

SCHEDULE 2

Licence Conditions Applicable to the 'Over 10 metre' Jersey Fishing Boat Licence

AUTHORITY

Subject to the conditions set out below, and to any prohibition on fishing imposed by Regulation or Order under the Sea Fisheries (Jersey) Law 1994, the vessel to which this licence relates is authorised to fish in the territorial sea of Jersey.

VALIDITY OF LICENCE

This licence is valid from 0001 hours on the issue date of this licence as specified at section 7 and expires at 2359 hours on the expiry date of the licence also at section 7, subject to any revocation, suspension or variation.

This licence may be revoked, suspended, or varied at any time by a notice communicated in accordance with the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003.

In accordance with regulation 10(3) of the Sea Fisheries (Licensing of Fishing Boats) (Jersey) Regulations 2003, notices may be published on the www.gov.je website.

This licence is invalid if the Marine Management Organisation (MMO) licence held by this vessel is transferred or becomes an entitlement.

The licence may also cease to have effect if by virtue of an Order of the Court the licensee has been disqualified from holding a licence in respect of the vessel.

This licence is invalid if any of the details on pages 1 and 2 of the licence change.

This licence does not authorise non-Jersey registered fishing vessels to fish within the Jersey three-mile limit.

For the purposes of this licence the Jersey three mile limit means the area of sea within the area of three nautical miles measured from low tide elevations of the Island of Jersey and the offshore islands and reefs as shown in chart A in part III of the annex.

CONDITIONS

1.0 General Conditions

1.1 This licence must be carried on board the boat to which it relates at all times and be produced on demand to any Jersey Sea Fishery Officer.

1.2 Change of Details

Any unauthorised change of the vessel or ownership details recorded on this licence will immediately make this licence invalid. These details must match those on vessels Certificate of Registry and Marine Management Organisation (MMO) licence. Any difference will invalidate this licence.

1.3 Statistical Information

In addition to the requirements of the Sea Fisheries (Logbooks, Transhipment and Landing Declarations) (Jersey) Regulations 2014 for completing Electronic logbooks, owners and masters of over 12m licensed fishing vessels must also complete an EU paper logbook in accordance with the above regulations.

1.4 Additional Requirements relating to paper logbooks and Landing Declarations Procedure for transmission

The licence conditions relating to the procedure for the submission of paper logbooks and Landing Declarations are:

Landings into Jersey: The original (white) copy of the logbook and landing declaration must be submitted to the Jersey Fisheries Office within 48 hours of the completion of the landing.

Landings into Guernsey or the UK: The original (white) copy of the logbook and landing declaration must be submitted to the local office of the Sea Fisheries Inspectorate in that port within 48 hours of completion of the landing. The first (pink) copy of the logbook must be submitted to the Jersey Fisheries Office within 48 hours of the completion of the landing.

1.5 Landing catch direct to France

In addition to requirements mentioned in 1.4, where a Jersey vessel lands its catch directly into France, all necessary EU IUU (Illegal, Unreported and Unregulated fishing) documentation, including a Catch Certificate, Prior Notification of Landing and Pre Landing Declaration forms must be completed and submitted within the required time frames to the Centre National de Surveillance des Pêche at cnsp-france@developpement-durable.gouv.fr and copied to Marine Resources at fisheries@gov.je

The licence holder(s) must ensure that the relevant electronic Port State Control (PSC) form under the North East Atlantic Fisheries Commission (NEAFC) Port State Control System is completed and submitted within the required time frame in advance of landing. A PDF copy of the fully completed PSC form authorising landing must be copied to Marine Resources at fisheries@gov.je

1.6 Species for which you may not fish

This licence does not authorise the vessel to which this licence relates to fish for, or land sea fish of the description set out in Part I of the Annex to this Schedule. Any such fish so caught must be returned to the sea immediately unless authorised as a permitted by-catch.

