

# **LICENCE TO FISH IN NORWEGIAN WATERS (SVALBARD AND BEAR ISLAND) – 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 shall not authorise fishing anywhere unless the vessel is registered as a fishing vessel under the Merchant Shipping Act 1995, or under the law of any of 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 in respect of the areas covered by this licence previously issued in respect of the above-named vessel, is revoked immediately prior to the point at which this licence comes into force.
- 1.4. This licence, and any fishing authorisation issued in accordance with article 7 of Council Regulation (EC) 1224/2009 must be carried on board the vessel and produced to a British Sea Fishery Officer or Marine Enforcement 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 domestic fishing licence becomes no longer attached to the vessel to which it relates.

### **2. PERMITTED CATCHES**

- 2.1. The vessel to which this licence relates shall not retain on board, land or trans-ship any sea fish of the descriptions set out in paragraph 1 of Part 3: Annex of 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 1 of Part 3: Annex of this licence is subject to the landing obligation in Article 15 of Regulation (EU) 1380/2013 of the European Parliament and of the Council, this licence 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 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 2 of Part 3: Annex of this licence.

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- 2.4. Notwithstanding the provision of condition 2.3, where any sea fish of the descriptions set out in paragraph 2 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.

### **3. GENERAL CONDITIONS**

- 3.1. Unless otherwise stated in this licence, the conditions which apply to the vessel licence which authorises fishing within British fishery limits apply to this licence insofar as the vessel must comply with those conditions whilst operating in the waters to which this licence grants access.
- 3.2. When operating in the sovereign waters of a country other than the UK or in waters in which such a country is entitled to exercise sovereign rights or jurisdiction, the vessel must comply with the rules applicable to those waters imposed by that country. Further, the vessel must comply with any measures or recommendations of a regional fisheries management organisation applicable to the waters in which it operates.
- 3.3. Should any conflict between licence conditions and the rules referred to in condition 3.2 occur, those rules prevail.

### **4. MARINE MAMMAL BYCATCH REPORTING**

- 4.1. 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/guidance/marine-mammal-reporting-requirements> no later than 48 hours after the vessel returns to port.
- 4.2. 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.

### **5. CLOSED AREAS IN WHICH YOU MAY NOT FISH**

- 5.1. In the closed areas set out below 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).
- 5.1.1. In the case of force majeure or adverse conditions, the master must immediately inform the UK Fisheries Monitoring Centre.

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- 5.1.2. Vessels transiting through the areas listed below must ensure that all fishing gear is lashed and stowed in accordance with the manner set out in article 47 (a)-(c) of Council Regulation (EC) 1224/2009 at all times.

Closed Areas	Areas of Sea
INTENTIONALLY BLANK	

### 6. FISHING GEAR AND EQUIPMENT RESTRICTIONS

INTENTIONALLY BLANK

### PART 3: ANNEX

#### 1. SPECIES FOR WHICH YOU 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.

Species	Notes
Herring ( <i>Clupea harengus</i> )	

#### 2. SPECIES FOR WHICH YOU MAY FISH

Unless indicated in the table below, this licence does not allow the vessel to catch species which are listed in the 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.

SPECIES	NOTES
Cod ( <i>Gadus morhua</i> )	
Haddock ( <i>Melanogrammus aeglefinus</i> )	Bycatch only.  The maximum quantity retained on board must be no greater than 14% by live weight of the total quantity of marine organisms per haul.