# [Fishery name]

# MSC Notice of Objection

Introduction

The MSC Objection Process can be found [here](https://www.msc.org/what-you-can-do/engage-with-a-fishery-assessment).

The MSC Objection Process provides an orderly, structured, transparent and independent process by which stakeholder or client objections to the Final Draft Report and determination of a certifier (or Conformity Assessment Body) can be resolved

The Objection Process is intended to provide an independent determination on whether the conformity assessment body (CAB) incorrectly applied MSC Requirements causing a material impact to the determination.

The Objection Process is not intended to:

* review the fishery against the MSC Fisheries Standard
* challenge MSC policy or thresholds
* engage in concerns around CAB, MSC, or Certificate Holder or Applicant behaviour

The MSC system has several complaints mechanisms relating to CAB or MSC conduct which can be found here:

[Learn more about the MSCs complaints mechanisms](https://www.msc.org/what-you-can-do/engage-with-a-fishery-assessment)

Instructions

Please complete all unshaded fields. All notes and guidance are indicated in italics, please delete and replace with your specific information where relevant.

The MSC Notice of Objection Template should be completed and sent to objections@msc.org. Please ensure you complete Sections 1.1 and 1.2. Depending on the selected objection category in Section 1.3, complete Section(s) 1.4-1.7 accordingly.

Information on objection costs and a link to the MSC Notice of Objection Fee Waiver Template can be found in the appendices.

**Data Protection**

The MSC will comply with Applicable Data Protection Law as follows (i) Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC(“General Data Protection Regulation” or “GDPR”); (ii) Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (as amended or replaced from time to time) and applicable laws implementing that directive in European Union Member States; (iii) the United Kingdom Data Protection Act 2018; and (iv) any other data protection or privacy legislation that applies to the parties from time to time, including where both parties are located outside of the UK or the European Union.

## MSC Notice of Objection (to be published on MSC Track A Fishery)

### Assessment Details

Please complete fields 1-8 indicating N/A if not applicable.

Table : Assessment details

|  |  |
| --- | --- |
| **1** | **Fishery name\*** |
|  |
| **2** | **CAB\*** |
|  |

Table Date of Objection Submission

|  |  |
| --- | --- |
| **3** | **Date of Objection Submission** |
| *DD/MM/YYYY* |

### Your details *(for publication on the MSC Track a Fishery page)*

*Note: You will also need to complete the details table in* Appendix 1 – Contact Information *for the MSC’s internal use in the objection process.*

Table 3: Contact details

|  |  |
| --- | --- |
| **4** | **Contact name** |
| Title | First Name | Last Name | Job Title |
|  |  |  |  |

Table 4: Organisation details

|  |  |
| --- | --- |
| **5** | **Organisation** |
| *Please enter the legal or registered name and address of your organisation or company.* |
| **6** | **Department** |
| *If applicable* |
| **7** | **Nature Of Organisation** |
| *Please enter the nature of you organisation or company (e.g. NGO, Fisherman’s Association etc)* |
| **8** | **Description of your Organisation** |
| *Please provide a short description of your organisation and the nature of your interest in the fishery and its certification.* |
| **9** | **Supporting evidence of prior involvement in the assessment** |
| *Please confirm the nature of your involvement in the Fisheries assessment (e.g. Fishery Client, written Stakeholder submissions, attended site visit, participation prevented or impaired)* |

### Objection Details

Please complete the Objection Elements table (Table 6) below following the Elements Guidance in Table 5 below. Please include as much evidence and any references you can to facilitate the Objection Process.

Table Elements Guidance

|  |  |
| --- | --- |
| **Nature of Objection Elements** | **Please Provide the Following** |
| Scoring of a Performance Indicator | The reason(s) you believe that the score(s) presented within the Final Draft Report cannot be justified; and,Your rationale and/or evidence in support of a different conclusion, making reference to the particular Performance Indicator in question. |
| Conditions set for a Performance Indicator | The reason(s) you believe that a condition(s) presented within the Final Draft Report is incorrect; and,Your rationale and/or evidence in support of a different condition, milestones or other impact. |
| Acceptance of a Client Action Plan in response to a condition | The reason(s) why you believe that the Client Action Plan within the Final Draft Report should not be accepted because it cannot fundamentally be fulfilled within the allocated time frame; andYour supporting justification, referring to the specific parts of the Client Action Plan that cannot fundamentally be fulfilled within the allocated time frame. |
| Procedural Issue | Any Process(s) that you believe was omitted or incorrectly followed in the fishery assessment process that you believe was material to the fairness of the assessment. |
| Other | Any other irregularity in the fishery assessment process that you believe was material to the fairness of the assessment. |

