

LICENCE TO FISH IN THE NORTHWEST ATLANTIC FISHERIES ORGANIZATION 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.

1. VALIDITY

- 1.1. 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.
- 1.2. 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.
- 1.3. 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.
- 1.4. This licence variation, and any fishing authorisation issued in accordance with Article 7 of Council Regulation (EC) 1224/2009 must be carried on board the vessel and be produced to a Marine Enforcement Officer or British Sea Fishery Officer on demand. This condition may be fulfilled by production of a copy in electronic format.
- 1.5. 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.
- 1.6. In accordance with regulation 3(2)(c)(ii) of the Sea Fishing (Licences and Notices) (Scotland) Regulations 2011¹, regulation 3(4)(b) of the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014² and regulations 3(3)(b) of the Sea Fishing (Licences and Notices) (England) Regulations 2012³ and the Sea Fishing (Licences and Notices) (Wales) Regulations 2019⁴ 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>

¹ S.S.I No. 70 (<https://www.legislation.gov.uk/ssi/2011/70/contents>)

² S.R (N.I) 2014 No.209 (<https://www.legislation.gov.uk/nisr/2014/209/contents/made>)

³ S.I No.827 (<https://www.legislation.gov.uk/uksi/2012/827/contents>)

⁴ S.I. 2019 No.500 W.116 (<https://www.legislation.gov.uk/wsi/2019/500/contents/made>)

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2. **PERMITTED CATCHES**

- 2.1. 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 paragraphs 1 and 2 of Part 3: Annex to this licence. Any sea fish so caught must be returned to the sea immediately.
- 2.2. Notwithstanding the provisions of condition 2.1, where any sea fish of the descriptions set out in paragraph 2 of Part 3: Annex to this licence is subject to the Landing Obligation in Article 15 of Regulation (EU) 1380/2013⁵, 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.
- 2.3. 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 paragraph 3 of Part 3: Annex to this licence.
- 2.4. Notwithstanding the provision of condition 2.3, where any sea fish of the descriptions set out in Part 3: Annex paragraph 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.
- 2.5. The quantities of fish that may be caught which are set out in in paragraph 3 of Part 3: Annex 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.

3. **GENERAL CONDITIONS**

- 3.1. 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.
- 3.2. 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.
[NAFO Conservation and Enforcement Measures \(CEM\)](https://www.nafo.int/Fisheries/Conservation) available at <https://www.nafo.int/Fisheries/Conservation>
- 3.3. 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.

⁵ As it applies in relevant parts of the UK respectively.

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4. RECORDING AND REPORTING REQUIREMENTS

Catch reporting

- 4.1. The master of a fishing vessel shall transmit electronically to the UK Fisheries Monitoring Centre the following reports in accordance with Article 28 of the NAFO Conservation and Enforcement Measures (CEM) and including the information prescribed in Annex II.A:
- 4.1.1. Catch on entry report: transmitted at least six (6) hours in advance of the fishing vessel's entry to the NAFO Regulatory Area.
- 4.1.2. Fishing activity report: quantity of catch retained and discarded for each tow/set, by species and Division, including nil catch returns, sent daily before 23:59 UTC and sent before a catch on exit report in line with condition 4.1.3.
- 4.1.3. Catch on exit report: transmitted at least six (6) hours in advance of the fishing vessel's exit from the NAFO Regulatory Area.

Vessel Monitoring System

- 4.2. Every fishing vessel operating in the NAFO Regulatory Area shall be equipped with a satellite monitoring device capable of continuous automatic transmission of position no less frequently than once an hour.

Capacity plan

- 4.3. No fishing vessel shall conduct fishing activities in the NAFO Regulatory Area without carrying on board an accurate, up-to-date, and certified capacity plan.

Minimum fish size requirements

- 4.4. No fishing vessel shall retain on board any fish smaller than the minimum size established in accordance with NAFO CEM Article 14 and Annex I.D, which it shall immediately return to the sea. Therefore, the below species are not subject to the Landing Obligation in Article 15 of Regulation (EU) 1380/2013.

