

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: DEFA agrees with the removal of capacity penalties relating to licence aggregations so long as the position is continually reviewed by Marine Scotland and the option to reintroduce if a need is demonstrated is retained, as stated in 3.1.3. It would be useful if the other Fisheries Administrations were to be kept informed of the outcome of these reviews, so as to inform future policy.

Note: DEFA is concerned that significant variation in how the different Administrations apply the UK Fishing Vessel Licensing Scheme may be confusing for stakeholders.

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: A) DEFA agrees that the current licensing structure may pose challenges under a landing obligation.

B) While DEFA does not disagree with the idea in principle, DEFA does not feel that there is sufficient information regarding the proposed single Over 10m Licence to agree unreservedly at this time.

C) DEFA agrees that the lowest common denominator should apply when transferring or aggregating a licence within Scotland.

Note: DEFA is concerned that significant variation in how the different Administrations apply the UK Fishing Vessel Licensing Scheme may be confusing for stakeholders.

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: A) DEFA agrees with the removal of the mis-match provisions on transactions involving the use of dis-aggregated entitlements.

B) While DEFA does not disagree with the idea in principle and understands the aim, DEFA has concerns regarding the potential for a discrepancy between the

engine power stated on a vessel's Certificate of Registry and that stated on its licence, to cause confusion e.g. where access to a particular fishery is restricted by engine power.

DEFA notes that the table in 3.3.5, detailing the permitted mis-matches, reduces the permitted tonnage mis-match for vessels 10m and under (LOA) from 1.0 tonnes to 0.5 tonnes. While DEFA does not disagree with this in principle, the consultation does not fully explain the reasoning for this reduction.

Note: DEFA is concerned that significant variation in how the different Administrations apply the UK Fishing Vessel Licensing Scheme may be confusing for stakeholders.

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: DEFA agrees that the entitlement validity period should be extended to a 10 year period.

Note: DEFA is concerned that significant variation in how the different Administrations apply the UK Fishing Vessel Licensing Scheme may be confusing for stakeholders.

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: While DEFA understands and wholeheartedly agrees that the issue of latent capacity in the scallop fisheries must be addressed, DEFA feels that it must be addressed for both king scallops (*Pecten maximus*) and queen scallops (*Aequipecten opercularis*) and that the removal of unused scallop entitlements only partly addresses this wider issue. DEFA feels that the justification for the chosen reference period is unclear and would therefore wish to investigate further before agreeing unreservedly.*

DEFA notes Marine Scotland's commitment to reviewing and releasing additional scallop entitlements in the future, as stated in section 3.5.6. and would expect that some form of impact assessment be undertaken prior to any such action being taken.

Note: DEFA is concerned that significant variation in how the different Administrations apply the UK Fishing Vessel Licensing Scheme may be confusing for stakeholders.

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: DEFA agrees with the concept of licensing incentives to support and promote a new entrants scheme to the fishing industry but shares the concerns of the SLRWG as outlined in section 3.7.2.

DEFA would expect that some form of impact assessment be undertaken prior to any such action being taken.

DEFA notes that section 3.7.2 makes reference to helping new entrants “where there is headroom on licensing” DEFA would expect further dialogue regarding how this headroom is to be allocated, prior to any action being taken.

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: A) DEFA does not agree with the removal of CRZ eligibility completely.

B) While DEFA does not disagree with the idea in principle, DEFA would wish to investigate further before agreeing unreservedly.

DEFA is concerned that either proposal may further compound the issue of latent capacity in the net-caught queen scallop fishery.

Note: DEFA is concerned that significant variation in how the different Administrations apply the UK Fishing Vessel Licensing Scheme or the Cod Recovery Scheme Rules may be confusing for stakeholders.

Other Comments:

DEFA is concerned that significant variation in how the different Administrations apply the UK Fishing Vessel Licensing Scheme may be confusing for stakeholders.

DEFA notes that the table in 3.3.5, detailing the permitted mis-matches, reduces the permitted tonnage mis-match for vessels 10m and under (LOA) from 1.0 tonnes to 0.5 tonnes. While DEFA does not disagree with this in principle, the consultation does not fully explain the reasoning for this reduction.