

BRANCH: FISHERIES
GENERAL TERMS OF REFERENCE FOR SCIENTIFIC WORKING GROUPS
1 APRIL 2012 TO 31 MARCH 2014

1 Purpose & Scope:

- 1.1. The purpose of each Scientific Working Group (SWG) will be to provide informed scientific advice to the Chief Director: Fisheries Research and Development (hereafter referred to as the Chief Director) as a basis for decision-making related to the topic through a process of research, research planning and integration, reporting and debate.
- 1.2. Each SWG will also provide reasoned advice on research directions and priorities on the topic to the Chief Director.

2 Process:

- 2.1. The SWG recommendation, signed by the Chairperson, is presented to the Director Resources Research and the Chief Director.
- 2.2. The Director Resources Research may append additional information and advice to the SWG document and present this to the Chief Director.
- 2.3. Having considered the SWG recommendation and additional information appended by the Director Resources Research, the Chief Director will prepare a recommendation to the Chief Director Resource Management. This recommendation will include the original SWG recommendation.
- 2.4. The Chief Director Resource Management prepares a recommendation to the DDG or Minister based on the original SWG recommendation, and the recommendation prepared by the Chief Director, and may also include other information such as operational issues, social and economic considerations, etc. This submission includes the original SWG recommendation.
- 2.5. The final recommendation is passed to the DDG or Minister, who uses this as the basis for decision-making. The recommendation from the SWG thus represents one input to the decision-making process, and should not be considered to be the final decision on either the TAC/TAE, or on the management regime which is implemented.

3 Duties:

- 3.1. Each SWG will address a specific topic, for example a fishery using similar gear to catch one or more species of similar habits, or a topic of cross-cutting relevance.
- 3.2. Each SWG will have its own Terms of Reference (including objectives) specific to the topic it is to address, to be suggested and developed by its Members and approved by the Chief Director and updated annually. The Chief Director reserves the right to amend or add to the Terms of Reference at any time.
- 3.3. Each SWG will meet regularly.
- 3.4. The primary function of the majority of the SWGs is to perform an assessment of the current status of the resource or resources within its subject area, and to provide a scientifically justifiable

- recommendation on the TAC/TAE for the coming year. In doing so, all pertinent (for example fishery catches, surveys, observer programmes, etc.), and the most up-to-date, information shall be considered (with agreed deadlines for data inputs). However, the functions of other SWGs will be more particular.
- 3.5. The SWG will consider and report on issues related to its topic on an *ad-hoc* basis at the request of the Chief Director.
 - 3.6. Each SWG will consider the necessity for additional research in order to improve its assessments and recommendations, and to anticipate future information requirements. The SWG will prioritise information needs according to current and future management requirements, and propose specific research projects to address these.
 - 3.7. The SWG shall strive to reach agreement by consensus. Where no consensus can be reached, decisions will be voted on. Only members may vote. In the case of a split vote, the Chairperson has the deciding vote.
 - 3.8. A quorum shall be constituted by the presence of the Chairperson plus five (5) of the eight (8) Members.

4 Composition:

- 4.1. Each Scientific Working Group (SWG) will consist of scientists with proven expertise with respect to a specific topic.
- 4.2. The SWG shall consist of:
 - A Chairperson
 - A Convenor
 - A maximum of eight (8) members (including the Convenor).
- 4.3. Terms of Reference are provided for each of the roles above.
- 4.4. One (1) member shall be the person responsible for that topic in the Chief Directorate Resource Management.
- 4.5. One (1) member shall be a representative of the Ecosystem Approach to Fisheries Working Group.
- 4.6. One (1) member shall be the Observer Co-ordinator for that sector, if applicable.
- 4.7. Members of the SWG will be drawn from the ranks of Branch: Fisheries and from outside organisations such as universities, research institutes, government departments, etc.
- 4.8. The Chairperson and Convenor will be appointed by the Chief Director from within Fisheries.
- 4.9. Additional participants may be invited to SWG meetings, as set out below.

