

### **Compliance Committee Terms of Reference**

1. Pursuant to Article 7(2) of the Agreement, the Meeting of the Parties establishes a Compliance Committee which shall act as an advisory body to the Meeting of the Parties.

#### *Representation*

2. Each Contracting Party and participating fishing entity shall be entitled to appoint one representative to the Compliance Committee who may be accompanied by alternate representatives, experts and advisers.
3. Appointment of the Chairperson and Vice-Chairperson of the Compliance Committee shall be undertaken in accordance with Rule 5 of the Rules of Procedure and taking into account the nature and requirements of the Compliance Committee.
4. The duties of the Chairperson of the Compliance Committee are to manage the business of the Compliance Committee, present the Compliance Committee's reports to the Meeting of the Parties and to act as the primary liaison between:
  - a. the Compliance Committee and the Chairperson of the Meeting of the Parties;
  - b. the Compliance Committee and the Executive Secretary; and
  - c. the Compliance Committee and the Chairpersons of other subsidiary bodies established by the Meeting of the Parties.

#### *Meetings*

5. Regular meetings of the Compliance Committee normally shall be held once a year prior to or during the ordinary Meeting of the Parties, unless the Meeting of the Parties decides otherwise.
6. The Chairperson of the Compliance Committee may also convene working groups in support of the work of the Compliance Committee and the objectives of the Agreement.

#### *Functions*

7. The functions of the Compliance Committee are to:
  - a. monitor, review and assess the implementation of, and compliance with, the Agreement and all conservation and management measures adopted by the Meeting of the Parties, and to provide advice and recommendations to the Meeting of the Parties thereon;
  - b. give special consideration to reviewing compliance with measures adopted by the Meeting of the Parties that are paramount to the achievement of the Agreement's objectives, such as data reporting obligations, Illegal, Unreported and Unregulated fishing and Monitoring, Control and Surveillance measures;
  - c. to make recommendations to the Meeting of the Parties on new compliance and management measures, including measures to address non-compliance;
  - d. to monitor, review and analyse information pertaining to fishing activity in the Area, and recommend any action to be taken by the Meeting of the Parties to discourage any activities which undermine the objectives of the Agreement; and

- e. to provide such other information, technical advice and recommendations as it considers appropriate or as may be requested by the Meeting of the Parties.

*Participation and Decision Making*

8. Recommendations and advice to be provided by the Compliance Committee to the Meeting of the Parties pursuant to article 7(2) of the Agreement shall be determined in accordance with the procedures set out in Rule 12 of the Rules of Procedure.
9. In accordance with article 14 of the Agreement and Rules 20 and 21 of the Rules of Procedure, the meetings of the Compliance Committee shall be open to observers unless the Compliance Committee decides that exceptional circumstances require that a meeting or part thereof be held in closed session.
10. All representatives to the Compliance Committee may bring forward for consideration any matters relevant to the functions of the Compliance Committee.
11. The Compliance Committee draft meeting report shall be prepared by the Chairperson of the Compliance Committee with assistance from the Executive Secretary. This draft report shall be considered by the Compliance Committee, amended as necessary and adopted at the end of the Compliance Committee meeting. The Chairperson of the Compliance Committee shall transmit the Compliance Committee meeting report to the Meeting of the Parties.
12. The Compliance Committee may make recommendations to the Meeting of the Parties that material used in its deliberations be regarded as confidential and not be published.

*Other*

13. The Compliance Committee may make recommendations to the Meeting of the Parties to amend these Terms of Reference to facilitate its work.
14. In accordance with Rule 21(3) of the Rules of Procedure, except as otherwise provided in the Agreement, the Rules of Procedure apply, *mutatis mutandis*, to the proceedings of the Compliance Committee.