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## Category A (10 metre and under) Limited Licence: Conditions (94) Non-Sector

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**WITHIN THIS LICENCE ANY REFERENCE TO AN EU REGULATION IS A REFERENCE TO THAT REGULATION AS IT FORMS PART OF UNITED KINGDOM DOMESTIC LAW BY VIRTUE OF SECTION 3 OF THE EUROPEAN UNION (WITHDRAWAL) ACT 2018 IN ACCORDANCE WITH SCHEDULE 8 (1) OF THAT ACT.**

The authority granted by this licence, and limitations to that authority, are contained in the Schedule which forms part of this licence.

### **CONDITIONS**

This licence is subject to the following conditions:

#### **General**

1. This licence shall not authorise fishing anywhere unless the vessel is registered as a fishing vessel under the Merchant Shipping Act 1995, or in the Channel Islands or Isle of Man
2. The vessel shall not pair trawl with a vessel which does not hold a licence to fish granted by one of the Fisheries Ministers in the UK. The vessel shall not pair trawl with a vessel from another country without the prior approval of the UK competent authorities. For quota management purposes catches by the pair team shall be attributed to and counted against the quota of the vessel landing the fish.
3. Any catches of any species of marine organisms caught, retained or landed by the vessel to which this licence relates, may only be attributed to the vessel detailed on the front page of this licence and cannot be transferred to another vessel. The catch limits set out in this part of the annex to the licence are not transferrable to another vessel.
4. The master, and the owner or charterer of the vessel to which this licence relates must take reasonable steps to ensure that any marine organisms landed by the vessel which are sold to a registered buyer or seller of first sale fish is attributed by that buyer or seller to only this vessel on any sales note submitted to the competent authority in accordance with article 62 of Council Regulation (EC) No. 1224/2009.

#### **Prohibitions and Limits on Fishing Activity**

- 5.1 a) The vessel to which this licence relates shall not retain on board, land or trans-ship any sea fish of the descriptions set out in Part I of the Annex to the schedule to this licence in the sea areas listed therein. Any sea fish so caught must be returned to the sea immediately.
- b) Notwithstanding the provisions of paragraph a), where any sea fish of the descriptions set out in Part I of the annex to the schedule to this licence is subject to the landing obligation in article 15 of Regulation (EU) 1380/2013 of the European Parliament and of the Council, this licence shall not authorise fishing for any sea fish of those descriptions. Any such fish caught shall, in any event, be retained on board, landed and shall count against quota.
- 5.2 a) The vessel to which this licence relates shall not retain on board, land or trans-ship, fish taken in accordance with this licence in excess of the amounts specified in relation to each such species in the Schedule and at Part II of the Annex to the Schedule.
- b) Notwithstanding the provision of paragraph a), where any sea fish of the descriptions set out at Part II of the annex to the schedule of this licence is subject to the landing obligation in article 15 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council it shall be retained on board, recorded, landed and shall be included in calculating the total amount of fish of that description landed by and attributed to the vessel for the relevant period.
- c) Where the vessel to which this licence relates is permitted to fish in waters outside British fishery limits, the amounts of fish that may be caught in the Schedule and part II of the annex are taken to be cumulative to include any fishing which takes place outside British fishery limits and all such catches must be counted against the limits in this licence.
- 6.1 The vessel to which this licence relates may not rely upon a quota leasing arrangement to fish for, retain on board or tranship fish in excess of the limits which apply under condition 5.1 unless and until:

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- a) it has notified the Marine Management Organisation in writing, in such form as may be prescribed by the MMO; and
- b) it has been issued with a written licence variation ("leasing letter") by the MMO in email or paper format stating the additional quantities of fish which may be retained on board, landed or transhipped
7. The vessel to which this licence relates shall not trans-ship sea fish (except sea fish used as fresh bait) to or from a vessel of over 10 metres overall length unless the receiving vessel is licensed to receive trans-shipped fish.
8. This licence granted by, or on behalf of, any of the fisheries licensing authorities, and any fishing authorisation issued in accordance with Article 7 of Council Regulation (EC) 1224/2009 must either:
- a) be carried on board the vessel to which it relates and must be produced to a Marine Enforcement Officer or British Sea Fishery Officer on demand; or
- b) within 5 working days of a request by any Marine Enforcement Officer or British Sea Fishery Officer to the master, be presented during normal office hours to a Marine Office or Fishery Office nominated by the master at the time of the request.
9. The vessel to which this licence relates shall only carry on board, electrical generating equipment required for safe navigation and safe operation of the vessel. The vessel shall not carry on board nor deploy into the sea any electrical equipment, including electrical generators, cables, probes, grids or any other equipment capable of transmitting electrical currents to the seabed.

### **Fishing Activity which Requires the Completion of an Electronic Catch Record**

- 10.1 The master of the vessel to which this licence relates, or his representative, must accurately complete an electronic catch record, indicating specifically all quantities of each species caught.
- 10.2 The electronic catch record referred to in condition 10.1 must be completed for each fishing operation undertaken in an ICES sub-area (e.g. IVb, VIIg etc) and where the vessel in a single trip undertakes fishing operations in more than one such sub-area a separate electronic catch record must be completed for each such fishing operation.
- 10.3 The electronic catch record referred to in condition 10.1 shall be accurate and contain at least the following information:
- (a) the external identification number and the name of the fishing vessel;
- (b) the date on which the fishing vessel departed port on the fishing trip in which the catch was taken;
- (c) the port from which the vessel departed;
- (d) the date on which the landing of the catch will take place;
- (e) the port to which the landing of the catch will take place;
- (f) the type of fishing gear used to catch the fish species to be landed, including the mesh size, dimensions and/or number as applicable;
- (g) the FAO alpha-3 code of each species and the relevant ICES statistical sub-rectangle where the catches were taken;
- (h) the estimated quantities of each species in kilograms live weight; to be retained on board or landed.
- (i) the estimated quantities in kilograms for discards of any species not subject to the landing obligation pursuant to Article 15 of Regulation (EU) 1380/2013.
- (j) The permitted margin of tolerance in estimates recorded in the electronic catch record of the quantities in kilograms live weight of fish retained on board or landed shall be 10% for all species.
- 10.4 Where the vessel to which this licence relates retains on board any quantity of species subject to catch limits, the electronic catch record referred to in condition 10.1 above must be submitted after the last fishing operation for the fishing trip in question has been completed and no later than on the completion of the landing operation and before

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the fish is moved from the place of landing or transported to the point of sale. This shall apply even if those species subject to catch limits are retained on board and not landed.

The electronic catch record must be completed and submitted via the World Wide Web at the following URL address: <https://record-catch.service.gov.uk>

Alternatively, the electronic catch record may be submitted using the official “Record Your Catch” application (‘the mobile application’) available on the Apple App Store or Google Play Stores via the following URL addresses:

Apple iOS devices:

<https://apps.apple.com/gb/app/record-your-catch/id1475243969>

Android devices:

<https://play.google.com/store/apps/details?id=mmo.catchrecording.android>

10.5 Where the vessel to which this licence relates fishes or is present in

(a) ICES sub area IVc and VIId; or

(b) ICES divisions VIId and VIIe

the master must, before each crossing of a boundary between the relevant ICES sub-areas submit a catch record using the mobile application described in condition 10.4 above. The vessel is not permitted in these circumstances to submit the catch record via the World Wide Web portal.

10.6 Where the vessel to which this licence relates lands any quantity of fish (including shellfish) and condition 10.4 above does not apply, the electronic catch record referred to in condition 10.1 must be submitted no later than 24 hours after landing.

