

	<p align="center">Inter-Sessional Meeting of the West Greenland Commission</p> <p align="center"><i>Draft Government of Greenland Executive Order no. xx of xxx 2021 on salmon fishery</i></p>	<p align="center">WGCIS(21)17</p>
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Draft Government of Greenland Executive Order no. xx of xxx 2021 on salmon fishery

Pursuant to Sections 5, 8, 10, 10a(1), 13(2), 23, 25, 26, 33(2) and 34(3) of Parliamentary Act no. 18 of 31 October 1996 on fishery, as most recently amended by Greenland Parliamentary Act no. 28 of 28 November 2016, the following is hereby enacted:

Part 1

Scope and Definitions

Scope

1. This Executive Order shall apply to salmon fishery in the Greenlandic fisheries territory:
 - 1) West of Cape Farewell in NAFO Area 1. Fishing for salmon outside 40 nautical miles from the baseline is prohibited.
 - 2) In the East Greenland fishing grounds. However, only the following sections of the law shall apply: 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16. Fishing for salmon outside 12 nautical miles from the baseline is prohibited.
 - 3) In fishing for salmon in the Kapisillit River.

Definitions

2. For the purposes of this Executive Order, commercial fishing means fishing carried on with a view to the sale of all or part of the catch.
 - (2) For the purposes of this Executive Order, non-commercial fishing means fishing carried on with a view to the private use of the catch.
 - (3) For the purposes of this Executive Order, purchase of salmon means the commercial purchase and reception of salmon directly from persons licensed to fish commercially for salmon.

Part 2

Commercial salmon fishery

Conditions for commercial salmon fishery

3. Only persons who hold a licence for commercial salmon fishing are authorised to sell salmon caught within the scope of the Executive Order, cf. Section 1.

4. Commercial fishing for salmon is subject to a licence issued by the Government of Greenland on application.

(2) A licence pursuant to (1) may only be issued to applicants who satisfy the following conditions:

1) The applicant has a permanent link to Greenlandic society, as defined in Section 3 (4) of the Greenland Fisheries Act, and meets the requirements for admission to commercial fishing as defined in Section 6 (3) of the same Act.

2) The applicant owns salmon nets and vessels for salmon fishing up to and including 12.8 metres (42 feet) in length overall.

3) The applicant states in the application the number of salmon nets and the type or make of the nets in the possession of the applicant.

4) In the case of applicants who have held a licence in the previous fishing season, the reporting obligation in relation to the previous fishing season must have been fulfilled, pursuant to Sections 9 and 16.

Gear for commercial salmon fishery

5. Commercial fishing for salmon may only be undertaken with:

1) Hooks, or

2) Up to 20 nets with a stretched mesh size of at least 140 mm, of which no more than 5 nets may be tied together at one time.

(2) Mesh sizes are measured by loosely inserting a measuring device attached to a ½ kg weight into the net and letting it drop into the mesh. 20 meshes are measured parallel to the float line. All meshes must comply with the requirement set out in (1), no. 2.

(3) All salmon nets used must be labelled with the full name of the owner or the name of the vessel and the port identification letters. The label must be made of water-resistant material.

(4) The salmon net must be regularly emptied when weather conditions permit, and as often as is necessary to ensure that the usability of the fish caught is not impaired.

Regulation of commercial salmon fishery

6. Commercial fishing for salmon may be conducted as a quota fishery for sale to on-shore first sales plants, or via sales to the local booth and local institutions.

7. For commercial fishing, cf. Section 6, the Government of Greenland determines the Greenlandic quota for salmon each year, taking international agreements into account.

(2) In consultation with the Association of Fishers and Hunters in Greenland (KNAPK), the Government of Greenland sets the start date for commercial salmon fishery. The start date will be announced through the national press.

(3) Commercial fishing for salmon may not commence before the set start date.

(4) Commercial fishing for salmon may only take place within the set quota.

(5) Catches from commercial salmon fishing in Greenland may only be bought or sold outside Greenland with the permission of the Government of Greenland.

8. When the set quota, cf. Section 7, begins to approach its limit, the Government of Greenland shall issue notice of when commercial fishing for salmon and the purchase and sale of catches from this fishery must cease.

(2) Notice pursuant to (1) will be given through the national press.

(3) When fishing has ceased in accordance with (1), all commercial fishing for salmon and the buying and selling of catches from this fishery shall be prohibited.

Reporting of catches from commercial salmon fisheries

9. All catches of salmon must be reported immediately to the Greenland Fishery Licence Control Authority (GFLK).

(2) In the case of direct sales at booths, fishers licensed to fish commercially for salmon must report each landing of salmon. The reporting must include all salmon landed. The report must contain all the information required by Appendix 1, and may be submitted via Sullisivik.gl or sent to GFLK, Postboks 501, 3900 Nuuk, Fax 34 63 60, or by e-mail to gflk@nanoq.gl.

