

Authority/Limitations

1. The authority granted by this licence and limitations to that authority, are contained in this Schedule, which forms part of this licence.
2. All Bailiwick of Guernsey fishing vessel licences, including conditions, are subject to variation, suspension and/or revocation and are issued subject to the discretion of "the President" in accordance with The Sea Fish Licensing (Bailiwick of Guernsey) Law 2012, The Sea Fish Licensing (Sark) Ordinance 2003 and The Sea Fish Licensing (Alderney) Ordinance 2003.
3. Subject to the limitations set out below or on any other licence also held by this vessel, and to any prohibition imposed by enforceable UK, European or local fisheries legislation this licence hereby authorises the above named vessel to fish within the 0-12 nautical mile limit of Bailiwick waters.
4. This licence is valid from 00.00 hours on the issue date of this licence as specified at section 7 of the licence and expires at 23.59 hours on the expiry date also at Section 7 of the licence.
5. This licence is invalid if any of the details at Sections 1 to 5 of the licence change.

Licence Details

6. Section 3 of this licence relates to the methods of fishing permitted by this licence.

Scallop Dredging –

No vessel over ten metres LOA other than a vessel whose licence is endorsed to allow it to do so may fish with scallop dredges within Bailiwick waters.

Beam Trawling –

No vessel over ten metres LOA other than a vessel whose licence is endorsed to allow it to do so may fish with beam trawls within Bailiwick waters.

Shellfishing –

Unless expressly permitted at Section 3, this licence does not authorise the above named vessel to fish for shellfish. A vessel not so authorised may retain on board and land:

- a) up to 5 lobsters or crawfish per day, caught with pots or nets; and
- b) up to 25 crabs per day caught with pots or nets or
- c) any shellfish, excluding green crabs, taken as permitted bycatch when fishing for other species using towed gear, up to a maximum limit of 10% by weight of the total catch.

General Conditions

7. The vessel to which this licence is applied must be a British fishing boat within the meaning of The Sea Fish Licensing (Bailiwick of Guernsey) Law, 2012, and registered in the name of the owner(s)/charterer(s) named on the licence.
8. This licence must be carried onboard the vessel to which it relates at all times and must be produced on demand to any British Sea Fisheries Officer (BSFO) or Marine Enforcement Officer (MEO). On vessels of less than 10 metres where it may not be practicable to carry a licence on board the vessel at all times, due to a lack of secure dry space, the licence card must be presented to any BSFO or MEO.
9. Any unauthorised change from the details recorded on this licence will immediately make this licence invalid. In addition;
 - (a) the details recorded on any licence issued by any other authority also held by this vessel must conform to those on this licence. Any difference will invalidate this licence.
 - (b) any change to the details contained on this licence must be notified to Sea Fisheries immediately.
10. This licence is invalid if a Marine Management Organisation (MMO) Licence or equivalent, also held by this vessel is suspended.
11. This licence will be forfeit if an MMO Licence or equivalent, also held by this vessel, is revoked or is sold or if it becomes an entitlement.
12. Licence holders of vessels of 10 metres and under LOA are required to provide Sea Fisheries with statistical information with regard to their fishing effort and catches on a logbook issued by Sea Fisheries.
 - (a) The top copy (white) should be returned to the Sea Fisheries **within seven days of each month end**

Completed monthly returns can be posted to Sea Fisheries via;

- **Freepost** to Sea Fisheries, **Committee for Economic Development**, Freepost GU245, Guernsey GY1 5SS.
- **Designated Port Boxes** situated outside of the Company known as Surf and Turf or on the Albert Dock Fish Quay.
- **Alderney Harbour Office** accepts quarterly returns on behalf of Alderney fishermen.

- (b) The bottom copy (blue) is to be retained and should be kept as a personal record.

