



## FISKIMÁLARÁÐIÐ

Stjórnarskrivstovan

May 11, 2021

Our ref.: 21/06767

Case worker: ÓD

Your ref.:

### Courtesy Translation

#### Executive Order No. 209 from 22 December 2020

on

#### **fishing activities by vessels flying the flag of the Russian Federation in the Faroese Fisheries Zone in 2021, as amended by Executive Order No. 46 from 27 April 2021**

In exercise of the powers conferred by section 25 (4), section 26 (2), section 34(1) 1-4 and 6, section 34(2) 2, 4 and 6-9, section 34(3), and section 64(2) of Parliamentary Act No 152 of 23 December 2019 on Marine Resources, as amended by Parliamentary Act No 106 of 29 June 2020, the following has been stipulated:

#### **Chapter 1 Scope**

**1.** This Executive Order covers the directed fisheries of blue whiting, herring 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 82,000 tonnes of blue whiting (*Micromesistius poutassou*) in the Faroese Fisheries Zone in 2021.

**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 2021 up to 17.232 tonnes of the blue whiting quota allocated to the Russian Federation under the NEAFC recommendation on blue whiting for 2021.

#### **Areas**

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

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(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 and herring fisheries**

7. – (1) Vessels flying the flag of the Russian Federation are permitted to fish 14,500 tonnes of mackerel (*Scomber scombrus*) in the Faroese Fisheries Zone in 2021.

(2) Vessels flying the flag of the Russian Federation are permitted to fish 7,000 tonnes of herring (Atlanto-scandian) in the Faroese Fisheries Zone in 2021.

***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. – (1) The mackerel quota according to section 7 (1) shall be fished in the Faroese Fisheries Zone outside 12 nautical miles from the base lines.

(2) The herring quota according to section 7 (2) shall be fished in the Faroese Fisheries Zone outside the 12 nautical miles from the base lines north of 62°30N

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 or processed 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.
- 3) From 1 November to 31 December: 28 vessels.

(2) If an area is established by VØRN (Faroe Islands Fisheries Inspection) to prevent congestion the number of vessels in section 18 (1) 2) may be limited to 16 vessels in this area in the period 15 April to 31 May.

### *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.** <sup>i</sup> (Deleted)

**21.** <sup>ii</sup> (1) The total by-catch of herring in the blue whiting and mackerel fisheries in the Faroese Fisheries Zone shall not exceed 3,000 tonnes.

(2) The total catch of herring according to section 7 (2) and section 21 (1) shall not exceed 10.000 tonnes.

**22.** – (1) When fishing for blue whiting, mackerel or herring 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 59 (1) in the Parliamentary Act on Marine 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

27. The following conversion factors apply to convert production weight into live weight for herring:

- 1) Gutted, with head: 1,00
- 2) Gutted, without head: 1,00
- 3) Fillet, with skin and bone: 2,00
- 4) Fillet, without skin, with bone: 2,00
- 5) Fillet, without skin and bone: 2,00
- 6) Fish meal: 5,11

*Undersized mackerel and herring*

28. – (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.

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

(2) Herring below 22 cm, measured from the tip of the head to the end of the tail, when it is stretched, is undersized herring.

*Transshipment*

30. – (1) According to section 39 (1) in the Parliamentary Act on Marine 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***

**31.** 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.

***Observer***

**32.** Vørn (Faroe Islands Fisheries Inspection) can request that an observer is placed onboard vessels fishing according to this executive order. Observers must be allowed to use the onboard communication equipment to communicate with Vørn and other authorities.

**Chapter 6**

**Punishment and duration**

***Punishment***

**32.** – (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 25-27, section 28 (1) 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 70 of the Parliamentary Act on Marine 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***

