



Department
for Environment
Food & Rural Affairs



Marine
Management
Organisation

Quota Management Rules for England and the Crown Dependencies

Issued by the Department for the Environment,
Food and Rural Affairs and the Marine
Management Organisation

Rules for the management of the English fisheries quotas

We are the Department for Environment, Food and Rural Affairs. We're responsible for improving and protecting the environment, growing the green economy, sustaining thriving rural communities and supporting our world-class food, farming and fishing industries.

We work closely with our 33 agencies and arm's length bodies on our ambition to make our air purer, our water cleaner, our land greener and our food more sustainable. Our mission is to restore and enhance the environment for the next generation, and to leave the environment in a better state than we found it.



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Contents

Contents	3
1. Introduction	5
2. Allocating English quota.....	6
2.1 Aims.....	6
2.2 Description of method.....	6
2.3 Method for allocating Existing Quota within England	7
Unallocated stocks	7
Special allocations.....	7
Underpinning	8
Reserve quota	8
Fixed Quota Allocation Units	9
Arrangements for particular quota stocks and fisheries.....	9
Total EQ amounts for the sector and non-sector	10
2.4 Method for allocating Additional Quota.....	10
2.5 Crown Dependencies	11
2.6 English Fisheries Management Trials.....	11
Fisheries Management Trial – Cornwall	11
Future Fisheries Management Trials	11
Quota Allocation Mechanism Pilot	11
2.7 Other quota allocation groups.....	12
2.8 New Quotas.....	12
3. Reallocation	12
4. Management of English quota	13
How quota allocations for different groups are managed	13
Economic Link	13
5. Management of the English sector.....	13
5.1 Recognition of producer organisations	13
5.2 Withdrawal of Recognition	14
5.3 Powers and duties of producer organisations (including sectoral quota management)	14
6. English quota allocation groups	15
7. Managing the Non-Sector Pools	16
7.2 How catch limits are set.....	16
8. Quota leasing.....	17

Rules for the management of the English fisheries quotas	
9. Moving between groups within MMO's administration only	17
9.1 Admission to the English non-sector	17
9.2 English 10-metres-and-under vessels moving between POs and the English 10-metres-and-under pool	17
10. Fishery closures	18
11. Monitoring and reporting landings	18
12. International Quota Swaps and Transfers.....	19
Annex A: Arrangements to support disciplinary actions by English producer organisations	20
Annex B: Determining stocks of importance for AQ allocations	23
Ability to catch	23
Need for more quota.....	23
Annex C: Defining capacity for the hybrid AQ method	25
Annex D: Additional quota shares by each fleet segment.....	26

1. Introduction

- 1.1 UK quota is defined as the maximum quantity of sea fish that may be caught by British fishing vessels, as determined by the Secretary of State (in accordance with sections 23 and 24 of the Fisheries Act 2020).
- 1.2 English quota is defined as the portion of UK quota which is available for distribution by the Marine Management Organisation (MMO) to English vessels.
- 1.3 For the purposes of English allocations, the Isle of Man and the Channel Islands will be treated as part of England.
- 1.4 All UK vessels are subject to quota management rules as set out in the UK quota management rules (UK QMR). English vessels are also subject to these English quota management rules which are published by the Department for Environment, Food and Rural Affairs (Defra) and the MMO. These detail the process of allocating and managing English quotas.
- 1.5 These rules should be read in conjunction with the UK QMR¹, the '2012 Concordat on Management Arrangements for Fishing Opportunities and Fishing Vessel Licensing in the United Kingdom' (the Concordat)², and the Joint Fisheries Statement³.
- 1.6 These rules are administrative and will be reviewed regularly, in consultation with representatives of the English fishing industry and other interested parties.
- 1.7 In distributing fishing opportunities, these rules take into account the criteria set out in section 25 of the Fisheries Act.
- 1.8 Defra and MMO are satisfied that the methods currently used to allocate fishing opportunities to the English fishing industry are compliant with these provisions and are designed to restore fish stocks for the long-term benefit of all, while providing economic and social certainty for fishing communities.
- 1.9 Defra and MMO reserve the right, after consultation wherever possible, to depart from these rules should the need arise.

¹ <https://www.gov.uk/government/publications/quota-management-rules>

² <https://www.gov.uk/government/publications/concordat-on-management-arrangements-for-fishing-quotas-and-licensing-in-the-uk>

³ <https://www.gov.uk/government/publications/joint-fisheries-statement-jfs>

2. Allocating English quota

2.1 Aims

2.1.1 Our aims for quota allocation and management are:

- Fair distribution of fishing opportunities
- Maximise long term economic investment and return
- Incentivise good behaviours and innovation
- Transparent and objective allocation, trading and management of quota
- Simplifying the system over time, with decisions made closer to those affected

2.1.2 These five aims are consistent with our responsibilities under the Fisheries Act 2020 and will apply to the use of all English quota.

2.2 Description of method

2.2.1 The Secretary of State will determine the quota available each calendar year according to scientific advice. Prior to allocating quota from the English pot, the MMO makes some UK-level allocations. The methods for this include special allocations, unallocated stocks and underpinning.

2.2.2 The remainder of UK quota is then apportioned out between the Fisheries Authorities (FAs) using the methodology laid out within the UK QMR. Quotas allocated to MMO by the UK government (see section 2 of UK QMR for more details) will be divided and assigned to:

- (i) the Sector – sectoral groups including producer organisations (POs) ('the English sector'), whose allocation will be self-managed and include quota derived from dummy licences and entitlements attributed to the PO;
- (ii) the Non-Sector Pools, whose allocation is state-managed, collectively refers to:
 - a) the over-10-metre non-sector for those over-10-metre vessels not members of a PO ('the English non-sector') and;
 - b) the 10-metres-and-under pool for vessels not members of a PO ('the English 10metres-and-under pool')

2.2.3 Once UK quota has been apportioned, the MMO then allocates English quota using a range of methods outlined below.

2.2.4 The MMO also reserves the right to retain quota centrally for other purposes. Examples of this may be to clear certain overfishes or meet policy objectives.

