Content

Title：	Regulations for Tuna Longline Fishing Vessels Proceeding to the Indian Ocean for Fishing Operation Ch
Date：	2020.03.19
Legislative：	The full text of 73 articles promulgated on 20 January 2017 by the Council of Agriculture, Executive Yuan under Order No. Nung-yu-tzu 1061332058. Part of these Regulations, Appendix 10 of Article 21, and Appendix 11 of Article 22 amended on 30 January 2018 by the Council of Agriculture, Executive Yuan under Order No. Nung-yu-tzu 1061339855. Part of these Regulations, Appendix 13 of Article 48, Appendix 16 of Article 60, and Appendix 17 of Article 61 and 62 amended on 18 April 2019 by the Council of Agriculture, Executive Yuan under Order No. Nung-yu-tzu 1081333642. Part of these Regulations amended on 19 March 2020 by the Council of Agriculture, Executive Yuan under Order No. Nung-yu-tzu 1091333111.
Content：	Chapter I General Principles Article 1 These Regulations are hereby established pursuant to Article 6, paragraph 2; Article 10, paragraph 2; Article 11, paragraph 3; and Article 24, paragraph 2 of the Act for Distant Water Fisheries (hereinafter referred to as “the Act”). Article 2 Terms used in these Regulations are defined as follows: (1) “Tuna longline fishing vessel” means any fishing vessel targeting highly migratory fish species such as tunas, billfishes, sharks, skipjacks or mahi mahi with longline fishing gears. (2) “Indian Ocean” means the waters of the Indian Ocean bounded by the following line: from the south coast of South Africa due south along the 20°E to its intersection with the 45°S; thence due east along the 45°S to its intersection with the 80°E; thence due south along the 80°E to its intersection with the 55°S; thence due east along the 55°S to its intersection with the 150°E; thence due north along the 150°E to its intersection with the coast of Australia; thence in a westerly direction round the south, the west and the northwest coasts of Australia to a point at 129°E; thence due north along the 129°E to its intersection with 8°S; thence due west along the 8°S to its intersection with 113°28'E; thence due north alone with the 113°28'E to the south coast of Java at 8°23'S; thence in a westerly direction along the coasts of Java and Sumatra; thence round the coast of Sumatra running south in the Strait of Malacca; thence across the Strait at 2°30'N to meet the coast of Malay Peninsula; thence due north along the 2°30'N of the west coast of Malay Peninsula; thence along the coasts to the intersection between the south coast of South Africa and 20°E. The area is as shown in Appendix 1. (3) “Area of the Southern Indian Ocean Fisheries Agreement” (hereinafter referred to as the “Agreement Area”) means the area

bounded by a line joining the following points, excluding waters under national jurisdiction: commencing at the landfall on the continent of Africa of the parallel of 10°N; from there east along that parallel to its intersection with meridian of 65°E; from there south along that meridian to its intersection with the equator; from there east along the equator to its intersection with the meridian of 80°E; from there south along that meridian to its intersection with the parallel of 20°S; from there east along that parallel to its landfall on the continent of Australia; from there south and then east along the coast of Australia to its intersection with the meridian of 120°E; from there south along that meridian to its intersection with the parallel of 55°S; from there west along that parallel to its intersection with the meridian of 80°E; from there north along that meridian to its intersection with the parallel of 45°S; from there west along that parallel to its intersection with the meridian of 30°E; from there north along that meridian to its landfall on the continent of Africa. The area is as shown in Appendix 1-1.
(4) “Independent third party” means any of the following institutions recognized by the competent authority:
i.For Japan:
(i)Shinken Corporation.
(ii)Nippon Kaiji Kentei Kyokai, Incorporated Association.
ii.For areas excluding Japan: the verifying institution which obtains the accreditation for management system certification from the Taiwan Accreditation Foundation (TAF).
(5) “Carrier vessel” means the following vessels that conduct the transshipment of catches from tuna longline fishing vessel(s) to itself and transports to ports:
i. ‘Carrier vessel of the Republic of China’ refers to the carrier vessel which has the fishing license of the Republic of China.
ii. ‘Foreign carrier vessel’ refers to the carrier vessel, excluding container vessel, which has the valid nationality certificate of the flag State of a foreign country.

Article 3
Fishing vessels proceeding to the Indian Ocean to catch highly migratory species such as, tunas, billfishes, sharks, skipjack, or mahi mahi shall be limited to tuna longline fishing vessels of 20 Gross Tonnage (GT) and above.

“Regulations for Fishing Vessels Conducting Southern Bluefin Tuna Fishery” shall also be applied to any tuna longline fishing vessel catching southern bluefin tuna.

Fishing vessels shall not target oilfish in the Agreement Area without the authorization of the competent authority.

The targeting of oilfish as referred to in the preceding paragraph means that the oil fish catch amount of the fishing vessel during current fishing trip exceeds 50% and above of its total catch amount of the same period.

Article 4
Fishing areas for tuna longline fishing vessels of 100 GT and above (hereinafter referred to as “large scale longliners”) fishing in the Indian Ocean are divided as follows:
(1)Bigeye tuna fishing area: the Indian Ocean north of 30°S, excluding the high risk area of piracy which is bounded by the following lines: from the east coast of Kenya due east along the 4°S to its intersection with 44°E; thence due northeast to the intersection between the equator and the 49°E; thence to the intersection between the 15°N and the 61°E; thence due west along the 15°N to the west off the east coast of Yemen. The area is as shown in Appendix 2.
(2)Oilfish fishing area: the Indian Ocean south of 30°S and west

of 65°E. The area is as shown in Appendix 3.
(3)Albacore tuna fishing area: the Indian Ocean west of 75°E and south of 15°S; and east of 75°E and south of 10°S. The area is as shown in Appendix 4.

The fishing area for tuna longline fishing vessels of 20 GT and above and less than 100 GT (hereinafter referred to as “small scale longliners”) in the Indian Ocean is the Indian Ocean except for the high risk area of piracy. The area is as shown in Appendix 5.

Any small scale longliner shall not fish in the area south of 28°S and east of 65°E from April to September every year.

Tuna longline fishing vessels shall fish only within the fishing area(s) permitted by the competent authority.

Article 5
Tuna longling fishing vessels proceeding to the Indian Ocean for fishing operation are categorized, in accordance with the GT, catch species and operation patterns, into the following groups:
(1)For large scale longliners:
i.Bigeye tuna group: bigeye tuna as the target species.
ii.Albacore tuna group: albacore tuna as the target species.
(2)For small scale longliners:
i.Frozen yellowfin tuna group: the fishing vessel with freezing equipment which has more individual vessel quota of bigeye tuna than the fishing vessel of general group.
ii.General group: no specific target species.

