

LICENCE TEMPLATE



States of Guernsey
Sea Fisheries

Licence No. EU ##

This Bailiwick of Guernsey Fishing Boat Licence is granted pursuant to the Sea Fish Licensing (Bailiwick of Guernsey) Law 2012

Licence to fish in Bailiwick of Guernsey waters – EU Vessel

This Bailiwick of Guernsey Fishing Boat Licence is granted to an EU registered fishing vessel in accordance with the relevant provisions of the EU-UK Trade and Cooperation Agreement (TCA) as it applies to the Bailiwick of Guernsey. It is the responsibility of the Licence holder to ensure that any other licence, authorisation or other instrument required under EU or the national law of the licence holder's vessel is in place permitting access to fish in the relevant Bailiwick of Guernsey territorial waters. This Licence cannot be transferred to a new owner or to another vessel. The details in this Licence must reflect the technical specification on both the above vessel's certificate of registry and national fishing licence; any discrepancies will render this Licence invalid.

Part 1 – Licence Details

Section 1: Address for Service (Address where licence and notices of variations are to be sent)

[Nominee name]

[Address 1]

[Address 2]

[Address 3]

[Address 4]

[Postcode]

[Email address]

Section 2: Vessel details

Name of vessel

[BOAT NAME]

Port letters

[LETTERS]

Flying the flag of

[COUNTRY]

Registration number

[NUMBER]

Section 3: Technical details

Vessel Length Overall	[LENGTH]	Metres
Gross tonnage	[TONNAGE]	Tonnes
Engine Power	[POWER]	Kilowatts

Section 4: Ownership details

Name(s) and address(es) of registered owner(s)/charterer(s) to whom the licence is granted.

<p>[Name] [Address 1] [Address 2] [Address 3] [Address 4] [Postcode]</p>
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Section 5: Zones and Species

This licence authorises the vessel named in Section 2 to undertake fishing of certain species within specified zone(s) of Bailiwick of Guernsey waters as set out below, subject to other agreements (such as the Mid Channel potting zones agreement) and subject to any further provisions in Section 6 (including in relation to “extent and nature” for the purposes of the TCA).

Masters and operators of licensed vessels are reminded to be mindful of other users and their gear, and your attention is drawn to the long-established potting grounds used by Guernsey vessels to the south of Guernsey (see chart in Part 2).

Please note that the species permitted in Zone 1 (former LFC Zone) are: demersal species and crabs.

See definition of crabs and demersal species in paragraphs 36 and 37 in Part 3. For clarity, this does not include King Scallops (*Pecten maximus*), Queen Scallops (*Aequipecten opercularis*), or European Lobster (*Homarus gammarus*).

Zone(s) in which the vessel which is subject to this licence may fish in accordance with this licence:

Zone 1 (former LFC zone):	Yes / No
Zone 2 (Sark box):	Yes / No

Section 6: “Extent and nature”

***For vessels with access to one or several days at sea pool(s)*:**

The licence authorises the vessel named in Section 2 to fish in accordance with Section 5 using the following permitted method:

[GEAR NAME] [ICES GEAR CODE]

until the days at sea in the annual pool for the relevant year for the relevant method (as identified by the Committee for the purposes of article 502 of the TCA) have been exhausted. The Committee will notify the licence holder when the days at sea in the relevant pool have been exhausted.

***For vessels with a limit on the amount of gear that can be deployed*:**

The licence authorises the vessel named in Section 2 to fish in accordance with Section 5 using the following permitted method:

[GEAR NAME] [ICES GEAR CODE]

Subject to a maximum of [UNITS] [GEAR] set in the zone(s) permitted in Section 5 at any one time.

For the avoidance of doubt, lobsters shall not be retained on board, if taken.