5 Additional Participants:

- 5.1. Provision is made for participation by additional parties, as follows:

- a. Scientific Observers:

Scientific Observers may, at the discretion of the Chair, be invited to attend relevant meetings.

The purpose of participation by such observers will be to stimulate their interest in the topics under discussion with a view to future contribution.

Participation of Scientific Observers shall be limited to a maximum of two (2) per meeting.

Scientific Observers may participate fully in discussions.

- b. Invited Scientific Experts:

Scientific experts may be invited, at the discretion of the Chair of the SWG and subject to written

approval by the Chief Director, to participate in relevant meetings on an *ad-hoc* basis.
Participation of Invited Scientific Experts shall be limited to a maximum of three (3) per meeting.
Invited Scientific Experts may participate fully in discussions.

5.2. c. Industry Observers:

Industry Observers representing Industrial Bodies may be invited, at the discretion of the Chair of the SWG and subject to written approval by the Chief Director, to participate in relevant meetings.
Participation of Industry Observers shall be limited to a maximum of two (2) per meeting. This limit may be expanded subject to written approval by the Chief Director.
Industry Observers may participate in discussions at the invitation of the Chair.

d. Industry Scientific Participants:

Industry scientists (either employed or contracted) who can make meaningful scientific input to the SWG deliberations may be invited, at the discretion of the Chair of the SWG and subject to written approval by the Chief Director, to participate in relevant meetings.
Participation by Industry Scientific Participants shall be limited to a maximum of two (2) per meeting.
Industry Scientific Participants may participate fully in discussions.

6 Appointment:

- 6.1. Members, Chairpersons and Conveners will be suggested in consultation with current Chairpersons of the SWGs and the Chief Director.
- 6.2. The SWG will formally be appointed by the Chief Director for a fixed term of two (2) years.
- 6.3. Members, Chairpersons and Conveners shall sign and return an acceptance letter in order to formally accept the invitation by the Chief Director.
- 6.4. The Chief Director reserves the right to terminate the duties of Members, Chairpersons or Conveners at any time.
- 6.5. The Chief Director reserves the right to appoint other Members, Chairpersons and Conveners at any time, after consultation with respective Chairpersons.
- 6.6. Letters of appointment and re-appointment will clearly reflect the general Terms of Reference for Scientific Working Groups (this document), as well as any other relevant documentation, and the Terms of Reference for the relevant role(s).

7 Task Groups:

- 7.1. A SWG may appoint a Task Group for a set period to undertake a specific task related to one of the working group's objectives, subject to the written approval of the Chief Director if members are involved from outside of the Chief Directorate: Fisheries Research.
- 7.2. The leader of the Task Group will be an existing Member of the SWG and will report back to the SWG once the task has been completed or when required by the Chairperson of the Scientific Working Group to do so.
- 7.3. Depending on the nature of the task and the individuals serving on the Task Group, the Chief Director may consider provision of funding for scientists outside of Branch: Fisheries for the completion of the task.

8 Termination:

- 8.1. Termination shall be automatic on the expiry of the period for which a Chairperson, Convenor, Member or Additional Participant is appointed.
- 8.2. Any Chairperson, Convenor, Member or Additional Participant's appointment may be terminated by the Chief Director, in writing, for failure to attend more than two (2) consecutive meetings without the prior permission of the Chairperson (or the Chief Director in the case of Chairpersons), except with good cause. In the case of MCM employees, disciplinary action may be taken.
- 8.3. Contravention of the Code of Conduct may lead to termination.
- 8.4. Chairpersons, Convenors and Members may apply to the Chairperson and the Chief Director in writing if they wish to terminate their appointment. Such termination will only be granted if there is good cause.
- 8.5. Additional Participants may voluntarily terminate their appointment at any time by informing the Chairperson in writing.

