

REGULATIONS RELATING TO FISHING BY VESSELS FLYING THE FLAG OF A MEMBER STATE OF THE EUROPEAN UNION (EU) IN THE ECONOMIC ZONE OF NORWAY AND IN THE FISHERIES ZONE AROUND JAN MAYEN IN 2011

On 16 December 2010, under sections 4 and 6 of the Act of 17 December 1976 No. 91 relating to the Economic Zone of Norway, cf. section 14 of the Regulations of 13 May 1977 No. 2 relating to fishing and hunting operations by foreign nationals in the Economic Zone of Norway and landings in Norwegian ports, section 4 of the Regulations of 23 May 1980 No. 4 relating to the establishment of a fisheries zone around Jan Mayen, delegation of authority, and the Ministry of Fisheries' decision of 16 October 2001 No. 4686 on delegation of authority, the Directorate of Fisheries adopted the following regulations:

CHAPTER 1. GENERAL PROVISIONS

Section 1 General prohibition

It is prohibited to engage in fishing and hunting operations using vessels flying the flag of a Member State of the EU in the Economic Zone of Norway and in the fisheries zone around Jan Mayen between 12 and 200 nautical miles from the baselines.

CHAPTER 2. FISHING IN THE ECONOMIC ZONE OF NORWAY NORTH OF 62°N

Section 2 Quotas north of 62°N

Notwithstanding the prohibition set out in section 1, vessels flying the flag of a Member State of the EU are permitted to catch the following quantities of fish in the Economic Zone of Norway north of 62°N between 12 and 200 nautical miles from the baselines:

- a) 14 127 tonnes North-East Arctic cod,
- b) 1 350 tonnes North-East Arctic haddock,
- c) 2 550 tonnes saithe,
- d) 14 050 tonnes mackerel in ICES area IIa. This quota may also be taken in ICES area IVa,
- e) 1 500 tonnes redfish (*Sebastes mentella* and *S. marinus*) as a bycatch,
- f) 350 tonnes other fish species as a bycatch,
- g) 50 tonnes Greenland halibut as a bycatch.

Section 3 Bycatches of redfish

During fishing for other species, a bycatch of up to 15% by weight of redfish (*Sebastes mentella* and *S. marinus*) is permitted in individual catches and in the catch landed.

Section 4 Bycatches of Greenland halibut

During fishing for other species, an intermixture of up to 7% Greenland halibut is permitted in the catch 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 Fishing for blue whiting in the Economic Zone of Norway

Notwithstanding the prohibition set out in section 1, vessels flying the flag of a Member State of the EU are permitted to fish 7 529 tonnes of the EU quota of blue whiting under the Coastal States arrangement in the Economic Zone of Norway and in the fisheries zone around Jan Mayen. This quantity may also be taken in the Economic Zone of Norway south of 62° N.

Section 6 Fishing for Norwegian spring-spawning herring in the Economic Zone of Norway

Notwithstanding the prohibition set out in section 1, vessels flying the flag of a Member State of the EU are permitted to fish 57 887 tonnes of the EU quota of Norwegian spring-spawning herring under the Coastal States arrangement in the Economic Zone of Norway north of 62° N and in the fisheries zone around Jan Mayen.

Section 7 Prohibition against fishing with large-meshed trawls and against fishing for greater argentine and blue whiting with small-meshed trawls

It is prohibited to fish with large-meshed trawls (130mm) and to fish for greater argentine and blue whiting with small-meshed trawls in the Economic Zone of Norway in an area delimited by straight lines through the following coordinates:

1. 66°30'N 06°59'E
2. 66°21'N 06°44'E
3. 65°43'N 06°00'E
4. 65°20'N 06°00'E
5. 65°20'N 05°30'E
6. 66°00'N 05°30'E
7. 67°30'N 06°34.27'E
8. 67°10'N 08°00'E
9. 67°10'N 08°35'E
10. 67°00'N 08°18'E
11. 66°50'N 08°09'E

It is prohibited to fish with large-meshed trawls (120 mm) and to fish for greater argentine and blue whiting with small-meshed trawls in the Economic Zone of Norway in an area delimited by straight lines through the following coordinates:

1. 62°36'N 03°00'E
2. 62°10'N 01°15'E (at the outer limit of the Economic Zone of Norway)
3. 62°40'N 00°52'E (at the outer limit of the Economic Zone of Norway)
4. 63°00'N 03°00'E from there a straight line to position 1.

