

REGULATIONS RELATING TO FISHING FOR COD IN THE FISHERIES PROTECTION ZONE AROUND SVALBARD IN 2011

On 2 December 2010, under the Act of 17 December 1976 No. 91 relating to the Economic Zone of Norway and sections 11 and 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 3 of the Regulations of 3 June 1977 No. 6 relating to the Fisheries Protection Zone around Svalbard, the Ministry of Fisheries and Coastal Affairs adopted the following regulations:

Section 1 Scope

These regulations apply to fishing operations in the Fisheries Protection Zone around 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 cod in the Fisheries Protection Zone around Svalbard unless specifically provided otherwise.

Section 3 Quotas

Notwithstanding the prohibition of section 2, Norwegian and Russian vessels may fish North-East Arctic cod in the Fisheries Protection Zone around Svalbard within the quotas allocated to vessels from these countries.

Notwithstanding the prohibition of section 2, vessels from states that have traditionally fished North-East Arctic cod in the Fisheries Protection Zone around Svalbard may fish within the quota that is set. These are vessels from EU member states and the Faeroe Islands.

For vessels from EU member states, a share of the total allowable catch of North-East Arctic cod is allocated to catches in the Fisheries Protection Zone around Svalbard. In 2011, this quota is set at 25 973 tonnes.

For vessels from the Faeroe Islands, a share of the total allowable catch of North-East Arctic cod is allocated to catches in the Fisheries Protection Zone around Svalbard. In 2011, this quota is set at 1427 tonnes.

Section 4 Vessels that are permitted to fish in the Economic Zone of Norway

Vessels that are permitted to fish for North-East Arctic cod in the Economic Zone of Norway are exempted from the restrictions set out in section 3. According to this exemption, fishing operations in the Fisheries Protection Zone may only take place within the allocated quotas of North-East Arctic cod, and shall be deducted from these.

Section 5 Bycatches

Intermixtures of up to 10% of North-East Arctic cod in catches of other species are exempted from the restrictions set out in section 2.

Section 6 Authorisation

The Director General of Fisheries may close the fishery for North-East Arctic cod in the Fisheries Protection Zone around Svalbard under these regulations when it is calculated that the quotas set out in the regulations have been caught.

Section 7 Penal measures

Any person who wilfully or negligently contravenes any provisions set out in or issued under these regulations is liable to a penalty under sections 8 and 9 of the Act of 17 December 1976 No. 91 relating to the Economic Zone of Norway and sections 60, 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 penalties.

Section 8 Entry into force

These regulations enter into force on 1 January 2011 and apply up to and including 31 December 2011.