

# LICENCE TO FISH FOR ICCAT CONVENTION AREA STOCKS (ALB) UK VESSEL

## PART 2: LICENCE CONDITIONS

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 (including in electronic format) and be produced to a Marine Enforcement Officer or British Sea Fishery Officer on demand.
- 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 2011<sup>6</sup>, regulation 3(4)(b) of the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014<sup>7</sup> and regulations 3(3)(b) of the Sea Fishing (Licences and Notices) (England) Regulations 2012<sup>8</sup> and the Sea Fishing (Licences and Notices) (Wales) Regulations 2019<sup>9</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>

<sup>6</sup> S.S.I No. 70 (<https://www.legislation.gov.uk/ssi/2011/70/contents>)

<sup>7</sup> S.R (N.I) 2014 No.209 (<https://www.legislation.gov.uk/nisr/2014/209/contents/made>)

<sup>8</sup> S.I No.827 (<https://www.legislation.gov.uk/uksi/2012/827/contents>)

<sup>9</sup> 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) 1380/2013, 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 paragraph 3 of Part 3: Annex 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.
- 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.
- 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.

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## 4. CONDITIONS APPLICABLE TO VESSELS FISHING FOR ICCAT STOCKS

- 4.1. While the vessel is fishing for Albacore Tuna any drift nets, gill nets, bottom set gill nets, trammel nets and entangling nets 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.
- 4.2. Chumming bait is not permitted.

## 5. AREAS IN WHICH THE VESSEL MAY NOT FISH

- 5.1. The vessel must not be present in an area specified in the table below, other than when transiting at a speed of more than six knots (except in the case of force majeure or adverse conditions).
- 5.2. In the case of force majeure or adverse conditions, the master must immediately inform the UK Fisheries Monitoring Centre.
- 5.3. 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 at all times.

[TABLE OF CLOSED AREAS – INTENTIONALLY BLANK]

## 6. MARINE MAMMAL BYCATCH REPORTING

- 6.1. 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.
- 6.2. 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.

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## 7. OBSERVER COVERAGE REQUIREMENTS

- 7.1. Under the licence condition, in accordance with ICCAT recommendation 16-14, vessels are to ensure a minimum of 5% observer coverage of fishing effort in each of the pelagic longline, purse seine, and, as defined in the ICCAT glossary, baitboat, traps, gillnet and trawl fisheries. The percentage coverage will be measured:
- 7.1.1. For purse seine fisheries, in number of sets or trips;
  - 7.1.2. For pelagic longline fisheries, in fishing days, number of sets, or trips;
  - 7.1.3. For baitboat and trap fisheries, in fishing days;
  - 7.1.4. For gillnet fisheries, in fishing hours or days; and
  - 7.1.5. For trawl fisheries, in fishing hauls or days
- 7.2. The master of the vessel shall be responsible for coordinating timetables with the observer and paying for the observer coverage.
- 7.3. The master of the vessel shall:
- 7.3.1. Permit appropriate access to the vessel and its operations;
  - 7.3.2. Allow the observer to carry out their responsibilities in an effective way, including by
    - Providing appropriate access to the vessel's gear, documentation (including electronic and paper logbooks), and catch;
    - Communicating at any time with appropriate representatives of the scientific institute or domestic authority;
    - Ensuring appropriate access to electronics and other equipment pertinent to fishing, including but not limited to:
      - Satellite navigation equipment
      - Electronic means of communication;
    - Ensuring that no one on board the observed vessel tampers with, damages or destroys observer equipment or documentation; obstructs, interferes with, or otherwise acts in a manner that could unnecessarily prevent the observer from performing his/her duties; intimidates, harasses, or harms the observer in any way; bribes or attempts to bribe the observer.
  - 7.3.3. Provides accommodation to observers, including berthing, food and adequate sanitary and medical facilities equal to those of officers;
  - 7.3.4. Provide the observer adequate space on the bridge or pilot house to perform their tasks, as well as space on deck adequate for carrying out observer tasks.
- 7.4. Where required to ensure a minimum of 5% observer coverage under condition 7.1. above, the master of the vessel must ensure that the observer is present on either the first or second of any trips to which condition 7.1 applies. Before commencing a third fishing trip to which condition 7.1 applies the master of the vessel shall request authorisation to sail from its relevant fisheries administration.

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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 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
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### 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	Notes
Blue Shark ( <i>Prionace glauca</i> )	By-catch only. No directed fishing is permitted.
Swordfish ( <i>Xiphias gladius</i> )	By-catch only. No directed fishing is permitted.

### 2. SPECIES FOR WHICH THE VESSEL MAY FISH

Unless indicated in the table below, this licence does not allow the vessel to catch species which are listed in part II of the annex to the schedule to the licence authorising the vessel to fish within British fishery limits whilst fishing in the areas listed in Section 3 of this licence.

Description of Sea Fish	Notes
Northern Albacore ( <i>Thunnus alalunga</i> )	XX Tonnes  Of which YY tonnes may be taken in EU waters*.  *If the vessel has been issued a licence to fish in EU waters by the United Kingdom Single Issuing Authority (UKSIA) as stated in Section 3 of this licence.