



Bailiwick of Guernsey

Approved Procedure for the issue of SMEFF documents to French fishing boats for the purposes of Regulation (EU) 2017/2403

This document has been prepared to provide fishermen with a clear statement of the **Approved Procedure** that has been introduced from 1st February 2020 for the processing of applications for SMEFF documents that will provide a valid fishing authorisation for French fishermen as required by the EU Regulation 2017/2403 on the sustainable management of external fishing fleets.

Introduction

At 23:00 on Friday 31st January 2020 the United Kingdom ('UK') leaves the European Union ('EU') and on the same day withdraws from the London Fisheries Convention ('LFC'). The withdrawal by the UK from the LFC will end the basis on which French fishing vessels can fish in Bailiwick waters.

However, the governments of the Bailiwick are exercising their discretion to permit French fishing boats which have fished in the Bailiwick's waters pursuant to the LFC to continue fishing in those waters during the Transition Period.

Access will be under the same terms as existed under the LFC.

To enable this access during the Transition Period, certain measures have been implemented in good faith to support our good-neighbour relationship with France while negotiations for the future UK-EU relationship commence during 2020.

The measures put in place are:-

- retaining the legislation which gives effect to the LFC (principally the Fishing Boats (France) Designation Order 1965)
- the introduction of an authorisation regime to individual French vessels for the purposes of EU Regulation 2017/2403 (on the sustainable management of external fishing fleets), known as 'SMEFF'.

The authorisation regime is established by the European Union (SMEFF)(Bailiwick of Guernsey) (Brexit) Regulations, 2020 which came into force on 31 January 2020 and will assist France to meet its own EU obligations under SMEFF and thereby allow French fishing boats to fish in Bailiwick waters on a lawful basis.

In accordance with the requirements of the EU's SMEFF Regulation, a valid fishing authorisation must be issued by the French Republic, after review by the European Commission, before fishing activity is permitted.

French fishing boats (that have fished in Bailiwick waters under the LFC) must obtain a Bailiwick SMEFF Document which can be used as part of an application for a valid fishing authorisation to the French Republic for the purposes of SMEFF.

IMPORTANT INFORMATION

These arrangements are an interim measure until the end of the Transition Period only (currently expected to be 31 December 2020).

They do not confer or recognise any additional fishing rights for French vessels or their operators in the Bailiwick's waters. They do not provide any expectation that French vessels or their operators will be permitted to fish in the Bailiwick's waters after the Transition Period.

Any fishing during the Transition Period will not count towards a track record period for any purpose, particularly the purposes of any future fishing regime.

It is the Bailiwick's intention to keep this arrangement in place for the duration of the Transition Period provided that good faith continues to be observed on both sides.

Application Procedure

1. Applications for a Bailiwick of Guernsey SMEFF document must be made on the standard application form. The Application Form can be obtained from Guernsey Sea Fisheries or downloaded from the States of Guernsey's website www.gov.gg. The Application Form can be found on this page: www.gov.gg/fishing under the "SMEFF Documents for French Fishermen" section.
2. Forms must be fully, clearly, and carefully completed.
3. Forms will only be considered if they are signed, dated, and the name of the applicant is clearly legible.
4. A separate form is required for each vessel for which a SMEFF Document is applied.
5. Fully completed forms must be sent to the States of Guernsey Sea Fisheries department. The email and postal addresses are

By e-mail: **seafisheries@gov.gg**

By post: **Sea Fisheries,
Raymond Falla House,
Burnt Lane,
St Martin,
GUERNSEY, GY4 6HG**

IMPORTANT NOTE: It is strongly recommended that forms are submitted by email, as this will allow applications to be processed as quickly as possible.

6. The Committee has agreed that no fee will be charged for the processing of an application for, or the issue of, SMEFF documents.
7. Each application will be reviewed to ensure it is completed correctly and to ensure that the boat named is eligible for access to Bailiwick waters for the purposes of this temporary arrangement.
8. Successful applicants providing an email address will be notified and sent a signed SMEFF document by e-mail, confirming authorisation from the Bailiwick authorities.



9. The States of Guernsey reserves the right to provide details to the French/EU and UK authorities regarding the vessels authorised with a SMEFF document under these arrangements.