13. Licence holders of over ten metre LOA vessels are required to complete European Logbooks in accordance with EC Regulations regarding the keeping of logbooks. When fishing in Bailiwick waters a copy of the logsheet must be supplied to Sea Fisheries. Vessels over twelve metres LOA are required to maintain an Electronic Logbook in accordance with Council Regulation (EC) No 1224/2009 and Commission Implementing Regulation (EU) No 404/2011.
14. Every owner or charterer of a fishing vessel over 10 metres Length Overall (LOA) who has been granted a licence by the Committee shall, when the vessel named in the said licence is fishing within Bailiwick fishing limits (including the territorial seas adjacent to Alderney and Sark), comply or (if not also the master of that vessel) ensure compliance with all monthly catch limits which are applicable to the licence granted by or on behalf of the Marine Management Organisation in respect of that vessel.
15. From 1st October 2017, every owner or charterer of a fishing vessel under 10 metres in Length Overall (LOA) who has been granted a licence by the Committee shall, when the vessel named in the said licence is fishing within Bailiwick fishing limits (including the territorial seas adjacent to Alderney and Sark), comply or (if not also the master of that vessel) ensure compliance with the relevant monthly catch limits and any closures in relation to Atlantic Cod (Gadus morhua), Common Sole (Solea solea) and Ray (Raja spp.) set by the relevant Organisation in respect of that vessel.
16. From 1st January 2018, every owner or charterer of a fishing vessel under 10 metres in Length Overall (LOA) who has been granted a licence by the Committee shall, when the vessel named in the said licence is fishing within Bailiwick fishing limits (including the territorial seas adjacent to Alderney and Sark), comply or (if not also the master of that vessel) ensure compliance with all relevant monthly catch limits and any closures set by the relevant Organisation in respect of that vessel.

The 'relevant Organisation' means the Marine Management Organisation or, if the vessel is a member of a Producer Organisation, that Producer Organisation."
17. Vessel Monitoring System (VMS) Reporting is an EU requirement applicable within Bailiwick waters to all fishing vessels of over twelve metres LOA, in accordance with Council Regulation (EC) No 1224/2009.
18. All vessels over fifteen metres LOA are required to be fitted with Automatic Identification System (AIS) and continually transmit the vessel's position whilst present within Bailiwick waters in accordance with Council Regulation (EC) No 1224/2009.
19. A licence may authorise fishing unconditionally or subject to such conditions as may appear to the Committee to be necessary or expedient for the regulation of sea fishing.
20. Any stop order or licence variation issued in respect of this licence will be deemed to have been received in accordance with the Sea Fish Licensing (Documents and Notices) (Bailiwick of Guernsey) Regulations, 2015.
21. A 10 metre and under licenced vessel shall not trans-ship sea fish (except sea fish used as fresh bait) to or from a vessel of 10 metres and over LOA.

Fishing Restrictions for Sea Bass

22. It shall only be permitted to fish for, retain on board, relocate, tranship or land sea bass subject to conditions and restrictions contained within Article 9 of Council Regulation (EU) 2018/120 as amended.

Protected Species

23. This licence does not permit fishing for, retaining on board, relocating, transshipping or landing Small-eyed Ray (*Raja microocellata*) within Bailiwick waters. When accidentally caught, this species shall not be harmed and promptly released.
24. Undulate Ray shall not be targeted, a by-catch of undulate ray in area VIIe may only be landed whole or gutted. The catches shall remain under the quota permitted for UK vessels. By-catches of undulate ray shall be reported separately under the following code: (RJU/67AKXD). Within the limits of the above mentioned quotas, no more than the quantities of undulate ray may be taken
25. This licence does not permit fishing for, retaining on board, relocating or transshipping any species contained in Article 13 of (EU) Regulation 2018/120 as amended.
26. This licence does not permit fishing for, retaining on board, relocating, transshipping or landing any cetacean or basking shark.

Pair Trawling

27. The vessel to which this licence is applied shall not pair trawl with a vessel which does not hold a valid licence to fish by pair trawling granted by the Committee for Economic Development, or, a vessel from another country. The quantities of fish attributed to each vessel shall be the quantities on board and landed by that vessel.
28. A licenced vessel shall not participate in pair trawling for sea fish within the territorial waters (3nm limit) of Guernsey, Alderney or Sark or within the 6nm limit (or median) of Bailiwick waters, including the area East of Sark, Guernsey and South of Alderney between the 6nm limits of those Islands and the median line with France (This area is known as the Schole Bank and Haricot)

Scallop Dredging

29. Any dredge towed or carried within Bailiwick waters shall be constructed in accordance with Section 3 of The Scallop Fishing (England) Order 2012.
30. A licenced vessel shall only fish using up to a maximum of four dredges in total within the 3 nautical mile territorial waters of Guernsey. (Scallop dredging is not permitted within the territorial waters of Sark)
31. Within the 3-6nm limit (or median) of Bailiwick waters, a licenced vessel shall only fish using up to a maximum of 8 dredges in total, and the total length of any tow bar shall not exceed four metres. The tow bar must not be constructed or rigged in a way which enables more than 4 scallop dredges to be attached to it at the same time. The towing bar shall not be extendable beyond the prescribed maximum length and shall be measured between its extremities including all attachments thereto.
32. Within the 6-12nm limit (or median) of Bailiwick waters, a licenced vessel shall only fish using up to a maximum of 12 dredges in total, and the total length of any tow bar shall not exceed 5.8 metres. The tow bar must not be constructed or rigged in a way which enables more than 6 scallop dredges to be attached to it at the same time. The towing bar shall not be extendable beyond the prescribed maximum length and shall be measured between its extremities including all attachments thereto.
33. Within the territorial waters of Sark, a licenced vessel shall ensure that any dredges carried onboard are disconnected from the towing bar and are securely lashed and stowed and may not be readily used.
34. When, during any fishing trip, dredges are used or carried on board, it is prohibited for the quantities of marine organisms (as defined in article 3(a) of Council Regulation (EC) No. 850/98) retained on board, landed or trans-shipped, with the exception of bivalve molluscs, to exceed 5% of the total weight of marine organisms on board.