Species	Gilled and gutted fish whether or not skinned; fresh or chilled, frozen, or salted.			
	Whole*	Head Off	Head and Tail Off	Head Off and Split
Atlantic cod	41 cm	27 cm	22 cm	27/25 cm**
Greenland halibut	30 cm	N/A	N/A	N/A
American plaice	25 cm	19 cm	15 cm	N/A
Yellowtail flounder	25 cm	19 cm	15 cm	N/A

* Fish size refers to fork length for Atlantic cod; whole length for other species.

**Lower size green salted fish

- 4.5. Where the number of undersized fish in a single haul exceeds 10% of the total by number of fish in that haul, the vessel shall, for its next tow, maintain a minimum distance of five (5) nautical miles from any position of the previous tow.

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Stowage of catch

- 4.6. Each fishing vessel shall stow all catch taken in the NAFO Regulatory Area separately from all catch taken outside the NAFO Regulatory Area and ensure that such separation is clearly demarcated using plastic, plywood, or netting.
- 4.7. Each fishing vessel shall maintain a stowage plan that: is updated daily for the preceding day from 00:01 to 23:59 UTC; clearly shows the location and quantity, expressed as product weight in kg, of each species within each fish hold; is retained on board for each day fished until the vessel has been unloaded completely.

Provisions in case of encounter of Vulnerable Marine Ecosystem (VME) indicator species

- 4.8. An encounter with VME indicator species is defined as catch per set (e.g. trawl tow, longline set, or gill net set) of more than 7 kg of sea pens and/or 60 kg of other live coral and/or 300 kg of sponges.
- 4.9. Where evidence of VME indicator species is encountered during the course of fishing operations, in accordance with NAFO CEM Article 22, masters of fishing vessels must:
 - 4.9.1. quantify the catch of VME indicator species, and
 - 4.9.2. if the quantity of VME indicator species caught in a fishing operation (such as trawl tow) is beyond the threshold defined in condition 4.8,
 - 4.9.2.1. report the encounter species, quantities, and exact location to the UK Fisheries Monitoring Centre.
 - 4.9.2.2. cease fishing and move away at least two (2) nautical miles from the endpoint of the tow/set in the direction least likely to result in further encounters.

5. OBSERVER REQUIREMENTS

- 5.1. Every fishing vessel must carry at all times at least one observer in accordance with the NAFO CEM whilst conducting fishing activities in the NAFO Regulatory Area.
- 5.2. No fishing vessel may carry out fishing activities until an observer is deployed on the fishing vessel.

6. AREAS IN WHICH YOU MAY NOT FISH

- 6.1. The vessel must not be present in an area as set out below, other than when transiting at a speed of more than six (6) knots (except in the case of force majeure or adverse conditions).
 - 6.1.1. In the case of force majeure or adverse conditions, the master must immediately inform the UK Fisheries Monitoring Centre.
 - 6.1.2. 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) 1224/2009⁶ at all times.

⁶ As it applies in relevant parts of the UK respectively.

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Seamount closures applicable to Division 3M in the NAFO Regulatory Area

6.2. No fishing vessel shall engage in bottom fishing activities in any of the areas defined by connecting the following coordinates in numerical order and back to coordinate 1.

Description	Coordinate No.	Latitude	Longitude
Newfoundland Seamounts	1	44° 06' 00" N	46° 45' 00" W
	2	44° 06' 00" N	46° 18' 00" W
	3	43° 57' 00" N	46° 18' 00" W
	4	43° 57' 00" N	43° 24' 00" W
	5	43° 36' 00" N	43° 24' 00" W
	6	43° 36' 00" N	44° 42' 00" W
	7	43° 18' 00" N	44° 42' 00" W
	8	43° 18' 00" N	45° 00' 00" W
	9	42° 45' 00" N	45° 00' 00" W
	10	42° 45' 00" N	45° 15' 00" W
	11	43° 18' 00" N	45° 15' 00" W
	12	43° 18' 00" N	45° 25' 00" W
	13	43° 29' 00" N	45° 25' 00" W
	14	43° 29' 00" N	46° 00' 00" W
	15	43° 36' 00" N	46° 00' 00" W
	16	43° 36' 00" N	46° 40' 00" W
	17	43° 52' 00" N	46° 40' 00" W
	18	43° 52' 00" N	46° 45' 00" W

