

LICENCE PART 3

GENERAL CONDITIONS - JIGGERS

Introductory

1. The licence is only valid for such activities, for such periods and for such areas as are specified in the licence. All Masters fishing in the Falkland Islands waters must have undergone a pre-license inspection briefing before commencing fishing for any license they will be using during the validity of that license.
2. The licence does not extend to the territorial sea or internal waters of the Falkland Islands unless the licence otherwise states.
3. Only such species of fish shall be fished for in such quantities, using methods of fishing and such fishing gear, as are authorised by the licence.
4. All relevant laws and regulations regarding the conservation and management of fisheries resources in the Falkland Islands and the conduct of fishing operations must be complied with.

Records

5. The master must cause records to be maintained on a daily basis of the fishing effort and catch of the vessel in such form as the Director of Natural Resources may approve. The records must include daily catch reports in the form distributed to the vessel by the Director of Natural Resources.
6. The catch reports must specify the amounts of all fish and squid caught, including any that are later discarded.
7. The vessel, whether reporting via Agents, Associations or Fishing Companies, must submit its catch reports to FISHOPS by 1000 hours local on the day following that to which the catch report applies. They should be sent to both FISHOPS and the data manager at fishops@naturalresources.gov.fk and data.manager@naturalresources.gov.fk

By-catch

8. All by-catch must be reported, even if it is later discarded. All seabird and marine mammal mortalities and interactions must also be reported in the daily catch report.

Protection of Wildlife

9. The Master and crew of the vessel must not deliberately kill, injure or capture any wild bird or marine mammal while fishing in Falkland Islands waters.
10. The Master and crew of the vessel must not fly unmanned aerial vehicles (UAV) within 1

nm of another vessel.

11. All lures must be un-baited. The use of baited lures is strictly prohibited.

Inspection

12. The Master must bring the vessel into Stanley, or another port or harbour, for inspection when directed by the Director of Natural Resources.
13. The Master, at all times when in the fishing waters of the Falkland Islands, must comply with any instructions given by any Fisheries Officer and co-operate with the Fisheries Officer in any inspection. In particular, the Master must bring the fishing vessel to Stanley when ordered to do so.
14. The master must permit, and facilitate, any Fisheries Officer or Fisheries Observer to board and disembark from the vessel in safety. In accordance with the ordinary practice of seamen, the vessel must be manoeuvred to make a lee for the boarding to be conducted.

Identification

15. The vessel must at all time, when within the fishing waters of the Falkland Islands:-
 - a) Fly the flag of its country of registry;
 - b) Have its name and port of registry painted in a permanent colour, contrasting with the colour of the ground on which they are painted, on the stern of the boat and her name in similar lettering on the port and starboard bow in letters not less than 10 centimetres in height and 2 centimetres in thickness; and
 - c) Display her radio callsign clearly on its hull or superstructure.

Vessel Monitoring System (VMS)

16. The vessel must be fitted with an approved Vessel Tracking Unit (VTU) that uses an IRIDIUM communications bearer and must ensure it is compatible with the Falkland Islands Fisheries Department VMS (see specific requirements set out in Appendix 4). The equipment must be maintained in good working order and be capable of being polled by the Fisheries Department's VMS.

The vessel's IRIDIUM system must be operational at all times while the vessel is at sea, and in a condition which ensures it responds to polls sent from the Falkland Islands Fisheries Department.

Automatic Identification System (AIS)

17. The vessel must be fitted with class 'A', AIS equipment. The equipment must be maintained in good working order, must be switched on and be operational at all times (transmitting on full power) whilst the vessel is within the fishing waters **Error! Bookmark not defined.** of the Falkland Islands.

Departure

18. All vessels departing the fishing waters of the Falkland Islands must notify FISHOPS of their intention to do so and provide a FISHEND report before leaving the zone. The vessel does not have to wait for acknowledgment before departing. This includes vessels returning to their home port following completion of their fishing period.

If intentions change for any reason then the master must contact FISHOPS to inform them of any changes.