Restriction On Use Of Nets

35. When using any form of set net within the 3-12 nm limit (or median) a licensed vessel shall not retain on board any combination of Cod (*Gadus morhua*), Pollack (*Pollachius pollachius*) or Ling (*Molva molva*) exceeding 40% by weight of the total catch held on board the vessel.
36. The Restricted Fishing Areas Order, 1997, article 2, states -
- (a) "A person shall not use or cause or permit any other person to use in territorial waters any net for the purpose of fishing for crawfish."
- and
- (b) "Any crawfish caught in contravention of subsection (a) shall be returned to the sea forthwith."

37. BOUE BLONDEL - NETTING EXCLUSION ZONE.

Effective for the period commencing on the 1st day of November in each year and ending on the 30th day of April in the year following, both dates inclusive.

The vessel to which this licence is applied may not fish with any enmeshing net within a 0.5 nautical mile radius of 49°29.760' North. 002° 42.020' West. (Datum WGS84), this being the charted reef "Boue Blondel". This reef and exclusion zone is entirely within the territorial waters of Guernsey.

For the purposes of this paragraph 'enmeshing net' includes any form of net, either towed or set, used for the purposes of fishing.

Beam Trawling

38. Within the 3-6nm limit (or median), a licenced vessel shall not use any beam trawl of which the beam length, or of any beam trawls of which the aggregate beam length, measured as the sum of the length of each beam is greater than 6.5 metres or can be extended to a length greater than 6.5 metres. The beam shall be measured between its extremities including all attachments thereto. No licenced vessel over 10 metres LOA may fish using any beam trawl unless licenced to do so in ICES area VIIe in accordance with the UK Fishing vessel licensing scheme.

Stowage of Towed Gear

39. At any time when a licenced vessel is in an area within Bailiwick waters and it is either prohibited from fishing in that area or it is limited by the amount of gear it can use in that area, its towed fishing gear (trawls or dredges), or so much of the towed gear as is not required for permitted fishing, shall be lashed and stowed.

Economic Link

40. The owner of a vessel registered in Guernsey, must maintain an economic link between the vessel to which this licence is applied and the Bailiwick of Guernsey.

41. A Guernsey registered vessel must be permanently based and operating from any of the Islands of Alderney, Guernsey or Sark.

42. The owner(or in the case of a vessel registered to a limited liability company, the beneficial owner) of a Guernsey registered vessel must be principally resident in Alderney, Guernsey, or Sark.

Domestic Legislation

43. The territorial waters of Guernsey, Alderney and Sark extend to a line to a line not exceeding 3 miles from the baselines from which the breadth of the territorial seas adjacent to those islands is measured.
44. Each Island has its own fishing legislation within its territorial waters and it is a condition of this licence that the holder must comply with all relevant local fisheries legislation whilst engaged in sea fishing within territorial waters.
45. **Guernsey** - Relevant legislation is contained within The Fishing Ordinance 1997 and associated Orders and The Sea Fish Licensing (Bailiwick of Guernsey) Law 2012. Further information about local controls may be obtained from Sea Fisheries, Raymond Falla House, P.O. Box 459, Longue Rue, St Martins, Guernsey, GY1 6AF.01481-234567, seafisheries@commerce.gov.gg.
46. **Alderney** - Relevant legislation is contained within The Fishing (Alderney) Ordinance, 1967 as amended, The Fishing (Parlour Pots) (Prohibition) Ordinance 1995 as amended, The Fishing (Regulation of Trawling) Ordinance 1999 and the Sea Fish Licensing (Alderney) Ordinance, 2003. This list is not necessarily exhaustive and further information about local controls may be obtained from the Alderney Harbour Master 01481- 822620.
47. **Sark** - Relevant legislation is contained within The Fishing (Sark) Ordinance 1996 as amended, The Fishing (Conservation of Small Cetaceans) (Sark) Ordinance, 2000, The Scallops (Sark) Ordinance, 1998 and the Sea Fish Licensing (Sark) Ordinance, 2003. This list is not necessarily exhaustive and further information about local controls may be obtained from The Committee Secretary, Sark Sea Fisheries Committee, La Chasse Marette, Sark GY9 OSF. Sark Constable 07781- 101908.

