

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE GAMBIA
AND THE FEDERATION OF JAPAN TUNA FISHERIES CO-OPERATIVE
ASSOCIATIONS AND THE JAPAN/FAR SEAS PURSE SEINE FISHING
ASSOCIATION ON FISHING ACTIVITIES IN THE WATERS OF THE REPUBLIC
OF THE GAMBIA

Agreement dated 28th July, 1992 between the Government of The Republic of The Gambia (hereinafter referred to as "the Government"); The Federation of Japan Tuna Fisheries Co-operative Associations (hereinafter referred to as "the Federation") and The Japan Far Seas Purse Seine Fishing Association (hereinafter referred to as "the Association").

WHEREAS:

- (A) The Government, the Federation and the Association desiring that agreement on Fisheries would be concluded between the Government of Japan and the Government of the Gambia.

- (B) The Government has agreed with the Federation and the Association on fishing activities within the 200 mile waters of The Republic of The Gambia (hereinafter referred to as "the Gambian Waters").

Now therefore the parties hereto agree as follows:

1. Licence Application and Issuing Formalities

- A) The application for licence shall be made in the prescribed form (as shown in Annex I) to the competent authority of the Government (hereinafter referred to as "the Authority") through the Federation for Japanese tuna longliners (hereinafter referred to as "the longliners") and the Association for Japanese tuna purse seiners (hereinafter referred to as "the purse seiners") at least one month before the date of commencement of the period of validity requested.

- B) Each licence application shall be accompanied by proof of payment of the fee as defined in section 2. Payment shall be made into an account opened with a financial institution or any other body designated by the Gambia's authority through bank cable transfer.

- C) Licences for all vessels shall be issued by the Authority following receipt of proof of payment as laid down at B) above, to the shipowners or charterers through the Federation or the Association.

D) Licences shall be issued for a specific vessel and shall not be transferable. However, at the request of the Federation or the Association, a vessel's licence may, and in the case of force majeure shall, be replaced by a new licence for another vessel with features similar to those of the first vessel. The licence of the first vessel shall be cancelled and returned to the Authority via the Federation or the Association.

The new licence shall indicate:

- the date of issue;
- the fact that it replaces the licence of the previous vessel for the remaining period of validity.

in this case, no fee shall be due for unexpired period of validity.

E) The licence must be held on board at all times.

F) The accountant General's Department of the Gambia shall give notice, before the Agreement enters into force, of the arrangements for payment of the fee, including information on bank account.

2. Licence Fees

- A) Longliners - US\$1,000 per vessel for 3 (three) months' operation.

This period may be extended for a further period of one or two months, by request at least 15 days before the expiry of the 3 months. The fee shall be US\$350 per vessel per month.

- B) Purse seiners - US\$5,000 per vessel for 5 (five) months operation.

- C) The three months period for longliners and the five months period for purse seiners mentioned in subsections 2.A) and 2.B) shall become effective on the date of first entry into the Gambian waters of each vessel.

3. Condition of Fishing Operations

A) Fishing Zones

The longliners and the purse seiners with valid licence shall be permitted to engage in fishing beyond 12 nautical miles off the coast of the Gambia.

B) Reporting of Entry and Exit

Each licensed vessel shall notify the Authority, through the Gambia coastal radio station or telex, in the manner shown in Annex II of

(i) Entry Report : by 24 hours prior to first entry into the Gambian waters

(ii) Exit Report : by 24 hours prior to final departure from the Gambian waters

C) Vessel Identification

Each licensed vessel shall display the International Radio Call Sign amidships on both sides of the hull and on an appropriate weather deck. The letter of the display shall be at least 0.45 meter in height.

D) Statement of Catch

(i) Each licensed vessel engaged in fishing within the Gambian waters shall maintain the daily catch record as shown in Annex III-1 for the longliners and Annex III-2 for the purse seiners.

(ii) The Federation and the Association shall make every effort to ensure that the daily catch report for licensed vessels shall be sent to the Authority by mail within 30 days from the first port call following operation in the Gambian waters.