2.2.5 The quota available to be allocated within England will be laid out within the

MMO's UK apportionment spreadsheets⁴. England will be apportioned Existing Quota ("EQ") and Additional Quota ("AQ"). These will be allocated using the methods below.

2.3 Method for allocating Existing Quota within England

- 2.3.1 In allocating quota in England a range of different allocation methods are used to support different objectives. These are designed, as far as possible, to compliment each other and ensure that environmental, economic and social considerations are taken into account. Each methodology is considered in relation to overall system of allocations in England rather than in isolation.
- 2.3.2 The amount of quota to be allocated within England as EQ will be determined during UK apportionment. The method for doing so is laid out within the UK QMR sections 2.9 - 2.14. Broadly, EQ is based on the quota the UK received under the EU's Common Fisheries Policy. The method for allocating EQ within England is the same as in 2023 and is outlined below.

Unallocated stocks

- 2.3.3 Unallocated stocks are usually reserved for bycatch purposes at a UK level, see MMO allocation spreadsheet for more⁵. A list of unallocated stocks can also be found in the UK QMR (Annex C). Not allocating these stocks can help to support the longer-term health of the stock, whilst continuing to support access to other healthy fisheries. The UK Government reserves the right to not allocate stocks where there is scientific evidence to support a precautionary approach to managing a stock. The list of stocks that are not allocated, and the reasons for not allocating them, are kept under review.

Special allocations

- 2.3.4 Special allocations are made at UK level and are deducted from the UK's EQ before quota is apportioned to the Fisheries Authorities. Special allocations are allocated directly to a specific group. Doing this is intended to ensure that appropriate support is provided to those using selective gear which reduces the impact on the wider marine environment. The use of special allocations will be periodically reviewed in order to ensure that they are still relevant.

⁴ <https://www.gov.uk/government/publications/fishing-quota-allocations-for-2022-for-england-and-the-uk>

⁵ <https://www.gov.uk/government/publications/fishing-quota-allocations-for-2022-for-england-and-the-uk>

Rules for the management of the English fisheries quotas

2.3.5 A portion of the UK's EQ is allocated specially to the South West mackerel handline fishery within England (see paragraph 2.9(c) and Annex D of the UK QMR for more details).

Underpinning

2.3.6 EQ to be allocated to the English non-sector pools will be determined at the UK-level in line with underpinning arrangements – this is where there are guaranteed minimum levels of allocated quota.

2.3.7 The underpinning mechanism ensures that the largest part of the English fishing fleet, in terms of vessel numbers, receives a guaranteed tonnage in stocks that are of value. By providing such a guarantee, this part of the fleet can have greater certainty of what will be made available to them each year enabling them to plan future fishing activity ensuring a range of societal and economic benefits.

2.3.8 More information on underpinning can be found in Section 2.13(a) and (b) and annexes E, F and G of the UK QMR⁶. The underpinning mechanism will be kept under review.

Reserve quota

2.3.9 Stocks subject to the landing obligation have an increased quota to allow previously discarded fish to be landed and accounted for. The English share of this increase is referred to as 'reserve quota'.

2.3.10 Within England, reserve quota has been allocated since 2016. Some is used to support the non-sector with the remaining reserve quota allocated to the sector via FQA units. Providing the non-sector with this support ensures that vessels have access to quotas that are of value and can then better plan their fishing activity. This provides a range of societal and economic benefits. Allocating the remainder to the sector via FQA units supports those with a historic track record to manage the landing obligation requirements.

2.3.11 The method to calculate the amount allocated to the non-sector, where applicable, is:

- For stocks with 100t or less of reserve quota, if the non-sector is highly dependent upon reserve quota (defined as where historic use of this quota by the non-sector is greater than 75%), all the reserve quota will be allocated to the non-sector.
- For stocks with 100t or less of reserve quota, if the non-sector is not highly dependent on reserve quota, the amount allocated to them will be

⁶ <https://www.gov.uk/government/publications/quota-management-rules>

Rules for the management of the English fisheries quotas

the reserve quota multiplied by the proportion of reserve quota historically used by the non-sector.

- For stocks with more than 100t of reserve quota, the amount allocated to them will be 25% of the reserve quota multiplied by the proportion of reserve quota historically used by the non-sector.

2.3.12 'Historic use' and 'the proportion of reserve quota historically used' for each stock is the average percentage of the this quota used by the non-sector for landings or trades over 2016-2019.

2.3.13 The allocation of reserve quota is kept under annual review.

Fixed Quota Allocation Units

2.3.14 Fixed Quota Allocation (FQA) units are the primary means of apportioning and allocating EQ between Fisheries Authorities (FAs) and within FAs to the industry. FQA units were introduced in 1999. Predominantly, the number of FQA units for each stock was calculated based on each vessel's share of landings using the reference period 1994 – 1996. Some exceptions to this reference period exist and are laid out in Annex E of the UK QMR. The FQA register⁷ is a list of fishing vessel licence and entitlement holders who hold FQA units.

2.3.15 Each FQA unit represents a share of the EQ for each stock, following the adjustments applied by the FAs. These include – but aren't limited to - underpinning, reserve quota and special allocations, all of which are described in Sections 2.3.4 to 2.3.13.

