



IPHC DATA CONFIDENTIALITY POLICY AND PROCEDURES

The International Pacific Halibut Commission (IPHC),

RECOGNISING the need for confidentiality at the commercial and organisational levels for data submitted to, and gathered by, the IPHC;

ADOPTS in accordance with paragraph 3 of Article III of the IPHC Convention, that:

1. The following policy and procedures on confidentiality of data will apply:

DATA SUBMITTED TO, OR COLLECTED BY, THE IPHC SECRETARIAT

2. The policy for releasing fishery catch-and-effort, length-frequency, observer, or other fishery data submitted to, or collected by, the IPHC Secretariat, will be as follows:

Rule of three's

- a) Data from an individual source shall be protected from disclosure. Specifically, no individual catch-and-effort, length-frequency, observer, or other fishery data, shall be identifiable within a time/area stratum. In cases when an individual vessel can be identified, the data will be aggregated by time, area or flag to preclude such identification, and will then be placed in the public domain (rule of three's).

Standard stratification

- b) Catch-and-effort, length-frequency, observer or other fishery data grouped by 15 nautical miles by 15 nautical miles stratified by year are considered to be in the public domain, provided the catch of no individual vessel can be identified within a time/area stratum. In cases when an individual vessel can be identified, the data will be aggregated by time, area or flag to preclude such identification, and will then be placed in the public domain (rule of three's).

Finer level stratification

- c) Catch-and-effort and length-frequency data grouped at a finer level of time-area stratification will only be released with written authorisation from the sources of the data. Each data release will require the specific permission of the IPHC Executive Director;
- d) Individuals requesting these data are required to provide a description of the research project, including the objectives, methodology and intentions for publication. Prior to publication, the manuscript shall be cleared by the IPHC Executive Director. The data are released only for use in the specified research

project and the data must be destroyed upon completion of the project. However, with authorisation from the sources of the data, catch-and-effort and length-frequency data may be released for long-term usage for research purposes, and in such cases the data need not be destroyed;

- e) The identity of individual vessels will be removed in fine-level data unless the individual requesting this information can justify its necessity;
 - f) requests for fishery data by the data originator or for research purposes should be made to the IPHC Executive Director through the application form provided at [Annex I](#) or [Annex II](#).
 - g) Individuals requesting data shall provide a report of the results of the research project to the IPHC for subsequent forwarding to the sources of the data.
3. The policy for releasing research data (excluding the IPHC's Fishery-Independent Setline Survey) collected by the IPHC Secretariat will be as follows:
- a) Detailed research data are considered to be in the public domain, with the exception of any vessel names or identifiers and detailed information about the person who collected or provided the data, however, requests for research data should be made to the IPHC Executive Director through the application form provided at [Annex I](#).
 - b) All research data collected by the IPHC on dedicated IPHC research activities outside of the directed fishery are considered public. No IPHC research data confidentiality applies. The IPHC reserves the right of first publication and may withhold research data from publishing or release for a period of no more than 12 months from the point of collection.

PROCEDURES FOR THE SAFEGUARD OF RECORDS

4. Procedures for safeguarding records and databases will be as follows:
- a) Access to logbook-level information or detailed observer data (including biological sampling) will be restricted to IPHC Secretariat staff requiring these records for their official duties. Each Secretariat staff member having access to these records will be required to sign an attestation recognising the restrictions on the use and disclosure of the information;
 - b) Logbook and observer records will be kept secured, under the specific responsibility of the Fisheries Statistics and Services Branch Manager. These sheets will only be released to authorised IPHC personnel for the purpose of data input, editing or verification. Copies of these records will be authorised only for legitimate purposes and will be subjected to the same restrictions on access and storage as the originals;
 - c) Databases will be encrypted to preclude access by unauthorised persons. Full access to the database will be restricted to the Fisheries Statistics and Services Branch Manager and to senior IPHC Secretariat staff requiring access to these data for

official purposes, under the authority of the IPHC Executive Director. IPHC Secretariat staff entrusted with data input, editing and verification will be provided with access to those functions and data sets required for their work.

DATA PRESENTED TO IPHC SUBSIDIARY BODIES

6. The above rules of confidentiality will apply to all members of the IPHC Subsidiary Bodies who may receive confidential data in the course of their roles and responsibilities to the IPHC.

ANNEX I
DATA USERS APPLICATION FORM

To the Executive Director of the International Pacific Halibut Commission

I wish to submit the following request to receive and analyse data held by the International Pacific Halibut Commission (IPHC). I have read the IPHC Data Confidentiality and Procedures Policy, noting in particular, the matters relating to data confidentiality and providing an appropriate acknowledgement in the case of any publications arising from the use of these data, and agree to all the conditions listed. Submit your request to: Secretariat@iphc.int

Name of the institution/s requesting the data and contact details for the Principle Investigator
Project outline
Specifications of the data required
Names and positions of the staff accessing the data (<i>Note, the IPHC Secretariat expects to be informed of any changes to the data users list</i>)
Intentions with respect to publication of the results of the proposed work

Signature and date (DD/MM/YYYY):

Name:

Position:

Organisation:

Approved / Not Approved

Signature and date:

IPHC Executive Director:

ANNEX II
AUTHORIZATION TO RELEASE VESSEL LOG DATA OF PACIFIC HALIBUT FISHING
OPERATIONS

1. The undersigned understands and agrees that Pacific halibut fishing operation data (“Data”), required to be logged and maintained by any vessel pursuant to Pacific Halibut Fishery Regulations (codified at 50 CFR part 300 *et seq.*), and submitted by a vessel Operator to the International Pacific Halibut Commission (“IPHC”), is confidential to the Operator and will only be released by the IPHC pursuant to notarized written consent by the Operator who was the originator of the Data as reflected in the vessel logs.

2. Therefore, the undersigned _____, hereby certifies that he/she was
Name
the Operator of the vessel _____, Official Number _____,
for the period ____/____/____ to ____/____/____ and was the originator and
Day Month Year Day Month Year
owner of the Data submitted to the IPHC for that period.

3. The undersigned requests that Data for the period ____/____/____ to
Day Month Year
____/____/____ be released to _____,
Day Month Year Name

Address

4. The undersigned understands and agrees that release and disclosure of the Data by the IPHC to a party other than the Operator who originated the Data is irrevocable.

5. The undersigned waives any and all claims it may have against the IPHC arising out of the release of Data pursuant to this authorization.

6. The undersigned agrees that the production of Data by the IPHC pursuant to this authorization, or any other act of the IPHC in any way related to the above, is not to construed as a waiver of any of the rights or privileges enjoyed by the IPHC pursuant to the International Organizations Immunities Act, 22 U.S.C. Sec. 288 *et seq.*

Date (DD/MM/YYYY): _____

Signature

Address

Telephone Number (*Used for Verification Purposes*)

STATE OF _____)

COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared _____, to me known to be the person who executed the within and foregoing instrument, and acknowledged said instrument to be a free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary public residing at _____
My appointment expires: _____
Printed name: _____