Revocation

48. Any licence in respect of the vessel to which this licence is applied, previously issued by the States of Guernsey Commerce and Employment Department, is hereby revoked.
49. This licence may be revoked or suspended if it appears to the Committee to be necessary or expedient for the regulation of sea fishing, or to be appropriate in a case where there is an offence under The Sea Fish Licensing (Bailiwick of Guernsey) Law 2012, The Sea Fish Licensing (Sark) Ordinance 2003 and The Sea Fish Licensing (Alderney) Ordinance 2003 or any other enactment relating to the regulation of sea fishing.

Warning

50. Any licence granted on the basis of false or misleading information will be revoked.
51. A person committing a breach of licence conditions may be disqualified for a specified time from holding a Bailiwick Waters fishing vessel licence. On conviction, they may also be liable to a substantial fine and in some cases forfeiture of the vessel, fish, and fishing gear.
52. Where an offence is committed, the master, the owner and charterer (if any) shall each be guilty of the offence and therefore liable to prosecution.

Definitions

In this Schedule -

"the Committee" means the States of Guernsey Committee *for* Economic Development.

"Median Line" means a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea adjacent to the Bailiwick is measured and the corresponding baselines of the Bailiwick of Jersey and France.

"Bailiwick waters" means those waters lying within 12 nautical miles of the baseline from which the breadth of the territorial sea adjacent to Guernsey Alderney and Sark respectively is measured, but not extending beyond the median line.

"Territorial waters" means those waters extending to a line not exceeding 3 miles from the baselines from which the breadth of the territorial seas adjacent to those islands is measured.

"Principally Resident" means for the purposes of this licence an individual shall be treated as being principally resident in Guernsey, Alderney or Sark in any calendar year if in that year he spends 182 days or more in Guernsey, Alderney or Sark, as the case may be.

"LOA" means the overall length of the vessel as detailed at section 4 of the licence.

"Lashed and stowed" means -

- a) all towed gears shall be carried wholly inboard.
- b) all nets trawlboards and weights shall be disconnected from their towing wires.
- c) all trawlboards shall be secured at deck level.
- d) all nets on deck or above deck shall be securely lashed to some part of the superstructure of the fishing boat.
- e) all dredges and any towing bars which are on deck or above deck shall be securely lashed to some part of the superstructure of the fishing vessel.

"shellfish" means lobster (*Homarus gammarus*), crawfish (*Palinurus spp.*), edible crab (*Cancer pagurus*), velvet crab (*Liocarcinus puber*), spider crab (*Maia squinado*) and green crab (*Carcinus maenus*) and 'crabs' means the four species of crabs specified.

“Pair Trawling” means fishing, by two or more vessels, carried out by a net or combinations of nets.” When the vessel to which this licence is applied 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.

“Gillnets” means all fixed gillnets and traps, including Trammel Nets (GTR), Stationary uncovered pound nets (FPN), and Fixed Nets (FIX), Fyke Nets, Set Gillnets (GNS).

“Long lines or pole and line or rod and line fisheries” means hand lines and pole lines (hand operated) (LHP), hand lines and pole lines (mechanised) (LHM), Drifting longlines (LLD), longlines (LL), Trolling lines (LTL), Hooks and lines (LX) and Set longlines (LLS).

“Demersal Trawls and Seines” means Otter Trawls (OTB), Pair Trawls – Bottom (PTB), Beam Trawls (TBB), Beach Seines (SB) and Danish Seines (SDN).

“Deep Sea Sharks” means to sharks in the following list of species, Deepwater catsharks, Frilled shark, Gulper shark, Leafscale gulper shark, Portuguese dogfish, longnose velvet dogfish, Black dogfish, Birdbeak dogfish, Kitefin shark, Greater lantern shark, Velvet belly, Blackmouth dogfish, Mouse catshark, Six-gilled shark, Sailfin roughshark (Sharpback shark), Knifetooth dogfish, Greenland shark.

Enquiries

Enquiries regarding this licence should be directed to the Senior Sea Fisheries Officer,
Committee for Economic Development, Raymond Falla House, PO Box 459, Longue Rue, St Martins,
Guernsey, GY1 6AF, 01481- 234567, seafisheries@gov.gg