Permitted By-catches

- 1.6.a This licence does not authorise fishing for sword fish. An incidental by-catch of two fish of this species will however be allowed to be retained on board during any fishing trip.
- 1.6.b This licence does not authorise fishing for albacore tuna. However, a fishing vessel may retain on board any albacore tuna caught as a permitted by-catch when fishing for other species.
- 1.6.c This licence does not authorise fishing for crawfish during the period 1st January to 31st May (inclusive). However, a fishing vessel may retain on board one crawfish caught as a permitted by-catch when fishing for other species during this period.
- 1.6.d This licence does not authorise fishing for undulate ray (*Raja undulata*). However, between the hours of 00.01 on 1st January and 23.59 on 30th April; and 00.01 on 1st September and 23.59 on 31st December each calendar year a fishing vessel may retain on board and land any undulate ray caught as a bycatch when fishing for other species provided that the following conditions are met:
- (i) No more than 100 kilogrammes of undulate ray in live weight may be retained on board or landed per fishing trip,
 - (ii) No undulate ray which measures less than 78 centimetres when measured from the tip of the snout to the tip of the tail shall be retained on board or landed,
 - (iii) No undulate ray which measures more than 97 centimetres when measured from the tip of the snout to the tip of the tail shall be retained on board or landed,
 - (iv) No undulate ray may be transhipped,
 - (v) Undulate ray may only be retained on board or landed whole or gutted.

1.7 Economic Link

- 1.7.a The owner of a vessel registered in Jersey, must maintain an economic link between the vessel to which this licence is applied and the Bailiwick of Jersey.
- 1.7.b A Jersey registered vessel must be permanently based in and operating from the Island of Jersey.

1.7.c The owner (or in the case of a vessel registered to a limited liability company, the beneficial owner) of a Jersey registered vessel must be principally resident in Jersey. Such an owner shall be treated as being principally resident in Jersey in any calendar year if in that year they spend 182 days or more in Jersey.

2.0 **Conditions relating to the use of Fishing Gear**

2.1 **Beam Trawling Restriction**

No person shall, from the fishing vessel for which this licence relates use more than one beam trawl.

2.2 **Restriction on the number of scallop dredges that can be towed on each side of a vessel**

2.2.a The vessel to which this licence relates, shall not tow or use more than one beam (to which scallop dredges are attached) from either side of the vessel or any beam to which more than six scallop dredges are attached.

2.2.b It is prohibited to carry onboard more than two beams to which scallop dredges are attached and to carry onboard any beam to which more than six scallop dredges are attached, unless the beams and dredges that would cause these limitations to be exceeded are stowed in a way in which they may not readily be used.

2.2.c The vessel to which this licence relates shall not tow or use a number of scallop dredges at any one time with aggregate mouth sizes that exceed 9.6 metres.

2.2.d It is prohibited to carry onboard a number of scallop dredges with aggregate mouth sizes that exceed 9.6 metres unless the dredges that would cause that size to be exceeded are stowed in a way in which they may not readily be used.

2.3 **Restriction on the use of mobile gear in inshore areas**

The vessel to which this licence relates shall not tow or use any mobile gear (which includes all dredges and trawls) within a restricted zone.

It is prohibited to carry onboard in a restricted zone, any mobile gear unless it is stowed in a way in which it may not readily be used.

2.3.a **Restricted Zones:**

Restricted Zone - North

An area of sea off the north coast of Jersey bounded on the seaward side by straight lines joining the following points in order (all positions referenced to WGS84) and by the shoreline on the landward side:

Latitude (N)		Longitude (W)	
Degrees	Minutes	Degrees	Minutes
Grosnez Point Light			
49	15.493	02	14.883
49	15.615	02	14.975
49	15.815	02	14.170
49	15.815	02	12.250
49	15.370	02	11.170
49	15.840	02	09.400
49	16.000	02	07.830
49	15.820	02	06.150
49	15.200	02	03.100
49	14.595	02	01.730
49	14.150	02	01.180
La Coupe Point			

