

# LICENCE TO FISH IN THE NORTH EAST ATLANTIC FISHERIES COMMISSION REGULATORY AREA – UK VESSEL

## **PART 2: LICENCE CONDITIONS**

### **Definitions and matters of general application:**

Unless otherwise stated, reference in this licence to EU, Council or Commission Regulations shall be read as reference to those Regulations as they form part of retained EU law which, by virtue of the European Union (Withdrawal) Act 2018, forms part of UK domestic law and as may subsequently be amended from time to time.

### **VALIDITY**

This licence variation 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.

This licence variation shall not authorise fishing anywhere unless the vessel holds a valid licence to fish in United Kingdom waters issued by the Scottish Ministers, Welsh Ministers, the Department of Agriculture, Environment and Rural Affairs in Northern Ireland or the Marine Management Organisation.

Any licence or licence variations in respect of the areas covered by this licence variation previously issued in respect of the above-named vessel, is revoked immediately prior to the point at which this licence variation comes into force.

This licence variation, and any fishing authorisation issued in accordance with article 7 of Council Regulation (EC) 1224/2009 must either:

be carried on board the vessel (including in electronic format) and be produced to a Marine Enforcement Officer or British Sea Fishery Officer on demand; or

This licence variation supplements the domestic fishing licence held in respect of the vessel to which it relates. It is not transferrable and will cease to have effect if the UK fishing licence becomes no longer attached to the vessel to which it relates.

In accordance with regulation 3(2)(c)(ii) of the Sea Fishing (Licences and Notices) (Scotland) Regulations 2011<sup>4</sup>, regulation 3(4)(b) of the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014<sup>5</sup> and regulations 3(3)(b) of the Sea Fishing (Licences and Notices) (England) Regulations 2012<sup>6</sup> and the Sea Fishing (Licences and Notices) (Wales) Regulations 2019<sup>7</sup> respectively, this external waters licence may be varied by publishing a notice on the following website:

<https://www.gov.uk/guidance/united-kingdom-single-issuing-authority-uksia>

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<sup>4</sup> S.S.I No. 70 (<https://www.legislation.gov.uk/ssi/2011/70/contents>)

<sup>5</sup> S.R (N.I) 2014 No.209 (<https://www.legislation.gov.uk/nisr/2014/209/contents/made>)

<sup>6</sup> S.I No.827 (<https://www.legislation.gov.uk/uksi/2012/827/contents>)

<sup>7</sup> S.I. 2019 No.500 W.116 (<https://www.legislation.gov.uk/wsi/2019/500/contents/made>)

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## 1. **PERMITTED CATCHES**

- 1.1. The vessel to which this licence variation relates shall not retain on board, land or trans-ship any sea fish of the descriptions set out in Part 3: Annex sections 1 or 3 of this licence. Any sea fish so caught must be returned to the sea immediately.
- 1.2. Notwithstanding the provisions of condition 2.1, where any sea fish of the descriptions set out in Part 3: Annex section 1 of this licence variation is subject to the landing obligation in Article 15 of Regulation (EU) 1380/2013<sup>8</sup>, this licence variation 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.
- 1.3. The vessel to which this licence variation relates must not retain on board, land or trans-ship, fish in excess of the amounts specified in relation to each such species in Part 3: Annex section 2 of this licence
- 1.4. Notwithstanding the provision of condition 2.3, where any sea fish of the descriptions set out in Part 3: Annex section 2 of this licence variation is subject to the landing obligation in article 15 of Regulation (EU) No 1380/2013 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.
- 1.5. The quantities of fish that may be caught which are set out in Part 3: Annex section 2 are cumulative to any fishing which takes place within British fishery limits and catches made outside British fishery limits will count towards the overall quantities of fish the vessel is permitted to catch in both British fishery limits and waters outside those limits.