2.3.16 The MMO does not allocate quota to individual holders of FQAs. Annually, an ALF 8 form is sent to holders of licence entitlements or holding statements with FQA units associated. Holders confirm where their FQA units should be counted to for that quota allocation year (as at 1 January) – whether that's a specific PO or the non-sector. Where a holder does not specify where that FQA unit should be attributed to, this FQA unit is attributed to the non-sector pools at the discretion of the MMO.

Arrangements for particular quota stocks and fisheries

2.3.17 Arrangements for particular quota stocks outlined within the UK QMR apply within England allocations too (see paragraphs 2.14 to 2.17 of the UK QMR for more details).

⁷ <https://www.fgaregister.service.gov.uk/>

Rules for the management of the English fisheries quotas

2.3.18 During the English EQ allocations process, calculations are conducted annually to reflect the realignment of Cod 7d English sector proxy FQAs to the non-sector fleet.

Total EQ amounts for the sector and non-sector

2.3.19 The amount of EQ available to the English sector is determined during the UK apportionment process, as outlined in section 2.13 in the UK QMR. Following adjustments made to reflect reserve quota, the English sector EQ will be allocated to POs in proportion to the number of fixed quota allocation (FQA) units (noting special arrangements for some stocks as noted in section 2.3.4 and 2.3.5) held for the stock on over-10-metre licences that are members of a PO, and on English dummy licences⁸ held by POs on 1 January of the quota management year. To allocate quota to POs, the FQAs associated with each PO are summed and the share of quota the PO gets is proportional to their total number of FQAs. See Section 5: Management of the English Sector for more information.

2.3.20 The amount of EQ available to the English non-sector pools is determined through underpinning at the UK level, reserve quota calculations at the English level and the special arrangement for Cod 7d.

2.3.21 Quota allocated to the English non-sector over-10-metre pool and 10-metre-and-under-pool is held and managed centrally by the MMO. Quota allocated to the POs is allocated and managed at their discretion.

2.4 Method for allocating Additional Quota

2.4.1 The amount of quota to be allocated within England as AQ will be determined during UK apportionment. The method for doing so is laid out within the UK QMR Sections 2.14 a-k. Broadly, AQ is all quota which the UK secures as an independent Coastal State above the EQ baseline figures.

2.4.2 For the remaining English AQ, the share to be allocated to each of the three fleet segments (the sector, non-sector over 10 metre pool and 10 metres and under non-sector pool) is determined using two steps:

- Determining stocks of importance for each of the three fleet segments (more detail on this can be found in annex B).
- Sharing stocks of importance between relevant fleet segments based on their capacity, measured using aggregate engine power (more detail on this can be found in annex C).

⁸ [UK Quota Management Rules \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Rules for the management of the English fisheries quotas

The share of English AQ for each stock each fleet segment will receive under this hybrid method can be found in annex D.

- 2.4.3 Within the sector, sharing their part of the additional quota between producer organisations based on their FQA holdings.

2.5 Crown Dependencies

- 2.5.1 As outlined in section 2.1 of the UK QMR Jersey, Guernsey and the Isle of Man receive quota from the English allocations. The quota allocated to the Crown Dependencies comes from quota allocated via the non-sector as set out above.

Isle of Man Quota Management

- 2.5.2 As an exception from the general approach outlined in section 2.4.2 above, some stocks will be allocated to the Isle of Man Government. Stocks forming part of this exception are outlined in Annex N⁹ of the UK QMR.

2.6 English Fisheries Management Trials

Fisheries Management Trial – Cornwall

- 2.6.1 For three fishing years, from 2024 to 2026, a portion of additional quota will be set aside to support the running of a trial which aims to support new entrants and fishers wishing to progress from under 10 metre to over 10 metre vessels while incentivising use of more selective gears. Details of the trial can be found online¹⁰.
- 2.6.2 The trial will undergo ongoing monitoring and evaluation and its success measured against the scheme criteria and objectives set by the group.

Future Fisheries Management Trials

- 2.6.3 MMO will continue to assess the need for any future English Fisheries Management Trials (FMTs) and will allocate stocks to future trials as appropriate, prior to the process outlined in 2.4.2. Stocks forming part of any FMTs will be outlined in the annual MMO allocation spreadsheet issued to industry¹¹.

Quota Allocation Mechanism Pilot

⁹ [UK Quota Management Rules \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

¹⁰ [Alternative ways of managing English fishing quota - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

¹¹ <https://www.gov.uk/government/publications/fishing-quota-allocations-for-2022-for-england-and-the-uk>

Rules for the management of the English fisheries quotas

- 2.6.4 From 2024, selected stocks from the English allocation will be made available for a pilot application process. Applications will be assessed against social, economic and environmental criteria and quota awarded to the highest scoring applicants. The stocks, tonnages and assessment criteria will be confirmed on an annual basis ahead of the application process opening each year¹². Among other things, history of compliance will also be considered in determining eligibility for the pilot.
- 2.6.5 The assessment criteria are intended to incentivise improvements within the English fleet and work towards better sustainability outcomes. Although they will be confirmed on an annual basis, among other things these are likely to consider the use of selective fishing gear and reducing impact on the environment, for example, using less energy, reducing carbon emissions or causing less damage to habitats.
- 2.6.6 The trial will be reviewed and developed to continue the delivery of world class, sustainable management of fisheries in line with the Joint Fisheries Statement objectives. Future expansion and changes to aspects of this allocation method will be outlined here and communicated to industry.

2.7 Other quota allocation groups

- 2.7.1 MMO may establish quota allocation groups during the quota year to fishing vessels that are licensed by it. More details can be found below in section 6.

