

**Memorandum Of Understanding on Aquaculture Cooperation Between the
Scottish Government and
the Norwegian Ministry Of Fisheries And Coastal Affairs**

INTRODUCTION

The Scottish Government and the Norwegian Ministry of Fisheries and Coastal Affairs (hereafter referred to as the “Participants”):

Recognising Scotland and Norway’s shared interest in enabling sustainable aquaculture development; in improving public confidence in the fish and shellfish farming industries and governments’ regulation of the sector; and that these industries have a long term future;

Recalling the many years of aquaculture cooperation at various levels between Scotland and Norway, including *the Agreement for Co-operation between National Veterinary Institute of Norway and Scottish Government in event of an outbreak of Gyrodactylus salaris in Scotland* signed in Edinburgh on 12 February 2008;

Recognising the particular importance to rural communities of promoting aquaculture industries that are economically, environmentally and socially sustainable. That is to say: that are market-focused and financially stable; that contribute to and support local communities; that develop within the carrying capacity of the environment; that have technical equipment standards that reduce detrimental impacts on the environment; that recognise good fish health and welfare as significant for the profitability of the industry; and that are supported by sound research and development;

Recognising the importance of trade and investment and the mutual interest of Scottish and Norwegian governments, institutions and companies in working together to promote investment and innovation, expand market demand and penetration; and that the Participants’ industries are made up of large and small companies which can all contribute to fulfilling their value creating potential;

Noting that a more collaborative approach is likely to provide greater dividends for the Participants and their industries than the trade disputes that have at times affected past relationships;

Noting that the role of government is to set the framework for individual companies to make commercial decisions about production volumes and business development, driven by market factors; and that those companies work within regulations to ensure an efficient, good administration which can enhance the industries’ reputation with increasingly aware consumers; and

Affirming the Participants’ shared desire to promote cooperation and to strengthen the current basis for discussion and exchange of information on aquaculture issues of mutual interest by extending their current dialogue to include active collaboration on economic, social and environmental issues;

Have reached the following understanding:

1. The Participants will cooperate, in their mutual interest, in securing the sustainable long term development of their respective aquaculture industries with the aims of increasing public confidence, expanding market demand and penetration, and increasing trade, investment and innovation; thereby contributing to the development of their rural communities.
2. The Participants will promote the development of technical, scientific, veterinary, economic and regulatory cooperation in matters concerning aquaculture among all stakeholders including, where possible, governmental institutions, educational institutions, corporations, trade groupings, communities and individuals.
3. The Participants are committed to the principle of good communication with each other (in situations where one administration's work may have some bearing on the activities and responsibilities of the other) and at the governmental level, they will develop cooperation by means of ongoing exchange of information and documentation, including the sharing of information on their regulatory and strategic frameworks. This may include the development of a formal communication mechanism to assist joint planning. Such a mechanism would not create a legal right to be consulted and is not intended in any way to constrain the discretion of either side to take any given action, but rather to allow the Participants to present their views to each other.
4. Each Participant will encourage:
 - (a) its institutions to receive officials, technicians, experts, researchers, regulators, or aquaculture officials on exchange from the other participant;
 - (b) its officials, technicians, experts, researchers, regulators, or aquaculture officials to participate in technical, scientific, regulatory, policy, research or other exchanges hosted by the other Participant;
 - (c) the organisation of seminars, bilateral visits, conferences or workshops which address aquaculture-related issues, including those of a technical, scientific, economic, regulatory or legal nature.
5. In particular, the Participants will promote and facilitate the organisation of bilateral exchanges between the Scottish and Norwegian regulators, industries and financiers. The aim is not only for closer inter-government working, but also to promote closer co-operation at regulator, industry and financier level. At the same time, the Participants will take due account of the applicable rules of competition when promoting and facilitating such cooperation.

6. The Participants will establish a Joint Committee for Bilateral Cooperation on Aquaculture that will meet annually in Scotland and Norway on an alternating basis. The first meeting will be held in Scotland in November 2010. The Joint Committee will be co-chaired by the Marine Director of the Scottish Government and the head of the Department of Aquaculture in the Norwegian Ministry of Fisheries and Coastal Affairs. Other participants will be invited according to the agenda, but will normally include representatives from individual aquaculture companies, trade bodies, regulators, government officials and scientists.

7. The programme of activities will be decided by mutual agreement at the Joint Committee annual meetings. These activities will be detailed in project annexes that will set out the timing, actors and scope of the specific form of cooperation of each activity.

8. The location of future meetings and the organisational form and working procedures of the Joint Committee will be discussed and decided upon at the first meeting to be determined by the Participants. At the Joint Committee annual meetings, the Participants will have the opportunity to raise and discuss any bilateral or multilateral issues of relevance to the aquaculture sector and any other associated issues deemed relevant by both parties.

9. The Participants have agreed that the Joint Committee should initially focus on the following four (4) priorities:

(i) Environmental sustainability: environmental sustainability is an important factor in relation to future development and growth in aquaculture. Collaboration on this issue may include:

- fish health and welfare. Important areas to consider could be husbandry, bio-security and disease prevention, risk assessments as part of business operation, spatial separation, access to veterinary medicines and understanding best use of them;
- technical equipment standards. Farm equipment should be fit for purpose, particularly to prevent the impacts on the environment of escaped farmed fish. Developing and sharing best practice in training for the operation of equipment. Collaboration should look at both voluntary and statutory standards.

(ii) Access to finance and insurance: improved relationships between UK and Norwegian banks and insurers and the aquaculture industries should foster improved understanding of the sector in each country which can assist investment;

(iii) Collaboration on research and development: innovation based on research and development will fuel the profitable development of the Participants' aquaculture industries to their reciprocal benefit;

(iv) Regulations, and better understanding of them: this could include regulators and companies in the two countries exchanging experience and sharing application procedures;

10. The activities of the Joint Committee will be evaluated regularly to ensure that the outcomes from its work demonstrate that the process continues to be a worthwhile and effective exercise. The Joint Committee will produce an annual report of the activities and outcomes of its work for Scottish and Norwegian Ministers.

11. This Memorandum of Understanding represents a statement of political intent, and does not create legally binding obligations under international law.

12. The Participants will cooperate in conformity with international law and take into due consideration the related laws and regulations of both Participants.

13. This Memorandum of Understanding will be effective from the date of its signature and may be amended or supplemented at any time by mutual consent of both Participants, expressed in writing. It may be terminated by means of a written notification. The termination will take effect six (6) months after the date of receipt of the written notification.

Signed in duplicate at TRONDHEIM, this 17th day of August 2009.

For the Scottish Government

[Roseanna Cunningham]

For the Norwegian Ministry
of Fisheries and Coastal Affairs

[Helga Pedersen]