.5 and 3.6 above, the contact information for the **FFA** is as follows:

Email: [vms@ffa.int](mailto:vms@ffa.int)  
Tel: +677 24969  
After-hrs tel: +677 21124 or 95163 or 24847  
Fax: +677 23995

For VMS informational purposes, the contact information for the **FFA** is as follows:

Mail: Director-General  
Pacific Islands Forum Fisheries Agency  
PO Box 629  
Honiara  
Solomon Islands  
Email: [vms@ffa.int](mailto:vms@ffa.int) and/or [treaty@ffa.int](mailto:treaty@ffa.int)  
Tel: +677 21124 or 21125 or 24969 or 95163 or 24847  
Fax: +677 23995 or 27194  
Internet: <http://www.ffa.int>

Applications for the FFA Vessel Register must be sent to the **NMFS** Pacific Islands Regional Office. The NMFS can be contacted for other purposes, such as to obtain updated contact information for the FFA, via the NMFS Pacific Islands Regional Office or the NMFS American Samoa field station:

NMFS Pacific Islands Regional Office (attn: International Program)

Mail: 1601 Kapiolani Blvd., Suite 1110  
Honolulu, HI 96814

Email: [pirohonolulu@noaa.gov](mailto:pirohonolulu@noaa.gov)  
Tel: 808-944-2200  
Fax: 808-973-2941

NMFS American Samoa field station

Email: [gordon.yamasaki@noaa.gov](mailto:gordon.yamasaki@noaa.gov)  
Tel: 684-633-5598  
Mobile tel: 684-258-9675 or 684-258-9674  
Fax: 684-633-1400

Payments for registration on the FFA Vessel Register should be sent to the designated account of the **American Tunaboat Association**:

American Tunaboat Association

Mail: 2535 Kettner Blvd., Suite 3c1  
San Diego, CA 92101

Email: [KrampePaul@aol.com](mailto:KrampePaul@aol.com)

Tel: 619-238-1838

Fax: 619-238-1708