2.8 New Quotas

- 2.8.1 Where there is an in-year amendment to a TAC, the MMO will undertake a recalculation of the allocation process as detailed in section 2.
- 2.8.2 Where quotas are created for stocks to which the UK has previously had access but there was no TAC, the Secretary of State will consider establishing an appropriate methodology for apportionment as per 2.16 of the UK QMR. The Secretary of State may also consider establishing an English allocation methodology.

3. Reallocation

- 3.1 The MMO reserves the right, after consultation with those concerned, to take quantities of individual stocks from any group where it appears unlikely to be able to catch its allocation in full and in other appropriate circumstances. This would be reallocated among those groups most likely to make use of it.

¹² [Quota Application Mechanism Pilot 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/quota-application-mechanism-pilot-2024)

- 3.2 In considering any requests from groups for reallocation, MMO will consider whether those making the request have made genuine efforts to acquire extra quota from those groups holding surplus quota.

4. Management of English quota

How quota allocations for different groups are managed

- 4.1 The sector are responsible for managing their own quota allocations and for ensuring that these are not exceeded. It is for sectoral groups and POs to decide how best to allocate quota to their members. Some POs set monthly catch limits, which may be supplemented by quota held by individual PO members. Other POs issue annual vessel or company quotas.
- 4.1.2 The allocations for the English non-sector over-10-metre pool and the 10-metres and-under pools are managed, in England, by the MMO in consultation with the industry. For all non-sector fisheries, catch limits are set.

Economic Link

- 4.2.1 Economic link is a condition within the fishing vessel licence. It is designed to ensure that all UK-registered vessels that fish against UK quota provide genuine economic benefits to UK communities dependent on fisheries and fisheries-related industries.
- 4.2.2 Compliance with the economic link can be achieved via one or a combination of three options: (Option A) landing of quota stocks into the UK, (Option B) employment of UK crew and (Option C) quota transfers to the Marine Management Organisation.
- 4.2.3 A more detailed explanation of how economic link operates in England can be found [here](#).

5. Management of the English sector

5.1 Recognition of producer organisations

- 5.1.1 MMO will consider applications for recognition to form a Producer Organisation (PO) if the groups of fishery or aquaculture producers are able to demonstrate an ability to meet the requirements set out in the [accompanying guidance](#). Any application must also show that the PO can

meet the recognition criteria. Further guidance on how to apply to become a PO is available on the government website¹³.

5.2 Withdrawal of Recognition

5.2.1 The MMO will carry out checks at regular intervals to verify that POs comply with the conditions for recognition laid down in Articles 14 and 17 of the retained CMO Regulation 1379/2013¹⁴ respectively. A finding of non-compliance may result in the withdrawal of recognition.

5.2.2 For further details, see the MMO compliance guidance¹⁵.

5.3 Powers and duties of producer organisations (including sectoral quota management)

5.3.1 The MMO promotes the sustainable growth of marine fisheries and works in collaboration with POs to manage fishing opportunities. It is important that the impact of all PO objectives and indicators are considered, which will be used to measure the success of their objectives and the associated anticipated timeframes.

5.3.2 The mandatory objectives to be pursued by a PO are contained in Article 7 of the retained CMO Regulation 1379/2013¹⁶ and are summarised below:

- Promoting the viable and sustainable fishing activities of their members in full compliance with relevant law and policy;
- Avoiding and reducing as far as possible unwanted catches of commercial stocks;
- Contributing to the traceability of fishery products and access to clear and comprehensive information for consumers;
- Contributing to the elimination of illegal, unreported, and unregulated fishing.

5.3.3 The PO shall choose at least two or more of the following optional objectives to pursue:

- Improving the conditions for the placing on the market of their members' fishery and aquaculture products
- Improving economic returns
- Stabilising the markets
- Contributing to food supply and promoting high food quality and safety standards, whilst contributing to employment in coastal and rural areas

¹³ [Applying to be a fish Producer Organisation \(PO\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/apply-to-be-a-producer-organisation)

¹⁴ <https://www.legislation.gov.uk/eur/2013/1379>

¹⁵ [Fish Producer Organisation \(PO\) compliance and enforcement - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/fish-producer-organisation-compliance-and-enforcement)

¹⁶ [EUR-Lex - 02013R1379-20200425 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2013/1379/oj)

Rules for the management of the English fisheries quotas

- Reducing the environmental impact of fishing, including through measures to improve the selectivity of fishing gears.

5.3.4 POs may pursue other complementary objectives.

5.3.5 To meet the mandatory and elective objectives, the PO may use one or more of the elective measures to guide the PO activities. A full list of elective measures is detailed under each Article 7 Objective.

5.3.6 For further details, see the MMO Guidance on Fish Producer Organisations¹⁷.

5.3.7 Further to their recognition as a PO, MMO may also grant to a PO responsibility for sectoral quota management. This will allow the PO to receive quota allocations from MMO. The granting and continuing of sectoral quota management responsibilities will be subject to conditions set out in section 3 of the UK QMR, and any others that MMO may specify. MMO will not give quota to any non-English PO whose sponsoring administration has withdrawn responsibility for sectoral management.

5.3.8 Where POs in England elect, in terms of paragraph 7b of the 2012 Concordat, to manage their allocations collectively, then MMO will be responsible for managing them.

5.3.9 Alternatively, where a PO in England (or in any other part of the UK) elects to report separately for quota uptake purposes to each fisheries administration (FA) it receives quota from, then the English vessels in its membership will be treated as an English quota allocation group – see section 6 of these rules. In these circumstances, MMO will be responsible only for the English vessels. POs must apply to make use of this facility not later than 30 November in the year before the relevant quota management year.