**33.** This Executive Order takes effect on 1 January 2021 and will be abolished on 31 December 2021.

Ministry of Fisheries, 22 December 2020

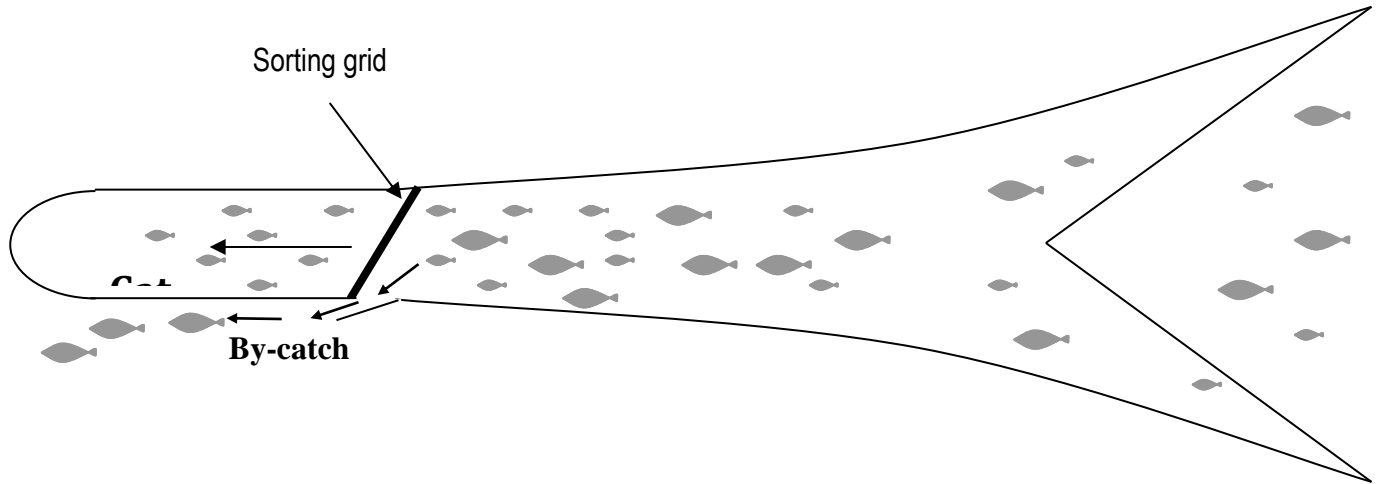
**Jacob Vestergaard (sign.)**

Minister

/Rógvi Reinert (sign.)

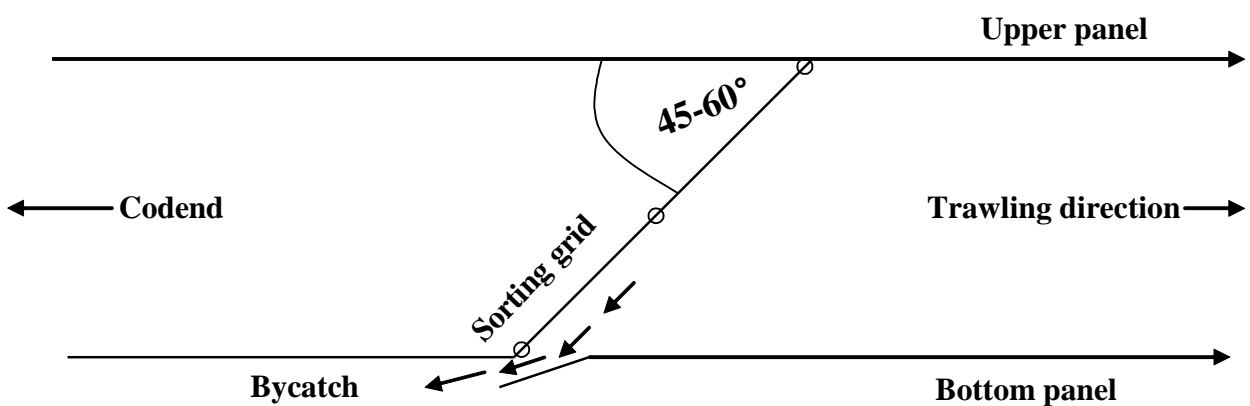
**Sketch of the sorting grid and grid section**

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  $45^{\circ} - 60^{\circ}$ . 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**

Reports shall be transmitted to VØRN by e-mail: vakt@vorn.fo, fax + 298 313981 or INMARSAT-C 492880010.

- 1) **COE – Report on start fishing. The report shall be sent at the earliest 6 hours and at the latest 2 hours before the vessel enters the Faroese Fisheries Zone**

**The report shall include the text:**

**Code: Data Element**

(TM): Type of message: COE (Catch on Entry)  
 (SQ): Sequence Number  
 (LC): Licence Number (not mandatory)  
 (DS): Direct fisheries on what species  
 (RC): Radio call sign  
 (IM): IMO Number (not mandatory)  
 (TN): Trip Number (not mandatory)  
 (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 UTC (24H h:m)  
 (RE): Remarks

- 2) **CAT – Report on daily catches. When fishing is ongoing, the report shall be sent every morning before 12:00 UTC**

**The report shall include the text:**

**Code: Data Element**

(TM): Type of message: CAT (Daily Catch)  
 (SQ): Sequence Number  
 (LC): Licence Number (not mandatory)  
 (DS): Direct fisheries on what species  
 (RC): Radio call sign  
 (IM): IMO Number (not mandatory)  
 (TN): Trip Number (not mandatory)  
 (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)



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(TI): Time of Transmission UTC (24H h:m)  
(RE): Remarks

- 3) COX – Report on stop fishing. The report shall be sent at the earliest 8 hours and at the latest 2 hours before the vessel changes fisheries on one species to another or before the vessel leaves the fishing area. In case the vessel leaves the Faroese Fisheries Zone the report shall be sent at the latest 12 hours before leaving.**

**The report shall include the text:**

**Code: Data Element**

(TM): Type of Message: COX (Catch on Exit)  
(SQ): Sequence Number  
(LC): Licence Number (not mandatory)  
(DS): Direct fisheries on what species  
(RC): Radio call sign  
(IM): IMO Number (not mandatory)  
(TN): Trip Number (not mandatory)  
(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 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): Landing or Transshipping 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 UTC (24H h:m)  
(RE): Remarks

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<sup>i</sup> Amended by Executive Order No. 46 from 27 April 2021

<sup>ii</sup> Amended by Executive Order No. 46 from 27 April 2021