Restricted Zone - South and East

An area of sea to the south and east of Jersey bounded on the seaward side by straight lines joining the following points in order (all positions referenced to WGS84) and by the shoreline on the landward side:

Latitude (N) Degrees Minutes	Longitude (W) Degrees Minutes
Southern most point of La Collette reclamation wall	
Dogs Nest beacon	
Demie de Pas beacon	
49 08.610	02 05.140
49 08.100	02 01.700
49 07.820	01 59.040
49 07.743	01 55.012
49 08.702	01 55.400
49 08.713	01 56.012
49 09.849	01 55.955
49 09.851	01 57.155
49 08.782	01 57.211
49 08.800	01 57.616
Giffard Buoy	
49 10.980	01 59.535
Les Arch beacon	
Le Fara beacon	
Outward end of St Catherine's breakwater	

Restricted Zone – West of St Aubins Bay

An area of sea to the south of Jersey, west of St Aubins Bay, bounded on the seaward side by straight lines joining the following points in order (all positions referenced to WGS84) and by the shoreline on the landward side:

	Latitude (N) Degrees Minutes	Longitude (W) Degrees Minutes
Pointe de Bût	49 10.494	002 09.843
North	49 10.639	002 09.459
South East	49 10.011	002 09.120
South	49 09.850	002 09.688
Noirmont	49 09.909	002 10.076

2.4 **Sea Bream Research - mobile gear restricted zones**

The vessel to which this licence relates shall not tow or use any mobile gear (which includes all dredges and trawls) within a restricted zone for the period 00:00 hours on 1st April 2022 to 23:59 hours on 31st July 2022. The following restricted zones are shown in chart B in part III of the Annex.

2.4.a Restricted Zone 1 – North west Dirouilles

An area of sea off the north west Dirouilles bounded by straight lines joining the following points in order (all positions referenced to WGS84):

Latitude (N) Degrees Minutes	Longitude (W) Degrees Minutes
49° 22.1'N	002° 05.0'W
49° 20.0'N	002° 05.0'W
49° 20.0'N	002° 09.6'W
49° 22.1'N	002° 09.6'W

2.4.b Restricted Zone 2 – South Frouquier Aubert Buoy

An area of sea south of the Frouquier Aubert buoy bounded by straight lines joining the following points in order (all positions referenced to WGS84):

Latitude (N) Degrees Minutes	Longitude (W) Degrees Minutes
49° 05.1'N	001° 55.0'W
49° 02.5'N	001° 55.0'W
49° 02.5'N	002° 03.2'W
49° 05.1'N	002° 03.2'W

3.0 **Conditions relating to Minimum Size of Fish**

3.1 **Minimum Landing Size for Skate & Ray**

No person shall land in Jersey, from the fishing vessel that this licence relates Skate or Ray being smaller than 40cm measured from wing tip to wing tip.

3.2 **Minimum Landing Size for Sole**

No person shall land in Jersey from the fishing vessel to which this licence relates sole (*Solea vulgaris*) being smaller than 26cm measured from the tip of the snout to the extreme end of the tail fin.

3.3 **Minimum Landing Size for Whelks**

No person shall land in Jersey from the fishing vessel to which this licence relates Whelk (*Buccinum undatum*) having a length of less than 50 millimetres.

4.0 **Conditions relating to Catch Restrictions**

Any fishing boat which holds an Over 10 metre Jersey licence shall abide by the UK quota restrictions for TAC species in ICES area VIIE specified in the current annex to the vessels MMO licence and any additional catch restrictions specified in this schedule.

4.1 Where a licence shows that a vessel is a member of a particular Producers' Organisation then the authority of this licence is subject to the current quota limitations and other restrictions imposed by that Producers' Organisation.

Where a licence shows that a vessel is not in membership of a Producer's Organisation (i.e. Non Sector) then the authority of the licence is subject to the Non Sector – Over 10m catch limits applicable for ICES area VIIE as specified in the MMO licence annex. These catch limits are published on the website specified in the annex to this schedule and can change on a regular basis. It is the responsibility of owners and masters to ensure that the licensed vessel is fishing within the current catch limits.