Part 3

Non-commercial salmon fishery

Conditions for non-commercial salmon fishery

10. Non-commercial fishing for salmon is subject to a licence issued by the Government of Greenland on application.

(2) A licence pursuant to (1) may only be issued to applicants who satisfy the following conditions:

- 1) The requirements set out in Section 8 (1) of the Fisheries Act.
- 2) In the case of applicants who have held a licence in the previous fishing season, the reporting obligation in relation to the previous fishing season must have been fulfilled, pursuant to Sections 15 and 16.

Gear for non-commercial salmon fishery

11. Non-commercial fishing for salmon may only be undertaken with:

- 1) Hooks, or
- 2) One 2,000 knot net with a stretched mesh size of at least 140 mm.

(2) Mesh sizes are measured by loosely inserting a measuring device attached to a ½ kg weight into the net and letting it drop into the mesh. 20 meshes are measured parallel to the float line. All meshes must comply with the requirement set out in (1), no. 2.

(3) Salmon nets must be labelled with the owner's full name. The label must be made of water-

resistant material.

(4) The salmon net must be regularly emptied when weather conditions permit, and as often as is necessary to ensure that the usability of the fish caught is not impaired.

Regulation of non-commercial salmon fishery

12. Non-commercial fishing for salmon may be carried out as a quota fishery.

13. For non-commercial fishing for salmon, cf. Section 12, the Government of Greenland determines the Greenlandic quota for salmon each year, taking international agreements into account.

(2) The starting date for non-commercial salmon fishery will be the same as that of commercial salmon fishery, cf. Section 7(2).

(3) Non-commercial fishing for salmon may only take place within the set quota.

14. When the set quota, cf. Section 13, begins to approach its limit, the Government of Greenland shall issue notice of when the non-commercial fishing for salmon must cease.

(2) Notice pursuant to (1) will be given through the national press.

(3) When fishing has ceased in accordance with (1), all non-commercial fishing for salmon shall be prohibited.

Reporting of catches from non-commercial salmon fishery

15. All catches of salmon from non-commercial salmon fishing must be reported to the Greenland Fishery Licence Control Authority (GFLK).

(2) Catches must be reported via Appendix 1 of the Executive Order or via Sullissivik.gl. The report must be sent to GFLK, Postboks 501, 3900 Nuuk, Fax 34 63 60, or by e-mail to gflk@nanoq.gl immediately upon arrival after emptying the net, cf. Section 11 (4).

Part 4

Reporting of zero catches from commercial and non-commercial salmon fishery

16. All licence holders for commercial and non-commercial salmon fishery who have not fished for salmon must report this by submitting Appendix 1.

(2) All licence holders for commercial and non-commercial salmon fishery who have fished for salmon, but have not caught any salmon, must report this by submitting Appendix 1.

(3) Zero catches must be reported via Appendix 1 of the Executive Order or via Sullissivik.gl. The report must be sent to GFLK, Postboks 501, 3900 Nuuk, Fax 34 63 60, or by e-mail to gflk@nanoq.gl no later than 14 days after the closure of the salmon fishery.

Part 5

Fishing for salmon in the Kapisillit River

17. Each year, the Government of Greenland sets a quota and a starting date for fishing for salmon in the Kapisillit River.

(2) Fishing in the Kapisillit River is for private use only. This fishery is subject to a licence issued by the Government of Greenland on application.

(3) A licence, pursuant to (2), may be issued to applicants who satisfy the following conditions:

1) The requirements set out in Section 8 (1) of the Fisheries Act.

2) In the case of applicants who obtain a licence and reapply for a licence in the following year, the reporting obligation set out in Sections 15 and 16 must have been fulfilled for the previous fishing season.

(4) Net fishing is prohibited within 1,000 metres of the mouth of the Kapisillit River.

(5) Only fishing with single-hook rods is allowed in the river itself.

(6) When the set quota begins to approach its limit, the Government of Greenland will announce through the national press when fishing must cease. The Government of Greenland may decide that all fishing thereafter is to be conducted as 'catch and release' with mandatory reporting of both retained and returned fish.

Part 6

Measures

17. Violation of Section 1 (1) and (2), Section 3, Section 4, Section 5 (1), (3) and (4), Section 7, (3), (4) and (5), Section 8 (3), Section 9, Section 10 (1), Section 11 (1), (3) and (4), Section 13 (3), Section 14 (3), Section 15 and Section 16 may result in a fine.

(2) If the violation is committed by a limited liability company, a limited company, a cooperative or a joint-owned shipping company, the company as such may be liable for a fine.

(3) The rules of the Criminal Code on confiscation shall also apply.

(4) Fines determined in accordance with subsections (1)-(3) shall be paid into the National Treasury.

Part 6

Entry into force, repeal and transitional provisions

18. This Executive Order shall enter into force on xx xxx 2021.

(2) At the same time, Government of Greenland Executive Order no. 32 of 28 August 2020 on salmon fishery shall be repealed.

Government of Greenland, xx xxx 2021