

Courtesy Translation

No. 170

21 December 2018

Executive Order on fishing activities by vessels flying the flag of the Russian Federation in the Faroese Fisheries Zone in 2019

In exercise of the powers conferred by section 36 (4), section 37 (2), section 39(1) 1, 2, 3, 4 and 6, section 39(2) 2, 5, 6, 7, 8 and 9, section 39(3), section 44 (1) and section 81(2) of Parliamentary Act No 161 of 18 December 2017 on Management of Ocean Resources, as amended with Parliamentary Act No 33 of 20 April 2018, the following has been stipulated:

Chapter 1 Scope

1. This Executive Order covers the directed fisheries of blue whiting and mackerel in the Faroese Fisheries Zone, in addition to the experimental fisheries in deep water, by vessels flying the flag of the Russian Federation in conformity with the mutual Agreement on fisheries between the Faroe Islands and the Russian Federation.

Chapter 2 Blue whiting fisheries

2. Vessels flying the flag of the Russian Federation are permitted to fish 81,000 tonnes of blue whiting (*Micromesistius poutassou*) in the Faroese Fisheries Zone in 2019.

3. In addition to the quota in section 2 vessels flying the flag of the Russian Federation are permitted to fish in the Faroese Fisheries Zone in 2019 up to 21,207 tonnes of the blue whiting quota allocated to the Russian Federation under the NEAFC recommendation on blue whiting for 2019.

Areas

4. – (1) It is prohibited to fish for blue whiting with trawl in the areas referred to in section 4 (2) and (3).

(2) On the Faroe Plateau within lines drawn between the following points and in this order:

- 1) 62°50'00"N, 07°11'00"W
- 2) 62°53'00"N, 06°40'00"W
- 3) 62°50'00"N, 06°10'00"W
- 4) 62°43'00"N, 05°38'00"W
- 5) 62°32'00"N, 05°02'00"W
- 6) 62°25'00"N, 04°15'00"W
- 7) 62°19'00"N, 04°00'00"W
- 8) 62°01'00"N, 04°00'00"W
- 9) 61°17'00"N, 04°56'00"W
- 10) 60°26'00"N, 06°10'00"W

- 11) 60°26'00"N, 06°32'00"W
- 12) 60°35'00"N, 06°35'00"W
- 13) 61°23'00"N, 07°30'00"W
- 14) 61°25'25"N, 08°01'00"W
- 15) 61°32'48"N, 08°20'30"W
- 16) 61°49'00"N, 08°41'50"W
- 17) 62°00'00"N, 10°00'00"W
- 18) 62°40'00"N, 10°00'00"W
- 19) 62°40'00"N, 08°00'00"W
- 20) 62°50'00"N, 07°11'00"W

(3) On Faroe Bank within lines drawn between the following points and in this order:

- 1) 60°50'00"N, 07°57'00"W
- 2) 61°03'00"N, 07°57'00"W
- 3) 61°15'30"N, 08°16'00"W
- 4) 61°13'20"N, 08°42'12"W
- 5) 61°00'00"N, 09°11'00"W
- 6) 60°48'40"N, 09°25'00"W
- 7) 60°24'00"N, 09°07'00"W
- 8) 60°50'00"N, 07°57'00"W

Fishing gear

5. When fishing for blue whiting with pelagic trawl, the mesh size in the trawl shall not be smaller than 35 mm.

6. – (1) The trawl shall be equipped with a sorting grid when fishing for blue whiting north of 60°20'00"N, and south of a line drawn true east from the point 63°00'00"N, 06°00'00"W and out to the boundary of the Faroese Fisheries Zone and 315° in a direct line from the point 63°00'00"N, 06°00'00"W and out to the boundary of the Faroese Fisheries Zone.

(2) The sorting grid section shall be mounted between the belly of the trawl and its codend. The grid shall have a maximum distance of 55 mm between the bars. The angle of the grid shall be 45° – 60°. There shall be a fish outlet in the lower panel of the trawl. The fish outlet shall be the breadth of the sorting grid and shall allow the by-catches to freely exit the trawl. Annex 1 contains a sketch of the grid and the grid section.

Chapter 3 Mackerel fisheries

7. Vessels flying the flag of the Russian Federation are permitted to fish 12,500 tonnes of mackerel (*Scomber scombrus*) in the Faroese Fisheries Zone in 2019.

Fishing gear

8. When fishing for mackerel with pelagic trawl, the mesh size in the trawl shall not be smaller than 35 mm.

Areas

9. The mackerel quota according to section 7 shall be fished in the Faroese Fisheries Zone outside 12 nautical miles from the base lines.

10. Vessels fishing for mackerel in accordance with this Executive Order shall follow the provisions on protected areas as laid down in the Executive Order on the protection of certain areas in the Faroese Fisheries Zone from trawl fisheries and fisheries with other gear.

11. When a vessel enters an area where it is not permitted to fish, all fishing gear must be stowed away in its normal place and the trawl vires unshackled.

Various regulations on equipment on board vessels fishing for mackerel

12. The maximum space between bars in the water separator on board fishing vessels shall be 10 mm. The bars must be welded in place. If holes are used in the water separator instead of bars, the maximum diameter of holes must not exceed 10 mm. Holes in the chutes before the water separator must not exceed 15 mm in diameter.

13. The possibility to discharge fish under the water line of the vessel is prohibited.

14. If so requested, vessels shall provide VØRN (Faroe Islands Fisheries Inspection) with drawings related to catch handling and discharge capabilities of the vessel. Vessels are obligated to carry on board copies of these drawings at all times.

15. Unless fish is frozen on board the vessel, the carrying or use on board a fishing vessel of equipment, which is capable of automatically grading the catches by size is prohibited. In the case of fish being frozen on board, the fish shall be frozen immediately after grading.

Chapter 4

Experimental fisheries on deep-sea species

16. – (1) Five vessels flying the flag of the Russian Federation are permitted to undertake experimental fisheries on deep-sea species at depths below 700 meters, provided that a scientific observer is on board. No more than 3 vessels are allowed to participate in the fisheries simultaneously.

(2) Two of the vessels referred to in section 16 (1) are allowed to undertake experimental fisheries in Faroese waters around Bill Bailey and Outer Bill Bailey Banks at depths between 500 and 700 meters. The total allowable catch is 500 tonnes of deep-sea species.

Chapter 5

Various regulations

Licence

17. Vessels flying the flag of the Russian Federation are only allowed to start fishing in the Faroese Fisheries Zone provided they are on a list of vessels, Russian authorities have licenced to fish in Faroese Fisheries Zone according to this Executive Order. The list shall be notified to and approved by Faroese authorities.

Number of vessels

18. These limitations are on the number of vessels flying the flag of the Russian Federation simultaneously allowed to be present to fish for blue whiting and mackerel in the Faroese Fisheries Zone:

- 1) From 1 January to 31 March: 20 vessels
- 2) From 1 April to 31 October: 29 vessels. If an area is established by VØRN (Faroe Islands Fisheries Inspection) to prevent congestion in the period 15 April to 31 May the number is limited to 16 vessels in this area.
- 3) From 1 November to 31 December: 28 vessels.

By-catches in the blue whiting and mackerel fisheries

19. When fishing for blue whiting the allowed by-catch of herring is up to 3% and the allowed by-catch of anchovy is up to 10% of the total catches per landing. The by-catch is counted against the quota of blue whiting referred to in section 2.

20. When fishing for mackerel the allowed by-catch of herring is up to 49% of the total catches per landing.

21. The total by-catch of herring in the blue whiting and mackerel fisheries in the Faroese Fisheries Zone shall not exceed 8,555 tonnes.

22. – (1) When fishing for blue whiting or mackerel the total by-catches of cod, haddock, saithe and redfish shall not exceed 2% of the total catch in each haul and shall not exceed 2% of the total catches per landing.

(2) The master of the vessel has a duty to inform VØRN (Faroe Islands Fisheries Inspection) when the by-catches of cod, haddock, saithe and redfish are more than 2% of the weight of the catch in each haul.

23. – (1) In direct fishery for blue whiting, the admixture of juvenile in each haul shall not exceed 50% in number. Blue whiting below 23 cm, measured from the tip of the head to the end of the tail, is juvenile.

(2) If the admixture of juvenile according to section 23 (1) is more than the stipulated maximum the master of the vessel shall immediately notify VØRN (Faroe Islands Fisheries Inspection). The master of the vessel has a duty to inform VØRN (Faroe Islands Fisheries Inspection) about the admixture of juvenile, on request from VØRN (Faroe Islands Fisheries Inspection).

24. According to section 69 (1) in the Parliamentary Act on Management of Ocean Resources VØRN (Faroe Islands Fisheries Inspection) is authorized to establish real time closures of areas within the Faroese Fisheries Zone due to high abundance of juvenile fish or when the by-catches exceed the maximum allowed by-catch. Real time closures may be established up to 4 weeks each time.

Conversion factors

25. The following conversion factors apply to convert production weight into live weight for mackerel:

- 1) Gutted, with head: 1,15
- 2) Gutted, without head: 1,30
- 3) Fillet, with skin and bone: 2,60
- 4) Fillet, without skin, with bone: 2,60
- 5) Fillet, without skin and bone: 2,60

6) Fish meal: 5,22

26. The following conversion factors apply to convert production weight into live weight for blue whiting:

- 1) Gutted, with head: 1,20
- 2) Gutted, without head: 1,40
- 3) Fillet, with skin and bone: 2,80
- 4) Fillet, without skin, with bone: 2,80
- 5) Fillet, without skin and bone: 2,80
- 6) Fish meal: 5,11

Undersized mackerel

27. – (1) Catches of undersized mackerel shall not exceed 10% of the total weight of the catches per landing.

(2) Mackerel below 30 cm, measured from the tip of the head to the end of the tail, when it is stretched, is undersized mackerel.

Discarding

28. Discarding or slipping of fish is prohibited.

Transshipment

29. – (1) According to section 37 (1) in the Parliamentary Act on Management of Ocean Resources, transshipment of catches is prohibited.

(2) However VØRN (Faroe Islands Fisheries Inspection) is authorized to allow transshipment at a Faroese port in conformity with NEAFC regulations.

Reporting procedures

30. Vessels flying the flag of the Russian Federation, that according to section 17 in this Executive Order have been licenced to fish in the Faroese Fisheries Zone, shall report to VØRN (Faroe Islands Fisheries Inspection), in accordance with the reporting procedures stipulated in Annex 2 to this Executive Order.

Chapter 6 Punishment and duration

Punishment

31. – (1) Breaches of the provisions in sections 4-6, sections 8-13, section 14, sections 15-16, sections 19-20, section 22, section 23 (2), sections 25-26, section 27 (1), sections 28 and 30 shall be subject to a fine unless a more severe punishment is laid down in another Act. Those that do not follow orders according to section 14 or that undertake transshipment according to section 29 (2) without permission will be punished in the same way.

(2) If a breach is committed by a limited company, private company, co-operative or similar, the company shall be subject to a fine.

(3) According to section 87 of the Parliamentary Act on Management of Ocean Resources, VØRN (Faroe Islands Fisheries Inspection) is authorized to withdraw the fisheries licence if a breach is committed according to section 31 (1). The licence can be withdrawn for up to 4 weeks at a time.

Duration

32. This Executive Order takes effect on 1 January 2019 and will be abolished on 31 December 2019.

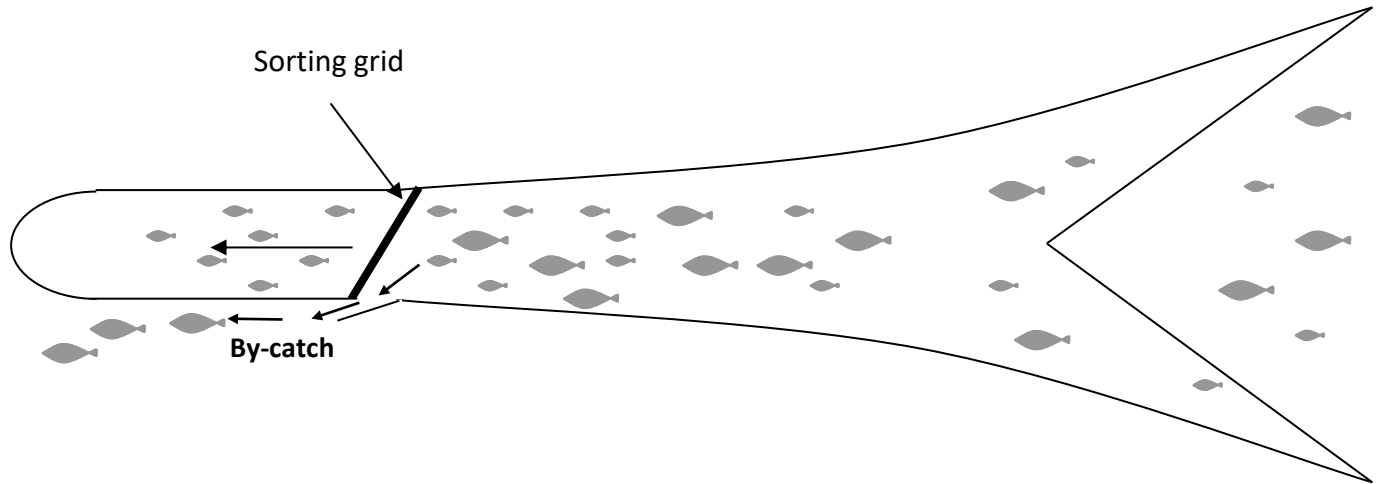
Ministry of Fisheries, 21 December 2018

Høgni Hoydal (sign.)
Minister

/Rógvi Reinert (sign.)

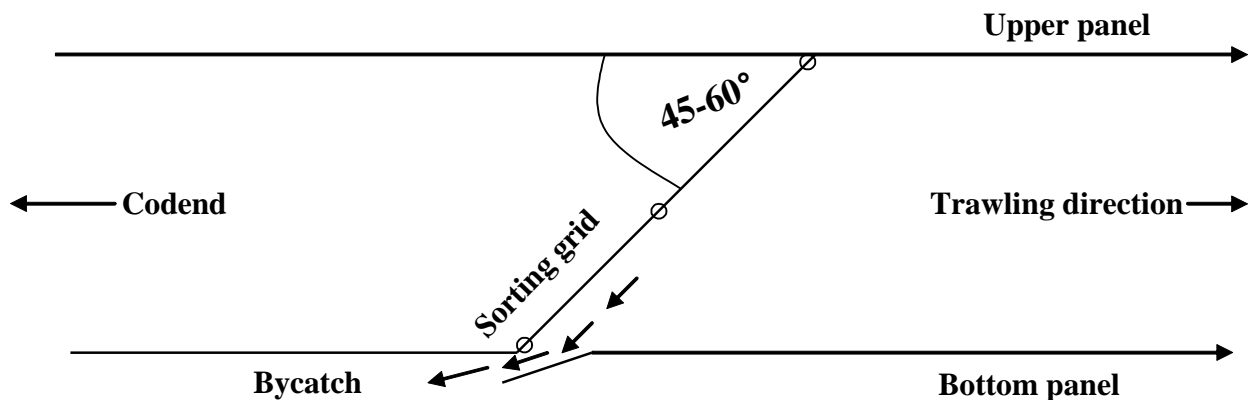
Sketch of the sorting grid and grid section

The purpose of the sorting grid is to sort larger fish from the blue whiting and allow the larger fish to exit through an opening in the bottom panel of the trawl.



The sorting grid section

The sorting grid section shall be mounted between the belly of the trawl and its codend. The maximum permitted distance between the bars of the sorting grid shall be 55 mm. The angle of the grid shall be 45° - 60°. There shall be a fish outlet in the lower panel of the trawl. The fish outlet shall be the breadth of the sorting grid and shall allow the by-catches to freely exit the trawl.



Reporting procedures to Vørn

- 1) Start fishing (COE, catch on entry) This report shall be transmitted at the earliest 6 hours and not later than 2 hours in advance of a vessel's entry into the Faroese Fishing Zone**

(TM): Type of message: COE (Catch on Entry)
 (SQ): Sequence Number
 (LC): Licence Number (Optional)
 (DS): Direct fisheries on what species
 (RC): Radio call sign
 (IM): IMO Number (Optional)
 (TN): Trip Number (Optional)
 (NA): Name of Vessel
 (MA): Name of Master
 (XR): External Registration Number
 (RA): Relevant Fishing Area
 (LA): Latitude when Transmitted
 (LO): Longitude when Transmitted
 (OB): Quantity on Board by Species (FAO 3 alpha code) live weight in kilograms
 (DA): Date of Transmission (dd-mm-yyyy)
 (TI): Time of Transmission (24H h: m)
 (RE): Remarks

- 2) Catch (CAT, Daily Catch) When fishing is ongoing, fishing vessels shall report the daily catches every morning before noon**

(TM): Type of message: CAT (Daily Catch)
 (SQ): Sequence Number
 (LC): Licence Number (Optional)
 (DS): Direct fisheries on what species
 (RC): Radio call sign
 (IM): IMO Number (Optional)
 (TN): Trip Number
 (NA): Name of Vessel
 (MA): Name of Master
 (XR): External Registration Number
 (RA): Relevant Fishing Area
 (LA): Latitude when Transmitted
 (LO): Longitude when Transmitted
 (CA): Catches the previous day from 00.00 to 23.59 (CAT) by Species (FAO 3 alpha code) live weight in kilograms
 (TC): Total Catch on Board by Species (FAO 3 alpha code) live weight in kilograms
 (DA): Date of Transmission (dd-mm-yyyy)
 (TI): Time of Transmission (24H h:m)

(RE): Remarks

3) Stop fishing (COX, Catch on Exit) This report shall be transmitted at the earliest 8 hours and not later than 2 hours in advance of each exit/end fishing. If the vessel is leaving the Faroese Fishing Zone without entering a Faroese port, this report shall be transmitted at least 12 hours in advance of the exit.

(TM): Type of Message: COX (Catch on Exit)
(SQ): Sequence Number
(LC): Licence Number (Optional)
(DS): Direct fisheries on what species
(RC): Radio call sign
(IM): IMO Number (Optional)
(TN): Trip number (Optional)
(NA): Name of Vessel
(MA): Name of Master
(XR): External Registration Number
(RA): Relevant Fishing Area
(LA): Latitude when Transmitted
(LO): Longitude when Transmitted
(CA): Catches the previous day from 00.00 to 23.59 (CAT) by Species (FAO 3 alpha code) live weight in kilograms
(TC): Total Catch on Board by Species (FAO 3 alpha code) live weight in kilograms
(PO): Port of Landing or Transshipping
(TR): Transshipping-/Landing to company/vessel
(PD): Estimated Date of Landing/Transshipping (dd-mm-yyyy)
(PT): Estimated Time of Landing/Transshipping (24H h:m)
(DA): Date of Transmission (dd-mm-yyyy)
(TI): Time of Transmission (24H h:m)
(RE): Remarks