

Environment, Planning and Countryside Committee

EPC(2) 07-06 (p10)

Date: 11th May 2006

Time: 9:15am – 12:30pm

The Sea Fishing (Northern Hake Stock) (Wales) Order 2006

Purpose

1. For Committee Members to scrutinise the proposed Sea Fishing (Northern Hake Stock) (Wales) Order 2006.

Summary / Recommendations

2. At its 5 October 2005 meeting the Committee identified The Sea Fishing (Northern Hake Stock) (Wales) Order 2006 for detailed scrutiny (EPC (2)-11-05 (p.7) Annex 2, item no. 87 CFA 129).

3. It is recommended that the Committee approve the draft Order, which implements EU regulations.

Background

4. This Order provides for the administration and enforcement, (which includes the monitoring, inspection and surveillance) of the provisions of Council Regulation (EC) No. 811/2004 "establishing measures for the recovery of the northern hake stock". The regulation is a recovery plan for Northern Hake, and was introduced following scientific advice received from the International Council for the Exploration of the Sea (ICES), to increase the quantities of the northern Hake stock. (The basis of the advice from ICES was that the level of mortality of this species has eroded the levels of mature fish to a point where the stock may not be able to replenish itself through reproduction and there is potential for collapse.)

5. The stock in question inhabits the Kattegat, the Skagerrak, the North Sea, the Channel, waters to the west of Scotland and all around Ireland and the Bay of Biscay.

6. Northern Hake is rarely targeted by Welsh fishing vessels, and Welsh vessels targeting this stock will usually land the hake outside of Wales, therefore the enforcement of this Order will affect few, if any

Welsh vessels. However, this Order is necessary to monitor and control the fishing for and landing of Northern Hake, in Wales, by other British and foreign fishing vessels.

7. The main elements of the proposed legislation are:

- a. Records of entry and exits to the area must be noted in vessel logbooks.
- b. Margins of tolerance when estimating the amounts retained onboard recorded in the logbook are reduced from 20% to 8% (for hake only).
- c. Vessels landing over 2 tonnes of hake must provide four hours prior notification of entry into port and can only land into designated ports.
- d. Catches of hake must be stowed separately from other species in vessel fish rooms.
- e. All quantities over 50Kgs of northern hake which are transported for first sale to a location other than the place of landing must be accompanied by a copy of the landing declaration(s) relating to the quantity of hake being transported.
- f. At least 1 in 5 of all landings of northern hake at designated ports must be sample weighed in presence of controllers. For Wales, those controllers are British sea-fishery officers from the Marine Fishery Agency.

8. No public consultation was carried out prior to the EU Regulation being put in place. Similarly, no public consultation was undertaken in the UK because this Order exclusively implements the provisions of this EU Regulation, and introduces no further offences or penalties. However, a letter notifying industry of the new Regulation and enclosing a copy of guidance notes has been sent to all vessels for whom the Department held records of landings in 2004 into the UK of over 1.5 tonnes of Northern hake and a summary letter was sent to all licence holders of vessels over 10m and interested organisations for whom no track record was found. The letters invited recipients to contact local fishery offices for further guidance or copies of the guidance notes.

Financial Implications

9. Any work associated with preparation of this Order is being accommodated within existing administration costs budgets.

10. Any enforcement work associated with this Order would be met from the Department for Environment, Food and Rural Affairs (DEFRA) budget for the Marine Fisheries Agency, which acts on behalf of the Assembly.

11. For vessels landing less than 2 tonnes of northern hake, the Regulation will not impose any

significant additional operating costs, as only logbook recording of entry and exits to and from the Northern hake zone is required. However, for those vessels landing over 2 tonnes of Northern hake, new costs may be incurred in relation to the requirement for the Master or their representative to notify the Department in advance by email, fax, or telephone details of the date and estimated time of arrival in port and the quantities of catch on board. These costs are estimated to be between a minimum of £5 and a maximum of £10 per message (depending on the means of reporting used).

12. Few if any Welsh vessels will be affected by these new regulations.

Action for Subject Committee

13. The Committee is invited to scrutinise the proposed Order and to give its views.

CARWYN JONES AM

Minister for Environment, Planning and Countryside

Contact point: Mathew Xerri, Fisheries Policy, Environment - Conservation & Management Division. Ext. 3556