

Full List of Exemptions to be Extended or New Exemptions or Modifications to be Introduced from 1 January 2022

Category	ID	(EU) Discard Plan	Article	Type	Species	Area	Gear	Should this exemption be extended / introduced from 1 January? (include any modification(s) to the exemptions)
Retained	1	NWW	3a	Survival	Nephrops	6 and 7	All pots, traps, creels	Y (continue without any modification)
Retained	2	NWW	3b	Survival	Nephrops	7	All bottom trawls	<p>Y (continue with modification for both this exemption and the ID 3 exemption below.</p> <p>The exemption for nephrops currently refers to vessels with bottom trawls with a mesh size equal to or larger than 100mm (ID 2), or equal to 70 - 99 mm in combination with highly selective gear options (ID 3).</p> <p>The exemption will be simplified 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. The reference to highly selective gear options has also been removed).</p>
Retained	3	NWW	3c	Survival	Nephrops	7	All bottom trawls	Y (continue with modification – please see ID 2 above)
Retained	4	NWW	3d	Survival	Nephrops	6a	Otter Trawls only	Y (continue without any modification)
Retained	5	NWW	4	Survival	Sole	7d (with in 6nm)	Otter Trawls, TBN and TBS	This exemption will be discontinued and will be replaced by the no. 74 new exemption below

Retained	6	NWW	5	Survival	Skates and Rays	6 and 7	All	Y (continue without any modification)
Retained	7	NWW	6a	Survival	Plaice	7d-7g	Trammels	Y (continue with modification to include the conditionality that fish are released during the net hauling process, whenever possible).
Retained	8	NWW	6b	Survival	Plaice	7d-7g	Otter trawls	Y (continue without any modification)
Retained	9	NWW	6c	Survival	Plaice	7a and 7d - 7j	BT2 beam trawls with flip up or benthic release	Y (continue without any modification)
Retained	10	NWW	6d	Survival	Plaice	7a and 7d - j	BT2 beam trawls within 12 nm and tow <90 mins	Y (continue without any modification)
Retained	11	NWW	6e	Survival	Plaice	7d	Danish Seines	Y (continue without any modification)
Retained	12	NWW	7	Survival	All Species	5(excluding 5a and only including 5b) 6 and 7	Pots, traps and creels	Y (continue without any modification)
Retained	13	NWW	8a	<i>De minimis</i>	Whiting	7b-k	Bottom trawls and seines and BT 2 beam trawls	Y (continue without any modification; ICES areas not in UK waters will be revoked)
Retained	14	NWW	8b	<i>De minimis</i>	Sole	7d-7g	Trammels and Gill nets	Y (continue without any modification)
Retained	15	NWW	8c	<i>De minimis</i>	Sole	7d,e,f, g and h	Beam trawls plus Flemish panel	Y (continue with modification to increase the <i>de minimis</i> amount to match the discard rate. The discard limit will therefore be increased to 6% in VIIIfg. The discard limit

								will remain at 3 % in ICES divisions VIIId, e and h, of the total annual catches of that species by vessels).
Retained	16	NWW	8d	<i>De minimis</i>	Haddock	7b-7c and 7e- 7k	Bottom trawls and seines and beam trawls	Y (continue without any modification; ICES areas not in UK waters will be revoked)
Retained	17	NWW	8e	<i>De minimis</i>	Horse Mackerel	6 and 7b-k	Bottom trawls and seines and beam trawls	Y (continue without any modification; ICES areas not in UK waters will be revoked)
Retained	18	NWW	8f	<i>De minimis</i>	Mackerel	6 and 7b-k	Bottom trawls and seines and beam trawls	Y (continue without any modification; ICES areas not in UK waters will be revoked)
Retained	19	NWW	8g	<i>De minimis</i>	Sole	7a,j,k	Beam trawls plus Flemish panel	Y (continue without any modification; ICES areas not in UK waters will be revoked)
Retained	20	NWW	8h	<i>De minimis</i>	Megrim	7	Bottom trawls and beam trawls	Y (continue without any modification)
Retained	21	NWW	8i	<i>De minimis</i>	Boarfish	7d - j	Bottom trawls	Y (continue with modification. This exemption currently applies in areas VIIb, c and VIIIf – k. It will now be expanded to also include VIIId and e. ICES areas not in UK waters will be revoked)
Retained	22	NWW	8j	<i>De minimis</i>	Greater Silver Smelt	5b and 6	Bottom trawls	Y (extend without any modification)
Retained	23	NWW	8k	<i>De minimis</i>	Haddock	6a	Bottom trawls	Y (extend without any modification)
Retained	24	NWW	8l	<i>De minimis</i>	Brown Shrimp	7a	Beam trawls	Y (continue with modification: The reference to mesh size should be changed to a mesh size equal to or greater than 16mm)
Retained	25	NS	3a	Survival	Nephrops	2a, 4	Pots	Y (continue without any modification)