Article 6
Limits on the number of tuna longline fishing vessels fishing in the Indian Ocean are as follows:
(1)For large scale longliners:
i.Bigeye tuna group: the number of fishing vessels is limited to 153.
ii.Albacore tuna group: the number of fishing vessels is limited to 37.
(2)For small scale longliners:
i.Frozen yellowfin tuna group: the number is limited to 50.
ii.General group: the number is limited to 350.

Chapter II Application and Issuance of the Distant Water Fisheries Permit
Article 7
Any distant water fisheries operator intending to apply for the distant water fisheries permit(s) for his/her fishing vessel(s) to fish in the Indian Ocean in the following year shall fill in the application form, formats of which are as shown in Appendix 6 to 8, in accordance with types of fishing vessels and groups and submit it with the following documents:
(1)A copy of the valid fishing license which shall contain the International Maritime Organization (IMO) ship identification number.
(2)The following color photographs of the fishing vessel no older than five years and the electronic files thereof. The photographs shall clearly and legibly display the Chinese and English vessel name and international radio call sign (IRCS); and be of a size of 6 by 8 inches:
i.Two photos that each of which shows the complete length and structural characteristics of the starboard side and portside of the vessel; and
ii.Two photos that are taken form bow to stern and stern to bow.
(3)The document certified by the commissioned professional institution that the automatic location communicator (ALC) on board the fishing vessel can regularly and normally transmit

vessel positions.
(4)The document certified by the commissioned professional institution that the electronic logbook (E-logbook) system on board the fishing vessel can normally transmit catch data.

Article 8
Any fishing vessel that applies for the distant water fisheries permit for the following year shall meet any of the following conditions:
(1)Large scale longliners:
i.For bigeye tuna group:
(i)It is a fishing vessel of the bigeye tuna group that obtains the distant water fisheries permit of the current year from the competent authority.
(ii)It is a newly built fishing vessel which has received the replacement qualification of a fishing vessel of the bigeye tuna group or of the bigeye tuna group concurrently conducting part-time fishing for albacore or yellowfin tuna.
ii.For albacore tuna group:
(i)It is a fishing vessel of the albacore tuna group that obtains the distant water fisheries permit of the current year from the competent authority.
(ii)It is a newly built fishing vessel which has received the replacement qualification of a fishing vessel of the albacore tuna group.
(iii)It is a fishing vessel with a fishing license of longline fishery which were formerly authorized to fish in the Indian Ocean and to operate non tuna longline fishery under fisheries cooperation with a foreign country.
(2)Small scale longliners:
i.For frozen yellowfin tuna group:
(i)It is a fishing vessel of the frozen yellowfin tuna group that obtains the distant water fisheries permit of the current year from the competent authority.
(ii)It is a newly built fishing vessel which has received the replacement qualification of a fishing vessel of the frozen yellowfin tuna group.
ii.For general group:
(i)It has once obtained the distant water fisheries permit to operate as frozen yellowfin tuna group or general group.
(ii)It is a newly built fishing vessel which has received the replacement qualification of a fishing vessel of the frozen yellowfin tuna group or general group.

Any fishing vessel that applies to operate in the Agreement Area and targets oil fish shall obtain the distant fisheries permit for Indian Ocean of the current year, and the provisions on procedures and deadline for filing the application to the competent authority as prescribed in Article 9 shall not apply.

Article 9
For the application of the distant water fisheries permit of the following year, the documents prescribed in Article 7 shall be submitted in accordance with the following procedures and deadline:
(1)For any distant water fisheries operator of large scale longliner(s) that is a member of the Taiwan Deep Sea Tuna Boat-owners and Exporters Association (hereinafter referred to as “Tuna Association”), it shall apply to the Tuna Association before October 15 of the current year, which shall compile the applications in accordance with the groups for delivery to the competent authority before October 31 of the current year.
(2)For any distant water fisheries operator of large scale longliner(s) that is not a member of the Tuna Association, he/she shall apply to the competent authority before October 31 of the current year.
(3)For any distant water fisheries operator of small scale longliner(s) that is a member of the Taiwan Tuna Longline Association (hereinafter referred to as “Longline Association”), he/she shall apply to the

Longline
Association before October 15 of the current year. The Longline Association
shall compile the applications in accordance with the groups and deliver to
the competent authority before October 31 of the current year.
(4)For any distant water fisheries operator of small scale longliner(s) that
is not a member of the Longline Association, he/she shall apply to the
competent authority before October 31.
(5)For any distant water fisheries operator of carrier vessel(s) of the
Republic of China, he/she shall apply to the competent authority before
October 31 of the current year.

Article 10
In the event that the number of fishing vessels applying for the distant
water fisheries permits of the bigeye tuna or albacore tuna group exceeds the
limit of respective group, the Tuna Association shall draw lots to decide the
priority in an equitable and impartial manner.

In the event that the number of fishing vessels applying for the general group
exceeds the limit, the competent authority shall draw lots to decide the
priority in an equitable and impartial manner.

Article 11
For any fishing vessel applying for the distant water fisheries permit of the
frozen yellowfin tuna group, the competent authority shall come up with a list
of vessel priority in accordance with the following sequence of priority:
(1)First priority: the fishing vessel was formerly approved by the competent
authority as the frozen yellowfin tuna group in the Indian Ocean and has not lost
such qualification; or the fishing vessel is newly built which has received the
replacement qualification of a tuna longline fishing vessel of the frozen
yellowfin tuna group in the Indian Ocean.
(2)Second priority: the fishing vessel was formerly approved by the competent
authority as the frozen yellowfin tuna group in the Pacific Ocean and has not
lost such qualification.
(3)Third priority: the fishing vessel was the small scale longliner which is
approved as the general group in the current year in the Indian Ocean.

In the event that the number of applying fishing vessels in the preceding
paragraphs exceeds the limits, the competent authority shall draw lots to decide
the priority in an equitable and impartial manner.

In the event that the number of fishing vessels which obtain the distant water
fisheries permits of the frozen yellowfin tuna group does not reach the limit of
the current year, the vacancy shall be filled pursuant to the sequence of
priority prescribed in the preceding two paragraphs, and the competent authority
may announce in due course to accept applications, notwithstanding the
application deadline prescribed in Article 9.

Article 12

The distant water fisheries operator who has obtained the distant water fisheries permit of bigeye tuna group may apply to the competent authority to fish in the oilfish fishing area in the current year, notwithstanding the application procedures and deadline prescribed in Article 9.

Article 13
In case of any of the following conditions, the distant water fisheries operator may submit the documents prescribed in Article 7 and apply for the distant water fisheries permit to the competent authority, notwithstanding the application procedures and deadline prescribed in Article 9:
(1)The distant water fisheries operator of a fishing vessel has changed;
(2)The distant water fisheries operator has obtained the fishing license for the chartered fishing vessel;
(3)The distant water fisheries operator has obtained the fishing license for the newly-built fishing vessel;
(4)The distant water fisheries operator who resumes the operation after the suspension of the operation authorized pursuant to Article 11 of the Fisheries Act has expired;
(5)The distant water fisheries operator applies for the renewal of the expired fishing license;
(6)The suspension of the fishing license has been executed completely or the fine imposed has been paid up; or
(7)Addition of fishing area(s) for a carrier vessel which has obtained the distant water fisheries permit of the current year.

