

4th Meeting of the Scientific Committee

The Hague, Kingdom of the Netherlands
10 - 15 October 2016

SC-04-06

OPWG DRAFT paper on the SPRFMO Observer Programme

Michael D. Tosatto (OPWG Chairperson)

The attached document was submitted by the Chairperson of the Observer Programme Working Group (OPWG) for consideration by the Scientific Committee.

In his introductory letter Mr Tosatto requests comments and advice from the SC with regard to a preliminary DRAFT Conservation & Management Measure for the SPRFMO Observer Programme which reflects the deliberations of the OPWG so far.

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Johanne Fischer
Executive Secretary
SPRFMO Secretariat
P.O. Box 3797
Wellington 6140
New Zealand

AUG 12 2016

Dear Dr. Fischer:

SUBJECT: Scientific Committee Review of the Proposal for the SPRFMO Observer Programme

According to the Terms of Reference for the SPRFMO Observer Programme Working Group (OPWG), I am submitting a draft of the initial proposal for the SPRFMO Observer Programme for the Scientific Committee' (SC) review and consideration. As you know, there are several outstanding issues regarding development of this document that the OPWG is currently considering, and we are specifically seeking the SC's advice on the following matters:

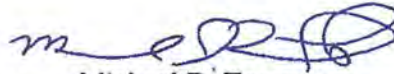
1. **Observer data collection requirements.** We are requesting that the SC review the observer data collection requirements specified in CMM 4.02, "Conservation and Management Measure on the Standards for the Collection, Reporting, Verification and Exchange of Data." We propose to move the observer data collection requirements from CMM 4.02 to the in-development Observer Programme CMM while retaining the specific data elements. We seek the SC's advice on whether any amendments are necessary to the existing language in CMM 4.02 (particularly Paragraph 2) as it is moved to the OP CMM and verification by the SC that the specific data elements identified (Annex 7 of CMM 4.02) remain valid.
2. **Levels and metrics for observer coverage.** We propose that, as a starting point, observer coverage levels for the SPRFMO Observer Programme be the same as the coverage levels currently required in CMMs for specific fisheries and that all other fisheries comply with 10% observer coverage. We request that the SC review the language in Part 6 of the enclosed document and provide advice on appropriate coverage levels and the most appropriate metrics for measuring observer coverage in each fishery.

We welcome the SC's advice and input on all other aspects of the in-development Observer Programme CMM.



Please circulate this document to the Chair of the SC as well as to all Members and CNCPs.

Sincerely,

A handwritten signature in blue ink, appearing to read "m. d. tosatto", with a stylized flourish at the end.

Michael D. Tosatto
Regional Administrator

Enclosure

cc: James Ianelli, SC Chair

CMM X.XX**Conservation and Management Measure for the
SPRFMO Observer Programme****The Commission of the South Pacific Regional Fisheries Management Organisation,**

Explanatory Note: The preamble for this draft incorporates the suggested comments and edits received on the initial draft of this section.

Recalling that Article 28 of the Convention calls for the establishment of an observer programme to collect verified catch and effort data, other scientific data and additional information related to the fishing activity in the Convention Area, and its impacts on the marine environment.

Noting that Article 28 sets out the functions of the observer programme and specifies that the information collected by the observer programme shall, as appropriate, also be used to support the functions of the Commission and its subsidiary bodies, including the Scientific Committee and Compliance and Technical Committee, and that the observer programme shall be coordinated by the Secretariat of the Commission in a flexible manner.

Desiring to implement a best practice observer programme, taking into account the similar experiences and practices implemented by other regional fisheries management organizations (RFMOs).

Acknowledging that other RFMOs have established observer programmes for similar purposes, that national observer programmes are in place, and that coordination with these programmes shall be pursued to the maximum extent possible.