CHAPTER 3. FISHING IN THE ECONOMIC ZONE OF NORWAY SOUTH OF 62°N

Section 8 Quotas south of 62°N

Notwithstanding the prohibition set out in section 1, vessels flying the flag of a Member State of the EU are permitted to catch the following quantities of fish in the Economic Zone of Norway south of 62°N between 12 and 200 nautical miles from the baselines, outside the Skagerrak:

- a) 19 363 tonnes cod,
- b) 19 662 tonnes haddock,
- c) 43 843 tonnes saithe,
- d) 9 044 tonnes whiting,
- e) 28 257 tonnes plaice,
- f) 50 000 tonnes herring,
- g) 24 760 tonnes mackerel,
- h) 357 tonnes prawns,
- i) 1 500 tonnes angler (monkfish),
- j) 1 200 tonnes Norway lobster,
- k) 170 tonnes tusk,
- l) 850 tonnes ling,
- m) 5 000 tonnes other fish species.

Up to 6 000 tonnes of the mackerel quota set out in the first paragraph, g), may be taken in the Economic Zone of Norway south of 57°30'N and in the Skagerrak more than 12 nautical miles from the baselines.

The saithe quota set out in the first paragraph, c), may be taken in the Skagerrak more than 12 nautical miles from the baselines.

In the Skagerrak, vessels flying the Danish or the Swedish flag may fish to within four nautical miles of the Norwegian baselines in accordance with the agreement of 19 December 1966 between Denmark, Sweden and Norway.

Section 9 Bycatches of horse mackerel

During fishing for blue whiting, unavoidable bycatches of horse mackerel are permitted.

Section 10 Fishing for mackerel in the Economic Zone of Norway

Notwithstanding the prohibition set out in section 1, vessels flying the flag of a Member State of the EU are permitted to fish for mackerel in the Economic Zone of Norway in accordance with the Agreed Record of Conclusions of Fisheries Consultations between the European Union and Norway on the management of mackerel in the North-East Atlantic for 2011 of 10 December 2010.

CHAPTER 5. MISCELLANEOUS PROVISIONS

Section 11 Bycatches

During fishing operations in the Economic Zone of Norway and in the fisheries zone around Jan Mayen, the total bycatch, including the proportion of the total catch used for human consumption, shall not exceed:

- a) 5% herring when fishing for other fish species, and
- b) 10% bycatch of protected species when fishing for species delivered for fish meal production.

Section 12 Calculation of catch quantities

All catch quantities shall be calculated as live weight.

The quantities that vessels from Member States of the EU are entitled to take under these regulations are considered to have been taken if the total amount of fish of the stock in question caught by such vessels reaches the quota agreed for vessels from the Member States of the EU.

Section 13 Documentation of sufficient quotas

Vessels to which these regulations apply shall change fishing grounds if documentation of sufficient quotas for individual catches and the expected catch on the current fishing ground cannot be provided. A change of fishing grounds is not required in the case of small quantities of unavoidable bycatches.

The requirement for documentation of sufficient quotas is considered to be met if the following information can be provided:

- a) name, radio call sign and other identification marks of the vessel;
- b) name, business enterprise organisation number and other contact information for the person issuing the documentation;
- c) specification of the vessel's remaining quotas, split by species and areas.

Section 14 Penalties and confiscation

Any person who wilfully or negligently contravenes provisions set out in these regulations is subject to a penalty and confiscation under sections 8 and 9 of the Act of 17 December 1976 No. 91 relating to the Economic Zone of Norway. Complicity or an attempt to contravene the said provisions is subject to the same penalty.

Section 15 Entry into force

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