

TERMS OF REFERENCE FOR FISHERIES STANDARD COMMITTEE (FSC)

Certified Seafood Collaborative (CSC) uses the skills of a Fisheries Standard Committee (FSC) to assist with the implementation and review of the Standards and the Scoring Guidance for the Responsible Fisheries Management Certification Program for fisheries. The RFM Program is adapted from the FAO Code of Conduct for Responsible Fisheries Management.

The Committee is an objective-based group, representative of fishery science, management, and environment. Representation is sought from both fishery-specific interests and from wider fishery management and stakeholder interests.

The Terms of Reference of the Committee are as follows:

- Keep under review the RFM Standards and the Program's pertinent assessment procedures to ensure that these remain relevant to current practice and market requirements;
- Oversee and facilitate any necessary improvements and edits to the RFM Standards for subsequent approval by the CSC;
- Provide knowledge and guidance that will contribute to accurate interpretation and alignment of the RFM Program to FAO KEY Reference Documents for assessment purposes;
- Provide advice to the RFM Team by way of proceedings and decisions in minutes of meetings on any amendments considered necessary or desirable to ensure the accuracy, relevance, and credibility of the RFM Program.
- Provide input and advice on documents prepared on the technical interpretation of the RFM Fisheries Standard used in the assessment of North American fisheries operating within the U.S. and Canadian 200 NM EEZ;
- Provide technical oversight to the RFM Fisheries Standard revisions and supporting technical scoring guidance documentation.
- Become part of an Appeals Panel for stakeholders, including Fishery Applicants, who contest the decision of a Certification Body on the certification of a fishery. Grounds for an appeal may be an assessment decision not made in conformance with applicable policies and procedures, a lack of consideration of relevant available information or evidence, or an unreasonable assessment outcome.

Committee Constitution

In October, 2014, the RFM Fisheries Standard Committee (FSC) was appointed by the ASMI Board of Directors, the previous owners of the RFM Certification Program. Membership is based on advice, consultation, and nominations put forward from fishery advisors, scientists, and fishery stakeholders associated with the RFM Certification Program. Some members took part in the original Technical Standards Committee 2011- 2013.

The CSC determines the number of voting members. The FSC shall be chaired by a CSC-appointed Chairperson. The RFM Team Program Manager will act as secretariat and hold no voting right.

The membership of the FSC will sufficiently represent a broad understanding of policy and management, of fishery and environmental science, and the operational aspects of fisheries, as well as an appreciation of the certification of responsible fisheries management.

Representation on the FSC will be adapted from time to time to ensure that it continues to represent the interests of the fishery regions and areas of a broad certification interest.

Rules of Procedure for Committees

The normal term of office of the Chairperson and members of the FSC shall be three years. Duration of term may be influenced by the following provisions:

- any member of the FSC serving as a representative of an organization or company shall retire on ceasing to be employed by that organization or company;
- any member may retire by notice in writing to the Chairperson of the FSC;
- any person whose term of office expires shall be eligible to be reappointed to the FSC;
- the Chairperson may ask for an incumbent member to be replaced if the member fails to attend meetings of the FSC regularly.

Committee meetings shall be convened not less than once a year and by notice in writing (including e-mail) to each member at such times as the Chairperson shall direct. It is anticipated that members of the FSC will be asked to meet, either in person or via teleconference, approximately 1 to 2 times in a calendar year.

The RFM Program Manager shall be responsible for taking and presenting a correct record of the proceedings at each meeting.

A quorum at such meetings shall consist of not less than one-half of the voting members of the FSC.

The Chairperson shall confirm an acceptable balance of interests among voting members at the start of each meeting.

Minutes of all meetings will be prepared and circulated in advance of the next meeting. These minutes will be approved at the next meeting, providing that a quorum exists.

For key decisions on Standards and interpretation, the FSC shall strive for consensus. In the event of a vote motions will carry with a two-thirds majority. Each member shall have one vote.

In the absence of the Chairperson at any meeting of the FSC, this position shall be taken by a member of the FSC selected by the Chairperson in advance or, failing that, elected by a majority of those present.

With the consent of the Chairperson, specialist advisors may attend meetings of the FSC but they shall not be entitled to vote.

Confidentiality and Conflict of Interest:

Members of the FSC are appointed to support the objective of ensuring a robust and transparent Certification Program. Members shall be as follows:

- Willing to contribute to an overview process and lend their time and/or expertise without promise of remuneration, and be able to attend meetings as required;
- Unaffiliated with any public or private entity that will try and leverage decisions based on a corporate or public agenda;
- Committed to neutrality, transparency, and fairness in all dealings.

