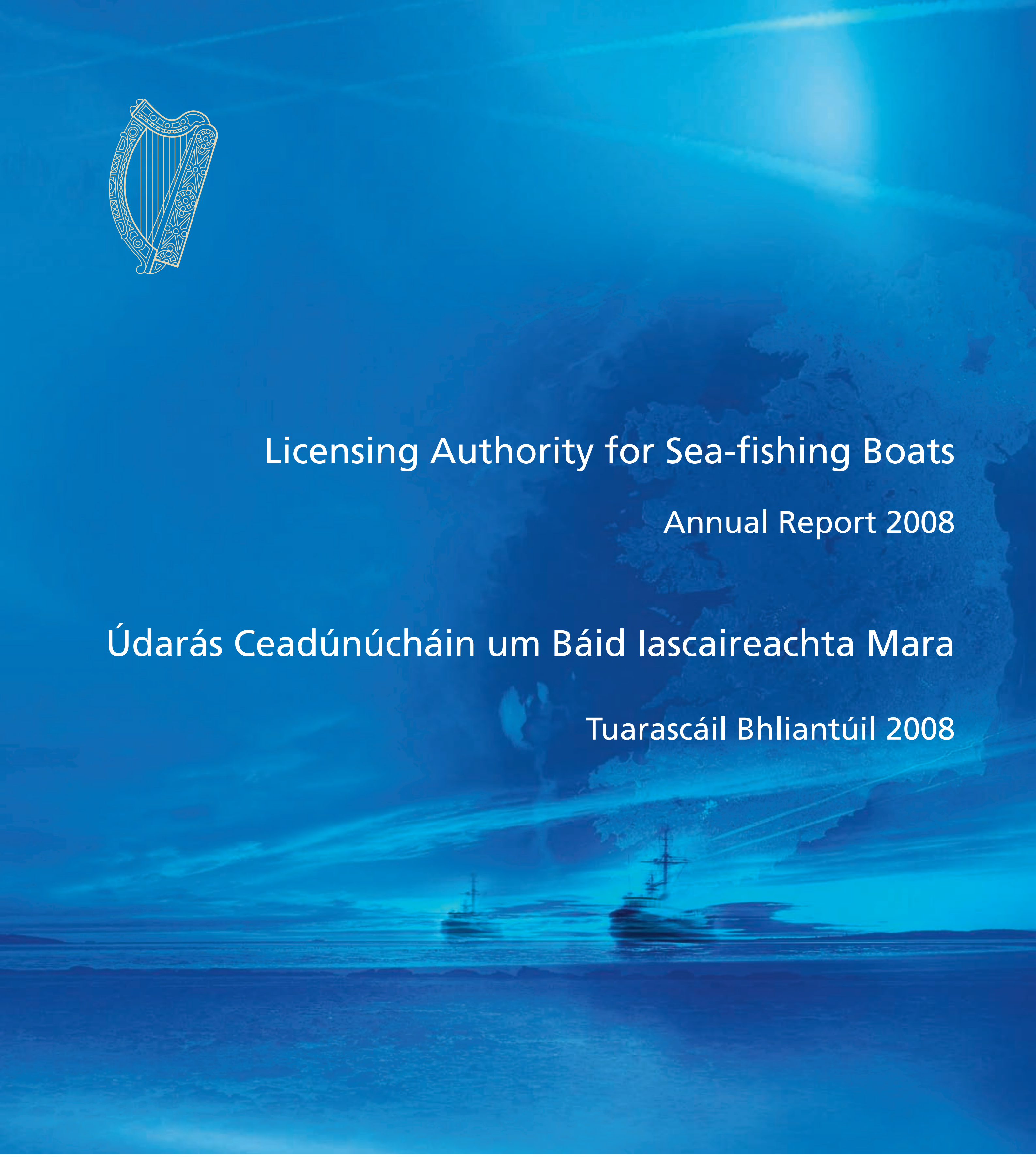

Licensing Authority for Sea-fishing Boats

Annual Report 2008

Údarás Ceadúnúcháin um Báid Iascaireachta Mara

Tuarascáil Bhliantúil 2008

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Report to the Minister for Agriculture, Fisheries and Food on the performance of the functions of the Licensing Authority for Sea-fishing Boats in the year 2008, pursuant to section 3(7) of the Fisheries (Amendment) Act 2003.