Article 14
A certificate of distant water fisheries permit will be issued to the application approved by the competent authority. The maximum period of validity of the permit shall be one year, and shall not exceed that of the fishing license.

The certificate of distant water fisheries permit shall record, both in Chinese and English, the following:
(1)The number of the certificate;
(2)The name, CT number, GT, length overall (LOA) and fisheries type of the fishing vessel;
(3)Name of the distant water fisheries operator;
(4)The authorized fishing Ocean, group, fishing area(s), and fishing period;
(5)The IRCS; and
(6)The IMO ship identification number.

The distant water fisheries operator shall place onboard the fishing vessel a copy of the valid distant water fisheries permit in case of inspection.

Article 15
Fishing vessels intending to interchange the groups or fishing Oceans shall apply for the approval from the competent authority.

In the event that a large scale longliner intends to change the group or fishing
Ocean with other fishing vessel, the following provisions shall be met:
(1)Distant water fisheries operators of both vessels are members of the Tuna
Association;
(2)Both vessels have the valid certificates of distant water fisheries permits;
(3)The fishing vessel intending to change to the bigeye tuna group shall be
equipped with ultra-low temperature devices, and its distant water fisheries
operator has made a guarantee letter to assume the duty from the original fishing
vessel of bigeye tuna group to pay the reimbursement of the vessel reduction
program; and
(4)The penalty of suspending the fishing license has been completely executed.

Small scale longliners are allowed to only the interchange of groups between the
frozen yellowfin tuna group of the Pacific Ocean and that of the Indian Ocean.

For any fishing vessel approved to change the group or fishing Ocean, documents
shall be provided to prove the fish holds have been emptied and the certificate
of the distant water fisheries permit originally issued shall be returned for the
issuance of the new certificate of distant water fisheries permit after the change
of fishing Ocean or group.

Chapter III Fishing Vessel and Fishing Gear Markings
Article 16
Fishing vessels shall be marked with vessel markings, including, at least, the
Chinese and English vessel name, name of registry port, CT numbers and IRCS. The
characters and the edges of characters shall maintain clear and identifiable at
all times.

Where fishing vessels are fishing or berthing at ports, the IRCS shall be displayed
clearly identifiable for the sighting by other vessels from the water surface or
airplanes from the air.

Article 17
The IRCS of a fishing vessel is its radio call sign.

Vessel markings shall be painted with marine coating. Characters of the Chinese
vessel name shall be block letters, and the numbers may be Arabic numerals.
Characters of the English vessel name, CT numbers and the IRCS shall be capital
letters and Arabic numerals. The height, width, and colors of characters shall meet
the specifications as shown in Appendix 9.

Article 18
Vessel markings shall be placed in accordance with the following:

(1)The Chinese vessel name shall be placed on the port bow and the starboard bow,
and the center of stern or port quarter or starboard quarter, where the vessel name
is clearly visible.
(2)The English vessel name shall be placed on the port bow and the starboard bow,
and the center of stern or port quarter or starboard quarter, under the Chinese
vessel name.
(3)The CT numbers shall be placed on the port bow and the starboard bow, under the
English vessel name.
(4)The IRCS shall be placed above the waterline on both sides of any fishing vessels
and on a deck where the IRCS is not obscured by fishing gear(s), and shall be clear
of the bow, stern, discharge or areas which might be prone to damage or discoloration.
In case that the lowest edge of characters is under the waterline when the fish holds
are full, the IRCS shall be placed on the fishing vessel’s superstructure.

Article 19
Fishing gear(s) of any tuna longline fishing vessel shall be equipped with signal
flags, radar reflector buoys or other similar devices so as to identify the
position(s) and fishing area(s).

The devices as referred to in the preceding paragraph shall be marked with the same
CT number or IRCS as the tuna longline fishing vessel concerned.

Chapter IV Fishing Gears and Methods, and Mitigation Measures for Incidental Catch
Article 20
For any tuna longline fishing vessel navigating through the water under national
jurisdiction of any foreign country, all fishing equipment on board shall be stowed
and secured, and such vessel shall not conduct activities such as arrangement of
fishing gears or fishing, except that it has engaged in fisheries cooperation with
the foreign country concerned.

Article 21
Any tuna longline fishing vessel shall carry on board the line cutter, de-hooker
and scoop/dip net, formats of which are as shown in Appendix 10, to release
incidentally caught seabirds and sea turtles.

Article 22
Any longline fishing vessel fishing in the Indian Ocean south of 25°S shall employ
at least two of the following three seabird bycatch mitigation measures, the
specifications of which are as shown in Appendix 11, and shall record the mitigation
measures taken during each fishing operation on the E-logbook and logbooks:
(1)Night setting with minimum deck lighting.
(2)Tori lines.
(3)Weighted branch lines.

Chapter V Catch Limits or Quotas
Article 23
For the purpose of these Regulations, the species with catch limit (hereinafter referred to as “fish species with catch limit”) as referred to in subparagraph (7) of Article 13, paragraph 1 of the Act means bigeye tuna and yellowfin tuna.

Article 24
The annual total catch quota (unprocessed round weight, hereinafter the same when referring to “quota” in the following provisions) of the Republic of China in the Indian Ocean and the quota for individual tuna longline fishing vessel shall be promulgated by the competent authority in accordance with the conservation and management measures.

The annual total catch quota of the species with catch limit shall be allocated to the large scale longliners and small scale longliners in accordance with the following percentage:
(1)Bigeye tuna: 85.7% for large scale longliners, and 14.3% for small scale longliners.
(2)Yellowfin tuna: 43% for large scale longliners, and 57% for small scale longliners.

In the event that the total catch amount of a species with catch limit has reached 95% of the annual total catch quota as referred to in paragraph 1, the competent authority may order the whole tuna longline fishing fleet to stop catching the concerned species by a deadline.

In the event that the total catch amount has reached 95% of the quota allocated to large or small scale longliners fleet as referred to in paragraph 2, the competent authority may order the large or small scale longliners fleet to stop catching the concerned species by a deadline.

The period for using the quota as referred to in paragraph 1 shall be from January 1 to December 31 of the current year.

The total remaining quota of the current year in the Indian Ocean may be arranged by the competent authority.

Article 24-1
The allowed annual individual vessel quota of a tuna longline fishing vessel shall be limited as follows:
(1)Bigeye tuna:
i.For a fishing vessel of the bigeye tuna group: 330 metric tons.
ii.For a fishing vessel of the albacore tuna group: 40 metric tons.
iii.For a fishing vessel of the frozen yellowfin tuna group: 100 metric tons.
iv.For a fishing vessel of the general group: 30 metric tons.
(2)Yellowfin tuna:

i.For a fishing vessel of the bigeye tuna group: 120 metric tons.
ii.For a fishing vessel of the albacore tuna group: 120 metric tons.
iii.For a fishing vessel of the frozen yellowfin tuna group: 110 metric tons.
iv.For a fishing vessel of the general group: 110 metric tons.