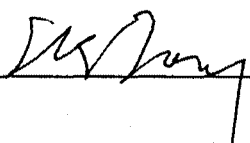
4. In the event of any dispute arising as to the interpretation or application of any of the provisions of this Agreement, the Government and the Federation and the Association shall endeavor to settle it by consultations between themselves to be commenced as soon as practicable after the receipt by either party of a formal request from the other for the opening of such consultations.

5. The Government and the Federation and the Association shall review each year the terms and conditions of the fishing activities by the member and their fishing vessels of the Federation and the Association within the Gambian waters. Such review could be by exchange of communication between the both parties or meeting between them when necessary.


6. This agreement shall enter into force on the date of signature by both parties and remain in force for one year. It shall remain in force by tacit consent for additional periods of one year, unless one of the parties has notified the other in writing of their intention to terminate it at least one month before the expiry of each yearly term.

IN WITNESS WHEREOF, the undersigned being duly authorized thereto by the respective parties have signed this agreement.

Tokyo, 28th July, 1992



for and on behalf of
the Government of the
Republic of the Gambia



for and on behalf of
the Federation of Japan
Tuna Fisheries Co-operative
Associations



for and on behalf of
the Japan Far Seas Purse
Seine Fishing Association

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APPLICATION FORM FOR FISHING VESSEL TO FISH IN GAMBIAN WATERS

I. APPLICANT:

- 1.Name of applicant: -----
- 2.Name of company : -----
- 3.Address : -----

II. VESSEL:

- 1.Name : -----
- 2.Registration No. : -----
- 3.Date and place of construction : -----
- 4.Radio call sign : -----
- 5.Country of registration : -----
- 6.Gross register tonnes : -----
- 7.Number of fish holds : -----
- 8.Capacity of holds : -----
- 9.Total number of crew : -----
- 10.Fishing method : -----
- 11.Is the vessel a freezer? -----
- 12.If yes:
 - Freezer capacity : -----
 - Storage capacity : -----
- 13.Name of Master of vessel : -----

III. PERIOD OF APPLICATION:

From (day) (month) (year) to (day) (month) (year) within which () months of operation from the date of first entry into the waters desired to be authorized.

(Date)

(Signature)

RADIO/TELEX REPORTING

1. All radio reports shall be transmitted to the Authority via the following coastal radio station.

RADIO STATION

CALL SIGN

BANJUL RADIO

C5G

2. TRANSMISSION OF REPORT

The required message should be transmitted as follows

PLS RELAY FOLLOWING MSG TO DIRECTOR OF FISHERIES DEPARTMENT.

(Then, each reporting message required as specified in the attached paper follows.)

1 - ENTRY REPORT FORMAT

| CONTENT | TRANSMISSION |
|-----------------|--------------|
| (1) ACTION CODE | IN |
| (2) VESSEL NAME | |
| (3) CALL SIGN | |
| (4) POSITION * | |
| (5) DATE | |
| (6) HOUR (GMT) | |

EXAMPLE

IN JAPAN 1 JAAA N1404 W2103 OCT08 0630G
(THE VESSEL "JAPAN 1" (CALL SIGN: JAAA) IS ENTERING THE
GAMBIAN WATERS AT 0630G ON OCT.8 AT N14-04 , W21-03.)

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* NOTE : - IN WHICH INTEND TO ENTER

2 - EXIT REPORT FORMAT

| CONTENT | TRANSMISSION |
|-----------------|--------------|
| (1) ACTION CODE | OUT |
| (2) VESSEL NAME | |
| (3) CALL SIGN | |
| (4) POSITION * | |
| (5) DATE | |
| (6) HOUR (GMT) | |

EXAMPLE

OUT JAPAN 1 JAAA N1422 W2037 OCT13 2345G
(THE VESSEL "JAPAN 1" (CALL SIGN: JAAA) IS LEAVING THE
GAMBIAN WATERS AT 2345G ON OCT.13 AT N14-22 , W20-37.)

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* NOTE : - IN WHICH INTEND TO LEAVE