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Vulnerable Marine Ecosystem area closures applicable to Division 3M in the NAFO Regulatory Area

6.3. No fishing vessel shall engage in bottom fishing activities in areas 3-14b defined by connecting the following coordinates in numerical order and back to coordinate 1.

	Description	Coordinate No.	Latitude	Longitude
3	Beothuk Knoll	3.1	45° 49' 10.20" N	46° 06' 02.52" W
		3.2	45° 59' 47.40" N	46° 06' 02.52" W
		3.3	45° 59' 47.40" N	46° 18' 08.28" W
		3.4	45° 49' 10.20" N	46° 18' 08.28" W
4	Eastern Flemish Cap	4.1	46° 44' 34.80" N	44° 03' 14.40" W
		4.2	46° 58' 19.20" N	43° 34' 16.32" W
		4.3	47° 10' 30.00" N	43° 34' 16.32" W
		4.4	47° 10' 30.00" N	43° 20' 51.72" W
		4.5	46° 48' 35.28" N	43° 20' 51.72" W
		4.6	46° 39' 36.00" N	43° 58' 08.40" W
5	Northeast Flemish Cap	5.1	47° 47' 46.00" N	43° 29' 07.00" W
		5.2	47° 40' 54.47" N	43° 27' 06.71" W
		5.3	47° 35' 57.48" N	43° 43' 09.12" W
		5.4	47° 51' 14.40" N	43° 48' 35.64" W
		5.5	48° 27' 19.44" N	44° 21' 07.92" W
		5.6	48° 41' 37.32" N	43° 45' 08.08" W
		5.7	48° 37' 13.00" N	43° 41' 24.00" W
		5.8	48° 30' 15.00" N	43° 41' 32.00" W
		5.9	48° 25' 08.00" N	43° 45' 20.00" W
		5.10	48° 24' 29.00" N	43° 50' 50.00" W
		5.11	48° 14' 20.00" N	43° 48' 19.00" W
		5.12	48° 09' 53.00" N	43° 49' 24.00" W
6	Sackville Spur	6.1	48° 18' 51.12" N	46° 37' 13.44" W
		6.2	48° 28' 51.24" N	46° 08' 33.72" W
		6.3	48° 49' 37.20" N	45° 27' 20.52" W
		6.4	48° 56' 30.12" N	45° 08' 59.99" W
		6.5	49° 00' 09.72" N	45° 12' 44.64" W
		6.6	48° 21' 12.24" N	46° 39' 11.16" W