The allowed individual vessel quota as referred to in the preceding paragraph means the sum of the individual vessel quota granted by the competent authority pursuant to these Regulations, the quota received from other vessel(s), the additional quota applied for, and the premium quota; and the quota transferred, deducted, and retrieved have been deducted.

Article 25
The distant water fisheries permit of the current year shall be obtained for granting the quota of the current year to the tuna longline fishing vessel.

For any tuna longline fishing vessel that has not obtained the distant water fisheries permit of the entire year, the quota shall be granted in accordance with the percentage that the number of month(s) approved accounts for the whole year. Notwithstanding such provision, in the event that the ownership of any tuna longline fishing vessel transfers and the quota used by the original distant water fisheries operator exceeds the percentage that the number of month(s) approved accounts for the whole year, the unused individual vessel quota allowed for such a vessel in the current year shall be granted to the new distant water fisheries operator.

In case of any of the following circumstances, the competent authority shall retrieve the unused individual vessel quota allowed for the tuna longline fishing vessel concerned in the current year:
(1)Loss of a tuna longline fishing vessel.
(2)Revocation or withdrawal of the fishing license imposed by the competent authority.
(3)Revocation or withdrawal of the distant water fisheries permit imposed by the competent authority.

Article 26
The catch amount of the fish species with catch limit for any tuna longline fishing vessel shall not exceed the allowed individual vessel quota for the current year. In case of excess, the allowed annual quota of such fishing vessel for the following year shall be deducted accordingly.

In the event that the catch amount of the fish species with catch limit of any tuna longline fishing vessel has reached 90% of the allowed individual vessel quota, the competent authority may order such vessel to stop catching the concerned species by a deadline.

Article 27
In case of any of the following conditions, the competent authority shall grant the quota of the current year in accordance with the percentage that the number of month(s) the tuna longline fishing vessel actual fishes accounts for the whole year; shall retrieve the quota on a pro-rata basis from the tuna longline fishing vessel which has been granted the quota; or shall deduct the allowed annual quota for the following year in the event that the quota of the current year is unable to be retrieved from the vessel:
(1)The tuna longline fishing vessel is punished by the competent authority of the suspension of the fishing license for one month or above.
(2)The tuna longline fishing vessel is detained in the port by foreign government.

For any fishing vessel approved to be engaged in fisheries cooperation by means of being chartered, the quota shall not be granted to such vessel during the period of such fisheries cooperation. In case that the quota has been granted, the competent authority shall retrieve the quota of the current year in accordance with the percentage that the number of month(s) for fisheries cooperation accounts for the whole year. In case that the quota of the current year is unable to be retrieved, the competent authority shall deduct the allowed annual quota of such a vessel in the following year.

Article 28
Any small scale longliner shall not target bigeye tuna.

The targeting of bigeye tuna as referred to in the preceding paragraph means the bigeye tuna catch amount of the fishing vessel during six months exceeds over 50% of its total catch amount of the same period.

Article 29
For any tuna longline fishing vessel which changes the fishing Ocean or group with other vessel pursuant to Article 15, its individual vessel quota for the remaining period of its permit shall be the remaining allowed individual vessel quota of that other vessel, and shall not exceed the limits as stipulated in Article 24-1, paragraph 1.

Article 30
In the event that the following requirements are met, the bigeye tuna quota of a fishing vessel of the bigeye tuna group may, through the coordination of the Tuna Association which reports to the competent authority for approval, be transferred to other fishing vessel(s) of the bigeye tuna group:
(1)The bigeye tuna quota of the receiving fishing vessel shall not exceed the limits as stipulated in Article 24-1 after the transfer.
(2)Both the transferring and receiving fishing vessels shall not have been imposed upon any punishment pursuant to Article 35, 36 or 40 of the Act in the current year.
(3)In case that the transferring or receiving fishing vessel has been imposed upon a fine or

the suspension of the fishing license pursuant to Article 41 of the Act in the current year,
such punishment has been paid or executed completely.

In the event that any fishing vessel of the bigeye tuna group has transferred accumulated 30
metric tons of bigeye tuna quota, it shall enter into a port for stop fishing for one month in
the current year; for the transfer of accumulated 60 metric tons of bigeye tuna quota, it shall
enter into a port for stop fishing for two months, and so forth.

For the fishing vessel entering into a port for stop fishing in accordance with the preceding
paragraph, the starting and ending dates of the period and the berthing location shall be
specified at the time when applying for the approval of transferring quota from the competent
authority.

The quota of yellowfin tuna of a tuna longline fishing vessel may, with the approval of the
competent authority, be transferred to other fishing vessel(s). After such transfer, the
allowed individual vessel quota of a receiving tuna longline fishing vessel shall not exceed
the limits as stipulated in Article 24-1, paragraph 1.

Article 31
Depending on the quota utilization in the current year, the competent authority may announce
the additional bigeye tuna or yellowfin tuna quota that can be applied for.

Any tuna longline fishing vessel that meets the following requirements may apply for the
bigeye tuna quota as referred to in the preceding paragraph:
(1)It is a fishing vessel of the bigeye tuna group or frozen yellowfin tuna group.
(2)Its allowed individual vessel quota of bigeye tuna shall be 70% of the quota for individual
tuna longline fishing vessel as promulgated pursuant to Article 24, paragraph 1.
(3)Its bigeye tuna catch amount has reached 70% of and not exceeded its allowed individual
vessel quota.

Any tuna longline fishing vessel that meets the following requirements may apply for the
yellowfin tuna quota as referred to in the preceding paragraph:
(1)Its allowed individual vessel quota of yellowfin tuna shall be 80% of the quota for
individual tuna longline fishing vessel as promulgated pursuant to Article 24, paragraph 1.
(2)Its yellowfin tuna catch amount has reached 80% of and not exceeded its allowed individual
vessel quota.

In case of any of the following circumstances, the competent authority shall not grant the
quota as referred to in paragraph 1:
(1)The catch amount of fish species with catch limit in the preceding year exceeds 10% or
above of the allowed individual vessel quota of that year.
(2)After granting the additional quota, the allowed individual vessel quota exceeds the
limits as stipulated in Article 24-1, paragraph 1.

(3)For any tuna longline fishing vessel applying for additional yellowfin tuna quota, it has
transferred to other vessel(s) the additional yellowfin tuna quota as referred to in
paragraph 1 in the current year.

The additional bigeye tuna quota acquired in accordance with paragraph 1 shall not be
transferred.

Article 32
The competent authority may grant premium quota to the catching vessel which cooperates with
the competent authority to carry out relevant experiments, researches or management measures.