All FSC members will be asked to provide a resume identifying their relevant fishery or certification experience that they would contribute to the FSC and also to sign a conflict of interest and confidentiality undertaking. Should a conflict of interest arise, the member is requested to report this to the Chairperson as soon as reasonably possible. The Chairperson shall decide on and instigate appropriate action. All such reported conflicts of interest and follow up action agreed shall be recorded on the FSC files.

Standards Review Procedure

All program standards will be subject to a formal review by the FSC or appointed sub-committee for Chain of Custody at least once in each 24-month period.

The RFM Program Manager will be responsible for scheduling the standards review with the Committees. Information for the review will be collated from, but not limited to, the following:

- Fisheries Standard Committee comments;
- Observations from approved Certification Bodies and Assessment reports;
- Changes in legislation/Codes of Practice;
- Open comments and comments from Fishery Assessments;
- Customer/market information.

The outcome of the Standards review will be registered in minutes. Where changes to the standards are recommended and agreed on by the Fisheries Standard Committee, the RFM Program Manager will ensure that a Program of Work is published.

Re-edited Standards document will be changed in accordance with the recommendations and Program of Work. The redrafted Standard recommended by the FSC will be presented to the CSC for approval. If the CSC does not approve the proposed Standard, it will go back to the FSC for further consideration of the CSC's comments.

Once the redrafted Standard is approved by the CSC, the RFM Program Manager will issue the new Standard and inform all relevant parties of the change of revision and adoption.

The RFM Program Manager will record in the Standard the date of a revision or reaffirmation of the Standard along with a transition period after which the revised Standard will come into effect.

The new/revised Standard will be posted on the RFM Certification website.

Current Fishery clients of the Program will be allowed up to 36 months to implement changes to meet new criteria in the Standard. Chain of Custody Applicants will be allowed 12 months to meet new criteria.

RECORDS

Records will be retained as follows:

- (a) Standards Review
 - Committee Minutes and Recommendations
 - Evidence of external considerations
 - Redrafted Program Standards
- (b) Standards Approval
 - Minutes of ASMI Board Approval
 - Updated Standards

THE COMPLAINTS / APPEALS PANEL

Constitution

Up to three members of the Fisheries Standard Committee may be appointed from the Committee by the Chairperson to act as an Appeals Panel for Complaints regarding Fishery Certification Decisions.

The Appeals Panel shall appoint the Chairperson.

The RFM Program Manager, will be an ex-officio member of the CSC Board and act as Secretariat, but shall not vote.

Members of the Appeals Panel shall be appointed so that no one interest predominates.

Terms of Reference

The functions of this Board include:

- Listening to complaints, appeals, disputes, and grievances relating to issues and withdrawal of Fishery Certificates of Approval;
- Making judgments on formal complaints and appeals and communicating findings to relevant parties.

Rules of Procedure

Members must sign a confidentiality/conflict of interest declaration before attending initial meetings.

The evidence will be prepared and presented by the RFM Program Manager. The Certification Body and Fishery Applicant will have the opportunity to present their arguments.

Minutes of all meetings will be prepared and circulated in advance of the next meeting. These minutes will be approved at the next meeting, providing quorum exists.

Each member shall have one vote. In the event of a tied vote the Chairperson or person presiding shall instruct that all voting members not present be notified of the issue and requested to advise their decision. Should this fail to result in a clear majority either for or against the proposal, the proposal shall be withdrawn and *status quo* prevails.

With the consent of members of the Appeals Panel, specialist advisors may attend meetings of the CSC but they shall not vote. Specialist advisors will be required to sign a confidentiality and conflict of interest agreement.

The findings of the Complaint Appeals Panel will be communicated by the RFM Program Manager to the Fishery, the Certification Body, and the Accreditation Board.

The Complaint Appeals Panel has no authority to overturn a certification decision and can only make recommendations to the Certification Body and relevant Accreditation Board.

Conflict of Interest & Confidentiality

All Appeals Panel members will sign a conflict of interest and confidentiality undertaking. Should a conflict of interest arise, the member will report this to the Chairperson as soon as reasonably possible. The Chairperson shall decide and instigate appropriate action. All such reported conflicts of interest and follow up action agreed shall be recorded on the Appeals Panel file.

Name: _____ Date: _____

Title: _____

Signature: _____