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7	Northern Flemish Cap	7.1	48° 25' 02.28" N	45° 17' 16.44" W
		7.2	48° 25' 02.28" N	44° 54' 38.16" W
		7.3	48° 19' 08.76" N	44° 54' 38.16" W
		7.4	48° 19' 08.76" N	45° 01' 58.56" W
		7.5	48° 20' 29.76" N	45° 01' 58.56" W
		7.6	48° 20' 29.76"N	45° 17' 16.44" W
7a	Northern Flemish Cap	7a.1	48° 25' 02.28" N	45° 17' 16.44" W
		7a.2	48° 25' 02.28" N	44° 54' 38.16" W
		7a.3	48° 19' 08.76" N	44° 54' 38.16" W
		7a.4	48° 18' 06.84" N	44° 44' 22.81" W
		7a.5	48° 08' 18.42" N	44° 23' 10.57" W
		7a.6	48° 10' 08.98" N	44° 15' 54.97" W
		7a.7	48° 19' 30.47" N	44° 26' 38.40" W
		7a.8	48° 24' 57.13" N	44° 37' 58.40" W
		7a.9	48° 26' 21.37" N	44° 54' 34.60" W
		7a.10	48° 27' 52.20" N	45° 17' 19.25" W
8	Northern Flemish Cap	8.1	48° 38' 07.95" N	45° 19' 31.92" W
		8.2	48° 38' 07.95" N	45° 11' 44.36" W
		8.3	48° 40' 09.84" N	45° 11' 44.88" W
		8.4	48° 40' 09.84" N	45° 05' 35.52" W
		8.5	48° 35' 56.40" N	45° 05' 35.52" W
		8.6	48° 35' 56.40" N	45° 19' 31.92" W
		8.7	48° 34' 23.52" N	45° 26' 18.96" W
		8.8	48° 36' 55.08" N	45° 31' 15.96" W
9	Northern Flemish Cap	9.1	48° 34' 23.52" N	45° 26' 18.96" W
		9.2	48° 36' 55.08" N	45° 31' 15.96" W
		9.3	48° 30' 18.36" N	45° 39' 42.48" W
		9.4	48° 12' 06.60" N	45° 54' 12.94" W
		9.5	48° 17' 11.82" N	45° 47' 25.36" W
		9.6	48° 16' 07.06" N	45° 45' 48.19" W
		9.7	48° 27' 30.60" N	45° 34' 40.44" W

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10	Northwest Flemish Cap	10.1	47° 49' 41.51" N	46° 22' 48.18" W
		10.2	47° 47' 17.14" N	46° 17' 27.91" W
		10.3	47° 58' 42.28" N	46° 06' 43.74" W
		10.4	47° 59' 15.77" N	46° 07' 57.76" W
		10.5	48° 07' 48.97" N	45° 59' 58.46" W
		10.6	48° 09' 34.66" N	46° 04' 08.54" W
		10.7	48° 07' 59.70" N	46° 05' 38.22" W
		10.8	48° 09' 13.46" N	46° 09' 31.03" W
		10.9	47° 51' 30.13" N	46° 26' 15.61" W
11	Northwest Flemish Cap	11.1	47° 25' 48.00" N	46° 21' 23.76" W
		11.2	47° 30' 01.44" N	46° 21' 23.76" W
		11.3	47° 30' 01.44" N	46° 27' 33.12" W
		11.4	47° 25' 48.00" N	46° 27' 33.12" W
11a	Northwest Flemish Cap	11a.1	47° 27' 36.29" N	46° 21' 23.69" W
		11a.2	47° 30' 01.44" N	46° 21' 23.76" W
		11a.3	47° 30' 01.44" N	46° 27' 33.12" W
		11a.4	47° 37' 38.86" N	46° 16' 31.12" W
		11a.5	47° 34' 39.61" N	46° 12' 03.92" W
		11a.6	47° 32' 28.90" N	46° 16' 26.58" W
		11a.7	47° 32' 10.00" N	46° 14' 29.87" W
		11a.8	47° 28' 27.80" N	46° 16' 05.74" W
12	Northwest Flemish Cap	12.1	48° 12' 06.60" N	45° 54' 12.94" W
		12.2	48° 17' 11.82" N	45° 47' 25.36" W
		12.3	48° 16' 07.06" N	45° 45' 48.19" W
		12.4	48° 11' 03.32" N	45° 52' 40.63" W
13	Beothuk Knoll	13.1	46° 13' 58.80" N	45° 41' 13.20" W
		13.2	46° 13' 58.80" N	46° 02' 24.00" W
		13.3	46° 21' 50.40" N	46° 02' 24.00" W
		13.4	46° 21' 50.40" N	45° 56' 48.12" W
		13.5	46° 20' 14.32" N	45° 55' 43.93" W
		13.6	46° 20' 14.32" N	45° 41' 13.20" W