Introduction

In accordance with section 3 of the Fisheries (Amendment) Act 2003 (No. 21 of 2003), the function of sea-fishing boat licensing was transferred to the Licensing Authority for Sea-fishing Boats with effect from 1 July 2003.

As specified in that Act, the Licensing Authority is the Registrar General of Fishing Boats, or, under the superintendence of the Registrar General, the Deputy Registrar General of Fishing Boats.

The Registrar General and the Deputy Registrar General were appointed under the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006). The Registrar General is Mr. Paschal Hayes. The Deputy Registrar General is Ms Máirín Ní Dhuinn. Both are officials of the Department of Agriculture, Fisheries and Food.

Section 1 - Legislative Overview of Licensing and Registration

1.1 National Legislation

The legislation governing sea-fishing boat licensing in force in 2008 is set out in section 4 of the Fisheries (Amendment) Act 2003 (as inserted by section 97 of the Sea-Fisheries and Maritime Jurisdiction Act 2006).

The legislation governing sea-fishing boat registration in 2008 is set out in sections 74 to 80 and section 100 of the Sea-Fisheries and Maritime Jurisdiction Act 2006, and the Merchant Shipping (Registry, Lettering and Numbering of Fishing Boats) Regulations 2005 (S.I. No. 261 of 2005).

The 2003 Act provides that the Licensing Authority shall be independent in the exercise of his or her functions subject to –

(a) the law for the time being in force in relation to sea-fishing boat licensing, including, in particular, the legal obligations of the State arising under any law of an institution of the European Communities or other international agreement which is binding on the State, and

(b) such policy directives in relation to sea-fishing boat licensing as the Minister may give in writing from time to time.

The 2003 Act provides that decisions of the Licensing Authority on licence applications, or on the amendment or revocation of a licence, may be appealed to an independent Appeals Officer within one month of the decision, amendment or revocation. A person who is dissatisfied with a determination of the Appeals Officer may, within 3 months after the date of the determination, apply to the High Court for Judicial Review of the determination.

The Merchant Shipping (Registry, Lettering and Numbering of Fishing Boats) Regulations 2005 (S.I. No. 261 of 2005) brought the law into line with EU requirements regarding the measurement of tonnage and dimensions of fishing boats as well as updating the procedures relating to registration. The Regulations also introduced a requirement that segmentation indicators for vessels registered in certain segments of the fleet (Potting Sub-segment and Aquaculture Segment) be marked on the bow of the vessel along with its Port Code and Registration Number.

1.2 EU Legislation

In addition to national law and Ministerial policy directives, EU law plays a significant role in the management of Ireland's sea-fishing fleet, as is apparent from the provisions of the 2003 Act referred to above. EU Council Regulation 2371/2002 *on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy* requires Member States to put measures in place to adjust the fishing capacity of their fleets in order to achieve a stable and enduring balance between such fishing capacity and their fishing opportunities. It empowers the European Commission to establish Reference Levels (effectively fleet capacity limits) for each Member State. These levels are expressed in terms of gross tonnes (GTs) and engine power (kilowatts – kWs), for the total fishing capacity of fishing vessels flying its flag. The Regulation requires each Member State to ensure that these Reference Levels are not exceeded and to manage entries into the fleet and exits from its fleet in such a way that, from 1 January 2003, the entry of new capacity into the fleet, without public aid, is compensated by the previous withdrawal, without public aid, of at least the same amount of capacity.

The Regulation also sets out provisions relating to the maintenance of fishing fleet registers by Member States as well as the Community fleet register, which contains information supplied by Member States on vessel characteristics and activity.