The premium quota as referred to in the preceding paragraph shall not be transferred.

Chapter VI Management of Vessel Position Reporting
Article 33
The ALC on board shall be maintained functional at all time, whether at sea or in port.

The ALC on board any fishing vessel shall automatically transmit at least one vessel position
in every hour.

Fees for the services and communications of the ALC shall be borne by distant water fisheries
operators. The competent authority may subsidize depending on the financial situation of the
government.

Except for the purpose of repair or replacement approved by the competent authority, any ALC
which has been installed on board and has transmitted a vessel position shall not be removed
from the fishing vessel.

Article 34
In case that a fishing vessel needs to stay in a domestic port for three days and above; or
in a foreign port for dry docking; or in a foreign port for seven days and above, its distant
water fisheries operator may apply to the competent authority with documentary proof for
switching off the ALC, which may only be switched off after obtaining approval.

In the case of a fishing vessel applying for switching off the ALC during its stay in a foreign
port for the purposes except for dry docking, a photograph showing the berthing of such fishing
vessel shall be provided weekly. The competent authority may order to switch on the ALC
concerned in case of failing to provide the photograph in due course.

The period of switching off the ALC as approved in accordance with paragraph 1 shall not exceed
six months for each application. Extension may be applied by the distant water fisheries
operator concerned in accordance with paragraph 1 before the period is expired.

Any fishing vessel shall not leave the port during the period of switching

off the ALC.

In the event that the ALC onboard is rebooted, the fishing vessel may only leave the port after
the commissioned professional institution has confirmed that such ALC can regularly and normally
transmit vessel positions.

Article 35
Any fishing vessel of 100 GT and above shall carry at least one spare set of ALC on board.

In case that the identification number of ALC on board has been changed, the distant water
fisheries operator shall notify the competent authority or the commissioned professional
institution in writing.

Article 36
The ALC is deemed as signal-lost in the event that the commissioned professional institution
has not received positions automatically transmitted by the ALC four times consecutively for any
fishing vessel. In the event that the ALC is signal-lost for three consecutive days, it is deemed
as mal-function.
The malfunctioning ALC shall be repaired no later than 30 days.

In the event that the ALC on board is signal-lost or mal-functional, the distant water fisheries
operator or the captain shall immediately send information related to vessel positions by
facsimile to the commissioned professional institution and the vessel positions shall be recorded
by automatic recording satellite navigator for perusal in later days. The format of the facsimile
is as shown in Appendix 12.

The transmit of vessel positions as referred to in the preceding paragraph shall be every four
hours for any fishing vessel.

For any fishing vessel with spare set of ALC on board, it shall report to the competent authority
of using the spare set during the malfunction of the ALC. In case that the spare set is also
mal-functional, the spare set from other fishing vessel may be deployed after obtaining the
competent authority’s approval.

Article 37
In the event that the ALC onboard is deemed as signal lost for an accumulative period of 15 days
and above during one fishing trip, the competent authority may order such fishing vessel to stop
fishing immediately and directly navigate to a designated port within the required timeframe for
repair and inspection(s) conducted by personnel dispatched by the competent authority, and the
vessel shall not leave the port until the commissioned professional institution has confirmed
that such ALC can regularly and normally transmit vessel positions.

Any expense incurred from port return, port entry and confirmation of position transmitting as
referred to in the preceding paragraph shall be borne by the distant water

fisheries operator.

Article 37-1
For any fishing vessel that is not within the water under the national jurisdiction of the
Republic of China and without a valid distant water fisheries permit, it shall still maintain
its ALC operational year-round, and Article 33 to 37 shall apply to such vessel.

Chapter VII Logbooks and Catch Reports
Article 38
In the event that any tuna longline fishing vessel leaves a port, its captain shall daily
report catch data through the E-logbook system designated by the competent authority, and shall
also fill in the logbooks designated by the competent authority. Catch reports shall be filled
in completely and accurately, and where the catch amount is zero, catch reports shall be filled
in as well.

In case that there is any discrepancy between any datum recorded in the E-logbook system and the
logbook, the datum recorded in the E-logbook system shall prevail.

In case that the E-logbook system fails to report catch data on the day, the distant water
fisheries operator or the captain shall transmit catch data via facsimile to the competent
authority or the commissioned professional institution next day. Such catch data shall be signed
by the distant water fisheries operator or the captain.

In the event that the E-logbook system fails to report catch data for five consecutive days, it
is deemed as mal-function. The malfunctioning E-logbook system shall be repaired no later than
30 days.

In the event that the E-logbook system onboard is deemed as mal-functional for an accumulative
period of 15 days and above during one fishing trip, the competent authority may order such
fishing vessel to stop fishing immediately and directly navigate to a designated port within the
required timeframe for repair and inspection(s) conducted by personnel dispatched by the
competent authority, and the vessel shall not leave the port until the commissioned professional
institution has confirmed that such E-logbook system can normally transmit data.

Any expense incurred from port return, port entry and confirmation of E-logbook system as referred
to in the preceding paragraph shall be borne by the distant water fisheries operator.

Article 39
Any tuna longline fishing vessel shall not catch southern bluefin tuna without permission, and in
case of bycatch, the fishing vessel shall immediately discard such catch and record the amount of
discard in the logbooks and E-logbook system.

In the event that the allowed individual vessel quota of the fish species

with catch limit is
exhausted, any tuna longline fishing vessel shall immediately discard any subsequent catch of such
species and shall record the amount of discard on the logbooks and the E-logbook system.

Any tuna longline fishing vessel shall not catch or retain striped marlin, blue marlin, black
marlin, or Indo-Pacific sailfish smaller than 60 centimeters Lower Jaw Fork Length (LJFL), and the
incidental catch shall be released when being caught alive or discarded dead, and the number(s)
shall be duly recorded on the logbooks and the E-logbook system.

Article 40
In case that any tuna fishing vessel finds any sea turtle during fishing operation, such vessel
shall, where practicable, bring aboard any comatose or inactive sea turtle as soon as possible,
and foster its recovery and return it to the sea at once after recovery.

Any seabird, sea turtle, whale shark, cetacean, penguin or prohibited species promulgated by the
competent authority incidentally caught by any tuna fishing vessel shall be released when caught
alive or discarded dead, and the number(s) be duly recorded on the logbooks and the E-logbook
system.

Article 41
The number(s) of any fish species of no economic value or no utilizing value caught and discarded
by any tuna fishing vessel shall be released immediately, and number(s) discarded shall be duly
recorded on the logbooks and the E-logbook system.

Article 42
The datum reported through the E-logbook system shall not be altered or amended, unless there is
apparent error with the content and the competent authority has approved.

Article 43
The complete logbooks shall be maintained on board any tuna longline fishing vessel for at least
one year.