### **Prohibition on the Deployment of Mechanical Dredging Gear in the Solway Firth**

11.1 The vessel to which this licence relates is prohibited from fishing with mechanical dredges in the Solway Firth. For the purposes of this condition, the Solway Firth is defined as those portions of the shore and bed of the sea, the estuaries and the tidal rivers, which lie within the area bounded by the mean high-water mark of ordinary spring tides, by a straight line extending due East from the Isle of Whithorn, at a point 54°41'46" North latitude and 04°22'00" West longitude and by the line referred to in article 3(b)(i) of the Scottish Adjacent Waters Boundaries Order 1999 (S.I. 1999/1126).

11.2 While the vessel is in the specified area, any mechanical dredging gear carried on board the vessel, must be properly stored and secured in such a way, that it may not be used readily and to avoid any doubt of its deployment in the water.

### **Prohibition on Fishing with Trawls and Dredges in Specified Areas in Lochs Duich, Long and Alsh**

12.1 Subject to paragraphs 12.2 and 12.3, the vessel to which this licence relates is prohibited, at all times, from fishing with a trawl or dredge (including a suction dredge) in that area of Lochs Duich, Long and Alsh, being the area of waters bounded sequentially by:

— a straight line drawn from a point on Skye (Rubhna na h-Airde Glaise) at 57° 16.364N, 005° 46.010W; then to 57° 16.590N 005° 46.105W; then to 57° 16.850N 005° 44.335W, then to a point on the mainland (Skye bridge) at 57° 16.871N 005° 43.976W; then along the coastline of the mainland to point 57° 13.546N 005° 39.125W (near Sgeir nan Laogh); then to a point on Skye at 57° 13.522N 005° 39.789W (near Kyclerhea); and then finally along the coastline of Skye to 57° 16.364N 005° 46.010W (Rubhna na h-Airde Glaise)<sup>1</sup>.

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<sup>1</sup> All co-ordinates in this condition are on WGS84 datum and are accurate at a scale of 1:10,000.

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- 12.2 The prohibition in paragraph 12.1 does not apply to fishing with a trawl or dredge (including a suction dredge) within the area of waters within Loch Alsh bounded by straight lines drawn from point 57° 15.889N 005° 42.630W and sequentially joining the following geographical co-ordinates:
- 57° 16.706N 005° 42.005W;
  - 57° 16.703N 005° 39.865W;
  - 57° 16.850N 005° 39.321W;
  - 57° 16.851N 005° 38.742W;
  - 57° 16.417N 005° 37.975W;
  - 57° 16.334N 005° 36.969W;
  - 57° 16.502N 005° 36.396W;
  - 57° 16.323N 005° 36.059W;
  - 57° 15.998N 005° 35.381W;
  - 57° 15.390N 005° 36.880W;
  - 57° 15.371N 005° 37.351W;
  - 57° 16.151N 005° 39.012W;
  - 57° 16.132N 005° 41.140W;
  - and finally 57° 15.889N 005° 42.630W.
- 12.3 The prohibition in paragraph 12.1 does not apply to fishing with a trawl within the area of waters within Loch Duich bounded by straight lines drawn from point 57° 16.107N 005° 30.791W and sequentially joining the following geographical co-ordinates:
- 57° 15.944N 005° 30.579W;
  - 57° 15.431N 005° 29.559W;
  - 57° 15.208N 005° 28.763W;
  - 57° 14.541N 005° 28.101W;
  - 57° 14.356N 005° 27.629W;
  - 57° 14.356N 005° 28.654W;
  - 57° 14.551N 005° 28.830W;
  - 57° 15.012N 005° 29.713W;
  - 57° 16.035N 005° 30.959W;
  - and finally 57° 16.107N 005° 30.791W;
- 12.4 While the vessel is within the area specified in paragraph 12.1 but is outwith the areas specified in paragraphs 12.2 and 12.3, any trawl or dredge (including any suction dredge) carried on board the vessel must be properly lashed and stowed in such a way that it may not be used readily and to avoid any doubt of its deployment in the water.