EU Commission Regulation 1438/2003 of 12 August 2003 laying down implementing rules on the Community Fleet Policy, as defined in Council Regulation 2371/2002, specifies the Reference Level for each Member State's fishing fleet.

The situation of the Irish fleet in 2008 is set out in this report.

1.3 Ministerial Policy Directives

An overall sea-fishing boat licensing policy is set out in Policy Directive 2/2003, issued to the Licensing Authority by the Minister on 17 November 2003 in accordance with section 3(2)(b) of the 2003 Act. This policy was laid down in the light of the new EU fleet management rules and followed a review of the situation of the Irish fishing fleet and related capacity.

During 2008 the Minister issued one further Policy Directive to the Licensing Authority. Policy Directive 1/2008 dated 28 April 2008 continued the moratorium on active pelagic track record to cover 2007 and 2008.

The texts of all Policy Directives issued to the Licensing Authority can be viewed on the website of the Department of Agriculture, Fisheries and Food (www.agriculture.gov.ie).

Section 2 - Description of Irish Fishing Fleet in 2008

2.1 Fleet Segmentation

The Irish fishing fleet is divided into five segments, n accordance with Policy Directive 2/2003. This fleet segmentation essentially retains the fleet segmentation provided for in the EU's Fourth Multi-annual Guidance Programme (MAGP IV), which preceded and was replaced by EU Council Regulation 2371/2002, with the addition of a new Aquaculture segment.

Other than in specified circumstances as set out in the Policy Directive, the transfer of capacity between the segments (or sub-segments) is not permitted, and equivalent "replacement" capacity must be taken out of the segment (or sub-segment) into which a vessel is being introduced. This is known as the "entry/exit regime".

A general description of the fleet segments, and their composition at the end of 2008, is as follows:

- *Refrigerated Seawater (RSW)* Pelagic Segment: This segment contained 23 vessels engaged predominantly in fishing for pelagic species (mainly herring, mackerel, horse mackerel and blue whiting).

- *Beam Trawler Segment:* This segment contained 12 vessels, dedicated to beam trawling.

- *Polyvalent Segment:* This segment comprised 1,770 vessels, the greater part of the sea fishing fleet. Polyvalent vessels are multi-purpose and include small inshore vessels (netters and potters), and medium and large offshore vessels targeting whitefish, pelagic fish and bivalve molluscs.

- *Specific Segment:* This segment contained 146 vessels, which are permitted to fish for bivalve molluscs and aquaculture species.

- *Aquaculture Segment:* This segment, which contained 65 vessels, with a total capacity of 4,675 GT and 11,796 kW at end 2008, is not subject to the entry/exit regime. Vessels licensed in this segment must be used exclusively in the management, development and servicing of aquaculture sites and can collect spat from wild mussel stocks as part of a service to aquaculture installations, subject to certain restrictions determined in the context of Article 1 of EU Commission Regulation 1438/2003.

2.2 Reference Levels and Fleet Ceiling

The Reference Levels for the Irish fishing fleet at 1 January 2003 as set out in EU Commission Regulation 1438/2003 are **88,700 GT** and **244,834 kW.** The Fleet Ceiling is the capacity situation of the fleet at 1 January 2003, after application of allowable adjustments (but not exceeding the Reference Levels). The Fleet Ceiling is the baseline for the operation of the entry-exit regime.

The Fleet Ceiling for Ireland at 31 December 2008 was **78,239 GT** and **213,027 kW.** This is calculated by subtracting the amount of exits from the fleet financed by public aid, i.e. through the Decommissioning Scheme, from the Reference Levels.

The capacity situation of the Irish fishing fleet at 1 January 2008 and 31 December 2008 was as follows:

Segment	No. of Vessels		GTs		kWs	
	Jan-08	Dec-08	Jan-08	Dec-08	Jan-08	Dec-08
Polyvalent[1]	1,737	1,770	39,170	32,621	139,009	121,794
Pelagic	22	23	21,810	28,344	35,164	41,764
Beam Trawl	14	12	1,973	974	6,866	2,577
Specific	130	146	3,316	3,109	14,886	14,455
Total	**1,903**	**1,951**	**66,269**	**65,048**	**195,925**	**180,590**
Aquaculture	32	65	4,560	4,675	10,936	11,796

[1] See note on 2008 Decommissioning Scheme at 3.4 below which resulted in a reduction in GTs and kWs although the number of vessels in the segment increased overall in 2008.