6. English quota allocation groups

6.1 POs that elect to manage the allocations they receive from each administration separately shall have separate quota allocation groups established for each nationality of vessel within their membership. See section 4 of the UK QMR for more details.

6.2 The English quota allocation groups will only be open to English vessels. Moving vessels in and out of the quota allocation groups will be subject to the conditions – see section 4 of the UK QMR – and any other factors MMO considers relevant to specific cases.

¹⁷ <https://www.gov.uk/government/collections/fish-producer-organisation-po>

7. Managing the Non-Sector Pools

7.1 Vessels that do not have their quota managed by a PO are managed by the MMO via catch limits. This includes the English non-sector over-10-metre pool and the English 10 metres-and-under pool. Catch limits are set predominantly monthly but are also set weekly or quarterly for some stocks. Vessels are categorised by length; either over or under-10 metres and all vessels within each length category are bound by the same catch limits.

7.2 How catch limits are set

7.2.1 The goal of quota management of the non-sector pools is to provide sufficient quota throughout the year to suit the needs of all fishers in the pool in a sustainable manner. Typically, this also means aiming to generate maximum social and economic benefits from quota stocks whilst using the best available evidence to ensure that fishing activities in relation to these stocks remain environmentally sustainable in the long term. To achieve this catch limits are set by the MMO in conjunction with advice from industry and they may be set such that uptake is equal throughout the year or they can be set to reflect seasonality of stock abundance or fluctuations in market price.

7.2.2 As the year progresses catch limits may be increased or decreased proportional to the amount of quota already used and the potential for acquiring additional quota via trading. The MMO uses quota uptake information and uptake modelling to help decide catch limits but importantly the MMO consults with industry in the following ways:

- A monthly catch limit consultation, including a summary of recent changes to catch limits, is posted on the government and MMO webpages;¹⁸
- Industry meetings are held around the coast in the form of Regional Fisheries Groups (RFG) and in partnership with existing industry organisations. Where appropriate, MMO will publish information relating to catch limit changes on the RFG web pages¹⁹;
- MMO inshore quota managers are available to be contacted by fishers seeking to discuss non-sector catch limits and will consider requests on a case-by-case basis, taking into account environmental, social and economic criteria.

7.2.3 Further information regarding the quota management of the non-sector <10m and >10m pools and contact details is available on the MMO website²⁰.

¹⁸ [Fisheries management and variations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/fisheries-management-and-variations)

¹⁹ [Regional Fisheries Groups - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/regional-fisheries-groups)

²⁰ <https://www.gov.uk/guidance/quota-management-in-the-non-sector-10m-and-10m-pools>

8. Quota leasing

- 8.1 Non-sector vessels can apply to lease extra quota from a PO, to supplement their catch limits or to keep fishing a stock where the 10-metres-and-under or over-10-metre non-sector pool allocation has been used.
- 8.2 Guidance on how to do this is available on the MMO website²¹.

9. Moving between groups within MMO's administration only

9.1 Admission to the English non-sector

- 9.1.1 Except where the arrangements set out in Annex A apply, for any vessel seeking to join the English non-sector either in-year or from 1 January, MMO reserves the right to require that vessel's licence to bring with it FQA units appropriate to the planned fishing area and gear or equivalent to the English non-sector catch limits in the previous full quota year. Quota managers will be alerted to such cases before a non-sector licence is issued by fishery offices.
- 9.1.2 The arrangements for a vessel to be admitted to the Manx non-sector will be decided by the Isle of Man Government. A vessel which has fished as part of the Manx non-sector will only be allowed to fish in the English non-sector if it satisfies the conditions set out in paragraph 9.1.1.
- 9.1.3 If a vessel intends to move from a PO to the English non-sector, or if a licence from a vessel in PO membership is to be placed upon a vessel fishing in the non-sector, the PO to which the vessel or licence belongs must, when it applies to MMO, confirm that it is not subject to any agreement to transfer quota derived from its FQA units, or the FQA units themselves, to another licence or licensed vessel within the same or another PO. In the event of such an agreement the licence or licensed vessel will not be allowed to join the English non-sector unless the conditions at paragraph 9.1.1 are met.

9.2 English 10-metres-and-under vessels moving between POs and the English 10-metres-and-under pool

²¹ [Manage and lease fishing quota - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Rules for the management of the English fisheries quotas

- 9.2.1 No transfer of FQA units or quota will be made to POs from the 10-metres-and under pool's collective holding of FQA units or quota allocations when 10-metres-and-under pool vessels commence fishing against PO allocations.
- 9.2.2 A 10-metres-and-under pool vessel, which was fishing as part of the 10-metres and-under pool at 1 January, may switch to fishing against PO allocations in-year. This is subject to the vessel securing PO membership not only for the remainder of the current year but also for the entirety of the following year.
- 9.2.3 No vessel fishing against a PO allocation will be permitted to revert to fishing against the allocations for the 10-metres-and-under pool in-year.
- 9.2.4 Any 10-metres-and-under vessel re-joining the pool with FQA units associated with its licence will give up these FQAs to the 10 metres and under pool total.

10. Fishery closures

- 10.1 MMO will monitor each English quota allocation group separately alongside monitoring the POs collective activity. MMO will close any English quota allocation groups to fisheries when necessary to prevent overfishing.