Article 44
The discrepancy between the catch amount recorded in the E-logbook during one fishing trip of any
tuna longline fishing vessel and the actual landing amount shall not exceed the following margins:
(1)For species with catch limit: 10% of the actual landing amount.
(2)For albacore tuna, oil fish, swordfish, or blue marlin: 20% of the actual landing amount.
(3)For species except for those referred to in the preceding two subparagraphs: 25% of the actual
landing amount.

In case that the discrepancy exceeds the ratio as referred to in the preceding paragraph, whereas
the following provisions are met, the competent authority, at its discretion, may deem such
situation as non-misreporting:
(1)For species with catch limit, the discrepancy is less than two metric tons.
(2)For albacore tuna, oil fish, swordfish, or blue marlin, the discrepancy

is less than four metric
tons.
(3)For species except for those referred to in the preceding two subparagraphs, the discrepancy is
less than six metric tons.

The discrepancy as referred to in subparagraphs (1) and (2) of the preceding two paragraphs shall be
calculated by each species. The discrepancy as referred to in subparagraph (3) of the preceding two
paragraphs shall be calculated by sharks and other species respectively.

Article 45
Any of the following conditions shall be defined as “seriously misreporting” as referred to in
subparagraph (12) of Article 13, paragraph 1 of the Act:
(1)For fish species with catch limit, the discrepancy between the catch amount recorded in the
E-logbook and the actual landing amount exceeds two metric tons as well as 20% of the actual
landing amount.
(2)For albacore tuna, oil fish, swordfish, or blue marlin, the discrepancy between the catch amount
recorded in the E-logbook and the actual landing amount exceeds four metric tons as well as 50% of
the actual landing amount.
(3)For species except for those referred to in the preceding two subparagraphs, the discrepancy
between the catch amount recorded in the E-logbook and the actual landing amount exceeds six metric
tons as well as 50% of the actual landing amount.

The discrepancy as referred to in subparagraphs (1) and (2) of the preceding paragraph shall be
calculated by each species. The discrepancy as referred to in subparagraph (3) of the preceding
paragraph shall be calculated by sharks and other species respectively.

Chapter VIII Management of Shark Catch
Article 46
For any tuna longline fishing vessel employing ice chilling method to preserve its sharks catches,
shark fins shall not be fully cut off and shall be naturally attached to the carcasses (hereinafter
referred to as “fins naturally attached”), and such vessels shall not retain onboard, carry,
transship, and land shark catches whose fins are not naturally attached .

For any large scale longliner employing freezing method to preserve its sharks catches and
transporting such sharks catches to land in a domestic port,, shark fins shall be naturally
attached.

For any small scale longliner employing freezing method to preserve its sharks catches and
transporting such sharks catches to land in a domestic port, shark fins shall be naturally attached
or alternatively the dorsal fins and pectoral fins shall be tied to the corresponding carcass,
while the caudal fins may be stored separately. The caudal fins and carcasses shall be transshipped
or landed concurrently in the same shipment, and the number of caudal fins shall be consistent with
that of carcasses.

Article 47
Any fishing vessel employing freezing method to preserve shark catches shall transship or land shark carcasses and fins concurrently in the same shipment in case of at-sea transshipment.

When sharks catches of the fishing vessels as referred to in the preceding paragraph arrive at the first foreign port of landing, the weight of fins shall not be more than 5% of the weight of the shark catches.

Article 47-1
Tuna longline fishing vessels shall fully utilize the shark catch, which shall not be discarded except the head, guts and skins.

Chapter IX The Designation and Management of Ports for Transshipment or Landing
Article 48
Any tuna longline fishing vessel intending to conduct transshipment or landing in a domestic port or a foreign port located in the Indian Ocean shall be limited to the ports stipulated in Appendix 13.

Any fishing vessel with the distant water fisheries permit to fish in the Atlantic or Pacific Ocean applying for landing or transshipping in the ports as referred to in the preceding paragraph shall apply for the authorization from the competent authority 14 days before the fishing vessel enters into the port.

Article 49
Any carrier vessel intending to transship catches from tuna longline fishing vessel(s) shall meet any of the following requirements:
(1)It is a carrier vessel of the Republic of China and has obtained the distant water fisheries permit; or
(2)It is a foreign carrier vessel listed on the carrier list of the India Ocean Tuna Commission (hereinafter referred to as “IOTC”), and has been installed with the ALC which meets the standards specified by the competent authority. At least one position shall be sent hourly to the commissioned professional institution.

Article 50
Any carrier vessel of the Republic of China shall not transship with, refuel or supply any fishing vessel not listed in the authorized fishing vessel list of IOTC, or any fishing vessel that has altered its name or registration number.

Article 51
In case of any of the following circumstances, the competent authority shall list the foreign carrier vessel concerned which transships catches from tuna longline fishing vessel(s) on the non-cooperative carriers list:
(1)The foreign carrier vessel has violated any provision regarding vessel position reporting;
(2)The foreign carrier vessel has violated any provision regarding transshipment or landing.

Article 52
Any tuna longline fishing vessel under 24 meters shall not conduct transshipment at sea.

Article 53
Any carrier vessel intending to conduct transshipment at sea shall receive an observer in accordance with the IOTC regional observer program to conduct observation mission on board. For any carrier vessel intending to conduct transshipment in port, it shall receive the observer designated by the competent authority to conduct observation mission on board.

Any distant water fisheries operator whose tuna longline fishing vessel(s) conducts transshipment at sea in the Indian Ocean shall share the cost for the implementation of the IOTC regional observer program.

Article 54
For any carrier vessel intending to transship at sea, the distant water fisheries operator shall submit the transshipment plan and relevant information (as shown in Appendix 14) and apply to the competent authority 15 days before the at-sea transshipment for approval. In case that the last day for filing the application is a national holiday, the application shall be made on the working day before the national holiday.

Any foreign carrier vessel shall, with the enclosure of relevant information as shown in Appendix 14, apply to the competent authority for approval before conducting the transshipment in port with any tuna longline fishing vessel for the first time in the current year.

In case of any addition to the list of the tuna longlie fishing vessel(s) in the transshipment plan approved by the competent authority, the application shall be submitted three working days before making such addition to the competent authority for approval. The transshipment with the concerned tuna longline fishing vessel(s) may only be conducted after the approval has been granted. Any application submitted after the prescribed deadline shall be denied.

Article 55
In case of any of the following circumstances, the application of transshipment plan made in accordance with Article 54 shall be denied:
(1)The carrier vessel concerned does not meet the requirements stipulated in Article 49;
(2)Three years have not passed since the carrier vessel concerned was listed on the non-cooperative carriers list; or
(3)The fine for violating the Act imposed on the carrier vessel has not been paid completely.

Article 56
Any tuna longline fishing vessel and carrier vessel that intends to conduct transshipment shall respectively apply for the approval from the competent authority before the transshipment.

