



NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

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Action Memo

File Number:Catch 18-002

Agenda Date2/5/2018

Agenda Number:C5

Dan Hull, Chairman
David Witherell, Executive Director

SUBJECT:

IFQ Beneficiary Lease Provision - Discussion Paper

STAFF CONTACT: Darrell Brannan and Sam Cunningham (NPFMC)

ACTION REQUIRED:

- Review discussion paper
- Take action as necessary

BACKGROUND:

At its February 2017 meeting, the Council tasked staff to develop a discussion paper to describe issues with the Beneficiary Lease Provision. The discussion paper describes the regulations for the Beneficiary Lease Provision and presents alternatives to change the definition of an "immediate family member" to better reflect the term as it is currently used. As part of that change, the paper recommends replacing the term "immediate family member" with "estate representative." The suggested change would reduce potential conflicts between the person identified on a Beneficiary Lease Form and in the Will of the deceased person. It would also increase the likelihood that the IFQ will be allowed to be leased for up to three years after the QS holder's death. Under current regulations, a lease will only be allowed if it is requested by the QS holder's spouse or the immediate family member identified on the Beneficiary Transfer Form. It will not be allowed if it is requested by a person that does not meet either of those criteria, even if they are designated as the estate representative in the Will.

Upon review of the discussion paper, the Council will consider whether to initiate an amendment to change this provision.