Acknowledging that worldwide experience has demonstrated that observers deployed on board fishing vessels during commercial operations can provide high-quality information for management and conservation of fishing resources and their environment, and can also help to promote good communications among Members, Cooperating non-Contracting Parties (CNCs), scientists and fishing users.

Adopts the following conservation and management measure in accordance with Article 8 of the Convention:

Part 1 Definitions

Explanatory Note: This part has been added per Australia's suggestion and includes several terms suggested by Australia as well as several additional terms. Several OPWG participants provided comments on the need for and definition of the terms "independent and impartial." Australia and the United States provided specific language for these terms, with Australia's definition focusing on the data to be collected and the United States' definition focusing on the observers themselves. Both definitions are provided in brackets below for consideration of the OPWG.

1. Terms in this measure have the following definitions:

Accredited means: an observer programme or service provider that meets the standards adopted by the Commission.

Collect means: to record information electronically or on paper by typing, writing, photograph or other means.

Debriefing means: processing data collected by observers through appropriate quality assurance or quality control systems.

[Australia: *Independent*: For data to be considered ‘independent’ it must be collected in an uninfluenced and unbiased manner on board any vessel regardless of which flag under which the vessel is operating. Accordingly, independent refers to data sourced from programmes or service providers accredited by the Commission. The programme will have no direct financial interest, ownership or business links with vessels, processors, agents and retailers involved in the catching, taking, harvesting processing or selling of fish or fish product.

Impartial: The collection of independent and ‘impartial’ data refers to data collected which is free from outside influence, from vessels, processors, agents, retailers, involved in the catching, taking, harvesting processing or selling of fish or fish product and will also be free from influence by non-governmental environmental, fishery, and other related organizations. Data collection shall be undertaken in an uninfluenced and unbiased manner on board vessels from both flag State and foreign fishing nations.

U.S.: *Independent and impartial* means that an observer:

- a) May not have a direct financial interest, other than the provision of observer services, in the fishery under the purview of the Commission, including, but not limited to: i) any ownership, mortgage holder, or other secured interest in a vessel or processor involved in the catching, taking, harvesting or processing of fish; ii) any business selling supplies or services to any vessel or processor in the fishery; iii) any business purchasing raw or processed products from any vessel or processor in the fishery.
- b) May not solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, inordinate accommodation, loan or anything of monetary value from anyone who either conducts activities that are regulated by the flag Member or CNCP and the Commission or has interests that may be substantially affected by the performance or nonperformance of the observer’s official duties.
- c) May not serve as an observer on any vessel or at any processors owned or operated by a person who previously employed the observer in another capacity (e.g., as a crew member).
- d) May not solicit or accept employment as a crew member or an employee of a vessel or processor while employed by an observer provider.]

Observer Programme: An observer programme refers to the government programme or non-government service provider that conducts the coordinated collection and debriefing of observer data as adopted by the Commission for the purposes of implementing this CMM.

Part 2 Scope of the SPRFMO Observer Programme

Explanatory Note: Based on comments received, this part includes some additional language regarding the scope of the CMM. Language has been added in Paragraph 1 to clarify that the SPRFMO Observer Programme applies to all fishing vessels operating in the Convention Area while they are in the Convention Area. In other words, a fishing vessel that operates only in an Exclusive Economic Zone (EEZ) would not be subject to these requirements. However, a fishing vessel that operates in the Convention Area and in an EEZ on the same trip would be subject to the requirements of this CMM for the portion of the trip that occurs in the Convention Area. Existing domestic observer programmes would be eligible to become accredited, so multiple observers would not be needed.

2. The SPRFMO Observer Programme (SPRFMO OP) shall apply to all fishing vessels flying the flag of a Member or CNCP, as defined in Article 1, 1, (h) of the Convention, and operating in the area of application of the Convention, as defined in Article 5 of the Convention.
3. The SPRFMO OP shall consist of [independent and impartial observers] *or per Australia definition* [independent and impartial data collected by observers] that are sourced from observer programmes accredited by the Commission. The SPRFMO OP shall be consistent, to the maximum extent possible, with other regional and national observer programmes. This should include but not be limited to the sharing of information pertinent to vessel conditions and health and safety.
4. The SPRFMO OP shall be coordinated by the Secretariat of the Commission and operated in accordance with standards, rules and procedures established by the Commission.
5. A key role of observers under the SPRFMO OP shall include collecting the information specified in Part 5 below.

