

Determination (No. 15) of the Need for an Authorisation for Certain Fish Stocks

I, Sean Connick, Minister of State at the Department of Agriculture, Fisheries and Food, in exercise of the powers conferred on me by section 13(15) of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) (“Act”) and the Sea Fisheries, Foreshore and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 707 of 2007) (as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 705 of 2007)) and Agriculture, Fisheries and Food (Delegation of Ministerial Functions) Order (S.I. No. 303 of 2010), determine:

1. This determination may be referred to as Determination (No. 15) of the Need for an Authorisation for Certain Fish Stocks.
2. An authorisation, granted under section 13(1) of the Act, is required by an Irish sea-fishing boat of a type specified in column (3) of the Schedule to fish for, retain on board, trans-ship or land from that boat the fish stock, or group of fish stocks, specified in column (2) of the Schedule opposite the reference to the type of boat.
3. In the Schedule, the ICES sub-areas and divisions mentioned in column (2) refer to the waters falling within those ICES sub-areas and divisions as defined in Regulation (EEC) No. 3880/91 of 17 December 1991¹.
4. This Determination revokes and replaces the Determination (No.14) of the Need for an Authorisation for Certain Fish Stocks, which came into effect on 21 May 2009.

SCHEDULE		
Reference Number (1)	Fish Stock or Group of Fish Stocks (2)	Type of Boat (3)
1	Herring (<i>Clupea harengus</i>) in ICES areas I and II	All types
2	Herring (<i>Clupea harengus</i>) in ICES areas Vb, VIaN (EC waters) and VIb	All types
3	Herring (<i>Clupea harengus</i>) in ICES areas VIaS and VIIbc	All types
4	Herring (<i>Clupea harengus</i>) in ICES areas VIIa	All types
5	Herring (<i>Clupea harengus</i>) in ICES area VIIghjk	All types
6	Mackerel (<i>Scomber scombrus</i>) in ICES areas IIa (non-EC waters), IVa (EC waters), Vb (EC waters), VI, VII, VIIIabde, XII and XIV	<p style="text-align: center;">All types</p> <p>However, by way of derogation:</p> <p>a) a boat, or a person on board that boat, may, without a Mackerel authorisation, retain on board or land on any occasion a quantity of Mackerel that does not exceed :</p> <ul style="list-style-type: none"> • 10% by live weight of the total quantity of Horse Mackerel; and • 5% by live weight of the total quantity of all other pelagic species retained on board or landed on that occasion. <p>b) a boat less than 15 metres in length overall, or a person on board that boat, fishing by means of</p>

¹ O.J. L 365, 31/12/1991, p. 1-18

		<p>hooks and lines, may, without a Mackerel authorisation, retain on board or land up to 500 kg of mackerel on any occasion. Such boats may not carry nets with a mesh of less than 80mm when availing of this derogation.</p> <p>c) a boat of less than 18 meters in length overall, which has not been issued an authorization for the period, or a person on board that boat, fishing by means other than hook and line, may, without a Mackerel Authorisation, retain on board or land a quantity of Mackerel that does not exceed the limits set by the fisheries management notice issued under section 12(1) of the Act, in force at that time, for that class of boat.</p>
7	Horse Mackerel (<i>Trachurus</i> spp.) in ICES areas IIa (EC waters), IV (EC waters), Vb (EC waters), VI, VII, VIIIabde, XII and XIV	All types
8	Cod (<i>Gadus morhua</i>) in waters under the jurisdiction of Norway in ICES areas I and II and in the waters of the fishing zone around Jan Mayen in ICES area I and IIb	All types
9	Northern Albacore (<i>Germon alalunga</i>) in the Atlantic Ocean, north of latitude 5 degrees North	All boats that have or retain on board or land on any occasion a quantity of Northern Albacore that is greater than 10% by live weight of the total quantity of all species of fish retained on board or landed on that occasion.