## 2. **GENERAL CONDITIONS**

- 2.1. Unless otherwise stated in this licence variation, the conditions which apply to the vessel licence which authorises fishing within British fishery limits apply to this licence variation insofar as the vessel must comply with those conditions whilst operating in the waters to which this licence variation grants access.
- 2.2. The owner and the master and/ or charterer must always comply with the rules applicable to vessels whilst operating in waters over which a country other than the UK has sovereignty or sovereign rights or subject to the measures or recommendations of a regional fisheries management organisation.
- 2.3. Condition 3.1 above is applicable only insofar as the relevant licence conditions are compatible with the rules referred to in condition 3.2. Should any conflict between licence conditions and the rules referred to in condition 3.2 occur, those rules have supremacy.

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<sup>8</sup> As it applies in relevant parts of the UK respectively.

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## 3. AREAS IN WHICH YOU MAY NOT FISH

- 3.1. The vessel must not be present in an area as set out below, other than when transiting at a speed of more than six knots (except in the case of force majeure or adverse conditions).
- 3.1.1. In the case of force majeure or adverse conditions, the master must immediately inform the UK Fisheries Monitoring Centre.
- 3.1.2. Vessels transiting through the areas listed below must ensure that all fishing gear is lashed and stowed in accordance with article 47 of Council Regulation (EC) 1224/2009<sup>9</sup> at all times.

## MARINE MAMMAL BYCATCH REPORTING

- 3.2. 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 <https://www.gov.uk/government/publications/marine-mammal-bycatch-reporting-requirements> no later than 48 hours after the vessel returns to port.
- 3.3. 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.

## 4. FISHING GEAR AND EQUIPMENT RESTRICTIONS

- 4.1. The vessel is prohibited from using a collecting bag in the NEAFC Regulatory Area.

## 5. LANDING REQUIREMENTS

- 5.1. If not landing into a UK port, the owner, master and/or charterer, as appropriate, of a fishing vessel shall not commence landing, transhipment or make use of other port services, without prior authorisation granted by the port State; and, the Estimated Time of Arrival (ETA) period, as stated in the prior notification form (PSC1 or PSC2), has passed.

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<sup>9</sup> As it applies in relevant parts of the UK respectively.

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## **PART 3: ANNEX**

### **1. SPECIES FOR WHICH THE VESSEL MAY NOT FISH**

Vessels in membership of the producer organisations or Scottish Quota Management Groups listed in the third column of the table below must not fish for, catch or retain on board the species listed in and in the areas in the adjacent columns.

<b>Description of Sea Fish</b>	<b>Areas of Sea in the NEAFC regulatory area (ICES area)</b>	<b>Producer Organisation(s)/ Scottish Quota Management Group(s)</b>
Alfonsinos	International Waters of IV, Vb, VI, VII, VIII, IX, X, XII & XIV	Anglo-Scottish FPO; North Sea Fishermen's Organisation
Anglerfish	International Waters of Vb, XII & XIV	Interfish FPO
Black Scabbardfish	International Waters of Vb, VI, VII & XII	Interfish FPO North Sea Fisherman's Organisation South West FPO
Black Scabbardfish	International Waters of IIa & IV	North Sea Fisherman's Organisation
Blue Ling	International Waters of IIa, IV, Vb, VI & VII	Interfish FPO
Blue Ling	International Waters of IIa & IV	Cornish FPO Interfish FPO South West FPO Wales & West Coast FPO
Blue Whiting	International Waters of XII & XIV	Aberdeen FPO Fife FPO North East of Scotland Fishermen's Organisation Northern PO

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		<p>North Sea Fishermen's Organisation</p> <p>Orkney Fish Producers Organisation Wales &amp; West Coast FPO</p> <p>West of Scotland Fish Producers Organisation</p>
Boarfish ( <i>Capros aper</i> )	International Waters of VI, VII, VIII	<p>Aberdeen FPO</p> <p>Anglo-Scottish FPO</p> <p>Cornish FPO</p> <p>Fife FPO</p> <p>North East of Scotland Fishermen's Organisation</p> <p>Northern PO</p> <p>North Sea Fishermen's Organisation</p> <p>Orkney Fish Producers Organisation</p> <p>South West FPO</p> <p>Wales &amp; West Coast FPO</p> <p>West of Scotland Fish Producers Organisation</p>
Forkbeards	International Waters of Vb, VI & VII	<p>Aberdeen FPO</p> <p>Fife FPO</p> <p>North Sea Fishermen's Organisation</p> <p>South West FPO</p>
Forkbeards	International Waters of X & XII	<p>Anglo-Scottish FPO</p> <p>Interfish FPO</p> <p>North Sea Fishermen's Organisation</p>