11. Monitoring and reporting landings

- 11.1 MMO monitors landings of quota stocks and compares the amount caught and landed against total quota allocation. This is used to inform decisions about quota swaps, changes to catch limits and closing fisheries.
- 11.2 For MMO to monitor landings and ensure they are in line with figures available to them, English quota allocation groups taking English sectoral allocations will be required to provide information MMO may require about each fishery. In particular, groups must inform MMO immediately when their group's landings figures indicate that it has landed 85% of its quota allocation for any stock. When, in the view of MMO, a group's allocation is likely to be exceeded, if requested by MMO the group must supply daily landings data within two days of landings taking place.
- 11.3 MMO will provide groups with timely and accurate information on quota uptake recorded on FAs' systems Where information provided by FAs appears to be at variance with the records held by the group, groups should notify MMO of the nature of any differences as soon as possible so that checks can be made.

- 11.4 For all stocks MMO will provide English POs and, where appropriate, other POs managing English quota allocation groups with weekly uptake spreadsheets. In addition, weekly PO cross-checks will be issued, which list the weekly catches of individual vessels by quota stock.
- 11.5 Where MMO considers that a group has taken in full its allocation for a stock, MMO will, whenever possible, consult the group concerned before closing the fishery to the group's vessels. When applied by all relevant FAs, any closure of a fishery to a PO will apply to all the vessels fishing against the PO's allocation for the stock in question.
- 11.6 Where a PO wishes to account separately for quota uptake purposes to each administration which issue it with quota allocations, it can do so. Before doing so, it should make reference to paragraph 4.3 of the UK Quota Management Rules and section 7b of the Concordat.

12. International Quota Swaps and Transfers

- 12.1 See paragraphs 6.1 to 6.8 of the UK Quota Management Rules.

Annex A: Arrangements to support disciplinary actions by English producer organisations

Objective of facility

1. To deter English producer organisation (PO) member vessels from failing to comply with PO rules.

Scope

2. These arrangements will only apply to English vessels members of a PO that have been the subject of disciplinary action and have been penalised by a PO for a breach of its rules, but who have not settled the penalty imposed (whether in terms of money, fish, or on some other basis) with the PO within any period specified by the PO.

Circumstances where FAs will take complementary licensing action

3. Where a PO member has, on at least one occasion, failed to meet the terms of penalties imposed on them by the PO, the PO shall bring the circumstances to MMO's attention. If the same member then fails to meet the terms of a second penalty, the PO can suspend the member for between 2 and 4 months. MMO will vary the licence of the member's vessel to transfer it to the English non-sector. Normal rules on non-sector admission (see section 9) will not apply.
4. MMO will do so having confirmed, based on information provided by the PO, that due process has been followed and the member has failed to meet the terms of two penalties imposed upon it by the PO and the member has been informed of its suspension by the PO.
5. A member will progress through the process if, at any stage, the member fails to meet the terms of penalties imposed by the PO, including failure to meet the terms within any period specified by the PO. For example, a member fails to pay fine 1 during the period specified, and then pays fine 2, but then again fails to pay fine 3, and the PO suspends it from its membership, then MMO will vary the licence to transfer the member's vessel to the non-sector. Any failure to meet the terms of penalties imposed by the PO will be taken into account over a 24-month period following the last such instance. A member will be understood to have returned to the beginning of the process if they have no further instances of non-payment during a period of 24 months after the last such instance (which did not result in suspension). More details on this process can be found in point 9 below.

Rules for the management of the English fisheries quotas

6. The first period of suspension will be between 2 and 4 months and following suspensions will increase by 2 months on each subsequent occasion.

Managing a vessel during a period of suspension

7. Periods of suspension will not start mid-voyage.

8. Vessels suspended into the English non-sector will have their licences varied to reflect the non-sector catch limits, and their landings will temporarily count against the non-sector allocations. Upon re-entering the PO, legitimate landings made by the vessel while in the non-sector will be attributed to the PO. In the event that the vessel breaches non-sector catch limits during the period of the suspension, MMO will be responsible for any enforcement action. The vessel will be subject to all the other conditions involved in membership of the English non-sector, which will mean that it will not be able to:

- fish against an individual vessel quota amount
- acquire or relinquish FQA units.

9. The table below sets out the respective roles of MMO and POs and the sequence of actions under these arrangements.

Roles and sequence of actions

Action	Action	Status of action or notes
Notify MMO (quarterly) if or when vessels have infringed PO rules, action taken and outcome (as paragraph 3.4 of the UK quota management rules) with associated evidence.	MMO notes position	Routine
Notify MMO when vessel has infringed PO rules and failed to settle sanction with associated evidence. PO to provide MMO with all documentation relating to strike:	MMO notes position	Strike 1
1. Notify MMO when same vessel has, for a second time, infringed PO rules and failed to settle sanction and been temporarily	1. MMO seeks to verify that proper process (in accordance with PO rules) has been followed	Strike 2 and out (of PO membership temporarily)

Rules for the management of the English fisheries quotas

<p>suspended from PO membership for a stated period of time.</p> <p>2. PO to provide MMO with all documentation relating to Strike 2</p>	<p>by PO in respect of strikes 1 and 2.</p> <p>2. If MMO satisfied, licence variation issued to vessel to change group membership from PO to non-sector.</p>	
<p>After completing a period in non-sector, licence variation issued to vessel to change group membership back to PO.</p>	<p>MMO to action</p>	<p>End of event</p>

Annex B: Determining stocks of importance for AQ allocations

In general, a stock has been considered important to a fleet segment if that fleet segment has demonstrated an ability to catch that stock and a need for more quota in that stock. In determining this we have considered a range of information. This includes specialist advice from the MMO, intelligence from industry engagement, and checks against historic uptake.