### UK Celtic Sea Technical Measures

13.1 Where the vessel fishes using bottom otter trawls or bottom seines (OTB, OTT, OT, PTB, PT, SSC, SDN, SPR, SX, SV, TBN, TBS, TB, TX) in those parts of British fishery limits which fall within the Celtic Sea Protection Zone it must use a codend<sup>2</sup> with minimum 110 mm mesh size and fitted with a square mesh panel with 120 mm minimum mesh size.

13.2 Where the vessel fishes using otter trawls or bottom seines in those parts of British fishery limits which fall within ICES divisions 7e-j other than those referred to in condition 14.1 above, it must use a codend with minimum 100 mm mesh size, and when fishing west of longitude 5° W it must also use a square mesh panel with minimum 100 mm mesh size.

13.3 Where the vessel fishes using otter trawls or bottom seines in ICES divisions 7e-J it must use a codend that is constructed of a single twine of a maximum of 6 mm or a double twine of a maximum of 4mm.

13.4. Where the vessel fishes using otter trawls or bottom seine in ICES divisions 7e-j, other than when targeting nephrops, it must not use or carry on board a strengthening bag<sup>3</sup>.

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<sup>2</sup> Including any extension piece attached thereto.

<sup>3</sup> As defined by Article 6 of Commission Regulation (EEC) No 3440/84 of 6 December 1984 on the attachment of devices to trawls, Danish seines and similar nets.

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13.5. The obligation in condition 13.1 does not apply to a vessel which fishes using otter trawls or bottom seines in ICES division 7f within 12 nautical miles of the baseline from which the breadth of the territorial sea adjacent to the United Kingdom is measured, which must instead use a codend with minimum 100 mm mesh size and square mesh panel with minimum 100 mm mesh size.

13.6. The obligation in conditions 13.1 and 13.2 do not apply to a vessel whose catch comprises 5% or more of nephrops, which must instead use any one of the following gear configurations:

- (a) a codend of at least 80mm mesh size coupled with a 300 mm square mesh panel (for vessels in excess of 12 metres in length) or a 200 mm square mesh panel (for vessels below 12 metres in length);
- (b) Seltra panel;
- (c) Sorting grid with a 35 mm bar spacing;
- (d) 100 mm codend with a 100 mm square mesh panel;
- (e) Dual codend with the uppermost codend constructed with T90 mesh of at least 90 mm and fitted with a separation panel with a maximum mesh size of 300 mm.

13.7. The obligation in condition 13.1 does not apply to a vessel whose catch comprises more than 55% of whiting, or 55% of anglerfish, hake or megrim combined, which must instead use a codend with minimum 100 mm mesh size and square mesh panel with minimum 100 mm mesh size.

13.8. The obligation in condition 13.1 does not apply to a vessel which fishes solely in ICES division 7f to the east of longitude 5° West and whose catch comprises less than 10% gadoids (*Gadidae*), which must instead use a codend with minimum 80 mm mesh size and a square mesh panel with minimum 120 mm mesh size.

13.9. The obligation in condition 13.1 or condition 13.5 does not apply to a vessel which fishes west of longitude 5° West, in ICES divisions 7e, or in ICES division 7f within 12 nautical miles of the baseline from which the breadth of the territorial sea adjacent to the United Kingdom is measured, provided that the vessel instead uses a 100mm single twine codend with maximum 5mm twine thickness.

13.10 By way of derogation to points 13.1, 13.2 and 13.5 – 13.9 above, vessels of 12m or less and an engine power of 221kw or less fishing within 12nm of the United Kingdom in ICES area 7e east of 5° West, may fish in accordance Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures.

13.11. For the purposes of this condition, the Celtic Sea Protection Zone shall mean ICES divisions 7f, 7g, that part of ICES division 7h which is north of latitude 49° 30' N and that part of ICES division 7j which is north of latitude 49° 30' North and east of longitude 11° W.

13.12. Square mesh panels as referred to in this condition shall be placed into the top panel of the codend. The rearmost edge of the square mesh panel, which is the part closest to the codline, shall be no more than 9 metres from the codline.