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Forkbeards	International Waters of IIa & IV	Interfish FPO North Sea Fishermen's Organisation Wales & West Coast FPO
Greater Silver Smelt	International Waters of Vb, VI, VII	NI FPO South West FPO Wales & West Coast FPO
Greenland Halibut	International Waters of Vb & VI	Fife FPO Interfish FPO North Sea Fishermen's Organisation Wales & West Coast FPO
Haddock	International Waters of Via, VIb, XII & XIV	Wales & West Coast FPO
Herring	International Waters of Vb, VIb and VIa	Aberdeen FPO Fife FPO Northern PO North Sea Fishermen's Organisation Scottish Fishermen's Organisation Wales & West Coast FPO
Horse Mackerel	International Waters of Vb, XII & XIV	Aberdeen FPO Fife FPO North East of Scotland Fishermen's Organisation Northern PO Orkney Fish Producers Organisation

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		Wales & West Coast FPO  West of Scotland Fish Producers Organisation
Ling	International Waters of VI, VIII, IX, X, XII, XIV	South West FPO
Ling	International Waters of IIa & IV	Scottish Fishermen's Organisation
Ling	International Waters of IIa	Interfish FPO  Wales & West Coast FPO
Mackerel	International Waters of IIa, Vb, XII & XIV	Wales & West Coast FPO
Red Seabream	International Waters of X	Anglo-Scottish FPO
Roundnose Grenadier	International Waters of VIII, IX, X, XII & XIV	Anglo-Scottish FPO  Cornish FPO  Interfish FPO  North Sea Fishermen's Organisation  South West FPO  Wales & West Coast FPO
Roundnose Grenadier	International Waters of Vb, VI & VII	Aberdeen FPO  Fife FPO  North Sea Fishermen's Organisation  South West FPO  Wales & West Coast FPO
Roundnose Grenadier	International Waters of IIa & IV	North Sea Fishermen's Organisation

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Skates & Rays	International Waters of IIa & IV	Scottish Fishermen's Organisation
Sole	International Waters of Vb, XII & XIV	Fife FPO Wales & West Coast FPO
Tusk	International Waters of Vb, VI, VII	South West FPO
Tusk	International Waters of IIa & XIV	Interfish FPO Wales & West Coast FPO

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### 2. SPECIES FOR WHICH THE VESSEL MAY FISH IN LIMITED QUANTITIES

Vessels in membership of the producer organisations or Scottish Quota Management Groups listed in the fourth column of the table below are subject to the catch limits in relation to the species listed in and in the areas in the adjacent columns.

<b>QUOTA SPECIES</b>	<b>SEA AREA in the NEAFC regulatory area (ICES area)</b>	<b><u>QUOTA LIMIT</u></b> (per calendar month) unless stated otherwise)	<b>Producer Organisation(s) / Scottish Quota Management Group(s)</b>
Blue ling	International Waters of IIa & IV	0.1 tonne per trip	Aberdeen FPO Anglo-NI FPO Anglo-Scottish FPO Eastern England FPO Fife FPO Fish PO NI FPO Northern PO Humberside FPO Scottish Fishermen's Organisation
Horse Mackerel	International Waters of XII & XIV	0.5 tonnes per trip	Wales & West Coast FPO

**TABLE CONTINUED ON NEXT PAGE**

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<b>QUOTA SPECIES</b>	<b>SEA AREA in the NEAFC regulatory area (ICES area)</b>	<b><u>QUOTA LIMIT</u></b> (per calendar month) unless stated otherwise)	<b>Producer Organisation(s) / Scottish Quota Management Group(s)</b>
Tusk	International waters of IIa & XIV		Aberdeen FPO Anglo-NI FPO Anglo-Scottish FPO Cornish FPO Eastern England FPO Fife FPO Fish PO NI FPO Northern PO Humberside FPO North Sea Fishermen's Organisation Scottish Fishermen's Organisation South West FPO

**TABLE OF DEEP-SEA SPECIES SHOWN ON NEXT PAGE**

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Unless otherwise stated a quota limitation of 100 kg per fishing trip will apply, either singly or collectively, to the below deep-sea stocks in the sea areas described. Any deep-sea stocks catches above 100kg require a deep-sea species licence.

