

TEMPORARY LICENCE TO FISH IN UNITED KINGDOM WATERS – EU VESSEL



Scottish Government
Riaghaltas na h-Alba
gov.scot



Temporary foreign vessel licence granted by the Scottish Ministers, Welsh Ministers, the Department of Agriculture, Environment and Rural Affairs in Northern Ireland and the Marine Management Organisation in accordance with Section 17 of the Fisheries Act 2020.¹

PART 1: Licence details

Section 1: Licence issued to:

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Section 2: In respect of the following vessel details

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Communicated to the EU Commission in accordance with regulation 3(3A) of the Sea Fishing (Licences and Notices) (England) Regulations 2012, regulation 3(1A) of the Sea Fishing (Licences and Notices) (Scotland) Regulations 2011, regulation 3(4B) of the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014 and regulation 3 of the Sea Fishing (Licences and Notices) (Wales) Regulations 2019.

¹ <https://www.legislation.gov.uk/ukpga/2020/22/contents/enacted>

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Section 3: Areas in which the vessel is licensed to fish

This licence authorises the vessel named in a list published on the following website (<https://www.gov.uk/government/publications/united-kingdom-single-issuing-authority-uksia>) to undertake fishing activities within those parts of British fishery limits (as defined in section 1 of the Fishery Limits Act 1976) set out in the below table. This licence **does not** permit the vessel to undertake fishing activities in waters which fall within 12 nautical miles of the baselines from which the breadth of the territorial sea adjacent to the United Kingdom is measured (as defined in the Territorial Sea (Baselines) Order 2014).

AREA	LIMITATIONS	VALID FROM (DATE AND TIME)	VALID TO (DATE AND TIME)
The Scottish zone	Waters outside 12 nautical miles of baselines*	31 st December 2020 23:00 hrs	21 st January 2021 22:59 hrs
The Northern Ireland zone	Waters outside 12 nautical miles of baselines	31 st December 2020 23:00 hrs	21 st January 2021 22:59 hrs
The Welsh zone	Waters outside 12 nautical miles of baselines	31 st December 2020 23:00 hrs	21 st January 2021 22:59 hrs
The English Zone	Waters outside 12 nautical miles of baselines	31 st December 2020 23:00 hrs	21 st January 2021 22:59 hrs

* this licence does not authorise the vessel to fish in waters which fall within 12 nautical miles of the baselines as they are calculated in respect of Rockall.

PART 2: Licence conditions.

Definitions and matters of general application:

In this licence:

‘British fishery limits’ has the same meaning as in Section 1 of the Fishery Limits Act 1976²;

‘Northern Ireland zone’ has the same meaning as in the Northern Ireland Act 1998 (c.47) (see section 98(1) and (8) of that Act;

‘Scottish zone’ has the same meaning as in the Scotland Act 1998 (c.46) (see section 126(1) and (2) of that Act);

‘Welsh zone’ has the same meaning as in the Government of Wales Act 2006 (c.32) (see section 158(1) and (3) of that Act);

² <https://www.legislation.gov.uk/ukpga/1976/86/contents>

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‘English zone’ means the sea within British fishery limits other than the Scottish zone, the Northern Ireland zone, the Welsh zone.

‘relevant United Kingdom fisheries authority’ means, in the Scottish zone, the Scottish Ministers, in the Welsh zone the Welsh ministers, in the Northern Ireland zone the Department of Environment, Agriculture and Rural Affairs for Northern Ireland and in the English zone, the Marine Management Organisation;

‘Single Issuing Authority’ means the Marine Management Organisation, operating as the UK Single Issuing Authority for sea fishing licensing;

‘the UK licences and notices regulations’ means the Sea Fishing (Licences and Notices) (Scotland) Regulations 2011³, the Sea Fishing (Licences and Notices) (Wales) Regulations 2019⁴, the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014⁵ and the Sea Fishing (Licences and Notices) (England) Regulation 2012⁶;

‘the vessel’ means the vessel in respect of which this licence is granted.

Where a condition of this licence requires the vessel to notify the United Kingdom Fisheries Monitoring Centre (**‘UKFMC’**) the master, owner or (where appropriate) the charterer of the vessel must do so:

- by telephone or marine radio on 0131 244 2286;
- by email to UKFMC@gov.scot inserting the relevant subject heading in the subject box

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.

