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## **Category A (10 metre and under) Licence: Conditions (45) Non-Sector - Monitored**

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### **AUTHORITY/LIMITATIONS**

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 or, in the case of a foreign-flagged vessel, the authorities of the flag state. 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.

#### **Fishing activity which requires the completion of a fishing vessel logbook**

- 6.1 Where the vessel is, by virtue of any condition in this licence, required to complete and submit an EU fishing logbook, landing declaration and/or transshipment declaration, it must be completed for each fishing trip in accordance with:

a) Article 14 of Council Regulation (EC) 1224/2009, and Title III and Annex X of Commission Regulation (EU) 404/2011 for EU logbooks; and

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- b) Article 23 of Council Regulation (EC) 1224/2009, and Title III and Annex X of Commission Regulation (EU) 404/2011 for EU landing declarations; and
- c) Article 21 of Council Regulation (EC) 1224/2009, and Title III and Annex X of Commission Regulation (EU) 404/2011 for EU transhipment declarations.
- 6.2 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 6.2 unless and until:
- 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
- 6.3 Vessels subject to Condition 6.2 must complete and submit an EU logbook, EU landing declaration and/or EU transhipment declaration in accordance with condition 6.1.
- 7.1 Vessels which in the same trip fish, or are present, in:
- a) ICES sub area IVc and VIId; or
- b) ICES divisions VIId and VIIe
- must complete and submit an EU logbook and EU landing declaration in accordance with condition 6.1.
- 7.2 Vessels subject condition 7.1 above must record the time, date and position of crossing the ICES boundary on each occasion in the logbook and record the quantities of all species on board at the time of crossing.
8. 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.
9. 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.
10. The vessel to which this licence relates must accurately complete an EU landing declaration in accordance with condition 5 or form NEP1 (landings of nephrops by vessels 10 metres and under in overall length) in respect of all landings over 12kgs of nephrops and submit it on a weekly basis to the Marine Office or Fishery Office at which the vessel is administered. This condition does not apply to vessels already required to complete an EU logbook and landing declaration by virtue of any other condition in this licence.
11. Where the vessel to which this licence relates is expressly permitted at section 3 to fish for shellfish, the vessel owner must accurately complete the relevant return in respect of all landings including Nil returns of lobsters and crabs (MMO: form MSAR1; DARD: form MSR1; WG: form MSAR1 W) and submit it by the 15th calendar day of the month immediately following the month to which the return refers, to the Marine Office or Fishery Office at which the vessel is administered.
12. 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.

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

- 13.1 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

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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).

- 13.2 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**

- 14.1 Subject to paragraphs 14.2 and 14.3, 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 Kylerhea); and then finally along the coastline of Skye to 57° 16.364N 005° 46.010W (Rubhna na h-Airde Glaise)\*.

- 14.2 The prohibition in paragraph 14.1 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\*.

- 14.3 The prohibition in paragraph 14.1 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\*;

- 14.4 While the vessel is within the area specified in paragraph 14.1 but is outwith the areas specified in paragraphs 14.2 and 14.3, 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.

\* All co-ordinates in this condition are on WGS84 datum and are accurate at a scale of 1:10,000.

### **REVOCATION**

15. 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.