Transshipment

19. Any transshipment of fish must be undertaken in Stanley Harbour, Port William, Berkeley Sound or such other place as the Director of Natural Resources may approve.
20. The Director of Natural Resources is entitled to specify during what hours transshipment may take place.
21. If the vessel has not already entered the fishing waters of the Falkland Islands for the collection of this licence, and in any case on each subsequent entry, the master or some person acting on his behalf must notify the Director of Natural Resources:
 - a) of the date, estimated time and co-ordinates of the vessel entering the fishing waters; and
 - b) the intended activities while the vessel is within the fishing waters on that occasion including the name of each vessel from or to which fish is intended to be transhipped from or to each such vessel
22. During or immediately after each transshipment the master or some person acting on his behalf must notify the Director of Natural Resources, in such form as has been specified, of the vessel from or to which fish is being or has been transhipped and of the quantity of fish transhipped specified by individual species.
23. The Master, or some person on their behalf, must cause records in writing to be maintained, in a Fishing Vessel Transshipment Log in such form as specified by the Director of Natural Resource, of all transshipments of fish made in the fishing waters of the Falkland Islands. These records must be produced on demand to a Fisheries Officer. A copy of the records must be transmitted forthwith to the Director of Natural Resources if so requested during the period of this licence or 24 hours before departure from port.
24. The master is responsible for ensuring that the vessel from or to which fish is being or has been transhipped is properly licensed to do so.

Catch Verification

25. When selected for catch verification, the master must bring the vessel directly into Port Stanley (FIPASS) or such other port or harbour notified to him for catch verification at any time when instructed to do so by the Director of Natural Resources.
26. The Master and fishing vessel owner/operator receiving a catch verification instruction under Licence Condition 23 above must make appropriate arrangements for the complete discharge of frozen fish cargo at their expense.
27. The arrangements for discharging the frozen cargo from the vessel must include the catch verification procedures required by the Director of Natural Resources. Discharging of cargo must only commence once these procedures are confirmed to be in place and authorisation to proceed with the discharge is given to the Master by a Fisheries Officer.

Safety Certificate

28. The vessel must have a Safety Certificate from the vessel's Flag State valid for the entire period that the vessel is in Falkland Islands waters.

Safety Equipment

29. The vessel must have sufficient life jackets and immersion survival suits suitable for cold water operations for everyone on board, including the Fisheries Observers. All life jackets must be in good condition, fitted with a light, whistle and reflective tape, and be readily accessible in the event of an emergency.
30. The vessel must have sufficient life rafts for everyone on board, including Fisheries Observers. All life rafts must be in serviceable condition and be readily accessible in the event of an emergency.
31. The vessel must have at least the minimum Self-Contained Breathing Apparatus (SCBA) systems as required under SOLAS Chapter II-2. They must comply with SOLAS Chapter II-2 Regulation 10.10 and are to be used by firefighters. Equipment must be regularly tested and maintained. An on-board means of recharging breathing apparatus cylinders used during drills shall be provided or a suitable number of spare cylinders shall be carried on board to replace those used in line with SOLAS Chapter II-2 15.2.2.6.
32. The vessel must have a fire blanket available for use within the Galley. This must be easily assessable and well maintained.
33. The vessel must have fire axes compliant with IMO regulations available for each firefighter

Pilot Ladder

34. The vessel must be equipped with a properly constructed and secured pilot ladder to facilitate boarding by Fisheries Officers and Fisheries Observers. Pilot ladders are to be constructed and fitted according to the provisions of SOLAS Chapter V, Regulation 23, and IMO resolution A889.

Observers

35. The vessel must embark, disembark and accommodate an Observer if directed to do so by the Director of Natural Resources.
36. A safety briefing must be provided to the Observer as soon as they arrive on board.
37. Observers must be provided with officer standard accommodation and all food must be provided, along with sufficient workspace to carry out their designated tasks, access to samples, access to catch reports, and access to communications equipment. A sea survival suit and life jacket must be provided for the Observer/s.

Sanitation Certificate

38. The vessel must have a Ship's Sanitation Certificate valid for the entire period that vessel is in Falkland Islands waters.

Waste Management

39. The master and crew of the vessel must comply with MARPOL as enacted in Falkland Islands regulations.

Fish Stock Conservation and Management

40. The Falkland Islands Government reserves the right at any time to revoke or cancel this licence or to alter or amend the permitted fishing area if, in its absolute discretion, it considers such action is desirable in the interests of the conservation and management of the fish stocks in the fishing waters of the Falkland Islands.
41. In any case where it takes action under condition 40 above the Falkland Islands Government will use its best endeavours (subject to considerations of fish stock conservation and management) and if just and equitable to do so, to assign an alternative or reduced fishing area to the licensee.
42. The Falkland Islands Government is not liable to pay compensation to the licensee as a result of action taken by it under condition 40 above, but will consider a refund of the whole or part of the licence fee if that, in all the circumstances, is just and equitable.