Adjustment of Reference Levels

After negotiation and agreement with the European Commission, Ireland's Reference Level and capacity situation was adjusted in 2008 to take account of the following:

1 *Re-measurement:* Commission Regulation 1438/2003 allows for the adjustment of the Reference Level and capacity situation for tonnage to take account of the standardisation of tonnage measurement in terms of Gross Tonnes (GTs) in accordance with Council Regulation 2930/86, as amended by Council Regulation 3259/94. The Reference Levels and Fleet Ceiling of GT and kW referred to above include the credit given to Ireland by the Commission for the re-measurement of the fleet in Gross Tonnes from Gross Registered Tonnes.

2 *Inshore Vessels:* The Commission has made provision for **2,641 GT** and **28,057 kW** for inclusion in Ireland's Reference Levels in respect of completion of the licensing and registration of vessels approved under the Scheme for the Licensing of Traditional Pot Fishing Boats in the Irish Inshore Fleet and under the previous inshore scheme. Provision for the registration of inshore boats, to allow for final completion of these inshore schemes, is made in footnote (1) to Annex I of EU Commission Regulation 1438/2003 concerning reference levels for Member States' fleets. The licensing and registration of some 490 vessels under the Scheme for the Licensing of Traditional Pot Fishing Boats was completed in 2007.

3 *Specific Segment Vessels:* In calculating the Reference Levels for Ireland the European Commission has now included **7,089 GTs** and **29,285 kWs** in respect of vessels in this segment, increased from 6,706 GTs and 28,259kWs as originally included at 1 January 2003 and which the Licensing Authority considered was too low.

The following further information is also of relevance in relation to monitoring compliance with the entry/exit regime and the Reference Levels:

No increases in tonnage were granted in 2008 under the "safety tonnage" provisions in Article 11(5) of EU Council Regulation 2371/2002 and Article 8 of EU Commission Regulation 1438/2003.

No vessels in the Irish fleet were approved for public aid in respect of renewal and modernisation after 31 December 2002.

Section 3 - Activities of the Licensing Authority in 2008

3.1 Licence Applications

A total of 321 applications for sea-fishing boat licences were received during the year. 15 of these were subsequently withdrawn. Decisions on whether or not to issue a Letter of Licence Offer were made for all applications within the 3 week period specified in the Licensing Authority's customer service plan.

309 vessels were licensed and registered during 2008, after the applicants fulfilled the necessary requirements for licensing and registration.

3.2 Licence Renewals

Sea-Fishing Boat licences for vessels under 15 metres in overall length were renewed in June 2008. All licence renewals were made in accordance with the requirements of Maritime Safety Regulations.

Licences for fishing vessels over 24 metres in registered length were also renewed in June 2008.

Licences for fishing vessels between 15 metres in length overall and 24 metres in registered length were renewed between September and December 2008.

Licences for the pelagic fleet were renewed in December 2008.

3.3 EU Fleet Register

The current EU Fleet Register reporting system entered into force from 1 September 2004. This requires each Member States to send the European Commission an electronic "snapshot" of its fishing fleet, containing the data specified in Commission Regulation 26/2004 for each vessel in its database, on a quarterly basis. The Licensing Authority sent the required snapshots in March, June, September and December 2008. Any discrepancies identified in accordance with the European Commission's Business Rules for the snapshot transmission were resolved within the deadlines set down in the fleet reporting Regulation.

3.4 2008 Decommissioning Scheme

The Department of Agriculture, Fisheries and Food introduced a Decommissioning Scheme for whitefish vessels of over 18 metres in overall length in April 2008. The Licensing Authority subsequently processed the removal of 44 vessels with a total capacity of 6,746 Gross Tonnes and 18,719 Kilowatts from the Sea-Fishing Boat Register.