Ability to catch

Ability to catch was determined using a qualitative assessment for each stock and fleet segment. We have taken advice on which stocks can be caught by which fleet segments from the MMO. As well as the geographic location of the stocks, they also considered other factors such as whether that fleet segment has the gear to fish the stock and whether markets were accessible to that fleet segment.

For the 10 metres and under non-sector vessels, any stocks which were deep-water or too far off shore to catch were considered not important. Gear availability and market accessibility was not considered when determining importance for the 10 metres and under non-sector vessels. Due to the ability for over 10m vessels to technically access more stocks, additional checks were considered in determining stocks of importance.

A stock was considered important for the non-sector over 10m vessels if all of the following applied:

- they were in range for the current fleet
- the current fleet owned the gear to fish the stock
- the markets were accessible to the current fleet.

For the sector, all stocks are technically able to be caught by the fleet. Fleet segments will only be allocated additional quota in a stock if they are able to catch it.

Need for more quota

In order to consider industry need we have taken on board intelligence received from industry about their quota priorities, whether through formal consultation responses or otherwise. These priorities do not always align with historic uptake. This can be because quota was not previously available to that fleet segment – or not available in sufficient quantities to justify investment. For example, we have heard from inshore fishermen in the south that they have capacity to fish mackerel if it were made available.

We have also considered historic uptake. This provides a quantitative check. Where a fleet segment has an average uptake higher than 50% we have generally considered that stock to be important to that fleet segment. Where it is lower than

Rules for the management of the English fisheries quotas

50% we have generally considered that stock not to be important to that fleet segment. The 50% uptake check was used in all cases where a fleet segment has historically been allocated quota in the stock, and where at least one fleet segment has more than 50% uptake. If either of these uptake conditions are not met, the importance of a stock is based solely on the QM qualitative assessment regarding ability to catch.

Where applied, the uptake check means a stock is only considered important for a fleet segment if they had a historic uptake of over 50% between 2012-2019²². The 2012-2019 year period was used to account for fluctuations in vessel uptake of stocks each year. For example, seasonal weather conditions varying each year. 2019 is the latest year used, as at the time of analysis, 2019 was the latest year with available uptake data. The uptake check is designed to ensure that fleet segments are allocated additional quota in stocks of most interest to them. Defra believe this strikes a balance between allocating to those with a proven ability to catch, whilst helping to ensure additional quota was shared widely. Fleet segments will only be allocated additional quota in a stock if it is considered to be important for them.

²² 2012 to 2019 data was used wherever available to determine uptake

Annex C: Defining capacity for the hybrid AQ method

Once the stocks of importance for each fleet segment have been defined, AQ is shared between them based on each fleet segment's capacity.

Each fleet segment's aggregate engine power as at October 2020 is used to measure their capacity. The aggregate engine power figures are based on the registered English vessels that have landed over the 3 years prior to October 2020.

Where a stock is considered important to all fleet segments, it will be shared between them based on each fleet segment's share of the total capacity. This can be seen in the following table in the column titled 'all fleet segments'.

Where a stock is considered important to only one fleet segment, it will all be allocated to that fleet segment. This can be seen in the following table in the column titled 'sector'. No stocks were identified that are only of interest to the 10 metres and under non-sector pool or non-sector over 10 metre pool.

Where, for example, a stock is considered important to only two fleet segments, it will be shared between those two only. This can be seen in the following table in the remaining columns.

Table: allocation shares by fleet segment

Fleet segment	Stock considered important to...				
	All fleet segments	Sector	Sector and over 10 metre pool	Sector and 10 metres and under pool	Both non-sector pools
10 metres and under pool	43%	0%	0%	51%	74%
Over 10 metre pool	15%	0%	27%	0%	26%
Sector	41%	100%	73%	49%	0%

Annex D: Additional quota shares by each fleet segment

Stock code	Stock name	% share of any AQ by fleet segment		
		Sector	Non-sector over 10s	10 metres and under non-sector
SOL/07A	Sole (Irish Sea)	0%	26%	74%
SOL/07D	Sole (Eastern Channel)	0%	26%	74%
SOL/07E	Sole (Western Channel)	41%	15%	43%
SOL/7FG	Sole (7fg)	73%	27%	0%
SOL/7HJK	Sole (7hjk)	100%	0%	0%
PLE/07A	Plaice (Irish Sea)	41%	15%	43%
PLE/7DE	Plaice (English Channel)	41%	15%	43%
PLE/7FG	Plaice (7fg)	0%	26%	74%
PLE/7HJK	Plaice (7hjk)	100%	0%	0%
COD/07A	Cod (Irish Sea)	49%	0%	51%
COD/7XAD34	Cod (Celtic Sea)	41%	15%	43%
COD/07D	Cod (Eastern Channel)	0%	26%	74%
WHG/07A	Whiting (Irish Sea)	41%	15%	43%
WHG/7X7A-C	Whiting (Celtic Sea)	0%	100%	0%
POK/7/3411	Saithe (Celtic Sea)	0%	0%	100%
ANF/07	Anglerfish (7)	41%	15%	43%
LEZ/07	Megrims (7)	41%	15%	43%
HAD/07A	Haddock (Irish Sea)	100%	0%	0%
HAD/7X7A34	Haddock (Celtic Sea)	41%	15%	43%
HKE/571214	Hake (Western)	100%	0%	0%
POL/07	Pollack (7)	41%	15%	43%
NEP/07	Nephrops (7)	73%	27%	0%
SRX/67AKXD	Skates and Rays (Western)	41%	15%	43%
SRX/07D	Skates and Rays (Eastern Channel)	41%	15%	43%
HER/07A/MM	Herring (Irish Sea)	41%	15%	43%
HER/4CXB7D	Herring (Southern North Sea and Eastern Channel)	41%	15%	43%
HER/7EF	Herring (Western Channel and Bristol Channel)	0%	0%	100%
BOR/678-	Boarfish (Western)	100%	0%	0%
SPR/7DE	Sprat (English Channel)	73%	27%	0%
SPR/2AC4-C	Sprat (North Sea)	41%	15%	43%