Section 7: Authorisation

This licence is subject to:

- (i) The general provisions set out in the Sea Fish Licensing (Bailiwick of Guernsey) Law, 2012;
- (ii) the general provisions set out in Part 2 of this Licence to fish in Bailiwick of Guernsey waters – EU Vessel; and
- (iii) the general conditions as specified in Part 3 of this Licence to fish in Bailiwick of Guernsey waters – EU Vessel.

Part 3 may be updated from time to time. The latest version is available at <http://www.gov.gg/fishing>.

This licence may be revoked, suspended or varied at any time by a notice communicated in accordance with the Sea Fish Licensing (Documents and Notices) (Bailiwick of Guernsey) Regulations, 2015.

It is the responsibility of the holder of this licence, and the master of the vessel to which it relates, to ensure that they are aware of these conditions and any variations to them.

Signature

Name

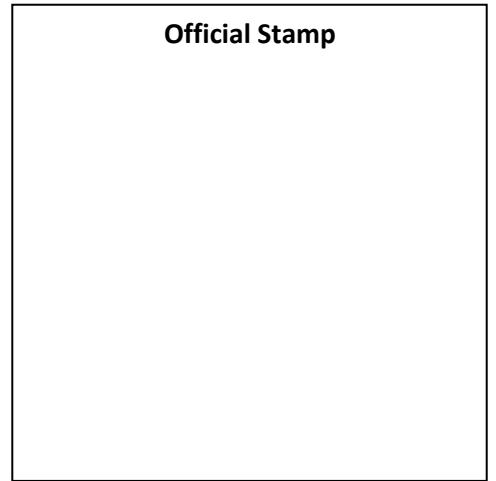
President of the Committee for Economic Development

Issue date

Valid From

Valid Until

Official Stamp

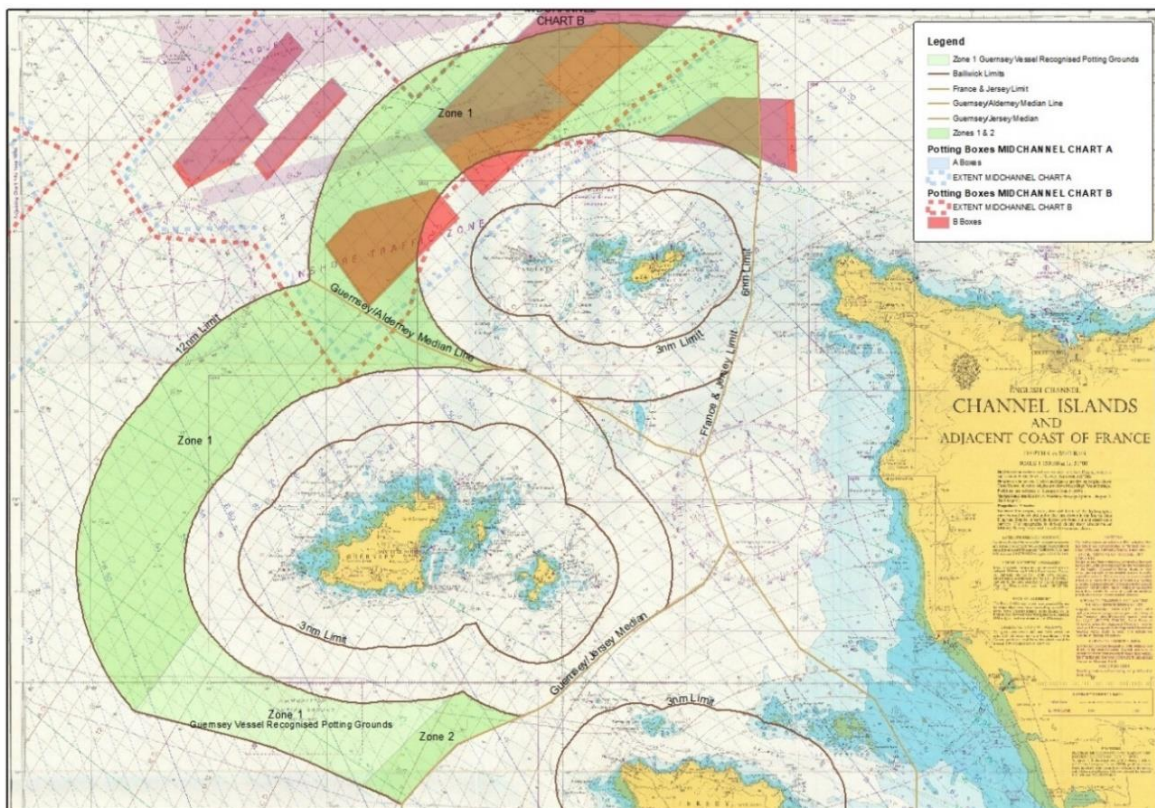
A large rectangular box intended for an official stamp, currently empty.