3.5 Website

In accordance with section 3(8) of the Fisheries (Amendment) Act 2003, the Licensing Authority continued to have regularly-updated information on licence applications and licensing decisions published on the website of the Department of Agriculture, Fisheries and Food throughout 2008.

3.6 Appeals

Mr. Michael Vallely BL and Ms Emile Daly BL served as independent Appeals Officers in 2008 [appointed by the Minister under section 6 of the Fisheries (Amendment) Act 2003 (No. 21)]. The three-year term of Ms Daly expired in October 2008 and she was re-appointed by the Minister for a further 3-year term.

During 2008, 13 appeals against decisions of the Licensing Authority were lodged with an Appeals Officer, of which 11 related to refusal of Replacement Capacity for Sea Fishing Boat Licence Applications, 1 related to the Scheme for the Licensing of Traditional Pot-fishing Boats in the Irish Inshore Fleet, and 1 related to the inclusion of a licence condition in a licence.

Decisions on 13 appeals were made before the end of the year. The names of the appellants, the Appeals Officers concerned and the determinations of the Appeals Officers are published on the website of the Department of Agriculture, Fisheries and Food.

3.7 New Deputy Registrar General

In October 2008 Ms Máirín Ní Dhuinn replaced Mr Brendan Linehan as Deputy Registrar General of the Licensing Authority for Sea-Fishing Boats.

Section 4 - Staffing and organisational arrangements

During 2008, staffing and other administrative supports for the Licensing Authority were provided by the Sea Fisheries Administration Division of the Department of Agriculture, Fisheries and Food.

Apart from the Registrar General and Deputy Registrar General, the staff of the Licensing Authority in 2008 comprised:

2 Higher Executive Officers
3 Executive Officers
1 Staff Officer
2 Clerical Officers.

The Licensing Authority was also assisted in carrying out its functions by ongoing liaison with the Seafood Policy and Development Division of the Department of Agriculture, Fisheries and Food, by the Sea Fisheries Protection Authority, the Marine Survey Office of the Department of Transport and the local Registrars of Shipping of the Revenue Commissioners.

I am grateful for the support and assistance provided by the former Deputy Registrar General, Mr. Brendan Linehan, and I thank him for his excellent service during his time with the Licensing Authority.

I would also like to thank the new Deputy Registrar General Máirín Ní Dhuinn and the staff of the Licensing Authority, as well as the other bodies cited above, for their assistance in carrying out my functions during 2008.

Paschal Hayes
Registrar General of Fishing Boats
June 2009

Tuarascáil chun an Aire Talmhaíochta, Iascaigh agus Bia faoi chomhlíonadh fheidhmeanna an Údaráis Cheadúnúcháin um Báid Iascaireachta Mara sa bhliain 2008, de bhun Ailt 3(7) den Acht Iascaigh (Leasú) 2003.

Réamhrá

De bhun Ailt 3 den Acht Iascaigh (Leasú) 2003 (Uimh. 21 de 2003), aistríodh feidhmcheadúnaithe bád iascaireachta mara chun an Údaráis Cheadúnúcháin um Báid Iascaireachta Mara le h-éifeacht ón 1 Iúil 2003. Mar a leagtar síos san Acht sin, is é an t-Árd-Chláraitheoir um Báid Iascaireachta, nó, faoi mhaoirseacht an Árd-Chláraitheora, an Leas-Árd-Chláraitheoir um Báid Iascaireachta, an tÚdarás Ceadúnúcháin.

Cheapadh an tÁrd-Chláraitheoir agus an Leas-Árd-Chláraitheoir de bhun an Achta um Iascaireacht Mhara agus Dhlínse Mhuirí 2006 (Uimh. 8 de 2006). Is é an tUas. Paschal Hayes an t-Árd-Chláraitheoir agus is í Máirín Ní Dhuinn an Leas-Árd-Chláraitheoir. Is oifigigh de chuid na Roinne Talmhaíochta, Iascaigh agus Bia an bheirt acu.