The vessel must comply with all the law applicable in the relevant UK zone in which the vessel is operating.

1. LICENCE CONDITIONS THAT APPLY IN BRITISH FISHERY LIMITS

1.1. The vessel may only fish in those parts of British fishery limits which are set out in section 3 of Part 1 and subject to the conditions set out herein, together

³ [S.S.I. 2011/70.](#)

⁴ [W.S.I. 2019/500 W116](#)

⁵ [NI.S.I. 2014/209](#)

⁶ [UK S.I. 2012/827](#)

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with any specific fishing authorisations and associated conditions issued to the vessel.

- 1.2. The vessel must be registered as a fishing vessel and hold a valid fishing licence issued by its flag state. If at any time following the issue of this licence the vessel ceases to hold a valid fishing licence issued by its flag state, this licence shall immediately cease to be valid.
- 1.3. This licence shall cease to be valid if any of the details for the vessel as published on the list referred to in Part 1 and to which this licence relates are incorrect.
- 1.4. This licence may be revoked, suspended or varied at any time, by a notice communicated in accordance with the UK licence and notices regulations.
- 1.5. In accordance with the relevant provisions of the UK licence and notices regulations, notices relating to the revocation, suspension or variation of this licence will be published on the www.gov.uk website at the following URL address:

<https://www.gov.uk/government/publications/united-kingdom-single-issuing-authority-uksia>

It is the responsibility of the vessel owner, and the master or, where appropriate, charterer of the vessel, to ensure that they are aware of the licence conditions and any variations to them, as made from time to time.

- 1.6. A copy of this licence 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.
- 1.7. At all times whilst the vessel is operating within British fishery limits, the vessel must comply with all United Kingdom legislation relating to sea fishing, including EU law as it has been retained into UK law under the European Union (Withdrawal) Act 2018 as well as any flag state or European Union legislation applicable to the vessel whilst operating in third country waters.
- 1.8. In the event that flag state or European Union legislation applicable to the vessel whilst it is operating in third country waters conflicts with United Kingdom legislation, United Kingdom legislation shall have supremacy.

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2. PERMITTED CATCHES

- 2.1. The vessel shall not retain on board, land or trans-ship any sea fish of the descriptions set out in paragraph 1 of Part 3: Annex to this licence in the sea areas listed therein. Any sea fish so caught must be returned to the sea immediately.
- 2.2. The vessel must not retain on board, land or trans-ship fish taken in accordance with this licence in excess of the amounts specified in relation to each such species in paragraph 2 of Part 3 of this licence.

3. PAIR TRAWLING

- 3.1. The vessel shall not pair trawl with a vessel which does not hold a licence to fish in UK waters without prior approval by a relevant United Kingdom fisheries authority.

4. FISHING GEAR AND EQUIPMENT RESTRICTIONS

- 4.1. The vessel shall only carry on board electrical generating equipment required for safe navigation and safe operation of the vessel. The vessel shall not carry on board nor deploy into the sea any electrical equipment, including electrical generators, cables, probes, grids or any other equipment capable of transmitting electrical currents to the seabed.
- 4.2. Where UK legislation requires a square mesh panel to be placed in any towed net, the following rules concerning the construction and placement of the panel apply:
 - 4.2.1. It shall be placed in the top half or top sheet of the net in front of any extension piece or at any point between the front of any extension piece and the posterior of the cod-end;
 - 4.2.2. It shall not be obstructed in any way by either internal or external attachments;
 - 4.2.3. It shall be at least three metres in length except when incorporated into nets towed by vessels of less than 112 kilowatts, when it must be of at least two metres in length;
 - 4.2.4. It shall be constructed of knotless netting or of netting constructed with non-slip knots, and shall be inserted in such a way that the meshes remain fully open at all times while fishing;

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- 4.2.5. It shall be constructed so that the number of meshes in the anterior row of meshes of the panel is equal to or greater than the number of meshes in the posterior row of meshes in the panel;
- 4.2.6. In any net in which a square-meshed panel is inserted in an untapered portion of the net, there shall be at most five open diamond meshes between each panel side and the adjacent selvages of the net;
- 4.2.7. Measurements of the mesh size of any square-meshed netting inserted into any part of a net shall not be taken into consideration when assessing the mesh size of a towed net.

