

EXTENT AND NATURE POLICY

Approved by the Committee for Economic Development on 24th January 2023.

(The days at sea pools were updated on 17th February 2023.)

The Bailiwick of Guernsey's policy will ensure that the fishing activity of licensed vessels in the relevant waters of the Bailiwick reflects their respective fishing activity in the qualifying period (1st Feb 2017 – 31st Jan 2020), in accordance with Article 502 of the UK-EU Trade and Cooperation Agreement (TCA), and as evidenced by the European Commission through the provision of positional and catch data for each vessel.

Overview

There is a pool of days at sea for each type of gear that can be used in the relevant waters of the Bailiwick.

A licensed vessel is authorised to fish against the days at sea pool(s) which match(es) the gear(s) on its licence, within the zone(s) it can access (as per its licence), and subject to the authorised species for each zone.

The two under-12m, static gear vessels which were not equipped with VMS tracking technology during the reference period will not fish against the days at sea pools. Instead, they will be allowed to set a certain amount of static gear reflecting the amount of gear used during the reference period. (This will apply to their replacements too.)

Implementing these extent and nature provisions will reflect the policy intent behind the provisions in the TCA that relate to access to Bailiwick waters: that **the fishing effort by licensed EU vessels in Bailiwick waters remains stable and does not increase over time.**

This policy objective was negotiated by the UK, with the consent of the Bailiwick, and was accepted by the EU. At the same time, **this policy seeks to ensure that licensed vessels have a reasonable opportunity to make full use of the fishing effort that they are allowed to undertake.**

Zones

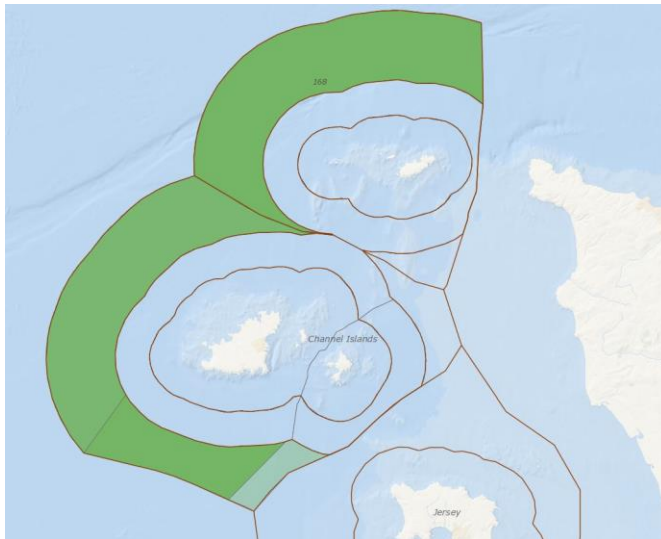
Licences issued to qualifying vessels already reflect the fact that vessels can only access the zone(s) which they previously accessed under **treaty arrangements that existed on 31 January 2020**, namely: ¹

¹ Licensed vessels are provided access to a zone based on evidence of a single day of fishing for authorised species in that zone, for the 12-month period used for qualifying purposes (i.e. the 12 month period with the

- **Zone 1:** the area in which French fishing vessels could formerly fish under the **London Fisheries Convention (LFC)**; and/or
- **Zone 2:** the adjacent **Sark Box**.

Section 5 of the licences issued indicate which zones(s) each licensed vessel can access.

The zones are depicted on the following map:



- Zone 1: Former London Fisheries Convention area
- Zone 2: Sark Box

Species

The authorised species in each zone are:

- for **Zone 1:** demersal species and crabs; and
- for **Zone 2:** demersal species, crabs, king scallops (*Pecten maximus*), and queen scallops (*Aequipecten opercularis*).²

For avoidance of doubt:

- **"Crabs"** means edible crab (*Cancer pagurus*), velvet crab (*Liocarcinus puber*), spider crab (*Maia squinado*) and green crab (*Carcinus maenus*).

most days of fishing). To qualify, vessels had to demonstrate at least 11 days fishing in Bailiwick waters within a 12-month period from the reference period.