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14a	Eastern Flemish Cap	14a.1	47° 45' 24.44" N	44° 03' 06.44" W
		14a.2	47° 47' 54.35" N	44° 03' 06.44" W
		14a.3	47° 50' 11.33" N	44° 03' 34.49" W
		14a.4	47° 50' 10.86" N	43° 58' 28.99" W
		14a.5	47° 47' 54.35" N	43° 59' 23.39" W
		14a.6	47° 45' 55.19" N	43° 58' 08.94" W
		14a.7	47° 44' 44.59" N	44° 02' 41.50" W
14b	Eastern Flemish Cap	14b.1	47° 35' 21.77" N	43° 56' 50.10" W
		14b.2	47° 37' 33.53" N	43° 52' 56.50" W
		14b.3	47° 30' 04.79" N	43° 48' 18.54" W
		14b.4	47° 27' 34.88" N	43° 48' 18.54" W
		14b.5	47° 27' 34.88" N	43° 52' 00.34" W

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7. **MARINE MAMMAL BYCATCH REPORTING**

- 7.1. 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 <https://www.gov.uk/government/publications/marine-mammal-bycatch-reporting-requirements> no later than 48 hours after the vessel returns to port.
- 7.2. 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.

8. **FISHING GEAR AND EQUIPMENT RESTRICTIONS**

- 8.1. No fishing vessel shall fish with a net having a mesh size smaller than 130 mm in accordance with NAFO CEM Article 13.
- 8.2. Fishing vessels conducting a directed fishery for cod in Division 3M must use a sorting grid for the purpose of reducing the catches of smaller individuals of cod. The minimum bar spacing of the sorting grid shall be 55 mm. The sorting grid must be placed in the top-side panel of the trawl preceding the codend.

9. **LANDING REQUIREMENTS**

- 9.1. The master of a fishing vessel shall transmit electronically to the UK Fisheries Monitoring Centre a Prior Notification (PNO) report: transmitted at least three (3) working days in advance of the vessel's Estimated Time of Arrival (ETA).
- 9.2. If not landing into a UK port, the owner, master and/or charterer, as appropriate, of a fishing vessel shall not commence landing, transshipment 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 NAFO Port State Control form (PSC1 or PSC2), has passed.
- 9.3. Fishing vessels with more than 1250 kg of cod catches from Division 3M may only land those catches to a port designated in accordance with Article 43 of the NAFO CEM.

NAFO designated ports available at: <https://www.nafo.int/Fisheries/PSC>

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PART 3: ANNEX

1. PROHIBITED SPECIES

Any species which are listed in part I of the annex to the schedule to the licence authorising the vessel to fish within British fishery limits and any other external waters licence apply to fishing under the authority of this licence, subject to any amendment or addition in the table below.

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:

Description of sea fish	Areas of sea in the NAFO Regulatory Area
Greenland shark (<i>Somniosus microcephalus</i>)	Whole Regulatory Area

2. SPECIES FOR WHICH THE VESSEL MAY NOT FISH

Any species which are listed in part I of the annex to the schedule to the licence authorising the vessel to fish within British fishery limits apply to fishing under the authority of this licence, subject to any amendment or addition in the table below.

Description of sea fish	Areas of sea in the NAFO Regulatory Area
Atlantic redfishes ⁷ (<i>Sebastes</i> sp.)	Division 3M
American plaice ⁷ (<i>Hippoglossoides platessoides</i>)	Division 3M
Greenland halibut ⁷ (<i>Reinhardtius hippoglossoides</i>)	Division 3M

3. SPECIES FOR WHICH THE VESSEL MAY FISH IN LIMITED QUANTITIES

Description of sea fish	Areas of sea in the NAFO Regulatory Area
Atlantic cod ⁸ (<i>Gadus morhua</i>)	Division 3M

⁷ Except as a by-catch in accordance with Article 6 of the NAFO CEM. Vessels shall limit the retention of on board species classified as by-catch to the maxima specified in that Article. These species are not subject to the Landing Obligation in Article 15 of Regulation (EU) 1380/2013.

⁸ No directed fishery between 00:01 UTC 1 January 2024 and 24:00 UTC 31 March 2024