

SCHEDULE "D"

The following are the Program Rules established by the Association pursuant to the Master Agreement, revised to include all changes made by the directors of the Association up to and including the changes made on June 6, 2002:

Rule 1: Licenceholder's responsibilities for others

- 1.01 The Licenceholder shall cause the master of the Vessel, any crew onboard the Vessel and every other person acting by or under the authority of the Licenceholder or the master of the Vessel and every other person for whose acts at law the Licenceholder is responsible to comply with each and every one of the Program Rules;
- 1.02 In the Program Rules, a reference to the Licenceholder shall in each case be deemed to include the master of the Vessel, all crew onboard the Vessel and any other person acting by or under the authority of the Licenceholder or the master of the Vessel and any other person for whose acts at law the Licenceholder is responsible.

Rule 2: Vessel Monitoring System Requirements ("VMS")

- 2.01 Every Licenceholder must keep the VMS onboard his Vessel continuously powered with electricity, and ensure that the VMS unit operates continuously while the vessel is at sea;
- 2.02 The Licenceholder shall not interfere with the GPS, camera, hydraulic sensors or other devices which form part of the VMS;
- 2.03 If there is more than one hauler station onboard the Vessel, the Licenceholder must install a camera unit for each hauler station and ensure that each camera unit operates continuously while the Vessel is at sea;
- 2.04 The Licenceholder must provide full free and uninterrupted access to the Contractor, its employees, agents and representatives requested at all times to enable them to retrieve Data and inspect the Onboard Equipment;
- 2.05 When fishing operations are underway, the Licenceholder must ensure that the field of surveillance by each camera unit is sufficiently illuminated so as to enable the camera to clearly and accurately record all activities which occur in that field.
- 2.06 The VMS system must be on for all Area A licenced vessels which enter the fishing grounds while the fishery is open, even if no crab fishing is planned. (If no crab fishing is planned special exemption from this requirement may be allowed by contacting Archipelago at 250-627-1167).

Rule 3: Trap Tags

- 3.01 The Licenceholder must attach and keep attached to every crab trap which is onboard or used in conjunction with the Vessel a radio frequency identification tag of the type approved by the Association or the Contractor;
- 3.02 The Licenceholder must affix and keep affixed the trap tag to every crab trap in the location designated from time to time by the Association or the Contractor;
- 3.03 The Licenceholder must have onboard the Vessel, as part of the Onboard Equipment, at all times when crab fishing activities are being conducted by the Vessel, a scanner, which is in good working order, of the type designated by the Association or the Contractor, which is capable of electronically reading the information electronically contained in the trap tag and recording and retaining the information as part of the Data;
- 3.04 The Licenceholder must scan the trap tag attached to every crab trap hauled onboard the Vessel with the scanner described in these rules and must, to the best of his ability, ensure that the scanner has read the electronic data contained in the trap tag;
- 3.05 The Licenceholder must fully comply with, observe and follow all procedures published by the Contractor from time to time with respect to the radio frequency identification trap tags, the portable scanner of trap tags, the manner and place in which the tags are affixed and the use and storage of the equipment;
- 3.06 Prior to the start of the summer fishing season, each Licenceholder shall scan the trap tags for all the fishing gear they intend to use in the fishery. The data from the scan inventory shall be supplied to Archipelago before commencement of fishing.

Rule 4: Buoy Marking and Registration

- 4.01 The Licenceholder must obtain the Association's approval of the colour and type of markings to be painted or affixed to each buoy which is used in or with the fishing activities conducted by the Vessel (in these rules, called the "Approved Colour and Markings");

SCHEDULE "D"

- 4.02 The Licenceholder must register the Approved Colour and Markings with the Association and the Contractor;
- 4.03 The Licenceholder must paint, brand or affix the Approved Colour and Markings to every buoy which is at any time located onboard the Vessel or used in or with the fishing activities conducted by the Vessel;
- 4.04 The Licenceholder may not carry onboard the Vessel to use in or with the fishing activities conducted by the Vessel any buoy except those which have been painted or to which have been affixed the Approved Colour and Markings;
- 4.05 The Licenceholder may only carry onboard the Vessel to use in or with the fishing activities conducted by the Vessel those buoys which have been painted or to which have been affixed the Approved Colour and Markings;
- 4.06 Once the Association has approved the colour and type of markings to be painted or affixed to the Licenceholder's buoys pursuant to these rules, neither the colour nor the markings may be changed unless and until the Association approves the change and the change is registered with the Association;
- 4.07 The Association may refuse to approve the colour and type of markings to be painted or affixed to the Licenceholder's buoys or any change to such colour or markings if, in the Association's Opinion, the colour or markings are not sufficiently different from the colour or markings which have been approved or which the Association intends to approve for a different licenceholder;