Part 3 Objectives of the SPRFMO Observer Programme

Explanatory Note: Given the comments received on this part, it appears that it would be best to include the already agreed language and requirements from Paragraph 2 of CMM 4.02, “Conservation and Management Measure on the Standards for the Collection, Reporting, Verification and Exchange of Data,” such that the objectives and core requirements of the SPRFMO OP are only located in this CMM. Accordingly, a revision to CMM 4.02 would need to be submitted along with the adoption of this CMM. The specific observer data elements and confidentiality requirements will remain in the revised “CMM on the Standards for the Collection, Reporting, Verification and Exchange of Data.” I felt it appropriate to

ask the Scientific Committee to review the observer data collection requirements in CMM 4.02, “Conservation and Management Measure on the Standards for the Collection, Reporting, Verification and Exchange of Data,” including the data elements of Appendix 7, and provide advice on any needed amendments to include in this CMM. Comments also indicated that data collected by observers should be used for both scientific and compliance monitoring purposes, so modifications have been made to this part to incorporate those comments. In addition, language referencing Annex A and Annex B has been moved to this part and the text has been changed to refer to these documents as mandatory rights and responsibilities, rather than guidelines.

6. The objective of the SPRFMO OP is to provide the following types of information that have been collected by observers and have been subject to debriefing:
 - a. Effort and catch data for all fisheries and fished species in the Convention Area, including target, by-catch and associated and dependent species.
 - b. Biological or other data and information relevant to the management of fishery resources in the Convention Area, as specified in these standards, or as identified from time to time by the Scientific Committee or through processes identified by the Commission.
 - c. Relevant scientific information related to the implementation of the provisions of the Conservation and Management Measures (CMMs) adopted by the Commission.
 - d. Representative data, including length-frequency and biological samples, across the Convention Area, distribution of fishing effort, seasons, fishing fleets and fleet types.
7. Information collected through the SPRFMO OP shall, as appropriate, be used to support the functions of the Commission and its subsidiary bodies, including but not limited to stock assessments, development of conservation and management measures, and compliance monitoring.
8. The SPRFMO OP also provides for the rights and responsibilities of observers and vessel operators, captains, and crew in Annex A and Annex B, respectively.

Part 4 Roles and General Responsibilities

Explanatory Note: Multiple comments were submitted on this part, with some recommending that the standards and details for the accreditation process should be included as an annex to this CMM and some also recommending that the details of the Secretariat’s role in the Observer Programme should be clearly delineated in the CMM. This draft of the CMM proposes that agreement be reached first on the framework elements of the SPRFMO OP along with an interim accreditation process, and that the final details of an accreditation process and the Secretariat’s responsibilities therein be developed for adoption by the Commission and inclusion as annex to this CMM.