Rules for the management of the English fisheries quotas

COD/2A3AX4	Cod (North Sea)	73%	27%	0%
HAD/2AC4	NS Haddock	73%	27%	0%
WHG/2AC4	Whiting (North Sea)	41%	15%	43%
POK/2C3A4	Saithe (North Sea)	100%	0%	0%
PLE/2A3AX4	Plaice (North Sea)	41%	15%	43%
SOL/24-C	Sole (North Sea)	41%	15%	43%
HKE/2AC4-C	Hake (North Sea)	100%	0%	0%
NEP/2AC4-C	Nephrops (North Sea)	41%	15%	43%
OTH/04-N	Other Species (Norway 4)	100%	0%	0%
ANF/2AC4-C	Anglerfish (North Sea)	41%	15%	43%
LEZ/2AC4-C	Megrims (North Sea)	100%	0%	0%
L/W/2AC4-C	Lemon Sole and Witch (North Sea)	0%	100%	0%
SRX/2AC4-C	Skates and Rays (North Sea)	41%	15%	43%
T/B/2AC4-C	Turbot and Brill (North Sea)	41%	15%	43%
PRA/2AC4-C	Northern Prawn (North Sea)	100%	0%	0%
COD/5BE6A	Cod (West of Scotland)	<i>Unallocated in England</i>		
HAD/5BC6A	Haddock (West of Scotland)	100%	0%	0%
WHG/56-14	Whiting (West of Scotland)	<i>Unallocated in England</i>		
POK/56-14	Saithe (West of Scotland)	100%	0%	0%
PLE/56-14	Plaice (West of Scotland)	73%	27%	0%
SOL/56-14	Sole (West of Scotland)	73%	27%	0%
NEP/5BC6	Nephrops (West of Scotland)	100%	0%	0%
ANF/56-14	Anglerfish (West of Scotland)	100%	0%	0%
LEZ/56-14	Megrims (West of Scotland)	73%	27%	0%
POL/56-14	Pollack (West of Scotland)	73%	27%	0%
GHL/2A-C46	Greenland Halibut (North Sea and West of Scotland)	100%	0%	0%
HER/4AB	Herring (North Sea)	49%	0%	51%
HER/5B6ANB	Herring (West of Scotland)	<i>Unallocated in England</i>		
MAC/2CX14-	Mackerel (Western)	41%	15%	43%
MAC/2A34	Mackerel (North Sea)	41%	15%	43%
JAX/4BC7D	Horse Mackerel (Southern North Sea and Eastern Channel)	41%	15%	43%
JAX/2A-14	Horse Mackerel (Western)	0%	0%	100%
WHB/1X14	Blue Whiting (Northern)	100%	0%	0%
HER/1/2-	Herring (ASH)	<i>Unallocated in England</i>		
ARU/567	Greater Silver Smelt (Western)	100%	0%	0%

Rules for the management of the English fisheries quotas

USK/04-C	Tusk (North Sea)	100%	0%	0%
LIN/04-C	Ling (North Sea)	100%	0%	0%
USK/567EI	Tusk (Western)	100%	0%	0%
LIN/6X14	Ling (Western)	41%	15%	43%
BSF/56712-	Black Scabbardfish (Western)	100%	0%	0%
RNG/5B67-	Roundnose Grenadier (Western)	<i>Unallocated in England</i>		
BLI/5B67-	Blue Ling (Western)	100%	0%	0%
ANF/04-N	Anglerfish (Norway 4)	100%	0%	0%
LIN/04-N	Ling (Norway 4)	100%	0%	0%
NEP/04-N	Nephrops (Norway 4)	<i>Unallocated in England</i>		
USK/04-N	Tusk (Norway 4)	<i>Unallocated in England</i>		
C/H/05B-F	Cod and Haddock (Faroes)	100%		
B/L/05B-F	Ling and Blue Ling (Faroese Waters)	<i>Unallocated in England</i>		
RED/05B-F	Redfish (Faroes)	<i>Unallocated in England</i>		
POK/05B-F	Saithe (Faroes)	<i>Unallocated in England</i>		
OTH/05B-F	Other Species (Faroes)	<i>Unallocated in England</i>		
HER/7G-K	Herring (Celtic Sea)	41%	15%	43%
COD/N3M	Cod (NAFO 3M)	100%	0%	0%
COD/1/2B	Cod (Svalbard)	100%	0%	0%
GHL/1N2AB	Greenland Halibut (Norway 1,2)	100%	0%	0%
RED/51214S	Redfish [Shallow Pelagic] (5,12,14)	100%	0%	0%
COD/1N2AB	Cod (Arcto-Norwegian)	100%	0%	0%
COD/N1GL14	Cod (Greenland)	100%	0%	0%
FLX/05B-F	Flatfish (Faroes)	100%	0%	0%
GHL/5-14GL	Greenland Halibut (Greenland)	100%	0%	0%
HAD/1N2AB	Haddock (Arcto-Norwegian)	100%	0%	0%
POK/1N2AB	Saithe (Norway 1,2)	100%	0%	0%
REB/1N2AB	Redfish (Norway 1,2)	100%	0%	0%
RED/N1G14D	Redfish [Deep pelagic] (Greenland))	100%	0%	0%
OTH/1N2AB	Other Species (Norway 1,2)	100%	0%	0%