



IPHC DATA CONFIDENTIALITY POLICY AND DATA SHARING 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;

RECOGNISING the need for supporting evidence-based decisions affecting fish stocks and aquatic ecosystems;

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

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

DATA SUBMITTED TO, OR COLLECTED BY, THE IPHC SECRETARIAT

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

Rule of three

- a) Data from an individual source shall be protected from disclosure. Specifically, no individual catch, 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 encompass a minimum of three (3) vessels to preclude such identification.

Standard spatial stratification

- b) Catch, effort, length-frequency, observer, or other fishery data grouped by 15 nautical miles by 15 nautical miles shall be released to the public domain (rule of three also applies).

Data sharing procedures

- c) Data satisfying confidentiality requirements (rule of three and standard spatial stratification) may be placed in the public domain, subject to written approval by the IPHC Executive Director.

Finer level stratification

- d) Catch, effort, and length-frequency data grouped at a finer level of time and/or area stratification will only be released with written authorisation from the sources of the data. Each data release will require the specific written permission of the IPHC Executive Director;



- e) 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, 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;
 - f) The identity of individual vessels will be removed in fine-level data unless the individual requesting this information can justify its necessity;
 - g) Requests for fishery data for research purposes should be made to the IPHC Executive Director through the application form CP-1 [form provided in the appendix of the online version of the policy].
 - h) 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.
 - i) Requests for fishery data by the data originator should be made to the IPHC Executive Director through the application form CP-2 [form provided in the appendix of the online version of the policy].
3. The policy for releasing research data collected by the IPHC Secretariat will be as follows:
- a) Detailed research data, with the exception of vessel names or identifiers and detailed information about the person who collected or provided the data, may be made available to the public subject to approval by the IPHC Executive Director. A request shall be made through the Data Request Form available at <https://www.iphc.int/form/data-request>.
 - b) All research data collected by the IPHC on dedicated IPHC research activities outside of the directed fishery (including the IPHC's Fishery-Independent Setline Survey) may be released to the public subject to approval by the Executive Director. The IPHC reserves the right of first publication but will endeavour not to withhold research data from publishing or release for a period of more than 12 months from the point of collection to protect that right.

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. Secretariat staff shall only access these data for their official duties. Each Secretariat staff member signs an



Employee Acknowledgment Form (page 12 of the Employee Manual) 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 Branch Manager responsible for data services. These records will only be released to authorised IPHC personnel for the purpose of data input, editing or verification;
- c) Databases will be encrypted to preclude access by unauthorised persons. Full access to the database will be restricted 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

5. 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 (CP-1)

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 Policy and Data Sharing Procedures, 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. Request must be submitted 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:

Name:

Position:

Organisation:

For IPHC Use only

Approved Not Approved

Signature and date:

IPHC Executive Director:

ANNEX II

AUTHORIZATION TO RELEASE VESSEL LOG DATA OF PACIFIC HALIBUT FISHING OPERATIONS (CP-2)

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 the Operator of the vessel _____, Official Number _____, for the period ____/____/____ to ____/____/____ and was the originator and owner of the Data submitted to the IPHC for that period.

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

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: _____

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: _____

For IPHC use only

[] Approved / [] Not Approved

Signature and date:

IPHC Executive Director: