

**Government of Greenland Executive Order No. 12 of 17 November 2011 on Regulation of Fisheries through Technical Conservation Measures**

In pursuance of section 10 a, section 23(1), section 33(2) and (3) and (4) and section 34 of Landsting Act No. 18 of 31 October 1996 on Fisheries as amended by, amongst other things, Landsting Act No. 5 of 21 May 2002, and most recently amended by Inatsisartut Act No. 17 of 3 December 2009, this Executive Order lays down the following provisions:

1. This Executive Order shall apply to the fishing territory of Greenland.

*Definitions*

2. For the purposes of this Executive Order, 'baselines' shall mean the baselines defined by Royal Decree No. 1004 of 15 October 2004 on Amendment of the Decree on Delimitation of the Territorial Waters of Greenland.

3. 'West Greenland' shall mean the part of the NAFO area 1 situated in the fishing territory of Greenland. 'East Greenland' shall mean the part of the ICES areas II, V, XII and XIV situated in the fishing territory of Greenland.

4. Positions are stated in this Executive Order in WGS84 with the corrections indicated in the charts that apply to Greenland.

5. The factor which determines whether a vessel is above or below a tonnage limit for the purposes of this Executive Order is the tonnage size recorded in the Tonnage Certificate of the vessel, irrespective of the rules on measuring method on which the execution of the tonnage certificate is based.

*Minimum mesh sizes of netting*

6. In this Executive Order the mesh size of netting is indicated by the inside measurement of a full mesh, but the mesh size of crab pots shall be measured as halfmeshes. The mesh size of trawl netting shall apply to any part of the trawl. Only meshes with four equally long sides of the same material, kept together by four permanent joints, may be used. However, fishing for capelin is exempted from this provision, as meshes with six equally long sides of the same material may be used for such fishing.

- 7.-(1) In fishing for species which are not referred to in subsections (2) – (11) below, the minimum mesh size of the net shall be 140 mm.

- (2) In fishing for shrimps, the minimum mesh size of the net shall be 40 mm.

- (3) In fishing for polar cod, sand eel, capelin and molluscs, the minimum mesh size of the nets shall be 16 mm.

- (4) In fishing for herring and mackerel, the minimum mesh size of the net shall be 32 mm.

- (5) In fishing for blue whiting, the minimum mesh size of the net shall be 35 mm.
- (6) In fishing for crabs using crab pots, the minimum mesh size of the net shall be 70 mm for halfmeshes.
- (7) In net fishing for female lumpsuckers, the minimum mesh size of the net shall be 260 mm.
- (8) In pelagic trawl fishing for redfish, the minimum mesh size of the trawl shall be 100 mm. See however section 9(9).
- (9) In net fishing for arctic char, the minimum mesh size of the net shall be 100 mm.
- (10) In net fishing for Greenland halibut, the minimum mesh size of the net shall be 220 mm.
- (11) In trawl fishing for Greenland halibut, the trawl shall have a mesh size of 140 mm. In the lower the wing panels of the trawl it shall be allowed to use a mesh size of 100 mm
- (12) Gear with mesh sizes smaller than those used in conformity with subsections (2) – (10) above shall not be allowed on board a vessel unless they are properly lashed and stowed in such a way that they may not be readily used.

#### *Measuring of mesh sizes*

8. The mesh size of a net shall be determined as described in the annex to this Executive Order.

#### *Attachments to fishing nets*

9.-(1) In fishing for shrimps, a sorting grid with a bar spacing of no more than 22 mm shall be used. The grid shall be made of stable, including dimensionally stable, material, and shall be placed and fitted so as to ensure the best possible sorting out of bycatches. The bar spacing of a sorting grid shall be determined as described in the annex to this Executive Order.

(2) Irrespective of the provisions on mesh sizes set out in section 7, it shall be permitted to attach the materials referred to in subsections (5) – (7) to the top side as well as the bottom side of the trawl net to reduce wear and tear or increase the strength of the trawl net.

(3) Shrimp trawls shall be furnished with rotating rockhopper gear with a toggle chains of at least 72 cm. A fixed rockhopper shall be permitted until 1 April 2012. After that date, it shall be replaced by a rotating rockhopper.

(4) The use of bobbins is prohibited in connection with shrimp trawls. However, it shall be permitted to start on and finish the rockhopper gear by using a steel bobbin in either side of the trawl opening. In addition, it shall be permitted to attach one steel bobbin between each length of rockhopper. Attached steel bobbins shall have the same diameter as attached rockhoppers.

(5) It shall be permitted to attach one strengthening net (outer bag) around the rear half of the gear. The mesh size of the strengthening net shall be at least twice as big as that of the trawl itself (the inner bag). The circumference of the outer bag shall be larger than that of the inner bag at the part where it is attached.

(6) It shall be permitted to fix any type of material (canvas, mats, nets) to the bottom side of the rear half of the trawl as a bottom-side strengthener (a chafer). The chafer may at no point be attached to more than 50 per cent of the circumference of the gear at the part where it is attached.

(7) In fishing using a bottom trawl it shall be permitted to attach stone chafers of a hardwearing material, for example oxhide, inside the bottom part of the codend sensu strictu.

The maximum area of a stone chafer may be no more than 4 m<sup>2</sup> where one codend is used and no more than 2 m<sup>2</sup> in either codend where two codends are used.

(8) Where round straps are used for strengthening around any part of the trawl, these may not be shorter than 60 per cent of the largest circumference of the gear at the point where they are attached (the number of meshes multiplied by the mesh size). The spacing between such round straps shall be at least one metre. Where both round straps and a strengthening net (outer bag) are used, the round straps may only be attached to the gear itself (the inner bag).

(9) In pelagic trawl fishing for redfish, round straps for strengthening around any part of the trawl may not be shorter than 40 per cent of the largest circumference of the gear at the part where they are attached (number of meshes multiplied by the mesh size). The spacing between such round straps shall be at least one metre. Where both round straps and a strengthening net (outer bag) are used, the round straps may only be attached to the gear itself (the inner bag). Any use of round straps which restrict the circumference of the gear to less than 60 per cent of its largest circumference shall be conditional upon the use of netting with a mesh width of 140 mm.

(10) Attachments and materials which are not referred to in subsections (5) – (9) above shall not be used.

#### *Prohibition of fishing within three nautical miles*

10.-(1) In the area between the coast and a line which is three nautical miles outside the baselines, the following prohibition shall apply:

(1) Apart from fishing for scallops, fishing shall be prohibited for vessels of 75 GRT/GT 120 or more according to their Tonnage Certificates.

(2) However, the prohibition set out in paragraph (1) shall not apply in the waters between Kap Farvel to the South and Kap Møsting (63°37'N) to the North, in which fishing up to the baseline shall be permitted. In addition, fishing within the baseline shall be permitted in the area between 61°49.6'N and 62°51.9'N (the bay off Timmiarmiut).

(3) Fishing using seines or trawl nets for cod, redfish, halibut, Greenland halibut and catfish shall be prohibited for all vessels.

(2) The Ministry of Fisheries, Hunting and Agriculture may grant derogations from the provision in subsection 1, paragraph (1), for coastal areas in which no fishing is carried out by small vessels and in which fishing from large vessels cannot prevent the development of local inshore fisheries.

#### *Prohibition of fishing in certain areas*

11. Fishing using bottom trawl or other gear getting into contact with the sea bottom is prohibited off Greenland's west coast in the area between 64°10'N and 65°15'N from the coast and to a line three nautical miles outside the baseline.

#### *Fisheries in new areas with gear having contact with the sea bottom*

12.-(1) All fishing activity in West Greenland in the area north of 74°N and west of 64°W and in East Greenland in the waters north of 71°N with gear having contact with the sea bottom shall be deemed to be fishing in new areas.

(2) When fishing in new areas, cf. subsection (1), a fisheries observer shall be embarked.

#### *Catching corals and sponges*

13. If more than 60 kilos of living corals and/or 800 kilos of living sponges are caught in one trawl haul, the Greenland Fisheries Licence Control Authority shall be informed thereof and the fishing activity shall be discontinued and any further fishing shall be moved to a place at least two nautical miles from the end position of the trawl haul in a direction which offers the least chance of catching corals and sponges.

#### *Closing of areas for fishing with gear that has contact with the sea bottom*

14.-(1) Based on observations of catches of living corals and living sponges, the Ministry of Fisheries, Hunting and Agriculture shall evaluate whether an area must be regarded as a vulnerable marine ecosystem. The Ministry of Fisheries, Hunting and Agriculture may decide to close areas considered to be a vulnerable marine ecosystem for fishing using bottom trawl or other gear having contact with the sea bottom.

(2) Such information is given by publication in the press, by e-mail to the vessels in the area and, in the case of Greenland vessels, by e-mail to the shipping companies of the vessels concerned. For vessels registered in an EU country, such information shall be sent to the European Commission and, in the case of other non-Greenlandic vessels, to the national fisheries authority.

#### *Prohibition against the use of certain catching methods*

15.-(1) Explosives, poisonous or stupefying substances and guns shall not be used for fishing. Electrofishing shall not be permitted without a special permission.

(2) Gill nets and trammel nets shall not be used for fishing outside three nautical miles from the baselines in areas with a depth of water exceeding 200 metres. In the event of loss of sink seines, gill nets and trammel nets, such seines and nets shall be taken in by those who set the seines and nets.

(3) Trawl fishing for Greenland Halibut is prohibited off West Greenland between 64°30'N and 68°N.

#### *Prohibition against the use of certain types of equipment*

16.-(1) Devices which can be used to direct catches over the side of the vessel shall be prohibited.

(2) Where, in connection with trawl fishing for shrimps, derogations have been issued from the prohibition against discarding commercially interesting species, any bycatch shall be entered in the logbook by species and volume before the bycatch is discarded.

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*Marking of gear*

17. Fishing gear shall be marked with either the name and address of the owner or the name and port registration letters of the vessel. The marking tag used shall be of a waterproof material. For gill nets the tag shall be attached to the top rope. For longlines the tag shall be attached to the longline itself. For trawl nets the tag shall be attached to the main rope. For dredges and pots the tag shall be attached to the top frame of the gear. For all passive gear the marking buoys used shall be similarly tagged.

*Penalty measures*

18. Anyone who contravenes the provisions of section 7, section 9, section 10(1), section 11, section 12(2), section 14, section 15, section 16 as well as section 17 of this Executive Order may be liable to a fine. If unlawful fishing takes place from a vessel, the fishing gear used, the entire catch of the vessel or the value of the entire catch may be confiscated. However, the confiscation shall not include any catch which is proved to originate from lawful fishing operations. Any fines shall go to the Treasury.

*Entry into force*

19.-(1) This Executive Order shall enter into force on 1 December 2011.

(2) Home Rule Executive Order No. 39 of 6 December 2001 on Regulation of Fisheries through Technical Conservation Measures shall be repealed on the same date.

*Government of Greenland, 9 November 2011.*

Ane Hansen

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Jens K. Lyberth

## **Annex**

### **1. Description of mesh gauges**

- a) A mesh gauge to be used for determining mesh sizes shall be 2 mm thick, flat, of durable material and non-deformable. It shall be designed either as a number of parallel-edged sides connected by tapering edges with a taper of 1:8 on each side or only tapering edges with the taper defined above. The mesh gauge shall have a hole at the narrowest extremity.**
- b) The face of the mesh gauge shall be inscribed with the width in millimetres both on the parallel-sided section, if this design is used, and on the tapering section. In the case of the latter, the width shall be inscribed for every interval of 1 mm, and the width shall be indicated at regular intervals.**

### **2. Use of the mesh gauge**

- a) The net shall be kept stretched so that the meshes are stretched in the direction of the long diagonal.**
- b) The tapered end of the mesh gauge described in point 1 shall be inserted into the mesh opening in a direction perpendicular to the netting along the long axis of the net.**
- c) The gauge shall be inserted into the mesh opening either manually or using a weight until the mesh gauge is stopped by the resistance of the mesh at the tapering edges.**

### **3. Selection of meshes for measuring**

- a) The meshes to be measured shall form a series of 20 consecutive meshes selected in the direction of the long axis of the net.**
- b) Meshes positioned less than 50 cm from lacings, ropes and codlines shall not be measured. This distance shall be measured perpendicular to the lacings, the ropes or the codline with the net stretched in the direction of measuring. Any mesh that has been mended or torn or to which attachments to the net are fixed shall not be measured.**
- c) By way of derogation from 3a), the meshes to be measured need not be consecutive if this is prevented by the application of 3b).**
- d) Nets shall be measured only when wet and non-frozen.**

### **4. Sizes of individual meshes**

- a) The size of a mesh shall be equal to the width of the gauge inscribed at the point where the gauge is stopped when used in accordance with point 2.**
- b) The sides of a mesh shall be accepted as being of the same length if, when measured, the two knots that keep the mesh together in the lateral direction appear to be off the centre of the mesh gauging device.**

### **5. Determination of the mesh size of a net**

- a) The mesh size of a net shall be expressed in mm as the average of the sizes of the total number of meshes selected and measured according to points 3 and 4. The average value shall be rounded up to the next full number of millimetres.**
- b) The total number of meshes to be measured is specified in point 6.**

## **6. Mesh gauging procedure**

**a) The inspector shall measure a series of 20 meshes selected according to point 3 by inserting the mesh gauge manually without using a weight.**

**The mesh size of the net shall then be determined in accordance with point 5.**

**b) Where the calculation of the mesh size shows that the size is apparently not in conformity with the rules in force, then two additional series of 20 meshes selected in accordance with point 3 shall be measured.**

**The mesh size shall then be recalculated in accordance with point 5 on the basis of the total number of 60 meshes now measured. This shall be the mesh size of the net, see however point 6c).**

**c) If the master of the vessel contests the mesh size determined according to a) or b) above, this measurement shall not be taken into account in determining the mesh size, and the net shall be remeasured.**

**The remeasuring shall be made using a weight.**

**The weight shall be fixed with a hook inserted in the hole in the narrowest extremity of the mesh gauge.**

**The accuracy of the weight shall be certified by Dantest.**

**For nets of a mesh size of 35 mm or less, as determined according to a) above, a weight of 2 kg shall be used for the remeasuring. For other nets a weight of 5 kg shall be used for the remeasuring.**

**For the purpose of determining the mesh size according to point 5, only one series of 20 meshes shall be measured where a weight is used.**

## **7. Procedure for measuring meshes in crab pots**

**a) The netting material of pots shall be fitted and distended so as far as possible to form square mesh openings.**

**b) The mesh size shall be determined by measuring the spacing between a number of knots "X" and dividing this number by "X-1" (the number of knots minus one). The average value shall be rounded up to the next full number of millimetres.**

**c) Mesh openings which are fixed to the frame of the pot shall not be measured.**

## **8. Procedure for measuring the bar spacing of sorting grids**

**a) The bar spacing shall be measured perpendicular to the gear using a slide gauge.**

**b) The spacings to be measured shall comprise 10 random spacings.**

**c) The bar spacing of the sorting grid shall be expressed in millimetres as the average of the size of the total number of bar spacings, selected and measured according to a) above. The average shall be rounded to the next full millimetre.**

**d) If the calculation of the bar spacing shows that it is apparently not in conformity with the rules in force, all spacings of the sorting grid shall be measured from inside edge to inside edge within the frame of the gear, and the sum shall be divided by the number of spacings. The average shall be rounded down to the next full millimetre.**

**e) Nowhere in the grid may the bar spacing vary more than 1 mm relative to the maximum bar spacing in force at any time.**



140 mm Greenland Halibut trawl