9. Members and CNCPs shall only use observers from observer programmes accredited under the SPRFMO OP for fishing vessels flying their flag operating in the Convention Area.
10. Members and CNCPs shall be responsible for meeting the level of observer coverage as set by the Commission and shall ensure that fishing vessels flying their flag operating in the Convention Area are prepared to accept observers from the SPRFMO OP.
11. The SPRFMO Secretariat shall coordinate the SPRFMO OP and shall organize and operate the SPRFMO OP in accordance with standards, rules and procedures established by the Commission.
12. Members and CNCPs shall provide the SPRFMO Secretariat with the details of any observer programmes for nomination for accreditation under the SPRFMO OP. Nominated observer programmes shall undergo an accreditation process in accordance with standards adopted by the Commission. After accreditation, each observer programme will be evaluated for continued participation in the SPRFMO OP every three [five] years, in accordance with standards adopted by the Commission.
13. Until the Commission has adopted the accreditation process, Members and CNCPs shall provide the Secretariat with the following information on any observer programmes nominated to participate in the SPRFMO OP on an interim basis: (1) the name and contact details of the observer programme coordinator; and (2) the observer programme manual, guidelines, instructions, regulations or workbooks relevant to describe the requirements and duties of the programme's observers. These programmes will be required to undergo the full accreditation process when it is implemented.
14. Members and CNCPs will ensure that observer data are put through an appropriate data quality / debriefing process, which will be reviewed by the Commission as part of the SPRFMO OP accreditation process.
15. Members and CNCPs shall ensure that observer data are provided to the Secretariat in a standardized format, to be included in a SPRFMO Observer Database per specifications and standards for observer data submissions on the SPRFMO website. Observer data must be identified at the fishery level. Members and CNCPs will provide by 30 September, their previous (January to December) year's debriefed observer data.
16. Members and CNCPs shall ensure that observers do not unduly interfere with the lawful operations of the vessel and in carrying out their duties shall give due consideration to the operational requirements of the vessel and to the extent practicable minimize disruption to the operation of vessels fishing in the Convention Area.

17. Members and CNCPs shall ensure that observers are not unduly obstructed in the discharge of their duties unless there is a documented safety issue.
18. Members and CNCPs shall ensure that vessel operators and crew comply with Annex A and Annex B.

Part 5 Minimum Information and Data to be Collected

Explanatory Note: As stated in the Explanatory Note for part 3, above, the specific data elements to be collected will remain in the “Conservation and Management Measure on the Standards for the Collection, Reporting, Verification and Exchange of Data.” Other requirements from the CMM except data confidentiality are included here.

19. Members and CNCPs shall ensure that observers collect the information specified in the “Conservation and Management Measure on the Standards for the Collection, Reporting, Verification and Exchange of Data.”
20. Members and CNCPs shall provide annual observer implementation reports, by 30 September covering the previous year, which include sections covering: observer training, programme design and coverage, type of data collected, and any problems encountered during the year. These reports shall be reviewed by the Compliance and Technical Committee (CTC) and the Scientific Committee to evaluate the implementation and effectiveness of observer programmes.
21. The Secretariat shall prepare an annual report on the implementation of the SPRFMO OP for presentation at each annual meeting of the CTC and Commission that will be distributed to Members and CNCPs [30] days prior to each meeting, including but not limited to information on problems that have been encountered and recommendations for improving current standards and practices. The Secretariat shall compile and disseminate accurate and complete observer data to the Scientific Committee (SC) no later than [60] days in advance of each SC meeting to ensure that the best scientific information is available, while maintaining confidentiality following the procedures specified in Paragraph 7 of CMM 4.02, “Conservation and Management Measure on the Standards for the Collection, Reporting, Verification and Exchange of Data” and any other data confidentiality procedures developed.

Part 6 Levels of Observer Coverage

Explanatory Note: Text in this part has been modified to reference existing CMMs specifying observer coverage. The language for all other fisheries not covered by existing CMMs mirrors language in CMM 4.01. However, I propose that it would be better to include all metrics and specified levels of observer coverage in this CMM and as other CMMs are updated these requirements need not be carried forward and the references here can be deleted. I believe it is appropriate to ask the Scientific Committee for advice on the appropriate levels of observer coverage and metrics to use for each fishery.

