**Marine Stewardship Council fisheries assessments**

[Fishery name]

MSC Notice of Objection Fee Waiver

*Instructions*

*This form is linked to Appendix 2 of the MSC Notice of Objection Template, which is used with the* [*MSC Disputes Process v1.1*](https://www.msc.org/for-business/certification-bodies/fisheries-standard-program-documents)*. It is to be completed when applying to have the objection fee waived and emailed to the MSC at* [*objections@msc.org*](mailto:objections@msc.org)*, where it will be forwarded to the independent adjudicator.*

*All information included here in will be kept strictly confidential between the MSC and the appointed independent adjudicator.*

*Objectors should note the following excerpts from the MSC Disputes Process v1.1 on submission of a cost waiver request:*

*5.11.4*  *Objectors may apply to the independent adjudicator for the Fee to be waived (in whole or in part) using the application form in the ‘MSC Notice of Objection Template’.*

*5.11.4.1*  *The objector shall submit the Fee waiver application to the independent adjudicator within 15 days after the date of publication.*

*5.11.4.2*  *Such an application shall provide the justification as to why a waiver is sought and shall be accompanied by appropriate evidence to demonstrate exceptional circumstances, including, where available, the objector's most recent audited financial report.*

*5.11.5*  *The independent adjudicator shall decide within 5 days of receiving any waiver application whether to refuse the application or to waive the whole or part of the costs that would otherwise be attributed to the objector.*

*5.11.5.1*  *A waiver shall only be granted if the independent adjudicator is satisfied that there are exceptional circumstances justifying such a waiver. The onus is on the objector to demonstrate that there are such exceptional circumstances. In determining whether there are exceptional circumstances, the independent adjudicator shall consider:*

*a.*  *Any evidence relating to the financial ability of the objector to meet the costs of the adjudication process.*

*b.*  *The impact on the objector’s other activities of paying the costs of the adjudication process.*

*c.*  *The ability of the objector to raise funds from external sources, including support from other participants in the assessment process, for the purposes of meeting the costs of the adjudication process.*

*5.11.5.2*  *If the independent adjudicator fails to decide on the waiver application within the time frame specified in 5.11.5, and such failure is attributable solely to the independent adjudicator, the independent adjudicator shall extend the time frame and inform relevant parties of the extension.*

*Please note that in case of discrepancies between the text above and the MSC Disputes Process v1.1 on the MSC website, individuals should refer to the MSC Disputes Process v1.1 on the website.*

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

1. MSC Objection Fee Waiver
   1. Identification detail

Table 1: Identification and contact details

|  |  |
| --- | --- |
| 1 | Fishery assessment to which this objection fee waiver applies |
|  | |
| **Contact details for objecting party** | |
| 2 | Organisation(s) |
|  | |
| 3 | Contact person |
|  | |
| 4 | Address |
|  | |
| 5 | Phone number |
|  | |
| 6 | Email |
|  | |

The cost waiver is requested on behalf of the above-named organisation(s).

I am authorised to make this submission on the above-named organisations’ behalf.

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## **1.2 Evidence of exceptional circumstances**

Table 2: Evidence of exceptional circumstances

|  |  |
| --- | --- |
| 1 | Any evidence relating to the financial ability of the objector to meet the costs of the adjudication process (MSC Disputes Process v1.1, 5.11.5.1.a) |
|  | |
| 2 | The impact on the objector’s other activities of paying the costs of the adjudication process (MSC Disputes Process v1.1, 5.11.5.1.b) |
|  | |
| 3 | The ability of the objector to raise funds from external sources, including support from other participants in the assessment process, for the purposes of meeting the costs of the adjudication process (MSC Disputes Process v1.1, 5.11.5.1.c) |
|  | |

1. Appendices

*Please include your organisations most recent audited financial report, and any other relevant supporting documentation.*

1. Template information and copyright

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*Please delete the table below.*

Table 3: Template version control

|  |  |  |
| --- | --- | --- |
| Version | Date of publication | Description of amendment |
| 1.0 | 26 October 2022 | Issued with Version 3.2 of the MSC Notice of Objection Template |
| 1.0.1 | 12 February 2024 | Updated in line with release of MSC Disputes Process v1.1 |

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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