

CONSULTATION QUESTIONS

Question 1: Capacity Penalties

Do you agree that capacity penalties on licence aggregations bring unnecessary costs to industry and should therefore be removed?

Comments: Yes

Question 2: Licence categories

A) In light of the forthcoming landing obligation, do you agree that there is a need to change the current licensing structure?

B) Do you agree with a proposal to have only one 10m & Under Licence and one Over 10m Licence?

C) Do you agree that the lowest common denominator (see section 3.2.3) should apply when transferring or aggregating a licence within Scotland?

Comments: Yes

Question 3: Mismatches

A) Do you agree to the removal of the mis-match provisions on transactions involving the use of dis-aggregated entitlements?

B) Do you agree to the proposed change in the way mis-match provisions will be recorded on the licence?

Comments: Yes

Question 4: The validity period for unattached licence entitlements (shelf life)

Do you believe the entitlement validity period should be extended to a 10 year period?

Comments: Yes

Question 5: Scallop and Shellfish Entitlements

Do you agree with the Scottish Government's proposal for the removal of scallop entitlements that have not been used within the last seven years i.e. entitlements that have not been placed on board a vessel that is rigged and operational within the fishery?

Comments: *No. We recognise the argument for restricting new access into the fishery by removing latent scallop entitlement which could be aggregated onto large vessels, but we see that as a different argument from encouraging flexibility and local diversification to work a year-round fishery sustainably.*

Our view is that this must be area specific and that our area in Orkney needs to retain maximum opportunity for diversification because of our particular characteristics. We anticipate the possibility that the explosion of cod and hake in the North Sea may deplete lobster and crab stocks in the future to the extent that Orkney fishermen will have to diversify into other species. Many scallop divers, because of the nature of the job, can find themselves unable to work if they get a

bend, so in that instance need to be able to use other fishing means like dredging.

Although we can understand the desire to remove latent scallop entitlements in order to prevent the increased growth in the large scallop dredging fleet, we feel that the wholesale removal of latent scallop entitlements may prevent the flexibility required in the inshore fleet. To this end we would propose that licences or licence entitlements which have a scallop entitlement attached not be permitted to be used in an aggregation to licence an over 15m vessel. If an owner wishes to use such a licence or licence entitlement in an aggregation to licence an over 15m vessel then the resultant licence would not have scallop entitlement.

In the case of the over 10m fleet wishing to access area VIa where effort is limited, we would welcome the opportunity for vessels to obtain or purchase days that trawlers would have historically fished, although perhaps not in the required days at sea reference period, IVa. Correspondingly we would welcome the rolling reference period for days so that vessels which actually use the days get the benefit of the allocation.

An opportunity for dive-fishermen to retain scallop entitlements or shellfish entitlements in the event of having to switch to alternative fishing methods due to job-related circumstances like decompression sickness, should be allowed for.

Question 6: New Entrants

Do you agree with the concept of licensing incentives to support and promote a new entrants scheme to the Scottish fishing industry?

Comments: It needs to be recognised that many fishermen had to buy licences to get a start, and took those financial risks when there was little or no help and the new entrants that have recently managed to set up in fishing have had no help purchasing licences. It could be argued that when the current generation began there were fewer financial obstacles than those existing today. An introductory incentive scheme could be linked to licences as part of an overall new entrant scheme, but there should also be calibrated-in assistance to those within an age range and time period who have not benefitted from help.

Question 7: Days at Sea/Effort Eligibility

A) Do you agree with the removal of CRZ eligibility completely?

Or

B) Do you agree that CRZ eligibility should be kept, with an updated reference period that will roll forward annually?

Comments: Scapa Flow Should be removed from the CRZ