The quota limitations shall apply concurrently with, and not in addition to, any other quota limitations for the time being in force which have been imposed by any other licence issued by any other authority, wherever established.

All quantitative limitations are in live weight and relate to the maximum amount that may be caught and retained on board, landed or transhipped per calendar month unless otherwise stated. Live weight can be calculated by multiplying landed weight by the conversion factors set out in the table published on the Website specified in the annex to this schedule.

4.1.a Subject to paragraph 4.1.b below, any fish which are subject to quota which are retained on board and not returned to the sea immediately in accordance with Article 6 (paragraph 5) of the Sea Fisheries (Jersey Law) 1994, shall be landed and counted against quota.

4.1.b The provision in paragraph 4.1.a above shall not apply in respect of fish which:
are undersized, or

the vessel is not authorised to land by virtue of any limitations contained in the schedule to this licence, and which are caught in waters where the discarding of certain species is prohibited. All such fish shall be discarded immediately on return to Jersey Waters.

4.1.c **Processing of fish**

All species of Skate and Ray must be landed whole. Skinning and the removal of wings and other parts of all species of Skate and Ray may not take place onboard.

4.2 **Shellfish Catch and Storage Restrictions**

Only a vessel whose licence is endorsed to allow unrestricted fishing for shellfish, may fish for shellfish using pots or fixed nets, without being subject to catch and storage restrictions. Vessels whose licence is not endorsed are subject to the limitations set out below. All quantitative limitations are in actual numbers of shellfish. For the purpose of Conditions 4.2 to 4.5, 'shellfish' means lobsters (*Homarus gammarus*), crawfish (*Palinurus spp.*), edible crabs (*Cancer pagurus*), velvet crabs (*Liocarcinus puber*), spider crabs (*Maia squinado / Maia Brachydactyla*) and green crabs (*Carcinus maenas*), and 'crabs' means the four species of crabs so specified.

4.3 **Lobsters or Crawfish from pots or fixed nets:**

4.3.a The maximum number of lobsters that may be caught and retained in any day (day being from 0001 hours until 2359 hours) is 15.

4.3.b The maximum number of crawfish that may be caught and retained in any day (day being from 0001 hours until 2359 hours) is 15 except during the period 1st January to 31st May (inclusive) when fishing for crawfish is prohibited. However an incidental by-catch of one crawfish per day is permitted during this period. (see condition 1.6c)

4.3.c It is prohibited to retain on board or land berried female crawfish at any time.

4.3.d Lobsters or Crawfish may not be transhipped.

4.3.e The maximum number of Lobsters or Crawfish that may be landed in any day is 15 except that this number may be increased to 30 during the period 0001 hours until 1700 hours each Monday. Except during the period 1st January to 31st May when the landing is restricted to one crawfish caught as by-catch per day.

4.3.f The maximum number of Lobsters or Crawfish that may be possessed in any day (either onboard the licensed vessel and/or in a storepot/storebox) is 15 except that this number may be increased to 30 during the period 0001 hours each Sunday until 1700 hours on the following Monday. Except during the period 1st January to 31st May when the landing is restricted to one crawfish caught as by-catch per day.

4.3.g The maximum number of Lobsters or Crawfish that may be carried onboard the licensed vessel at any one time is 15 (except that up to 30 may be carried during the period 0001 hours until 1700 hours each Monday for the purpose of landing). Except during the period 1st January to 31st May when the landing is restricted to one crawfish caught as by-catch per day.

4.4 **Crabs from pots or fixed nets:**

4.4.a Subject to the specific exceptions in the following parts of this Condition, the maximum number of Crabs that may be caught and retained in any day (day being from 0001 hours until 2359 hours) is 25.

4.4.b Crabs may not be transhipped.

4.4.c The maximum number of Crabs that may be landed in any day is 25 except that this number may be increased to 50 during the period 00:01 hours until 17:00 hours each Monday.