Any distant water fisheries operator or captain applying for the approval

as referred to in the
preceding paragraph shall fill in the Transshipment Notification (format as shown in Appendix 15)
and submit it to the competent authority in accordance with the following prescribed timeframe:
(1)For at sea transshipment: no later than three working days before the estimated date for
transshipment.
(2)For in port transshipment: no later than three days before the estimated date for transshipment.
In case that the last day for filing the application is a national holiday, the application shall
be made on the working day before the national holiday.

Fishing vessels approved by the competent authority to conduct transshipment may transship the
catch on the approved date or within three days after the approved date.

For any transshipment to be conducted not within the period as referred to in the preceding
paragraph, the distant water fisheries operator or the captain concerned shall apply for the
change of transshipment date and obtain the approval from the competent authority before
conducting the transshipment.

Article 57
For any tuna longline fishing vessel or carrier vessel that is under any of the following
circumstances during the current fishing trip, the competent authority shall not authorize
such vessel to transship at sea:
(1)The ALC on board is mal-functional and has not been repaired.
(2)There is concrete evidence to identify such vessel has involved in any serious
infringement as prescribed in subparagraph (4) to (14) or (18) of Article 13, paragraph 1
of the Act.
(3)For species with catch limit, the discrepancy between the amount to be transshipped and
the catch amount reported through the E-logbook system exceeds 10% of the latter.
(4)For albacore tuna, oil fish, swordfish, or blue marlin, the discrepancy between the
amount to be transshipped and the catch amount reported through the E-logbook system exceeds
20% of the latter.
(5)For sharks and other species, the discrepancy between the amount to be transshipped and
the catch amount reported through the E-logbook system exceeds 25% of the latter.

For any tuna longline fishing vessel or carrier vessel that is under any of the following
circumstances during current fishing trip, the competent authority may not authorize such
vessel to transship at sea:
(1)For the catches to be transshipped, it is suspected that the vessel applying for the
transshipment has operated within the water under the jurisdiction of any other country
without valid authorization.
(2)The following infractions reported by observers of IOTC regional observer program have
not been improved:
i.No valid fishing license on board.

ii.No logbook as designated by the competent authority on board.
iii.Any vessel marking that is not marked in accordance with Article 16 to 18.
(3)The Transshipment Notification as referred to in Article 56, paragraph 2 is not filled
in completely.

The amount to be transshipped as referred to in subparagraphs (3) and (4) of paragraph 1
shall be calculated by each species. The amount to be transshipped as referred to in
subparagraph (5) of paragraph 1 shall be calculated by sharks and other species
respectively.

Article 58
In the event that the catch of any tuna longline fishing vessel has been landed in a port
and is subsequently transported by a carrier vessel for port departure, it shall be deemed
as transshipment, and Article 56 shall apply.

Article 59
The tuna longline fishing vessel or carrier vessel which obtains the approval to transship
pursuant to Article 56 shall not conduct the transshipment in the event that the ALC on
board is signal-lost and has not been repaired.

Article 60
For any transshipment in the Indian Ocean conducted by a carrier vessel, the IOTC
Transshipment Declaration shall, within 24 hours after the completion of such transshipment,
be filled in and submitted to the IOTC and the competent authority. The format of the IOTC
Transshipment Declaration is as shown in Appendix 16.

Any carrier vessel shall, within 24 hours after the completion of transshipment in port,
submit the Transshipment Declaration to the competent authority. The format of the
Transshipment Declaration is as shown in Appendix 16.

The distant water fisheries operator or the captain of any tuna longline fishing vessel
shall, within seven working days after the completion of transshipment, submit the
Transshipment Declaration to the competent authority. The format of the Transshipment
Declaration is as shown in Appendix 16.

Article 61
For any tuna longline fishing vessel landing its catch in a domestic or foreign port, the
following person(s) shall fill in the Advance Notice of Landing, format of which is as
shown in Appendix 17, and submit it to the competent authority for approval by the
following deadline; and in case that the last day for filing the application is a national
holiday, the application shall be made on the working day before the national holiday:
(1)For the landing conducted by a tuna longline fishing vessel, its distant water fisheries
operator or captain shall submit it no later than three days before the

estimated date for
landing.
(2)For the landing conducted by a tuna longline fishing vessel with the catch subsequently
being transported by commissioning a container vessel, the distant water fisheries operator
or the captain of such longline vessel shall submit it no later than three days before the
estimated date for landing.
(3)For the landing conducted by a carrier vessel, the distant water fisheries operator of a
tuna longline fishing vessel shall submit it no later than three days before the estimated
date for landing.

Notwithstanding the provision stipulated in the preceding paragraph, for any tuna longline
fishing vessel that employs ice-chilling method to preserve its catch and lands in a port of
a foreign country with which the fisheries cooperation is engaged, its distant water fisheries
operator or captain shall submit the Advance Notice of Landing no later than one day before
the estimated date for landing. In case that the last day for filing the application is a
national holiday, the application shall be made on the working day before the national holiday.

Fishing vessels approved by the competent authority to conduct landing may land the catch on
the approved date or within three days after the approved date.

For any landing to be conducted not within the period as referred to in the preceding paragraph,
the distant water fisheries operator or the captain concerned shall apply for the change of the
date for landing and obtain the approval from the competent authority before conducting the
landing.

Article 66-1
For any tuna longline fishing vessel whose catch is landed at a foreign port and transported to
a domestic port by a container vessel, the distant water fisheries operator of such tuna longline
vessel shall, no later than three days before the container vessel’s port entry, notify the
competent authority of the time for port entry and the name of the port.

Article 62
Upon the completion of landing of any tuna longline fishing vessel, the following person(s) shall
fill in and submit to the competent authority the Landing Declaration, format of which is as shown
in Appendix 17, by the prescribed deadline:
(1)For the landing conducted by a tuna longline fishing vessel, its distant water fisheries operator
or captain shall submit the Declaration within five working days after the completion of landing.
(2)For the landing conducted by a tuna longline fishing vessel with the catch subsequently being
transported by commissioning a container vessel, the distant water fisheries operator of such
longline vessel shall submit the Declaration within five working days after the container(s)
containing such catch unloads and completes customs clearance.

(3)For the landing conducted by a carrier vessel, the distant water fisheries operator of a tuna
longline fishing vessel shall submit the Declaration within five working days after the completion
of landing by the carrier vessel.

The term “completion of landing” as referred to in these Regulations means the whole weighing
process has been completed for the catch landed at a port.

Article 63
The distant water fisheries operator and captain of any fishing vessel shall accept port
inspections conducted by the competent authority or the independent third party for verification
of the catch landed or transshipped.

The distant water fisheries operator or captain of any fishing vessel that is designated by the
competent authority to be inspected shall comply with the following:
(1)For inspections conducted by the competent authority, the landing or transshipment shall be
started only after the person(s) of the competent authority has arrived.
(2)For inspections conducted by the independent third party, the contact with the independent third
party shall be made, and the landing and transshipment shall be started only after the person(s)
of the independent third party has arrived.