Rule 5: Hail Requirements

- 5.01 In this rule and in any procedures published by or under the authority of the Contractor, the act of communicating with the Contractor, its representative or agent may be called "Hailing" or "Hail" and such communication prior to the commencement of fishing activities may be referred to as "Hail Out" and such communication when returning to port after conducting fishing activities may be referred to as "Hail In";
- 5.02 Hailing is required for all Area A licensed vessels which enter the fishing grounds, including transiting, while the fishery is open, even if no crab fishing is planned.
- 5.03 As soon as practicable but, in any event, not later than 15 minutes after the Vessel leaves port, the Licenceholder must Hail Out;
- 5.04 As soon as the Vessel has completed its fishing activities on each fishing trip but, in any event, not less than two hours before the Vessel is due to arrive in port, the Licenceholder must Hail In;
- 5.05 The Contractor may publish and amend, from time to time, procedures for Hailing;
- 5.06 Until such procedures have been published, the Licenceholder must Hail the Contractor by using autotel or radio telephone;

Rule 6: Compliance Report

- 6.01 The Licenceholder must maintain and keep onboard the Vessel at all times a record of the Vessel's fishing activities or compliance log (in these rules called the "Compliance Log");
- 6.02 The Compliance Log must be maintained in such a manner that it can be produced or reproduced by the Licenceholder in either an electronic or paper form;
- 6.03 The Compliance Log shall be maintained and shall contain such information as DFO requires;
- 6.04 In addition to being maintained and containing such information as DFO requires, the Licenceholder shall include in the Compliance Log all additional information, if any, required by the Contractor and shall comply with any additional Compliance Log record and maintenance requirements as the Contractor may, from time to time, publish.
- 6.05 The Compliance Log must contain a record of all crab traps brought onboard the Vessel which are not the Licenceholder's crab traps or which do not have a radio frequency identification tab attached thereto identifying them as a crab trap belonging to the Licenceholder together with particulars of the date, time and place such trap or traps were brought onboard the Vessel and any other relevant circumstances;
- 6.06 The Compliance Log must contain a complete record of all new crab traps and other fishing gear brought onboard the Vessel, including the date of acquisition and a full description of the trap or equipment including, if appropriate, make, model and serial number;
- 6.07 The Compliance Log must contain a complete record of all crab traps or other fishing gear which are lost, including the estimated date of loss

SCHEDULE "D"

and a full description of the trap or equipment including, if appropriate, make, model and serial number;

- 6.08 The Compliance Log must contain a complete record of any suspected illegal activities including but not limited to missing or vandalized fishing gear, missing catch, and fishing in a closed area;
- 6.09 The Compliance Log must contain a complete record of any time when the VMS system was not in operation;
- 6.10 The Contractor has provided the Licenceholder with an additional radio frequency identification tag ("Compliance Tag") to be used to record a compliance event flag in the VMS electronic data record. When compliance events occur, the Licenceholder shall scan the Compliance Tag as well as record the event in the Compliance Log.

Rule 7: Softshell Crab Prohibition

- 7.01 The Licenceholder shall at all times while fishing ensure that the total percentage of softshell crab shall not exceed 5% of the total weight of crab onboard. Softshell crab is defined as a crab with a durometer reading of less than 70;
- 7.02 For the purposes of ensuring compliance with rule 7.01 the Licenceholder shall permit the Contractor to monitor the offloading of crabs. In such cases, all crab must be offloaded to ensure that all crabs are inspected.
- 7.03 The Association may require the Licenceholder to pay the costs of offload monitoring.

Rule 8: Hauling Tangled Gear

- 8.01 When trap buoy lines from two or more vessels become tangled, the Licenceholder shall make every effort to untangle the lines without cutting the lines.
- 8.02 If a buoy line must be cut to untangle the gear, the line cut shall be that of the Licenceholder.

Rule 9: Harvest Logs

- 9.01 The Licenceholder must maintain an accurate record of the Vessel's fishing activities using the Electronic Harvest Log, or a paper logbook supplied by Archipelago Marine Research Ltd.

Rule 10: Miscellaneous

- 10.01 The Licenseholder may not bait any crab trap or place any crab trap in the water within 120 hours of the time when Area A is scheduled to be closed for crab fishing. For the assistance of Licenseholders, 120 hours is equivalent to 5 full days of 24 hours each.