Part 2 – General Provisions

1: Extent of Fishing Activity - Zone(s) in which you are licensed to fish

This Licence authorises the vessel named in Part 1 to undertake fishing activities as authorised in Section 5 within the Bailiwick of Guernsey territorial sea (“the Authorised Zone”).

The Authorised Zone that is covered by the TCA is depicted in green in the chart below.



Not to be used for navigation.

2: Zone(s) and species

For the period during which this Licence is valid you are authorised only to fish in the zone(s) currently authorised in Section 5 and in accordance with any terms and conditions that apply under your national licence.

3. Extent and Nature

**For vessels with access to one or several days at sea pool(s)*:*

For the period during which this licence is valid, you are authorised to fish only using the permitted method(s) specified in section 6 and where the days at sea in the annual pool for the relevant year for the relevant method (as identified by the Committee) have not been exhausted. Where there are no longer any days at sea remaining in that pool for a relevant permitted method, you are not authorised to fish using that method. The Committee, and only the Committee, shall decide when the days at sea in any annual pool for a permitted method have been exhausted, notwithstanding

the view of any other body tasked with the management of that pool. A notification by the Committee that the days at sea in the annual pool for a method have been exhausted will be deemed to be conclusive proof that the days at sea in that pool have been exhausted.

****For vessels with a limit on the amount of gear that can be deployed*:***

For the period during which this licence is valid, you are authorised to fish only using the permitted method(s) specified in section 6 and subject to a maximum of [UNITS] [GEAR] set in the zone(s) permitted in Section 5 at any one time. For the avoidance of doubt, lobsters shall not be retained, if taken.

4: Conditions

In addition to the above general provisions, this licence is also subject to the specific conditions set out in Part 3 of this licence, any conditions of your national licence and any permits issued by the competent authority, including all permits issued by any regional competent authority.

All rules and Regulations relevant to the zone(s) in which you are fishing will apply.

Part 3 - Licence conditions – EU Vessels

Zones and species

1. 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 **authorised zone** in accordance with Section 5.
2. The zones within which fishing activity can take place are (if indicated in Section 5 of the licence):
 - a) Zone 1: the former **LFC zone**, and/or
 - b) Zone 2: the **Sark Box**
3. The licensee may fish for crab and demersal species only in Zone 1 (former LFC zone).
4. Extent and nature: The provisions set out below (relating to "extent and nature" for the purposes of Article 502 of the TCA and replacement vessels) shall have also effect for the purposes of this licence.

***For vessels with access to one or several days at sea pool(s)*:**

5. The licensee may only fish using the permitted method(s) specified at Section 6 where the days at sea in the annual pool for the relevant year for the relevant method(s) (as identified by the Committee) have not been exhausted¹.

***For vessels with a limit on the amount of gear that can be deployed*:**

5. The licensee may only fish using the permitted method(s) specified at Section 6 and subject to a maximum of [UNITS] [GEAR] set in the zone(s) permitted in Section 5 at any one time. For the avoidance of doubt, lobsters shall not be retained, if taken.