Retained	26	NS	4	Survival	Sole	4c (<6nm of coast, outsid e nurser y areas)	Otter trawls	Y (continue without any modification)
Retained	27	NS	5	Survival	All Species	4	Pots, and Fyke nets	Y (continue without any modification)
Retained	28	NS	6.1.a	Survival	Plaice	4	Set nets (GNS,GT R,GTN, GEN)	Y (continue with modification to include the conditionality that fish are released during the net hauling process, whenever possible)
Retained	29	NS	6.1.b	Survival	Plaice	4	Danish Seines	Y (continue without any modification)
Retained but revised in Fish Bill	30	NS	(6.2.b)	Survival	Plaice	4	OTB PTB trawls	Y (continue without any modification)
Retained	31	NS	7.1.a	Survival	Plaice	2a and 4	BT2 beam trawls with flip up or benthic release	Y (continue without any modification)
Retained	32	NS	7.2	Survival	Plaice	2a and 4	BT2 beam trawls within 12 nm and tow <90 mins	Y (continue without any modification)
Retained	33	NS	8	Survival	Turbot	4	Beam trawls	Y (continue without any modification)
Retained	34	NS	9	Survival	Skates and Rays	2a, and 4	All	Y (continue without any modification)
Retained	35	NS	10a	<i>De minimis</i>	Sole	2a, and 4	Trammels and Gill nets	Y (continue without any modification)
Retained	36	NS	10b	<i>De minimis</i>	Sole	4	Beam trawls with Flemish Panel	Y (continue without any modification)
Retained	37	NS	10e	<i>De minimis</i>	Whiting and cod <MCRS	4c	Trawls and seines	Y (continue without any modification)
Retained	38	NS	10f	<i>De minimis</i>	Whiting and cod <MCRS	4a and 4b	Trawls and seines	Y (discontinue the cod exemption and only continue the whiting exemption – see

								revised exemption no. '50' below)
Retained	39	NS	10h	<i>De minimis</i>	Whiting<M CRS	4	Beam trawls	Y (continue without any modification)
Retained	40	NS	10i	<i>De minimis</i>	Plaice<M CRS	4	Nephrops trawls	Y (continue without any modification)
Retained	41	NS	10j	<i>De minimis</i>	All Species	4b and 4c	Brown shrimp beam trawls	Y (continue with modification by replacing the current text in the exemption with the following text: <i>'any species subject to catch limits may be discarded, provided the total amount of each species discarded does not exceed 5% of the total annual catches of that species'</i>)
Retained	42	NS	10k	<i>De minimis</i>	Horse mackerel	4	Bottom trawls (OTB, OTT, PTB, TBB)	Y (continue without any modification)
Retained	43	NS	10l	<i>De minimis</i>	Mackerel	4	Bottom trawls (OTB, OTT, PTB, TBB)	Y (continue without any modification)
Retained	44	NS	10m	<i>De minimis</i>	Combined sprat, sandeel, Norway pout and blue whiting	4	Trawls and seines (OTB OTM OTT PTB PTM SDN SPR SSC TB TBN)	Y (continue without any modification)
Retained	45	NS	10n	<i>De minimis</i>	Ling<MCR S	4	Long lines	Y (continue without any modification)
Revised in Fish Bill (Currently in force from January 2021 until 31 December 2021)	46	NS	10o	<i>De minimis</i>	Nephrops	2a, 4	Trawls OTB, OTT, TB, TBN	Y (continue without any modification)

<u>New Exemption</u>	47	NWW	New	<i>De minimis</i>	Monkfish	7d-j	Beam trawls TBB	Y (the new exemption will be introduced and the text is: <i>'By way of a derogation, the landing obligation shall not apply to catches of monkfish (Lophius spp.), up to a maximum of 7% of the total annual catches of that species by vessels using beam trawls (TBB) in ICES divisions 7d to 7j'</i>).
<u>New Exemption</u>	48	NWW	New	Survival	Sole	7a d e f g (within 6nm)	Otter Trawls, OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX	Y (there is currently an exemption for sole in VIIId, and it will be extended to its neighbouring ICES areas from 1 January. The text for the new exemption is: <i>'By way of a derogation, the landing obligation shall not apply to catches of Common sole (Solea solea) below the minimum conservation reference size taken in ICES division 7a, d, e, f, g within six nautical miles of the coast made using otter trawl gears (gear codes: OTT, OTB, TBS, TBN, TB, PTB, OT, PT, TX) with a cod end mesh size of 80-99 mm, by vessels:</i> <ul style="list-style-type: none"> <i>(a) having a maximum length of 10 meters and a maximum engine power of 221 kW;</i> <i>(b) fishing in waters with the depth of 30 meters or less and with</i>