² The Sark Box was not covered by the LFC, or indeed by any previous treaty arrangement to which the Bailiwick of Guernsey was party. However, the Bailiwick has accepted that French fishing vessel activity in the Sark box was permitted under relevant treaty arrangements and for broader purposes than the LFC, namely dredging for scallops or queen scallops.

- "**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).

Licence conditions

The **extent and nature conditions** which appear in the licences will reflect the evidenced fishing activity for any given licensed vessel by stipulating:

- For licences linked to VMS equipped qualifying vessels: the type of gear that can be used; and
- For the 2 licences linked to non-VMS equipped qualifying vessels, the type of gear and the number of units of gear that can be set in Bailiwick waters at any given time.

Days at sea: allocation

There is a pool of days at sea for each type of gear that can be used in the relevant waters of the Bailiwick.

The number of annual days at sea in each gear pool is equal to the qualifying vessels' collective **average number days at sea**, as evidenced, across the three 12-month periods of the reference period. ³

The annual days at sea pools, along with the number of vessels which can access each pool (as per the permitted gear indicated on their respective licences), are as follows:

Gear pool	Annual days at sea	No. of vessels	Notes
Trawling (OTB and PTM)	728	38	For 4 vessels, activity includes pair trawling.
Scallop dredging (DRB)	16	5	Great Atlantic scallop.
Longlines (LLS)	6	1	
Tangle nets (TN)	6	1	Spider crab.
	756		

³ The reference period is 1st February 2017 - 31st January 2020.

Days at sea: methodology

The days at sea have been calculated on the basis of the methodology that was established in 2021 for the qualifying vessels assessment, using the following evidence criteria:

- VMS data (minimum of 2 consecutive pings, at least 1 hour apart) inside the relevant waters;
- at a speed of under 6 knots;
- in a pattern indicative of fishing activity;
- for each of the relevant days in the waters in which the vessel is seeking access;
- cross-correlated with catch reports demonstrating that the vessel had fished for permitted species in the relevant zone(s).

The dataset used to calculate the annual days at sea noted above was a VMS dataset provided by the European Commission for the purpose of identifying qualifying vessels.

The European Commission and France have been offered the opportunity to submit any additional data that they may hold which meets the criteria above in respect of any days which may have been omitted from the original dataset supplied. Any additional evidenced days which meet the above criteria can be added to the pool for the relevant gear type(s) at any time following implementation of the extent and nature provisions.

Days at sea: monitoring

For monitoring purposes, days at sea used from the relevant pool will be identified using the same methodology as described above.

Fishing gear

For the 2 non-VMS vessels with a static gear limit, each vessel will be allowed to set a certain amount of gear reflecting the amount used during the track record period, as follows:

- **Pots:** The licensed vessel can set, in the relevant Bailiwick waters, up to 200 pots per crew member at any one time, with a limit of 2 crew, i.e. no more than 400 pots set in total at any one time. (For avoidance of doubt, the allowed species include crabs but not lobster.)
- **Long lines:** The licensed vessel is allowed to set, in the relevant Bailiwick waters, no more than 2,200 hooks at any given time.

Unused effort (days at sea) cannot be carried over from one licensing year to the next.

(For avoidance of doubt, static gear units are not transferable between vessels.)

Catch limits

Licensed vessels will be subject to the catch limits as stipulated in the vessels' respective domestic licences or associated permits.

Data Exchange

Access to the e-logs of licensed vessels is essential for the effective operation of this policy.

Number of licences

The number of licences / vessels will not exceed 44, and:

- For vessels 12m and over in length, this number will not exceed 41.
- For vessels under 12m in length, this number will not exceed 3.

Vessels cannot hold more than one licence.