General Conditions

6. This licence is valid as per the dates specified at Section 7 of the licence. Any change to Nominee, Vessel or Ownership details, as recorded at Sections 1, 2 and 4 of this licence, respectively, must be communicated to Sea Fisheries immediately.
7. The licensed vessel must be an EU 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 at Section 4 of the licence.

¹ The Committee, and only the Committee, shall decide when the days at sea in the any annual pool have been exhausted, notwithstanding the view of any other body tasked with the management of that pool. A notification by the Committee that the days at sea in the annual pool for a method have been exhausted will be deemed to be conclusive proof that the days at sea in that pool have been exhausted.

8. This licence must at all times be carried on board the vessel to which it relates and must be produced on demand to any British Sea Fisheries Officer (BSFO) or Marine Enforcement Officer (MEO).
9. When fishing within Bailiwick waters, licence holders shall comply or, if not also the master of the licenced vessel, ensure compliance with all relevant catch limits and any closures set by or on behalf of the relevant Organisation in respect of the vessel.
10. All vessels of 12 metres and over LOA are required to be fitted with a Vessel Monitoring System (VMS) in accordance with Council Regulation (EC) No 1224/2009.
11. All vessels of 15 metres and over 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.
12. 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.
13. A vessel of under 10 metres LOA shall not trans-ship sea fish (except sea fish used as fresh bait) to or from a vessel of 10 metres and over LOA.

Restriction on the Use of Nets

14. When using any form of set net within the 6-12nm limit (or median) a licenced 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.

Fishing Restrictions for Sea Bass

15. It shall only be permitted to fish for, retain on board, relocate, trans-ship or land sea bass (*Dicentrarchus labrax*) subject to conditions and restrictions contained within Article 11 of Council Regulation (EU) 2022/109, as amended.

Landing Obligation

16. Where any sea fish 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 any such fish that is landed by and attributed to the vessel for the relevant period.

Protected Species

17. 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.

18. [deleted]
19. This licence does not permit fishing for, retaining on board, relocating, trans-shipping or landing any species contained in Article 18 of EU Regulation 2022/109, as amended.
20. This licence does not permit fishing for, retaining on board, relocating, transshipping or landing any cetacean or basking shark. When accidentally caught, these species shall not be harmed and promptly released.
21. This licence does not permit fishing for, retaining on board, relocating, transshipping or landing Atlantic Bluefin Tuna (*Thunnus thynnus*). When accidentally caught, this species shall not be harmed and promptly released.

Restrictions on Beam Trawling

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

Restrictions on Scallop (*Pecten maximus*) Dredging

23. No vessel over ten metres LOA other than a vessel whose domestic licence or associated permit allows it to do so may fish for scallops within Zone 2 (Sark Box) of Bailiwick waters.
24. Any dredge towed or carried within Bailiwick waters shall be constructed in accordance with the relevant EU or Member State legislation.
25. Within Zone 2 (Sark Box), a licensed vessel shall only fish using up to a maximum of 12 dredges 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 six 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.

Stowage of Towed Gear

26. When a licensed vessel is in a zone within Bailiwick waters where it is either prohibited from fishing or 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 permitted, shall be lashed and stowed.

Revocation and suspension

27. Any licence or interim authorisation in respect of the vessel to which this licence is applied, previously issued by the Committee, is revoked.

28. 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, or any other enactment relating to the regulation of sea fishing, to be necessary or expedient to protect the interests of the Bailiwick (whether environmental, economic or other).

Warning

29. Any licence granted on the basis of false or misleading information will be revoked.
30. A person fishing in breach of licence conditions may be prosecuted and their licence may be suspended. On conviction, they are liable to a fine and consideration may also be given to the forfeiture of the vessel, fish and fishing gear.
31. 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.

