

**4th Meeting of the Commission
Valdivia, Chile, 25 to 29 January 2016**

COMM04-WP-01

**Proposal to Amend CMM 3.01
(Conservation and Management Measure for *Trachurus murphyi*)**

Republic of Korea

(Previously discussed as CTC03-WP-01)

1) Explanatory Note

During the 3rd SPRFMO Commission Meeting, Korea raised an issue regarding the attribution of *Trachurus murphyi* catches taken under a quota transfer arrangement between two Members or CNCPs.

Current paragraph 6 of CMM 3.01 provides that “catches will be attributed to the flag state whose vessels have undertaken the fishing activities”. Due to this provision, some Members or CNCPs tend to be reluctant to transfer their entitlement to another Member or CNCP, concerning that the transferred portion will be attributed to the catch history of the receiving Member or CNCP thereby placing the receiving Party in a better position in future allocation of fishing opportunities.

To address this concern and facilitate the transfer of catch entitlement between Members or CNCPs for the optimal utilization of allowable catches, it is important that the transferring Members or CNCPs be assured that they will not be disadvantaged by the transfer of catch entitlement when it comes to future allocation of fishing opportunities.

In this regard, Korea proposes an amendment to paragraph 9 of CMM 3.01 to address the above-mentioned concern and promote the optimal use of the stock.

2) Proposal of amendment of CMM 3.01

It is proposed that the current paragraph 9 of CMM 3.01 be amended as follows:

Tracked changes:

9. A Member or CNCP may transfer to another Member or CNCP all or part of its entitlement to catch up to the limit set out in Table 1, **without prejudice to future agreements on the allocation of fishing opportunities**, subject to the approval of the receiving Member or CNCP. When receiving fishing entitlement by transfer, a Member or CNCP may either allocate it on the basis of domestic legislation or endorse arrangements between owners participating in the transfer. Before the transferred fishing takes place, the transferring Member or CNCP shall notify the transfer to the Executive Secretary for circulation to Members and CNCPs without delay.

Clean version:

9. A Member or CNCP may transfer to another Member or CNCP all or part of its entitlement to catch up to the limit set out in Table 1, **without prejudice to future agreements on the allocation of fishing opportunities**, subject to the approval of the receiving Member or CNCP. When receiving fishing entitlement by transfer, a Member or CNCP may either allocate it on the basis of domestic legislation or endorse arrangements between owners participating in the transfer. Before the transferred fishing takes place, the transferring Member or CNCP shall notify the transfer to the Executive Secretary for circulation to Members and CNCPs



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without delay.