Article 64
The distant water fisheries operator of any tuna longline fishing vessel shall, within 60 days after
the completion of landing, submit sales or inventory information to the competent authority. The
sales information shall at least include buyer(s), fish species and quantities.

Chapter X Observation and Inspection during Fishing Operations
Article 65
The distant water fisheries operator of any fishing vessel that receives the observer dispatched by
the competent authority, any foreign country with which the fisheries cooperation is engaged, or any
international fisheries organization shall comply with the following:
(1)He/she shall notify the competent authority in writing seven working days before the date of
intended port entry or departure.
(2)To embark and disembark the observer at the time and place informed by the competent authority.
(3)To provide the observer, while onboard the vessel, with food, accommodation, adequate sanitary
amenities, and medical facilities of a reasonable standard equivalent to those normally available to
an officer onboard the vessel.
(4)To instruct the captain and crew of the vessel matters related to the cooperation with or
assisting the observer in carrying out the duties.

Article 66
The captain of any fishing vessel that receives the observer dispatched by the competent authority,
any foreign country with which the fisheries cooperation is engaged, or any international fisheries
organization shall comply with the following:
(1)The captain shall attend the pre-sail training course given by the competent authority.

(2)When an observer is on board the fishing vessel, the captain shall inform the observer of the
daily routine, personal safety and vessel equipment.
(3)The captain shall cooperate with and assist the observer in carrying out duties, and shall not
evade, obstruct or refuse to answer the inquiry related to the observation mission.
(4)The captain shall not interfere with, assault, intimidate, or bribe the observer.
(5)The captain shall provide the observer with adequate space, facilities, equipment and
information on the vessel necessary for his daily living and for carrying out his/her duties.
(6)The captain shall request the crew to comply with the provision stipulated in the preceding three
subparagraphs.
(7)The captain shall sign on the record(s) of observation written by the observer. In case there are
different views on the record(s) of the observer, captain’s opinions may be added.
(8)The captain shall ensure the safety of the observer. In case of emergency or distress, special
care and refuge shall be provided to the observer.

Article 67
In the event of boarding and inspection conducted by the inspector(s) dispatched by the competent
authority, any captain and crew of the inspected vessel shall cooperate with, facilitate the safe
boarding and disembarkation of the inspector(s), and provide the inspector(s) with adequate space,
facilities and equipment for carrying out the duties.

Chapter X-I Fishing Vessels Operating in the Agreement Area
Article 67-1
Any fishing vessel with the permission to operate in the Agreement Area shall not abandon fishing
gear at sea. In case of loss of fishing gear or abandoning fishing gear for safety reason(s), a
notification form, format of which is as shown in Appendix 17-1, shall be filled in accurately and
completely and submitted to the competent authority within three days after the date of detection.

Article 67-2
For any fishing vessel with the permission to operate in the Agreement Area, the FAO Identification
Guide to the Deep-Sea Cartilaginous Fishes of the Indian Ocean shall be placed onboard, and the deep
sea sharks species shall not be targeted. The list of deep sea sharks species is as Appendix 17-2.

Article 67-3
Fishing vessels with the permission to operate in the Agreement Area as well as carrier vessels that
transship with such fishing vessels shall be included on the Record of Authorized Vessels of the
Southern Indian Ocean Fisheries Agreement (SIOFA) for transshipment. A Transshipment Declaration with
data of oilfish, format of which is as shown in Appendix 16, shall be submitted within 24 hours after
the completion of transshipment to the SIOFA Secretariat and the competent authority.

For fishing vessels as referred to in the preceding paragraph, appropriate place of fish holds or

containers shall be marked with number(s) and quantities of oilfish in case of fishing, transshipping,
or landing oilfish

Article 67-4
Fishing vessels with the permission to operate in the Agreement Area shall comply with the following
requirements on notification:
(1)The distant water fisheries operators or captains shall, within 24 hours, fill in and submit a
notification form, format of which is as shown in Appendix 17-3, for each entry to and exit from the
Agreement Area.
(2)The distant water fisheries operators or captain shall submit the Transfer Notification to the
competent authority 24 hours before the planned transfer of bait, fuel, or supplies, and shall submit
the Transfer Declaration to the competent authority within 24 hours after the completion of transfer.
The formats of Transfer Notification and Transfer Declaration are as shown in Appendix 17-4 and 17-5.

Chapter XI Special Management Measures for High Risk Fishing Vessels
Article 68
Matters related to the management of high risk fishing vessels categorized by the competent authority
shall be governed by this Chapter. Matters not stipulated in this Chapter shall be governed by these
Regulations.

Article 69
Any distant water fisheries operator of the high risk fishing vessels shall, starting from the date
that the competent authority informs the distant water fisheries operator of such vessel, comply with
the special management measures as follows:
(1)Any high risk fishing vessel shall not engage in fisheries cooperation by means of being chartered
to any foreigner.
(2)For each fishing trip of such vessel, the observer dispatched by the competent authority shall be
carried on board, or the functional electronic monitoring equipment shall be installed on board before
leaving a port. For such vessel that has carried on board the observer who meets the requirement of the
international fisheries organization(s), it shall be exempted.
(3)Vessel positions shall be transmitted in accordance with Chapter VI.
(4)Catch reports shall be conducted in accordance with provisions stipulated in Chapter VII.
(5)Such vessel shall not conduct at-sea transshipment.
(6)For transshipment in port, the Transshipment Notification shall be filled in to apply for the
approval of the competent authority, no later than seven days before the estimated date for
transshipment.
(7)For landing in port, the Advance Notice of Landing shall be filled in to apply for the approval of
the competent authority, no later than seven days before the estimated date for landing.
(8)In case of transshipment or landing in port, inspections shall be conducted by the competent
authority or the independent third party.

Article 70
In the event that any high risk fishing vessel does not violate any regulation for one year starting

	from the date of being listed as high risk fishing vessel, such vessel shall be de-listed and exempted from the special management measures. Chapter XII Supplemental Provisions Article 71 Any tuna longline fishing vessel shall not fish within one nautical mile off a data buoy, or take on board, possess or cause damage to the data buoy. In case that the fishing gear becomes entangled with the data buoy, the entangled fishing gear shall be removed with as little damage to the data buoy as possible. In case of finding any data buoy that is damaged or non-functional, the captain shall report to the competent authority the date, location, and the identifying information on the data buoy. Article 72 To prevent harming marine living species, any fishing vessel shall not dispose any type of plastic trash or discharge any oil on the sea. Article 72-1 For the purpose of these Regulations, the catch amount is the unprocessed round weight. The conversion factors between the weights of processed fish and round fish are as shown in Appendix 18. Article 73 These Regulations shall become effective on January 20, 2017. Amendments to these Regulations shall become effective on the date of promulgation.
Attachments：	Articles (2020.3.19) .pdf.pdf Appendix (2020.3.19) .pdf

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