



Vanuatu

Management Plan for the Regulation

of

Fish Aggregating Devices

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1. Disclaimer

This draft represents a work in progress and will be subject to further development and refinement prior to being implemented fully. Vanuatu intends to submit a more complete Plan at a later date and this draft should be viewed without prejudice to any provisions in the final version.

2. Scope

This Plan sets out the mechanisms and procedures that the Vanuatu will use to regulate the use of Fish Aggregating Devices (FADs) for various purposes including to limit fishing mortality on vulnerable species such as juvenile bigeye and yellowfin tuna.

This Plan applies to Vanuatu flagged vessels fishing in the high seas.

This Plan is only relevant to the purse seine fishery. Unless otherwise specified, references to fishing or fishing vessels only apply to purse seine fishing vessels, group purse seine fishing vessels and their support vessels.

3. Legal Status

In the first instance, this FAD Management Plan represents the policy of the Vanuatu Government and does not have legal affect in its own right. It is the intention of Vanuatu to institute specific elements of the Plan through various means in the short term, which may include permit conditions or other methods deemed suitable.

In the longer term, this Plan will be reviewed according to further developments, such as the work being undertaken by the secretariat of the Western and Central Pacific Fisheries Commission (WCPFC) under the auspices of Conservation and Management Measure 2008-01¹. Specific Regulations may be introduced to give legal affect to the Plan as amended.

4. FAD Types

For the purposes of this Management Plan, Vanuatu uses the following definition of a FAD:

“a drifting or anchored floating or submerged object deployed by vessels for the purpose of aggregating target tuna species for purse seine or ring-net fishing operations”.

5. FAD Management Provisions

This section of the Plan describes the arrangements that will be applied to Vanuatu vessels fishing in the high seas within the WCPFC Convention Area. This has been prepared with due regard to the WCPFC Guidelines for the Preparation of FAD Management Plans, as articulated in Attachment E to CMM 2008-01².

¹ CMM 2008-01 - Conservation And Management Measure For Bigeye And Yellowfin Tuna In The Western And Central Pacific Ocean

² Noting that decisions taken by the WCPFC from time to time will result in new or revised Conservation and Management Measures, references in this Plan to CMM 2008-01 apply equally (as relevant) to any future CMM adopted by the WCPFC for the Conservation and Management of Bigeye and Yellowfin Tuna.

The provisions below will be enacted via condition of fishing permits issued to relevant vessels as conditions under the authorisation to fish certificate until such time as this Plan is reflected in the relevant fisheries Regulation

5.1. FAD Closure

All Vanuatu flagged vessels fishing in the high seas will be required to observe a 2 month (July-August) FAD Closure in 2009 and a three month (July-September) FAD closure each year from 2010 thereafter pursuant to CMM 2008-01.

5.2. Catch Retention

In order to discourage fishing practices that result in a high level of small fish bycatch, all bigeye, skipjack and yellowfin tuna taken by a fishing vessel shall be recorded, retained on board and then landed or transhipped.

This measure shall commence on 1 January 2010 and specific operational guidance regarding this catch retention requirement will be consistent with the relevant provisions of CMM 2008-01 and subsequent decisions of the WCPFC.

5.3. FAD Limits

Vanuatu is in the process of determining a limit on the number of FADs that each Vanuatu flagged vessel may have in the high seas at any one time. Once that limit has been determined it will be included in this Plan. Vanuatu vessels will not deploy anchored FADs on the high seas.

5.4. FAD Marking

Deployed drifting FADs must be clearly marked with the name of the vessel that has deployed it, the date of deployment and the FAD Number. This information shall be marked on the FAD in such a way that it will remain fixed for the life of the FAD.

The information above must be in lettering at least 30cm high and of a colour that contrasts with the colour of the plate. The plate must be attached to a point on the FAD where it is clearly visible.

The FAD number is to be assigned by the Vanuatu Fisheries Department (the Department) as described below

5.5. FAD Design and Construction

All deployed FADs must meet the following minimum criteria:

- The FAD must have a section that remains above the water line at all times (the raft section). The raft section must be painted with reflective paint and large enough to be clearly visible from a distance of 1km.
- A radar reflector must be attached to the raft section at least 2m above the water line to ensure that it is detectable from a reasonable distance.
- FAD materials must be attached to the raft section (or each other) in a way that, as far as possible, prevents parts of the FAD from becoming detached from each other.

5.6. Requirements for Deploying FADs

Vanuatu vessels shall not be permitted to deploy FADs during the FAD closure period described above. At other times, deployment must be conducted in accordance with the requirements below.

Consistent with CMM 2008-01, all Vanuatu vessels operating on the high seas after 1 January 2010 will be subject to 100% observer coverage under the Regional Observer Programme. Observers will monitor all FAD deployments.

No submersible FAD shall be permitted by the vessel unless authorised by the Department.

The vessel master must provide the following information in writing to the Director of the Department when deploying a drifting FAD:

- The date of deployment;
- The location (latitude and longitude) recorded in degrees and minutes; and
- A declaration that the FAD meets the marking and design requirements contained in sections 5.4 and 5.5 respectively.

No FAD shall be deployed without prior authorization from the Department, which will be contingent on:

- Provision of all of the information above;
- Determination by the Department of a FAD number; and
- The number of FADs already deployed by the vessel – the Department shall not approve the deployment of a FAD if records indicate that the FAD limit (once determined) would be exceeded by the relevant vessel.

5.7. Requirements for Retrieving FADs

Consistent with CMM 2008-01, all Vanuatu vessels operating on the high seas from 1 January 2010 will be subject to 100% observer coverage under the Regional Observer Programme. Observers will monitor all FAD retrievals.

The vessel master and confirmed by observer must provide the following information in writing to the Department:

- The date of retrieval;
- The location (latitude and longitude) recorded in degrees and minutes of retrieval; and
- The FAD number.

6. Administration

6.1. FAD Register

The Department shall keep a register of deployed FADs in order to manage the number of deployed FADs. The Department shall keep the details held on the register confidential, and shall only use the information on the register when reviewing applications to deploy FADs or for research and reporting purposes where commercial confidentiality is not threatened. In addition, the Department may use information held on the register as part of any investigation into alleged breach of the provisions of this Plan or any other Vanuatu fishery management provision.

6.2. Replacing lost FADs

A vessel master shall notify the Department that a FAD has been permanently lost by providing the following information:

- The date of last sighting of the FAD;
- The location (latitude and longitude) recorded in degrees and minutes of last sighting;
- The FAD number; and
- FAD Construction material.

The Department will review this information and may give approval to deploy a replacement FAD depending on the circumstances.

6.3. FAD Ownership

This Plan does not create any property right over FADs or fish that may aggregate to them. No exclusivity of access is conferred when a particular vessel deploys a FAD in accordance with this Plan.

6.4. FAD COMMUNICATION WITH DEPARTMENT

The administration of all FAD related matters shall be communicated to the Department through the Vanuatu Government Fleet Administration responsible for International fisheries.

7. OBSERVER RESPONSIBILITY

All FADS deployed, constructed and or removed in the water shall be recorded, photographed and reported in writing by the Observer to the Department.

8. Review

This Plan shall be reviewed annually and may be amended at anytime after consultation.