9 Vacancies:

- 9.1. Vacancies will be filled by the Chief Director, in consultation with the Chairperson.
- 9.2. Filling of vacancies shall follow the same procedure as appointment (Item 6 above).

10 Reporting:

- 10.1. Each SWG will report to the Chief Director in writing as follows:
 - a. A report, signed by the Chairperson, containing TAC and/or TAE and other recommendations with implications for resource management annually according to the deadline for that topic set by the Chief Director.
 - b. *Ad-hoc* reports containing advice and recommendations on issues that may arise according to the deadline set by the Chief Director.
 - c. A report containing advice on research directions and priorities annually according to the deadline for that topic set by the Chief Director.
- 10.2. All reports shall utilise the standard reporting templates provided.
- 10.3. The Chairperson, or delegated Member of the SWG shall attend meetings of the relevant Resource Management Working Group in order to provide verbal feed-back to the Chief Directorate Resource Management. Note that this is NOT intended to preclude attendance by Resource Management staff at SWG meetings. Verbal report-backs should only be required if there are scientific issues which may require clarification by Resource Management.

11 Attendance:

- 11.1. Members of the SWG are obliged to attend all meetings of the SWG(s) on which they serve.
- 11.2. In the case of MCM staff, serving on SWGs is considered a primary responsibility and only legitimate apologies will be considered by the Chairpersons. Repeated failure to attend SWG meetings may result in termination of membership on the SWG and disciplinary action.
- 11.3. Members from outside of MCM who do not attend SWG regularly will be dismissed from the SWG.
- 11.4. Lodge a copy of the attendance register with the office of the Director: Resources Research immediately following each SWG meeting.

12 Aide Memoire:

- 12.1. The Convenor of the SWG shall take notes and prepare an Aide Memoire of each meeting of that SWG.
- 12.2. The Aide Memoire shall reflect a record of attendance.
- 12.3. The Aide Memoire shall be distributed to all present at the meeting for approval within one (1) week of the meeting having taken place.
- 12.4. If circumstances preclude this, the timing of the distribution of the Aide Memoire shall be agreed by the meeting before closure.

13 Code of Conduct:

- 13.1. All SWG Chairs, Conveners, Members, Scientific Observers, Invited Scientific Experts, Industry Observers, Industry Scientific Participants, and members of Task Groups established under the SWGs are obliged to sign and honour the Code of Conduct.
- 13.2. In the case of SWG Chairpersons, Conveners and Members, the Code of Conduct shall be in force for the full duration of the term of office of the individual.
- 13.3. In the case of Scientific Observers, Invited Scientific Experts, Industry Observers and Industry Scientific Participants, the Code of Conduct shall be signed at the beginning of the first meeting attended by the individual in a calendar year, and shall remain in force for the duration of that calendar year.
- 13.4. All individuals serving on Task Groups established within the SWGs, and who are not members of that SWG, shall also sign and honour the Code of Conduct, as for 13.3. above.

14 Confidentiality of Documents:

- 14.1. At the beginning of each SWG meeting, the Chair shall advise the meeting on what documents, if any, presented to the meeting are confidential in nature.
- 14.2. The meeting shall also be advised that copies of all confidential documents will be collected at the end of the SWG meeting.

15 Document Management:

- 15.1. The SWG Convener will maintain an updated file of all the SWG documents.

- 15.2. After each meeting all documents shall be lodged in the Gilchrist Library for archiving purposes in both hard copy and electronic formats.
- 15.3. These documents shall include the Agenda and the Aide Memoire.
- 15.4. All SWG documents shall be numbered using the standard numbering format, as per the following example: MCM/2008/JAN/SWG-PEL/01, where documents are numbered consecutively, starting at 01, from 01 January to 31 December in any one year.
- 15.5. All SWG documents remain confidential until the Minister's decision has been published in the Government Gazette.

16 Peer review:

- 16.1. The SWGs may be subject to periodic peer review.