5. AREAS IN WHICH THE VESSEL MAY NOT FISH

- 5.1. Where a provision of this licence prohibits the vessel from fishing in an area, the vessel must not be present in that area other than when travelling at a speed of greater than six knots (except in the case of force majeure or adverse weather conditions).
- 5.2. In case of force majeure or adverse weather conditions during which the vessel is or will be present in such an area, the master of the vessel must immediately notify the UKFMC in accordance with condition 5.1 above. The notification shall contain the following information:
 - 5.2.1. the subject heading: FORCE MAJEURE OR ADVERSE WEATHER CONDITIONS
 - 5.2.2. the name, external identification and international radio call sign of the vessel;
 - 5.2.3. the name of the master of the vessel;
 - 5.2.4. the geographical location of the vessel to which the notification refers;
 - 5.2.5. the area into which the fishing vessel will enter;
 - 5.2.6. the expected date and time of exit;
 - 5.2.7. the catch retained on board by species in kilograms live weight.
- 5.3. The vessel may not fish in a part of the sea that is noted as being "closed" in column 2 of the table in Part 2 to the annex to this licence. The vessel may transit any such closed area provided that all on board fishing gear is lashed and stowed in such a way that it may not be used deployed in the water prior to entry to the closed area(s) and remains lashed and stowed until its departure from the closed area(s).

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6. CLOSURES

Dogger Bank Scallop Fishery Closure

6.1. During the period 00:00 1st January 2021 to 23:59 28th February 2022, the vessel to which this licence relates may not be present in those parts of ICES rectangles 39F1, 39F2, 39F3, 38F1, 38F2, 38F, 37F1 and 37F2 which fall within British Fisheries Limits whilst carrying dredges on board other than when transiting at a speed of more than six knots (except in the case of force majeure or adverse conditions).

6.1.1. Vessels transiting through the ICES rectangles referred to in condition 6.1 and which are carrying dredges must ensure that, for the entire duration of the period in the ICES rectangles referred to in that condition, the dredges are disconnected from the towing cable and unable to be deployed.

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

7. CONDITIONS THAT APPLY IN THE SCOTTISH ZONE

Notification of variations

7.1. The master, owner or charterer, as appropriate, of the vessel to which this licence relates shall ensure that, no later than midnight every Friday in each week, the Single Issuing Authority website page [<https://www.gov.uk/government/publications/united-kingdom-single-issuing-authority-uksia>] is viewed, in order to check for notices of variation, suspension or revocation affecting the licence, which appear on that page.

Observers

7.2. The vessel shall, on receipt of a reasonable request, accept on board observers authorised by the Scottish Ministers to undertake activities specified by the Scottish Ministers. The master of the vessel shall provide adequate accommodation for observers, facilitate their work and avoid interference with the discharge of their duties. The master of the vessel shall also provide observers access to relevant parts of the vessel, including the catch, and to the vessel's documents including electronic files.

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Use of Fishing Equipment

Requirements for Square Mesh Escapement Panel

- 7.3. The vessel relates must, when fishing with trawls or seines with cod-end mesh size of 70mm or greater but less than 100mm, install into their fishing gear a 200mm square mesh escapement panel which has no more than two open diamond meshes (five in the North Sea) between the longitudinal side of the panel and the adjacent selvedge and shall be placed in the top half or top sheet of a net in front of any extension piece and the posterior of the cod-end. The overall length of the panel will be 3 metres and will be positioned no further than 12-15 metres from the cod-line (i.e. the rearmost row of meshes of the panel shall be no more than 12 metres from the cod-line). If the vessel has engine power of 112 kilowatts or less the overall length of the panel may be 2 metres.
- 7.4. The vessel to which this licence relates must, when fishing with trawls or seines with cod-end mesh size of 100mm or greater but less than 120mm, install into their fishing gear a 120mm square mesh escapement panel which has no more than two open diamond meshes (5 in the North Sea) between the longitudinal side of the panel and the adjacent selvedge and shall be placed in the top half or top sheet of a net in front of any extension piece and the posterior of the cod-end. The overall length of the panel will be 3 metres and will be positioned no further than 12-15 metres from the cod-line (i.e. the rearmost row of meshes of the panel shall be no more than 12 metres from the cod-line). If the vessel to which this licence relates has engine power of 112 kilowatts (taken from the vessel's certificate of registry or this licence, including any mismatch) or less the overall length of the panel may be 2 metres.
- 7.5. Vessels operating with bottom trawls or seines within the Scottish Zone of ICES divisions 6a and 5b and East of 12°W (West of Scotland) shall comply with the following measures: (a) mandatory use of a square mesh panel (positioning retained) of at least 300mm for vessels deploying a cod-end mesh size less than 100mm; for vessels below 12 m in length over all and/or with engine power of 200kW or less, the panel overall length may be 2 m and the panel 200mm in Norway lobster (*Nephrops norvegicus*) fisheries; (b) mandatory use of a square mesh panel (positioning retained) of at least 160mm mesh size for vessels deploying a cod-end mesh size of 100-119 mm and if catches comprising more than 30% of Norway lobster (*Nephrops norvegicus*).