Provision of catch data

32. Licence holders of vessels of under 10 metres LOA are required to provide information for catch taken in Bailiwick waters to Sea Fisheries by emailing seafisheries@gov.gg within 48 hours of landing. The information should include the species caught and their weight, as well as the gear used.
33. Licence holders of vessels of 10 metres and over LOA are required to complete European logbooks in accordance with Council Regulation (EC) No 1224/2009 and Commission Implementing Regulation (EU) No 404/2011. A copy of each entry for catch taken and gear used in Bailiwick waters must be submitted to Sea Fisheries by emailing seafisheries@gov.gg within 48 hours of landing.
34. Licence holders of vessels over 12 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. A copy of each entry for catch taken and gear used in Bailiwick waters must be submitted to Sea Fisheries by emailing seafisheries@gov.gg within 48 hours of landing.

Definitions for the purpose of this licence

35. The "**authorised zone**" means the area of territorial sea lying seaward of 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the Bailiwick of Guernsey is measured between the designated line clockwise to a demarcation line drawn north-east from Alderney Lighthouse.
36. "**Bailiwick waters**" means waters lying within 12nm of the baseline from which the breadth of the territorial waters adjacent to Guernsey, Alderney and Sark respectively is measured, but not extending beyond the median line.

37. "**Crabs**" means edible crab (*Cancer pagurus*), velvet crab (*Liocarcinus puber*), spider crab (*Maia squinado/Maja brachydactyla*) and green crab (*Carcinus maenus*).
38. "**Demersal species**" means all sea fish other than salmon, migratory trout, mackerel, clupeoid fishes, sand eels, Norway pout, smelts, eels, great weevvers, crustaceans and molluscs (other than squids).
39. "**Domestic licence**" for the purposes of conditions 21 and 22 means a licence which is granted by or on behalf of the EU, or a national or regional authority with legal responsibility for the regulation of sea fishing.
40. The "**designated line**" means the series of straight lines joining, in the sequence given, Points 1 to 13 indicated in Schedule 3 to the Territorial Sea Act 1987, as extended by the Territorial Sea Act 1987 (Guernsey) Order 2019, as those points relate to the area of territorial sea lying seaward of six nautical miles.
41. "**Lashed and stowed**" means all towed gears shall be carried wholly inboard; all nets, trawlboards and weights shall be disconnected from their towing wires; all trawlboards shall be secured at deck level; all nets on or above deck shall be securely lashed to some part of the superstructure; and all dredges and any towing bars which are on or above deck shall be securely lashed to some part of the superstructure.
42. "**LOA**" means the overall length of the vessel as detailed at Section 2 of the licence.
43. "**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 waters adjacent to the Bailiwick and the corresponding baselines of the Bailiwick of Jersey and France is measured.
44. "**Relevant Organisation**" means the relevant EU Member State's fishing vessel licensing authority or European Commission or, if the vessel is a member of a Producer Organisation, that Producer Organisation.
45. "**The Committee**" means the States of Guernsey Committee *for* Economic Development.
46. "**Zone 1 (former LFC zone)**" means the area of territorial sea lying seaward of 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the Bailiwick of Guernsey is measured between to a demarcation line drawn south-west of the l'etac de Sark clockwise to a demarcation line drawn north-east from Alderney Lighthouse.
47. "**Zone 2 (Sark Box)**" means the area of territorial sea lying seaward of 6 nautical miles from the baselines from which the breadth of the territorial sea adjacent to the Bailiwick of Guernsey is measured between the designated line clockwise to a demarcation line drawn south-west of the l'etac de Sark.
48. For the avoidance of doubt, any reference in this Licence to an enactment or other legal instrument, whether having force in the Bailiwick or the European Union, shall mean that

enactment as from time to time amended, re-enacted (with or without modification), extended or applied.

Enquiries

Enquiries regarding this licence should be directed to:

Post: Sea Fisheries
Raymond Falla House
PO Box 459
Longue Rue
St Martin
Guernsey
GY1 6AF

Tel: +44(0) 1481 221161

Email: seafisheries@gov.gg