

REGULATIONS RELATING TO A PROHIBITION AGAINST FISHING FOR GREENLAND HALIBUT IN THE TERRITORIAL WATERS OF SVALBARD

On 2 December 2010, under section 4 of the Act of 17 July 1925 No. 11 relating to Svalbard, cf. section 1 of the Regulations of 28 April 1978 No. 20 relating to regulatory measures for fishing in the territorial and internal waters of Svalbard, and section 16 of the Act of 6 June 2008 No. 37 relating to the management of wild living marine resources (the Marine Resources Act), cf. section 5 of the Act of 27 June 2003 No. 57 relating to Norway's territorial waters and contiguous zone, the Ministry of Fisheries and Coastal Affairs adopted the following regulations:

Section 1 Scope

These regulations apply to fishing operations in the territorial waters of Svalbard using Norwegian and foreign vessels of any type engaged in commercial fishing operations or assisting the fishing fleet, including search vessels and experimental fishing vessels.

Section 2 General prohibition

It is prohibited to fish for Greenland halibut unless specifically provided otherwise.

Section 3 Quotas

Norwegian and foreign vessels that are permitted to fish Greenland halibut within the Economic Zone of Norway may fish for Greenland halibut in the territorial waters of Svalbard within the allocated quotas of Greenland halibut, and the catches shall be deducted from these quotas.

Section 4 Bycatches

During fishing for other species, it is permitted to have an intermixture of Greenland halibut of up to 7% on board at the end of fishing operations and in the catch landed. Nevertheless, a bycatch of up to 12% Greenland halibut is permitted in individual catches.

Section 5 Authorisation

The Director General of Fisheries may close the fishery for Greenland halibut in the territorial waters of Svalbard under these regulations when it is calculated that the quotas set out in the regulations have been caught.

Section 6 Penal measures

Any person who wilfully or negligently contravenes the provisions of these regulations is liable to a penalty under section 4 of the Act of 17 July 1925 No. 11 relating to Svalbard and sections 61, 64 and 65 of the Act of 6 June 2008 No. 37 relating to the management of wild living marine resources. Complicity or an attempt is liable to the same penalty.

Section 7 Entry into force

These regulations enter into force on 1 January 2011.