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- 7.5.1. A selective gear or device assessed and certified by one of the relevant United Kingdom fisheries authorities as having the same or higher selectivity characteristics for cod (*Gadus morhua*), haddock (*Melanogrammus aeglefinus*) and whiting (*Merlangius merlangus*) then the measures set out in paragraph 7.3 may be used as an alternative to those measures.

North Sea Cod Avoidance Plan

- 7.6. The vessel whilst using mobile gear must use a minimum mesh size of 120mm in all waters adjacent to Scotland of ICES area IV, bar activity in mud areas /nephrop areas. There are eight defined mud/ nephrops areas within the ICES area IV which are exempt on the basis that mud areas are primarily nephrops grounds. In these areas it is permitted to use gear less than 120mm. Vessels using gear that is not designed to come into contact with the bottom, and are fishing for herring, mackerel, horse mackerel or sprats are derogated from the above compulsory measures. These areas are detailed in the attached webpage: [UK National North Sea Cod Avoidance Plan - gov.scot \(www.gov.scot\)](http://www.gov.scot)

8. LICENCE CONDITIONS THAT APPLY IN THE WELSH ZONE

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9. LICENCE CONDITIONS THAT APPLY IN THE NORTHERN IRISH ZONE

- 9.1. It is prohibited to fish for herring from 21 September to 31 December, within the part of ICES Division VIIa bounded by the following coordinates:
- the east coast of Northern Ireland at latitude 54°15' N,
 - latitude 54°15' N, longitude 5°15' W,
 - latitude 53°50' N, longitude 5° 50' W,
 - the east coast of Ireland at latitude 53°50' N;
- 9.2. By way of derogation from 9.1 the vessel may deploy drift nets within the restricted area if it holds, and complies with the conditions of, a valid Mourne Shore Herring Fishery licence, as issued by the Department of Agriculture, Environment and Rural Affairs (Northern Ireland).

Irish Sea Conservation Measures

- 9.3. Vessels operating in the Northern Ireland zone of ICES Area 7a must comply with the specific technical measures described for the Irish Sea as specified in EU

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Regulations (EU) 2019/1241 and (EU) 2019/2239. These regulations provide a number of options for highly selective gears (HSE) that must be used in the Irish Sea.

- 9.4. All vessels must use an appropriate highly selective gear in the Irish Sea and the HSG must have been inspected by the Department and carry an HSG tag.
- 9.5. Vessels (greater than 12m in length) operating with bottom trawls or seines with catches comprising more than 10% of haddock, cod and skates and rays combined, shall use one of the following gear options: (a) 120mm cod-end; (b) an eliminator trawl with 600mm large mesh panels and a 100mm cod-end.
- 9.6. The gears described above paragraph 9.5 cannot be used within Northern Ireland zone of the Irish Sea (ICES Area 7a) from 14th February to 30th April 2021, both dates inclusive, within the following area:
 - a point on the east coast of the Ards peninsula in Northern Ireland at 54°30'N
 - 54°30' N, 04°50' W
 - 53°15' N, 04°50' W
 - a point on the east coast of Ireland at 53°15' N.

Irish Sea Observation Programme

- 9.7. Vessels must carry a scientific observer on-board their vessel if requested to do so.
- 9.8. If a vessel has been advised that it has been selected to carry an observer on board it must not leave port without the observer.

10. LICENCE CONDITIONS THAT APPLY IN THE ENGLISH ZONE

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PART 3: ANNEX

1. Species for which the vessel must not fish

Description of Sea Fish	Areas of Sea
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2. Species subject to catch limits.

Description of Sea Fish	Areas of Sea
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