22. For the *Trachurus murphyi* fishery, the level of observer coverage shall be as specified in CMM 4.01, “Conservation and Management Measure for *Trachurus murphyi*.”
- a. Members and CNCPs participating in the *Trachurus murphyi* fishery shall ensure a minimum of 10% observer coverage of trips
 - b. In the case of the vessels undertaking no more than 2 trips in total, the 10% observer coverage shall be calculated by reference to active fishing days for trawlers and sets for purse seine vessels.
23. For bottom fisheries, the level of observer coverage shall be as specified in CMM 4.03, “Conservation and Management Measure for the Management of Bottom Fisheries in the SPRFMO Convention Area.”
- a. for vessels using trawl gear in the Convention Area, ensure 100 percent observer coverage for vessels flying their flag for the duration of the trip;
 - b. for each other bottom fishing gear type, ensure that there is at least a 10 percent level of observer coverage each fishing year;
24. For new and exploratory fisheries, the level of observer coverage shall be as specified in CMM 4.13, “Conservation and Management Measure for the Management of New and Exploratory Fisheries in the SPRFMO Convention Area.”
25. For all other fisheries, Members and CNCPs shall ensure a minimum of 10% observer coverage of trips. In the case of the vessels undertaking no more than two trips in total, the 10% observer coverage shall be calculated by reference to active fishing days or sets.

Annex A: Rights and Responsibilities of Observers in the SPRFMO Observer Programme

1. The rights of observers shall include:
 - a. Full access to and use of all facilities and equipment of the vessel which the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish and any bycatch on board, and areas which may be used to hold, process, weigh, and store fish.
 - b. Full access to the vessel's records including its logs and documentation for the purpose of records inspection and copying, vessel diagrams, reasonable access to navigational equipment, charts and radios, and reasonable access to other information related to fishing.
 - c. Access to and use of communications equipment and personnel, upon request, for entry, transmission, and receipt of work related data or information.
 - d. Access to additional equipment, if present, to facilitate the work of the observer while on board the vessel, such as high powered binoculars, electronic means of communication, freezer to store specimens, scales, etc.
 - e. Access to the working deck or hauling station during net or line retrieval and to specimens (alive or dead) in order to collect and remove samples, as well as cooperation of the vessel crew when sampling the catch.
 - f. Notice by the vessel captain of at least fifteen (15) minutes before hauling or setting procedures, unless the observer specifically requests not to be notified.
 - g. Access to food, accommodations, medical facilities that meet international maritime standards, and sanitary facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel.
 - h. The provision of adequate space on the bridge or other designated area for clerical work and adequate space on the deck or factory for observer duties.
 - i. Freedom to carry out their duties without being assaulted, obstructed, resisted, delayed, intimidated or interfered with in the performance of their duties.
 - j. Full access to verify safety equipment onboard (safety orientation tour provided by officers/crew), before the vessel leaves dock, and recording any pertinent information including life rafts capacity, radios, etc.
 - k. Full access to communication equipment onboard that allows the observer to communicate with the observer program on land at any time in case of emergencies.
 - l. Free access to record any pertinent information including but not limited to video and still images.
 - l. A permanent delegate or supervisor on land to communicate with while at sea.
 - m. Provision of personal protective equipment, including personal locator beacon.
 - n. Ability to decline to board a vessel if safety issues are detected, such as expired life rafts, restricted capacity of the rafts, expired fire extinguishers, malfunctioning safety equipment, inadequate accommodations, etc., and communicate the safety issues to the vessel captain, observer provider, Secretariat, and flag State.
 - o. Timely medical attention in case of illness or injury.
 - p. Upon request, receiving reasonable assistance of the crew to perform their activities including sampling, handling large specimens, releasing incidental specimens, measurements, etc.