Table Objection Elements Table (Please add rows as needed)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Element #** | **Nature of Objection Element** | **Performance Indicator impacted** | **Effect on the Determination** | **Confirmation of Earlier Submission** |
| *#* | *Please indicate whether this element relates to scoring, condition setting, client action plan etc* | *Please confirm the Performance Indicator Impacted, if any* | *Please state why you believes that the failure of the CAB to meet requirements has materially impacted the result of the assessment such that the CAB’s determination should be altered.**Please reference any relevant MSC Requirements by number if known* | *Please confirm that this element was raised at an earlier stage of the assessment or why it wasn’t.* |
| 1 |  |  |  |  |
| 2 |  |  |  |  |
| 3 |  |  |  |  |
| 4 |  |  |  |  |
| 5 |  |  |  |  |

## Appendix 1 (For MSC Internal Use) Contact Information

*This information will be removed before publication by the MSC. You may also provide the information in a separate document if you prefer.*

|  |  |
| --- | --- |
| **1** | **Organisation** |
| *Please enter the legal or registered name and address of your organisation or company.* |
| **2** | **Department** |
|  |
| **3** | **Job title** |
|  |
| **4** | **Description** |
| *Please provide a short description of your organisation.* |
| **5** | **Phone** |
| + |
| **6** | **Email** |
|  |
| 7 | **The following objection is being lodged on behalf of the above-named organisation(s) and I am authorised to make this submission on their behalf** |
| *Name* |  |
| *Date* |  |
| *Signature* |  |

## Appendix 2 Costs of the Objection Process (the Fee)

Objectors should note MSC Disputes Process v1.1 Section 5.2 in relation to the costs of the Objection Process.

Fee amount and payment details

The cost of the Objection Process is £6,500 (inclusive of VAT and any other taxes) or such lesser amount fixed by the Independent Adjudicator following a fee waiver application under MSC Disputes Process v2.0, 5.2.5. ([The MSC Notice of Objection Fee Waiver Template can be found here)](https://www.msc.org/docs/default-source/default-document-library/for-business/program-documents/chain-of-custody-supporting-documents/msc-objection-fee-waiver-template.docx)

The cost of the objection process shall be calculated and paid in Great British Pounds.

Please ensure the bank charges imposed by your own bank are not deducted from the Fee.

As per MSC Objection Process v2.0, 5.2.6, an objection will not proceed to Appraisal unless a waiver is accepted, or the objector has formally acknowledged receipt of the Fee invoice and its terms and conditions

## Template information and copyright

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*Please* *delete the table below:*

Table 11: Template version control

| **Version** | **Date of publication** | **Description of amendment** |
| --- | --- | --- |
| 1.0 | March 2009 | Issued with TAB Directive-023 Revised Fisheries Certification Methodology Objections Process |
| 1.1 | February 2010 | Updated in line with release of TAB Directive-023 Objections Process v2 |
| 1.2 | 26 October 2012 | Updated in line with release Certification Requirements v1.2 |
| 2.0 | 08 October 2014 | Updated in line with release of Fisheries Certification Requirements v2.0 |
| 3.0 | 17 December 2018 | Release alongside Fisheries Certification Process v2.1 |
| 3.1 | 25 March 2020 | Release alongside Fisheries Certification Process v2.2 and MSC Disputes Process v1.0 |
| 3.2 | 26 October 2022 | Release alongside Fisheries Certification Process v2.3 and 3.0 and MSC Disputes Process v1.01. |
| 3.2.1 | 12 February 2024 | Updated in line with release of MSC Disputes Process v1.1 |
| 4.0 | 27 February 2025 | Updated in line with release of MSC Objections Process v2.0 |

A controlled document list of MSC program documents is available on the MSC website (<https://www.msc.org/for-business/certification-bodies/fisheries-standard-program-documents>).

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