

LICENCE TO FISH IN THE NORWEGIAN EXCLUSIVE ECONOMIC ZONE (EEZ) – 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 in respect of the areas and species 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 be produced to a Marine Enforcement Officer or British Sea Fishery Officer on demand. This condition may be fulfilled by the 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.
- 1.6. In accordance with regulation 3(2)(c)(ii) of the Sea Fishing (Licences and Notices) (Scotland) Regulations 2011², regulation 3(4)(b) of the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014³ and regulations 3(3)(b) of the Sea Fishing (Licences and Notices) (England) Regulations 2012⁴ and the Sea Fishing (Licences and Notices) (Wales) Regulations 2019⁵ 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-ukxia>

² S.S.I No. 70 (<https://www.legislation.gov.uk/ssi/2011/70/contents>)

³ S.R (N.I) 2014 No.209 (<https://www.legislation.gov.uk/nisr/2014/209/contents/made>)

⁴ S.I No.827 (<https://www.legislation.gov.uk/uksi/2012/827/contents>)

⁵ 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 relates shall not retain on board, land or transship 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 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 transship, 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 paragraph 3 of Part 3: Annex are cumulative to any fishing which takes place within British fishery limits and catches made in Norwegian waters will count towards the overall quantities of fish the vessel is permitted to catch in British fishery limits, third country and international waters.

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. The vessel 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. RECORDING AND REPORTING REQUIREMENTS

- 4.1. The Master shall:
 - 4.1.1. Ensure that the Electronic Reporting System (ERS) is functioning when entering the Norwegian exclusive economic zone (EEZ).
 - 4.1.2. Ensure that all Reports are submitted within given time limits.
 - 4.1.3. Make sure that Reports are received at final receiver. For each Report two return messages (RET) will be returned to the vessel. One from the UK FMC, and one from the Norwegian FMC.
 - 4.1.4. In the case where a RET is not received from the Norwegian FMC, or the RET has the status NAK, either contact UK FMC to determine if a RET has been received from the Norwegian FMC or send a new Report to be forwarded to Norway.
 - 4.1.5. Not enter a zone intending to fish without having received a RET message from the Norwegian FMC with status ACK on Catch on Entry (COE) Report or Departure from Port Report (DEP).
- 4.2. The master of a vessel intending to fish in the Norwegian waters shall send a catch on entry (COE) report at least 1 hour and no more than 12 hours prior to entry into the Norwegian Exclusive Economic Zone (EEZ).
- 4.3. The master of a vessel intending to fish in Norwegian EEZ waters north of 62°N shall send a catch on entry report at least 12 hours and no more than 24 hours prior to commencing fishing operations in that area.
- 4.4. After a Catch on Entry (COE) report has been acknowledged by RET message the master shall send the Detailed Catch and Activity (DCA) report every day before 23.59 UTC. The master shall only correct the DCA report until 12:00 UTC the following day. The DCA report will also be sent prior to a:
 - Catch on Exit (COX) report
 - Control Point/Area (CON) report
 - Inspection at sea (if requested by the coastal State authorities)
 - Port report (POR)
- 4.5. When taking part in transshipment at sea in Norwegian waters the master of a vessel shall send a Transshipment report (TRA). The master of a donor vessel will send a TRA report no later than 24 hours before the transshipment takes place. The master of a receiving vessel will send this report no later than 1 hour after the transshipment is completed.
- 4.6. When entering a port in Norway the master of a vessel shall send a Port report (POR) 2 hours before entering the port. This report may be corrected or cancelled. When leaving a port of the other Party a vessel will send a Departure report (DEP) before departing the port. This report may be cancelled.
- 4.7. The master of the vessel shall send a Catch on Exit (COX) report before the vessel exits from Norwegian waters.
- 4.8. The master of a vessel engaged in trawling for fish for human consumption in the Norwegian EEZ south of 62° N with a minimum mesh size of 120 mm shall send a catch on exit (COX) report when fishing in the zone is discontinued and no later than 1 hour before leaving the Norwegian EEZ.

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4.9. Where applicable the master of a vessel will send a Control point/area report (CON) in accordance with time limits given by the other Party.

5. **Marine Mammal Bycatch Reporting**

5.1. 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.

5.2. 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.

6. **LANDING AND OTHER REQUIREMENTS FOR ALL STOCKS**

6.1. When landing into the United Kingdom, Atlanto-Scandian herring caught under the authority of this licence shall only be landed at one of the ports specified below:

- Aberdeen
- Fraserburgh
- Grimsby
- Hull
- Lerwick
- Peterhead

7. **AREAS IN WHICH YOU MAY NOT FISH**

7.1. In the 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).

7.1.1. In the case of force majeure or adverse conditions, the master must immediately inform the UK Fisheries Monitoring Centre.

7.1.2. 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 at all times.

Closed Areas	Areas of Sea
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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
INTENTIONALLY BLANK	

2. 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.

Description of Sea Fish	Areas of Sea
Arcto-Norwegian cod (<i>Gadus morhua</i>)	Norwegian EEZ ICES subareas 1 and 2 (north of 62°N)
Miscellaneous species (taken as a bycatch in the fishery targeting cod)	Norwegian EEZ ICES subareas 1 and 2 (north of 62°N)

3. SPECIES FOR WHICH YOU MAY FISH IN LIMITED QUANTITIES

Any limits on 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 also 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
Demersal and whitefish species including those species not subject to quota and those subject to quotas for which the vessel has been authorised to fish by its producer organisation ² or Scottish Quota Management Group ³	Norwegian EEZ ICES subarea 4 (south of 62°N)
Atlanto-Scandian herring (<i>Clupea harengus</i>)	Norwegian EEZ ICES subareas 1 and 2 (north of 62°N)

² Recognised under regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products, as it applies in relevant parts of the UK respectively.

³ Recognised by Marine Scotland in accordance with the Scottish Quota Management Rules applicable from time to time.

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LICENCE CATEGORIES AND SPECIES FOR WHICH YOU MAY FISH

Licence Code	Licence type
GBR_NOR_S62N	Vessels fishing for demersal species south of 62°N
GBR_NOR_N62N	Vessels fishing for demersal species north of 62°N
GBR_NOR_N62N_HER	Vessels fishing for Norwegian Spring Spawning Herring in NEZ north of 62°N and in the Fishery Zone around Jan Mayen

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