2. The responsibilities of the observers shall include:
 - a. Being capable of performing the duties set out by the Commission.
 - b. Accurately recording sampling data and writing reports as directed by the Commission.
 - c. Successfully completing training, and receiving satisfactory evaluation of performance after each cruise and briefing according to standards set by the Commission in order to be certified annually as an observer of the SPRFMO OP.
 - d. Carrying identification documents issued by the designating Member or CNCP in a form approved by the Commission.
 - e. Acceptance and compliance with agreed upon confidentiality rules and procedures with respect to the fishing operations of the vessels and of the vessel owners.
 - f. Maintenance of independence and impartiality at all times while on duty in the SPRFMO Observer Programme.
 - g. Compliance with SPRFMO Observer Programme protocols for observers carrying out SPRFMO Observer Programme duties on board a vessel.
 - h. Compliance with the laws and regulations of the Member or CNCP that exercises jurisdiction over the vessel.
 - i. Respecting the hierarchy and general rules of behavior that apply to all vessel personnel.
 - j. Performance of duties in a manner that does not unduly interfere with the lawful operations of the vessel and in carrying out their functions they shall give due consideration to the operational requirements of the vessel and shall communicate regularly with the captain or master of the vessel.
 - k. Following a mechanism established by the Commission for the resolution of conflicts.
 - l. Familiarity with the emergency procedures aboard the vessel, including the locations of life rafts, fire extinguishers, and first aid kits.
 - m. Communicating regularly with the vessel captain on relevant observer issues and duties.
 - n. Observance of ethnic traditions of the crew and customs of the flag State of the vessel.
 - o. Refraining from actions that could negatively affect the image of the SPRFMO Observer Programme.
 - p. Adherence to any SPRFMO codes of conduct for observers.
 - q. Promptly writing and submitting reports to the Commission or national programme in accordance with procedures adopted by the Commission.
 - r. Before boarding the vessel, ensure that the embarkation point is free of obstacles, and wear a personal flotation device and take appropriate safety precautions when embarking and disembarking.
 - s. Communicating at least once a day with the program managers on land.

Annex B: Rights and Responsibilities of Vessel Operators, Captain and Crew

1. The rights of vessel operators and captains shall include:
 - a. Expectation that at least [15] days of prior notice of the placement of SPRFMO Observer Programme observers shall be given.
 - b. Expectation that the observers will comply with the general rules of behavior, hierarchy, and laws and regulations of the Member or CNCP that exercises jurisdiction over the vessel.
 - c. Timely notification from the observer provider on completion of the observer's trip of [describe specific information to be shared – sampling information, other information?] to the vessel owner for review. The captain shall have the opportunity to review and comment on this information, and shall have the right to include additional information deemed relevant or a personal statement. [Discussion is needed to clearly specify which data can be shared with vessel owners and operators and which data is confidential and cannot be shared].
 - d. Ability to conduct operations of the vessel without undue interference due to the observer's presence and performance of necessary duties.
 - e. Ability to assign, at his or her discretion, a vessel crew Member to accompany the observer when the observer is carrying out duties in hazardous areas.
2. The responsibilities of vessel operators and captains shall include:
 - a. Accepting onboard the vessel one or more persons identified as an under the SPRFMO Observer Programme when required by the Commission.
 - b. Ensuring vessels operating in the SPRFMO Area include certified sample stations and/or other equipment (such as MCP scales and/or flow scales) to the extent that there are established standards set by the Commission for different types of vessels.
 - c. Maintaining an inspection report of the sample stations, and make a station diagram available to the observers.
 - d. Not altering the sample stations unless approved by the Commission.
 - e. Informing the crew of the timing of the SPRFMO Observer Programme observer boarding as well as their rights and responsibilities when an observer from the SPRFMO Observer Programme boards the vessel.
 - f. Assisting the SPRFMO Observer Programme observer to safely embark and disembark the vessel at an agreed upon place and time.
 - g. Giving notice to the SPRFMO Observer Programme observer at least fifteen (15) minutes before the start of a set or haul onboard, unless the observer specifically requests not to be notified.
 - h. Allow and assist the SPRFMO Observer Programme observer to carry out all duties safely.
 - i. Allowing the SPRFMO Observer Programme observer full access to the vessel's records including vessel logs and documentation for the purpose of records inspection and copying.