10	Scallop (<i>Pecten maximus</i>)	All boats of 10 metres or more in length overall that have or retain on board or land on any occasion a quantity of Scallop that is greater than 10% by live weight of the total quantity of all species of fish retained on board or landed on that occasion. To qualify for an Authorisation, a vessel must have carried out scallop fishing activity for at least 50 days at sea in the two and a half years up to 30 June 2005 ¹ .
11	Deep-sea species as follows: Black scabbardfish (<i>Aphanopus carbo</i>) Iceland catshark (<i>Apristurus</i> spp) Greater silver smelt (<i>Argentina silus</i>) Alfonsinos (<i>Beryx</i> spp.) Gulper shark (<i>Centrophorus granulosus</i>) Leafscale gulper shark (<i>Centrophorus squamosus</i>) Black dogfish (<i>Centroscyllium fabricii</i>) Portuguese dogfish (<i>Centroscymnus coelolepis</i>) Roundnose grenadier (<i>Coryphaenoides rupestris</i>) Kitefin shark (<i>Dalatias licha</i>) Birdbeak dogfish (<i>Deania calceus</i>) Greater lanternshark (<i>Etmopterus princes</i>) Velvet belly (<i>Etmopterus spinax</i>) Blackmouth dogfish (<i>Galeus melastomus</i>) Mouse catshark (<i>Galeus murinus</i>) Orange roughy (<i>Hoplostethus atlanticus</i>) Blue ling (<i>Molva dypterygia</i>) Forkbeards (<i>Phycis blennoides</i>) Longnose velvet dogfish (<i>Centroscymnus crepidater</i>) Knifetooth dogfish (<i>Scymnodon ringens</i>) Six-gilled shark (<i>Hexanchus griseus</i>) Frimled shark (<i>Chlamydoselachus anguineus</i>) Sailfin roughshark (Sharpback shark) (<i>Oxynotus paradoxus</i>) Greenland shark (<i>Somniosus microcephalus</i>)	All boats that land more than 10 tonnes of deep-sea species in any calendar year or that have or retain on board or land on any occasion a quantity of deep sea species that is greater than 100 kg by live weight
12	Mussel seed (meaning mussels (<i>Mytilus edulis</i>) of any kind, whether alive or dead, and including any part of a mussel and the shell, or any part of the shell, of a mussel seed and which are not intended for direct human consumption)	All types
13	All stocks in ICES areas IIIa, IVa, Vb, VIa, VIb, VIIb, c, j, k, VIII, IX, X, and XII east of 27° W.	All vessels deploying gillnets or entangling nets at any position where the charted depth is greater than 200 metres.
14	Blue Whiting (<i>Micromesistius poutassou</i>) in ICES areas I, II, III, IV, V, VI, VII, VIIIa, VIIIb, VIIIc,	All types

¹ Scallop fishing activity means the use, on any particular occasion, of dredges resulting in the retention on board or landing of a quantity in kilograms live weight of scallop (*pecten maximus*) greater than 80 per cent of the total quantity in kilograms live weight of all other marine organisms retained on board or landed on that occasion.

	VIIIe, XII and XIV	
15	All stocks	All vessels engaged in trans-shipment of fish.
16	All stocks in the NEAFC Regulatory area. These are the waters of the Convention Areas as defined in Article 1(1) of the NEAFC Convention, which lie beyond the waters under the jurisdiction of NEAFC Contracting Parties.	All types
17	All stocks in ICES areas in ICES areas Vb, VIa and VIIa	<p>All vessels of 10 metres or more in length overall deploying any of the following types of fishing gear:</p> <ul style="list-style-type: none"> • Bottom trawls and seines of mesh equal to or larger than 100 mm • Bottom trawls and seines of mesh equal to or larger than 70 mm and less than 100 mm • Bottom trawls and seines of mesh equal to or larger than 16 mm and less than 32 mm • Beam trawls of mesh equal to or larger than 120 mm • Beam trawls of mesh equal to or larger than 80 mm and less than 120 mm • Gill nets, entangling nets • Trammel nets • Longlines

GIVEN under my Official Seal,

14th October 2010, at 12.30 hours

Sean Connick

Minister of State at the Department of
Agriculture, Fisheries and Food