								tow durations of no more than 1:30 hours')
<u>New Exemption</u>	49	NWW	New	Survival	Horse mackerel and sprat	7e and f	Pelagic ring net fishery	<p>Y (the new exemption will be introduced. This involves extending the existing exemption for mackerel and herring in ICES 7e,f to also include horse mackerel and sprat.</p> <p>The text for the new exemption is:</p> <p><i>'By way of a derogation, the landing obligation shall not apply to catches of mackerel, horse mackerel, herring and sprat in the ring net fishery targeting pelagic species not subject to quotas in ICES divisions VIIe and VIIf, if all of the following conditions are met: — the catch is released before a certain percentage (set out in paragraphs 2 and 3 below) of the purse seine is closed ('the point of retrieval'), — the purse seine gear is fitted with a visible buoy clearly marking the limit for the point of retrieval, — the vessel and the purse seine gear are equipped with an electronic recording and documenting system when, where and extent to which the purse seine has been hauled for all fishing operations</i></p> <p><i>2. The point of retrieval shall be 80 % closure of the purse seine where the catch is mostly of mackerel and it shall be 90 % closure</i></p>

								<p><i>of the purse seine where that catch is mostly of herring.</i></p> <p><i>3. If the surrounded school consists of a mixture of species the point of retrieval shall be 80% closure of the purse seine.</i></p> <p><i>4. It shall be prohibited to release catches of mackerel, herring, horse mackerel and sprat after the point of retrieval.</i></p> <p><i>5. Discarding (slipping) events shall be officially recorded by the vessel operator and will include a best estimate of the species composition and the quantity of the released catches’).</i></p>
<u>Revised (discontinued) Exemption</u>	50	NS	New	<i>De minimis</i>	Whiting <MCRS	4a and 4b	Trawls and seines	<p>Y (the revised exemption will be in force from January</p> <p>The text for the revised exemption is:</p> <p><i>‘in the mixed demersal fisheries in United Kingdom waters of ICES divisions 4a and 4b, by vessels using bottom trawls or seines (OTB, OTT, SDN, SSC) with a mesh size of 70-99 mm:</i></p> <p><i>a quantity of whiting below the minimum conservation reference size, which must not exceed 5 % of the total annual catches of whiting’)</i></p>
<u>Discontinued exemption</u>	51	NS	10 o	<i>De minimis</i>	Ling	4	Bottom Trawls	N (exemption will be discontinued)

<u>Pelagic Fisheries</u>								
Retained	52	NS	Article 2	Survival	Mackerel and herring	4	Purse seine	Y (continue without any modification)
Retained	53	NS	Article 3a	<i>De minimis</i>	Mackerel, horse mackerel, herring and whiting	IVb and c south of 54 degrees north	Pelagic trawlers	Y (continue without any modification)
Retained	54	NWW	Article 3a	<i>De minimis</i>	Mackerel, horse mackerel, herring and whiting	7d	Pelagic trawlers	Y (continue without any modification)
Retained	N/A	NWW	Article 2	Survival	Mackerel and herring	6	Pelagic purse seine fishery	Y (continue without any modification)
Retained	N/A	NWW	Article 2	Survival	Mackerel and herring	7e and f	Pelagic ring net fishery	Y (continue without any modification)
Retained	55	NWW	Article 3a	<i>De minimis</i>	Blue whiting	5b, 6 and 7	Industrial pelagic trawls	Y (continue without any modification)
Retained	56	NWW	Article 3a	<i>De minimis</i>	Albacore tuna	7	Midwater pair trawls	Y (continue, there will not be any modification in the legal requirement for fishers to comply with when using the exemption, but additional text will be added to the exemption to reinforce the requirement for fishers to record all discards in the log book).

<u>Technical Gear Configurations</u>								
Retained	N/A	NS	Article 12	N/A	SepNep nets	Not specified	SepNep nets	Y (continue without any modification)
Retained	N/A	NWW	Article 10	N/A	Technical measures in the Irish Sea	7a	See article in NWW delegated act for full list of technical gear configurations	Y (continue without any modification)
Retained	N/A	NWW	Article 11	N/A	Technical measures in the West of Scotland	6a and 5b, within the Union waters, East of 12°W (West of Scotland)	See article in NWW delegated act for full list of technical gear configurations	Y (continue without any modification)