<b>DEEP-SEA SPECIES</b>	<b>SEA AREA</b>	<b>Catch limit</b>	<b>Producer organisation(s)</b>
Alfonsinos	International waters of IX, X, XII & XIV	100 kgs per fishing trip	Aberdeen FPO Anglo-NI FPO Cornish FPO Eastern England FPO Fife FPO Fish PO Interfish FPO NI FPO Northern PO Humberside FPO Scottish Fishermen's Organisation South West FPO Wales & West Coast FPO
Black scabbardfish	International waters of XII	100 kgs per fishing trip	Anglo-NI FPO Anglo-Scottish FPO Cornish FPO Eastern England FPO Fish PO NI FPO Humberside FPO Wales & West Coast FPO

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Forkbeards	International waters of X & XII	100 kgs per fishing trip	Aberdeen FPO Anglo-NI FPO Cornish FPO Eastern England FPO Fife FPO Fish PO NI FPO Northern PO Humberside FPO Scottish Fishermen's Organisation South West FPO Wales & West Coast FPO
Roundnose grenadier	International Waters of IX, X, XII & XIV	100 kgs per fishing trip	Aberdeen FPO Anglo-NI FPO Fife FPO Northern PO Scottish Fishermen's Organisation

**3. PROHIBITED SPECIES**

It shall be prohibited to fish for and retain on board any of the following species. Any catches must be immediately returned to the sea, unharmed as far as is possible:

<b>Description of Sea Fish</b>	<b>Areas of Sea in the NEAFC regulatory area (ICES area)</b>
Angel sharks	International Waters of IIa, Vb , VI, VII, VIII, IX, X, XII & XIV
Arctic Skate ( <i>raja hyperborea</i> )	All waters
Basking sharks	All waters

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Big-eye tuna	International Waters of IIa, Vb , VI, VII, VIII, IX, X, XII & XIV
Black Scabbardfish	International Waters of VIII, IX, and X
Blonde ray ( <i>Raja brachyura</i> )	International Waters of IIa
Blue Ling	International Waters of II, III & Vb
Bluefin Tuna	International Waters of IIa, Vb , VI, VII, VIII, IX, X, XII & XIV
Deep sea sharks <sup>10</sup>	International Waters of X, XII
Forkbeards	International Waters of VIII, IX
Large-eyed rabbit fish (Ratfish) ( <i>Hydrolagus mirabilis</i> )	All waters
Ling	International Waters of Vb
Migratory trout	International Waters of IIa, Vb , VI, VII, VIII, IX, X, XII & XIV
Norwegian skate ( <i>Raja (Dipturus) nidarosiensis</i> )	All waters
Orange roughy	All waters
Porbeagle ( <i>Lamna nasus</i> )	All waters
Rabbit fish ( <i>Chimaera monstrosa</i> )	All waters
Redfish	International Waters of Vb, XII & XIV
Roundnose Grenadier	International Waters of III
Round Skate ( <i>raja fyllae</i> )	All waters

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Salmon	International Waters of IIa, Vb , VI, VII, VIII, IX, X, XII & XIV
Small-eyed ray ( <i>Raja microocellata</i> )	International Waters of IIa, VIa, VIb, VIIa-c, VIIe and VIIh-k
Smooth lanternshark (Etmopterus pusillus)	International Waters of I, V, VI, VII, VIII, XII, XIV
Straightnose rabbitfish ( <i>Rhinochimaera atlantica</i> )	All waters
Tope shark (Galeorhinus galeus)	When taken with longlines in International Waters of I, V, VI, VII, VIII, XII, XIV
Undulate Ray ( <i>Raja undulata</i> )	International Waters of VI, X
White sharks	International Waters of IIa, Vb , VI, VII, VIII, IX, X, XII & XIV