- j. Allowing reasonable access to navigational equipment, charts and radios, and reasonable access to other information related to fishing.
 - k. Permitting access to additional equipment, if present, to facilitate the work of the SPRFMO Observer Programme observer while onboard the vessel, such as baskets, scales, high powered binoculars, photo cameras, stationary, electronic means of communication, safety gear (life vests, hard hats, immersion suits, strobe lights, personal locator beacons) etc.
 - l. Allow and assist the SPRFMO Observer Programme observer to remove and store samples from the catch.
 - m. The provision to the SPRFMO Observer Programme observer, while onboard the vessel, at no expense to the observer or the SPRFMO Observer Programme observer's provider or government, with food, accommodation, adequate sanitary amenities, and medical facilities of a reasonable standard equivalent to those normally available to an officer onboard the vessel.
 - n. The provision to the SPRFMO Observer Programme observer, while onboard the vessel, insurance coverage for the duration of the observer's time onboard the vessel.
 - o. Allow and assist full access to and use of all facilities and equipment of the vessel that the observer may determine is necessary to carry out his or her duties, including full access to the bridge and any internet capabilities, fish onboard, and areas which may be used to hold, process, weigh, and store fish.
 - p. Ensuring the SPRFMO Observer Programme observer is not assaulted, obstructed, resisted, delayed, intimidated, interfered with, influenced, bribed or is attempted to be bribed in the performance of their duties.
 - q. Following an established mechanism adopted by the Commission for solving conflicts.
3. Rights and responsibilities of vessel crew shall include:
- a. Expectation that the SPRFMO Observer Programme observer will comply with the general rules of behavior, hierarchy, and laws and regulations of the Member or CNCP that exercises jurisdiction over the vessel.
 - b. Expectation that a reasonable period of prior notice of the placement of a SPRFMO Observer Programme observer shall be given by the Captain.
 - c. Reasonable expectation of privacy in crew personal areas.
 - d. Ability to carry out duties associated with normal fishing operations without undue interference due to the SPRFMO Observer Programme observer's presence and performance of their necessary duties.
4. The responsibilities of the vessel crew shall include:
- a. Not assaulting, obstructing, resisting, intimidating, influencing, or interfering with the SPRFMO Observer Programme observer or impeding or delaying observer duties.
 - b. Compliance with regulations and procedures established under the Convention and other guidelines, regulations, or conditions established by the Member or CNCP that exercises jurisdiction over the vessel.

- c. Allowing and assisting full access to and use of all facilities and equipment of the vessel which the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish onboard, and areas that may be used to hold, process, weigh and store fish.
 - d. Allow and assist the SPRFMO Observer Programme observer to carry out all duties safely.
 - e. Allow and assist the SPRFMO Observer Programme observer to remove and store samples from the catch.
 - f. Compliance with directions given by the vessel captain with respect to the SPRFMO Observer Programme observer duties.
5. The responsibilities of the vessel captains shall also include providing a safety orientation to the observer on boarding and before the vessel leaves the dock and ensure that the observer completes a vessel safety checklist. The orientation shall include:
- a. Safety documentation of the vessel.
 - b. Location of life rafts, raft capacities, observer's assignment, expiration, installation, etc.
 - c. Location of emergency radio beacons indicating position in case of emergency.
 - d. Location of immersion suits and personal floating devices, their accessibility, and the quantities for everyone onboard.
 - e. Location of flares, types, numbers, and expiration dates.
 - f. Location and number of fire extinguishers, expiration dates, accessibility, etc.
 - g. Location of life rings.
 - h. Procedures in case of emergencies and essential actions of the observer during each type of emergency, such as a fire on board, recovering a person overboard, etc.
 - i. Location of first aid materials and familiarity with crew members in charge of first aid.
 - j. Location of radios, procedures for making an emergency call, and how to operate a radio during a call.
 - k. Safety drills.
 - l. Safe places to work on deck and safety equipment required.
 - m. Procedures in case of illness or accident of the observer or any other crew member.