4.4.d The maximum number of Crabs that may be possessed in any day (either onboard the licensed vessel and/or in a storepot/storebox) is 25 except that this number may be increased to 50 during the period 0001 hours each Sunday until 1700 hours on the following Monday.

4.4.e The maximum number of Crabs that may be carried onboard the licensed vessel at any one time is 25 (except that up to 50 may be carried during the period 0001 hours until 1700 hours each Monday for the purpose of landing).

4.5 **Shellfish from towed gear:**

Where shellfish (other than green crabs) are caught in trawls it is prohibited to land or tranship shellfish in excess of 5% by weight of the total quantity of fish landed using that method of fishing.

4.6 **Whelks**

4.6.a This licence does not authorise fishing for whelks.

4.6.b The vessel to which this licence relates may only fish for whelks, using whelk pots (a whelk pot being a pot specifically designed for catching whelks), if the holder of this licence is in possession of a written "Whelk Authorisation" issued by the Minister.

4.6.c The holder(s) of a Whelk Authorisation, shall be restricted to a set number of whelk pots not exceeding 900 whelk pots within the Jersey Territorial Sea, as specified in their Whelk Authorisation. All whelk pots set by license holders with a Whelk Authorisation must be tagged with a valid whelk pot tag issued to that vessel by the Department. Licence holders with a Whelk Authorisation must not use any whelk pots without a valid tag within the Jersey Territorial Sea.

4.6.d Where whelks are caught as by-catch using any type of fishing gear other than whelk pots, the maximum live weight of whelks that may be landed in any day (a day being from 0001 hours until 2359 hours) shall be 5kg. In such cases a Whelk Authorisation is not required.

4.6.e Licence holders with a Whelk Authorisation, may only set whelk pots to fish for whelks in the area on Jersey's East coast between 002° 02.00' W and 49° 12.00' N shown in chart C in part III of the Annex between 1st November and 28th February each year. Whelk pots must not be left within this zone outside this period.

4.6.f Where grading of whelks for size is conducted using a drum or table type grader, then the spacing between the bars of that grader must be equal to or greater than 22 millimetres.

4.7 **FISHING RESTRICTIONS FOR BASS**

4.7.a This licence authorises fishing for and retaining two bass (*Dicentrarchus labrax*), per person per day, up to a maximum of 10 bass, where there are 5 or more fishers onboard. These limits apply between the hours of 00:00 on 1st January and 23:59 on 31st January and between the hours of 00:00 on 1st April to 23:59 on 31st December.

4.7.b A vessel to which this licence has been issued may only fish for bass in excess of the limits stated in 4.7.a, using fixed gillnets², hooks and lines³, or rod and line⁴, as appropriate, if the holder of this licence is in possession of a written "Bass Authorisation" issued by the Minister in respect of the licensed vessel.

All vessels issued with a Bass Authorisation cannot fish for, retain on board, relocate, tranship or land bass during the period 1st February to 31st March.

4.7.c Catches of bass by Authorised vessels in accordance with subparagraph 4.7.b shall be subject to a maximum annual limit specified in the Bass Authorisation.

- 4.7.d Vessels authorised in accordance with 4.7.b above shall not carry on board during the same voyage both fixed gillnets and hook and line fishing equipment.
- 4.7.e The holder(s) of a Bass Authorisation are required to report the overall length of each bass caught, whether retained or returned, within 48 hours of landing using the Department's Bass size reporting form.
- 4.7.f The holder(s) of a Bass Authorisation are required to notify Fisheries officers of each day they intend to set a fixed gillnet to fish for bass. Notification must be made during normal working hours (08:00 – 16:00 Monday to Friday) and at least 24 hours in advance of the net being set by telephone or Email. Multiple notifications can be made if several days fishing are planned over the course of a week.
- 4.7.g The minimum mesh size of any fixed gillnets set by a licensed vessel holding a Bass Authorisation is 100mm. The maximum length of nets to be set by an authorised vessel when targeting bass at any one time is not to exceed 600 metres total length for a single handed boat or 1,200 metres for a boat with two or more crew.
- 4.7.h Fixed gillnets fishing under the netting authorisation must not be set within 200 meters of a pier, sea wall or other harbour structure.
- 4.7.i By way of derogation from 4.7.a it shall be permitted for a vessel deploying:
- (a) demersal trawls or seines¹ to only retain on board unavoidable by-catches of bass that do not exceed 1% of the weight of the total catches of marine organisms on board in any single day and no more than 400 kilogrammes of bass in any two month period.
 - (b) fixed gillnets² (without an authorisation) to only retain on board unavoidable by-catches of bass that do not exceed 3% of the weight of the total catches of marine organisms caught using fixed nets in any single day.