### Single Area Licencing

14.1 Where the vessel deploys beam trawls within that part of British Fishery Limits which falls within ICES area 7e east of 5 degrees west ('the relevant area'), it may not fish in any other ICES area within British Fishery Limits during the same voyage. For any voyage where beam trawls are deployed in the relevant area the vessel must depart from and return to (and only to) a UK port.

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14.2 The vessel shall be exempt from the provisions in condition 14.1 provided the following requirements are met;

- a. The master, owner or (where appropriate) the charterer vessel contacts the UKFMC at least 4 hours and no more than 8 hours prior to entry into the area in the relevant area and, if requested, facilitates an inspection of the vessel at a position and time provided by the MMO FMC Operations team, prior to commencing fishing operations; and,
- b. The master, owner or (where appropriate) the charterer vessel contacts the UKFMC at least 4 hours and no more than 8 hours before leaving the relevant area and, if requested, facilitates an inspection of the vessel at a position and time provided by the MMO FMC Operations team, before leaving the relevant area.

14.3 The notification at 14.2(a) shall contain the following information:

- a. Subject heading: NOTIFICATION OF ENTRY INTO SOLE RECOVERY ZONE RELEVANT AREA
- b. The name, external identification, and international radio call sign of the vessel;
- c. The name of the master of the vessel;
- d. Date/time/location of intended entry into the area and the intended commencement of fishing activity in the relevant area in the following format:
  - i. in respect of the position of entry, the approximate latitude and longitude of the position at which the vessel will enter the area, and
  - ii. in respect of intended fishing grounds, the ICES statistical rectangles in which fishing operations will be commenced.
- e. The total quantity of sole retained on board in kilograms live weight.

14.4 The notification at 14.2(b) shall contain the following information:

- a. Subject heading: NOTIFICATION OF EXIT FROM SOLE RECOVERY ZONE RELEVANT AREA
- b. The name, external identification, and international radio call sign of the vessel;
- c. The expected date/time/location of exiting the relevant area.
- d. The total quantity of sole retained on board in kilograms live weight.

14.5 If, at the point the vessel enters the area the quantity of sole retained on board is different to the quantity reported in accordance with condition 14.3(e) above then the master, owner or (where appropriate) the charterer of the vessel must immediately, and before commencing fishing operations, notify the UKFMC of the quantity of sole retained on board.

14.6 The vessel may not be present in the relevant area whilst carrying beam trawls on board other than in accordance with condition 14.1 and 14.2 or when transiting at a speed of greater than six knots (except in the case of force majeure or adverse conditions) or when in port. Beam trawls carried on board the vessel must be properly lashed and stowed in such a way that it may not be used readily and to avoid any doubt of its deployment in the water.

### **Marine Mammal Reporting**

15.1 Where the vessel undertakes fishing activities the result of which causes or contributes to the mortality of or injury to any species of marine mammal, or where such species are taken as bycatch (regardless of whether such catches are retained on board) the master, owner, charterer, as appropriate, of the vessel to which this licence relates must complete and submit to the Marine Management Organisation a marine mammal injury reporting form in accordance with the guidance provided at

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<https://www.gov.uk/government/publications/marine-mammal-bycatch-reporting-requirements> no later than 48 hours after the vessel returns to port.

15.2 For the purposes of this licence condition, the term “marine mammal” means any mammal which (a) is morphologically adapted to the marine environment including sea otters and members of the orders Cetacea (whales, dolphins, and porpoises), Pinnipedia, (walrus, seals and sea lions) and Sirenia (dugongs and manatees), or (b) primarily inhabits the marine environment (such as the polar bear); and includes any part of any such marine mammal, including but not limited to its raw, dressed, or dyed fur or skin.

### **REVOCATION**

16. Any licence in respect of the areas and species covered by this licence, previously issued in respect of the above-named vessel, is hereby revoked.