

List of Amendments to Exemptions in Force in UK waters in 2022

The following amendments will be made to the current set of exemptions in force in UK waters from 1 January 2022:

New Exemptions

Three new exemptions will be introduced from 1 January 2022:

1. A survivability exemption for sprat and horse mackerel caught in the UK fishery targeting pelagic species mostly not subject to quotas caught in non-Union ICES divisions VIIe and VIIf. There is a similar exemption currently applying to mackerel and herring, and we are extending it to also cover sprat and horse mackerel in the ring net fishery (changes will be made to Article 2 of the Commission Delegated Regulation (EU) No 1393/2014)
2. A survivability exemption for sole caught within six nautical miles of the coast, but outside identified nursery areas in the under 10m otter trawl fishery in ICES divisions VIIa, VIId, VIIe, VIIf and VIIg. There is currently a sole exemption in VIId, and we are extending it to these neighbouring ICES areas (changes will be made to Article 4 of the Commission Delegated Regulation (EU) 2019/2239).
3. A *de minimis* exemption for monkfish, up to a maximum of 7% of the total annual catches of that species by vessels using beam trawls in ICES divisions VIId – VIIj (this makes changes to Article 8 of Commission Delegated Regulation (EU) 2019/2239).

Discontinuing Current Exemptions

Two current exemptions will be discontinued from 1 January 2022:

1. Cod from the *de minimis* exemption for cod and whiting in ICES areas IVa and IVb. The whiting element of the exemption will be unaffected (this makes changes to Article 10 of Commission Delegated Regulation (EU) 2019/2238).
2. *De minimis* exemption for ling caught by vessels using bottom trawls in ICES area IV (this makes changes to Article 10 of Commission Delegated Regulation (EU) 2019/2238).

Other Amendments to be Introduced

1. Removal of ICES areas only applying in EU waters from exemptions where relevant. This primarily concerns exemptions in the North Western Waters demersal fisheries of which some exemptions cover ICES areas only in EU waters (this makes changes to Article 8 Commission Delegated Regulation (EU) 2019/2239).

2. *De minimis* exemption for boarfish in ICES division VIId - j. To support compliance with the landing obligation, the exemption will be expanded to cover a larger geographical area and also include VIId and e. ICES areas 7b, c and k will also be revoked as they are not in UK waters (this makes changes to Article 8 of Commission Delegated Regulation (EU) 2019/2239).

3. High survivability exemption for Norway lobster (*Nephrops*) caught with otter trawls in ICES area VII. Currently the exemption refers to vessels with bottom trawls with a mesh size equal to or larger than 100mm, or equal to 70 - 99 mm in combination with highly selective gear options. The SI will simplify the current legislation by removing these two requirements and changing the mesh size for vessels fishing with otter trawls so that it is equal to or greater than 70mm in ICES area VII (this makes changes to Article 3 of Commission Delegated Regulation (EU) 2019/2239).

4. *De minimis* exemption for all species in the brown shrimp fisheries ICES areas IVb and c. The text for this exemption will be amended so that the TAC (Total Allowable Catch) deduction to account for this exemption is based on the total estimated discard amount and hence accounts for all unwanted catch. This will help to ensure the TAC limit is not exceeded for this stock (this makes changes to Article 10 of Commission Delegated Regulation (EU) 2019/2238).

5. *De minimis* exemption for sole in ICES division VIId, e, f, g and h. The limit on discarding will be increased to 6% in areas VIIf and g to match the discard rate and hence ensure fishing occurs within the TAC limit. The limit on discarding will remain at 3% for areas VIId, e and h (this makes changes to Article 8 of Commission Delegated Regulation (EU) 2019/2239).

6. *De minimis* exemption in the demersal mixed fishery for vessels targeting brown shrimp in ICES area VIIa (this makes changes to Article 8 of Commission Delegated Regulation (EU) 2019/2239). Currently the exemption refers to vessels with a mesh size equal to or greater than 31 mm. However, the legally permitted mesh size for these vessels is equal to or greater than 16mm (in accordance with regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019).

Therefore, the regulation will be corrected to reflect the latter (16mm) mesh size in order to support the sustainability of our fish stocks. The equivalent regulation in the North Sea brown shrimp fishery does not specify a mesh size.

7. The use of the following exemptions will also be made conditional on fish being released during the net hauling process, whenever possible:

- High survival exemption for plaice in ICES areas VIId - g (this change amends Article 6 of Commission Delegated Regulation (EU) 2019/2239).

- High survival exemption for plaice in ICES area IV this change amends Article 6 of Commission Delegated Regulation (EU) 2019/2238).