Such vessels are not authorised to fish for, retain on board, relocate, tranship or land bass during the period 1st February to 31st March.

¹ All types of demersal trawls including Danish/Scottish seines, including OTB, OTT, PTB, TBB, SSC, SDN, SPR, SV, SB, SX, TBN, TBS, TB.

² All fixed gillnets and traps, including GTR, GNS, FYK, FPN and FIX.

³ All long lines or pole and line or rod and line fisheries, including LHP, LHM, LLD, LL, LTL, LX and LLS.

⁴ Only rod and line fisheries as follows: LHP, LHM, LTL

4.8 FISHING RESTRICTIONS FOR TOPE

No person shall from the fishing vessel for which this licence relates fish for, or land tope shark (*Galeorhinus galeus*) when taken with longlines or by rod and line. When accidentally caught on longlines or rod and line, tope shark shall not be harmed and be promptly released.

4.9 FISHING RESTRICTIONS FOR EDIBLE CRABS

4.9.a Newly moulted Edible Crabs

No person shall from the fishing vessel for which this licence relates shall, land or use as bait newly moulted or 'soft shelled' edible crab (*Cancer pagurus*) or parts thereof. Any such crabs taken on board must be returned to the sea forthwith.

Newly moulted edible crabs are defined as crabs whose top shell edge has not yet reached a uniform dark brown and shows pale indentations along the side edges and the claws have a sharp claw tip and / or a mottled light brown colouration on the upper side.

4.9.b **Detached Claws**

When edible crabs are caught using static nets or mobile fishing gear, a maximum of 1% by weight of the total catch of edible crabs or parts of edible crabs retained on board at any one time during a fishing voyage or landed at the end of a fishing voyage may consist of detached claws.

Over 10m Jersey Fishing Boat Licence: Annex

Part I: Species For Which You May Not Fish.

Albacore Tuna, Bluefin Tuna, Big-Eye Tuna, Angel Shark, Basking Shark, Deep Sea Sharks, White Sharks, Common Skate, Norwegian Skate, Orange Roughy, Porbeagle, Spurdog, Swordfish, Small Eyed Ray, Undulate Ray, White Skate.

Any such fish so caught must be returned to the sea immediately unless authorised as a permitted bycatch in the Over 10m Licence Schedule 2.

Part II: Quota Limitations

The TAC quota species listed in the table below are subject to UK quota restrictions for ICES sea area VIII E

Non Sector vessels i.e. where a vessel is not a member of a Producers' Organisation are subject to the current quota limits specified in the current annexe to the vessels Marine Management Organisation (MMO) Over 10m Category A Licence - Type 1199 which are published on the www.gov.uk website.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/648395/Annexe_1199.pdf

Producers' Organisation vessels are subject to the current quota limitations and other restrictions imposed by the Producers' Organisation of which they are a member.

When a vessel pair fishes with another vessel, the quantities of sea fish attributable to each vessel will be the quantities on board and landed by that vessel.

Quota Species

Anglerfish	Megrim	Saithe	Herring	Ling
Cod	Nephrops	Sole	Horse Mackerel	
Haddock	Plaice	Skates & Rays	Mackerel	
Hake	Pollack	Whiting	Sprats	

N.B. Quotas can change on a regular basis and it is the responsibility of vessel owners and masters to ensure that the licensed vessel is fishing within the current catch limits.

