

Department of Agriculture Fisheries and Food

An Roinn Talmhaíochta, Iascaigh agus Bia

Fisheries Management Notice No. 005 of 2008

(March Deep-Sea Quota Management Notice)

I, Mary Coughlan, Minister Agriculture Fisheries and Food (“the Minister”), in exercise of the powers conferred on me by section 12 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (“the Act”) hereby issue the following Notice:

1. This Notice may be cited as Fisheries Management Notice No. 005 of 2008.
2. This Notice comes into force on 1 March 2008.
3. In this Notice:

“deep-sea authorisation” means an authorisation to fish for deep-sea species which has been granted under section 13 of the Act;

“deep-sea sharks” means sharks of the following species: *Centroscymnus coelolepis*, *Centrophorus squamosus*, *Deania calceus*, *Dalatias licha*, *Etmopterus princeps*, *Etmopterus spinax*, *Centrocyllium fabricii*, *Centrophorus granulosus*, *Galeus melastomus*, *Galeus murinus*, *Apristuris spp.*, *Deania histricosa*, and *Deania profundorum*;

“deep-sea species” means the list of deep-sea species given in Annex I of Council Regulation (EC) No. 2347/2002 of 16 December 2002¹;

“length” means the overall length of a boat, or the distance from the forepart of the stem of the boat to the aft side of the head of the sternpost of the boat or to the foreside of the rudder stock;

“per cent by-catch” means a percentage by live weight of the total quantity of all species of fish, for which the State has an EU fishing quota, that are retained on board or landed on any occasion;

¹ O.J. L 351, 28/12/2002, p. 6-11

“fishing area” means waters falling within the ICES sub-areas and divisions listed in column (2) of Schedule 1 and Schedule 2 to this Notice as they are defined in Regulation (EEC) No. 3880/91 of 17 December 1991², as amended;

“the specified period” means the period from 1 March 2008 to 31 March 2008.

4. (a) It is prohibited for an Irish sea-fishing boat greater than or equal to 55 feet in length, or for a person on board that boat, fishing in a fishing area listed in column (2) of Schedule 1 to this Notice, to have or retain on board or land, during the specified period, more of the species of fish given in column (1) of that Schedule opposite that fishing area than the corresponding quantity specified in column (3) of that Schedule if that fish was caught in that fishing area during the specified period.
- (b) It is prohibited for an Irish sea-fishing boat less than 55 feet in length, or for a person on board that boat, fishing in a fishing area listed in column (2) of Schedule 1 to this Notice, to have or retain on board or land, during the specified period, more of the species of fish given in column (1) of that Schedule opposite that fishing area than the corresponding quantity specified in column (4) of that Schedule if that fish was caught in that fishing area during the specified period.
5. (a) It is prohibited for an Irish sea-fishing boat greater than or equal to 55 feet in length to which a 2006 deep-sea authorisation has been granted, or for a person on board that boat, fishing in a fishing area listed in column (2) of Schedule 2 to this Notice, to have or retain on board or land, during the specified period, more of the species of fish given in column (1) of that Schedule opposite that fishing area than the corresponding quantity specified in column (3) of that Schedule if that fish was caught in that fishing area during the specified period.
- (b) It is prohibited for an Irish sea-fishing boat less than 55 feet in length to which a 2006 deep-sea authorisation has been granted, or for a person on board that boat, fishing in a fishing area listed in column (2) of Schedule 2 to this Notice, to have or retain on board or land, during the specified period, more of the species of fish given in column (1) of that Schedule opposite that fishing area than the corresponding

² O.J. L 365, 31/12/1991, p. 1-18

quantity specified in column (4) of that Schedule if that fish was caught in that fishing area during the specified period.

6. Where a quantity is given in column (3) or column (4) of Schedule 1 or Schedule 2 to this Notice in respect of a particular species of fish, fishing area and type of vessel, and where that quantity is expressed as a per cent by-catch, an Irish sea-fishing boat of that type, or person on board that boat:
- (a) may, notwithstanding paragraphs 4(a) and 4(b) of this Notice, have or retain on board, between the hours of 00:01 and 23:59 of each day of a fishing voyage, up to 1.5 times that quantity of that species of fish if it was caught in that area during the specified period, but
 - (b) must ensure by 24:00 of each day of a fishing voyage that the quantity of that species of fish caught in that area and retained on board does not exceed the per cent by-catch quantity specified in that Schedule for that species and that area and that vessel type.

SCHEDULE 1			
(Catch retention and landing restrictions for the period 1 March 2008 to 31 March 2008 for Irish sea-fishing boats)			
Species (1)	Fishing area (2)	Limit for boats greater than or equal to 55 feet in length (3)	Limit for boats less than 55 feet in length (4)
RED SEABREAM <i>(Pagellus bogaraveo)</i>	VI, VII, VIII (European Community waters and International waters)	0 tonnes	0 tonnes

SCHEDULE 2			
(Catch retention and landing restrictions for the period 1 March 2008 to 31 March 2008 for Irish sea-fishing boats to which a 2006 deep-sea authorisation has been granted)			
Species (1)	Fishing area (2)	Limit for boats greater than or equal to 55 feet in length (3)	Limit for boats less than 55 feet in length (4)
ALFONSINOS (<i>Beryx</i> spp.)	I, II, III, IV, V, VI, VII, VIII, IX, X, XII, XIV (European Community and International waters)	0 tonnes	0 tonnes
BLACK SCABBARDFISH (<i>Alphanopus carbo</i>)	V, VI, VII, XII (European Community waters and International waters)	10 tonnes	10 tonnes
BLUE LING (<i>Molva dypterygia</i>)	II, IV, V (European Community waters and International waters)	0 tonnes	0 tonnes
BLUE LING (<i>Molva dypterygia</i>)	VI, VII (European Community waters and International waters)	0 tonnes	0 tonnes
DEEP-SEA SHARKS	V, VI, VII, VIII, IX (European Community waters and international waters)	10 percent by-catch	10 percent by-catch
DEEP-SEA SHARKS	XII (European Community waters and International waters)	0 tonnes	0 tonnes
ORANGE ROUGHY (<i>Hoplostethus atlanticus</i>)	I, II, III, IV, V, VIII, IX, X, XI, XII, XIV (European Community waters and International waters)	0 tonnes	0 tonnes
ORANGE ROUGHY (<i>Hoplostethus atlanticus</i>)	VI (European Community waters and International waters)	0 tonnes	0 tonnes
ORANGE ROUGHY (<i>Hoplostethus atlanticus</i>)	VII (European Community waters and International waters)	0 tonnes	0 tonnes
ROUNDNOSE GRENADIER (<i>Coryphaenoides rupestris</i>)	VIII, IX, X, XII, XIV (European Community waters and International waters)	0 tonnes	0 tonnes

GIVEN under my Official Seal,
28 February 2008 at 11.00 hours

Mary Coughlan
Minister for Agriculture
Fisheries and Food

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

This Notice sets restrictions on the catching, retaining on board or landing of various species of deep-sea fish during March 2008

(FMN 2008/005)