Conversion Factors

Licence holders are reminded that quotas are in live weight. Live weight can be calculated by multiplying landed weight by the conversion factors set out in the table published on the www.gov.uk website at:

<https://www.gov.uk/government/publications/calculate-your-fisheries-catch-limits/conversion-factors>

and at the end of annexe to the UK Category A Licence - type 1199.

Part III: Charts

Chart A – Jersey 3 Mile Limit

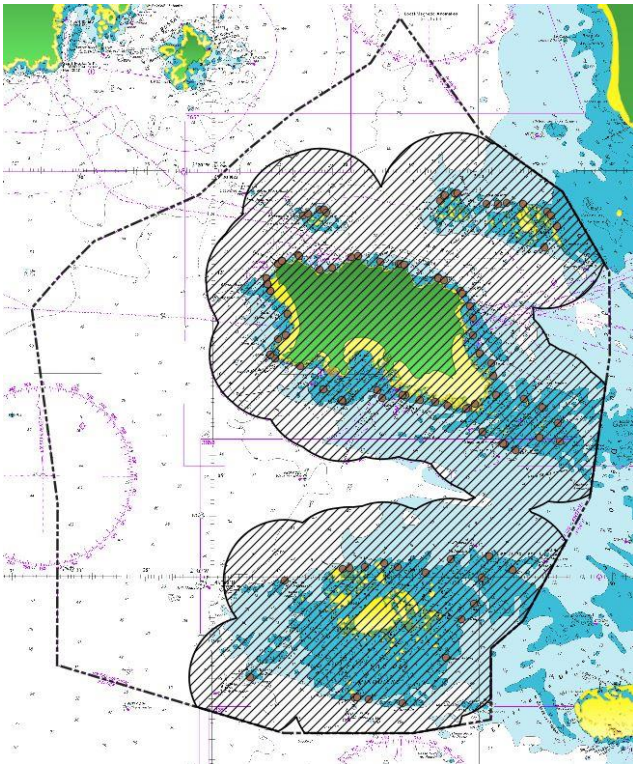


Chart B – Sea Bream Research Zones

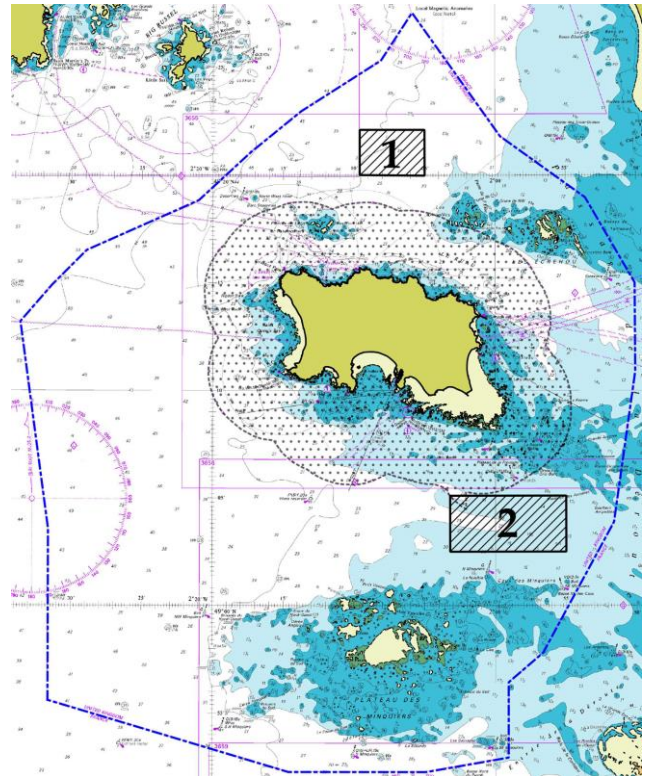


Chart C – South East Inshore Whelk Area