Alt 1 - Forbhreathnú ar an Reachtaíocht a bhaineann le Ceadúnú agus Clárú

1.1 Reachtaíocht Náisiúnta

Leagadh amach an reachtaíocht a rialaigh ceadúnú bád iascaireachta mara i 2008 in Alt 4 den Acht Iascaigh (Leasú) 2003 (arna chur isteach ag Alt 97 den Acht um Iascaireacht Mhara agus Dhlínse Mhuirí 2006).

Leagadh amach an reachtaíocht a rialaigh clárú bád iascaireachta mara in 2008 in Ailt 76 go dtí 80 agus Alt 100 den Acht um Iascaireacht Mhara agus Dhlínse Mhuirí 2006, agus sna Rialacháin faoi Loingeas Ceannaíochta (Clárú, Litreoireacht agus Uimhriú Bád Iascaigh) 2005 (I.R. Uimh. 261 de 2005).

Forálann Acht 2003 go mbeidh an tÚdarás Ceadúnúcháin neamhspleách i bhfeidhmiú a dhualgas faoir réir

(a) an dlí atá i bhfeidhm ag an am i leith ceadúnaithe bád iascaireachta mara, lena n-áirítear go h-áirithe aon oibleagáid dhlíthiúil a bheadh ar an Stát de bhun dlí institiúide ar bith de chuid na gComhphobal Eorpach nó comhaontaithe idirnáisiúnta eile atá ina cheangal ar an Stát, agus

(b) treoracha beartais ar bith i leith ceadúnaithe bád iascaireachta mara a d'fhéadfadh an tAire a thabhairt ó am go chéile.

Forálann Acht 2003 gur féidir achomharc a dhéanamh in aghaidh cinntí de chuid an Údaráis Cheadúnúcháin faoi iarratais ar cheadúnais, nó faoi chúlghairm nó leasú ceadúnais, le hOifigeach Achomhairc, go ceann míosa ón uair a rinneadh an cinneadh, an chúlghairm nó an leasú. Is féidir le duine atá míshásta le cinneadh an Oifigigh Achomhairc iarratas a chur isteach chun na hÁrd-Chúirte ar Athbhreithniú Breithiúnach go ceann 3 mhí ó dháta an chinnidh.

Chuir na Rialacháin faoi Loingeas Ceannaíochta (Clárú, Litreoireacht agus Uimhriú Bád Iascaigh) 2005 (I.R. Uimh. 261 de 2005) an dlí i gcomhréir le riachtanais an Aontas Eorpaigh (AE) maidir le tomhas tonnáiste agus toisí bád iascaigh, agus leasaigh siad chun dáta na gnáthaimh a bhaineann le clárú bád iascaigh. Shonraigh na Rialacháin freisin nach foláir táscairí deighleoige amharcáil ar cheann árthaí a cláraíodh i ndeighleoga áirithe den loingeas (Fo-dheighleog na hIascaireachta Pota agus Deighleog an Dobharshaothraithe) mar aon le Cód an Chalafoirt agus an Uimhir Chláraithe.

1.2 Reachtaíocht ón Aontas Eorpaigh (AE)

I dteannta leis an dlí náisiúnta agus threoracha beartais an Aire, tá ról nach beag ag dlí an AE i mbainistíocht loingeas iascaireachta mara na hÉireann, mar is léir ar fhorálacha Acht 2003 dá bhfuil tagairt thuas. Éilíonn Rialachán 2371/2002 ón gComhairle *faoi chaomhnú agus shaothrú na n-acmhainní iascaigh de réir an Comhbheartais Iascaireachta*, go gcuirfidh na Ballstáit bearta i gcrích le cumas iascaigh a gcuid loingeas a chur in oiriúint ar chaoi gur féidir cothromaíocht sheasmhach mharthanach a bhaint amach idir an cumas sin agus na deiseanna iascaigh. Cuireann sé ar chumas an Choimisiúin Eorpaigh Leibhéil Tagartha (go praiticiúil, teorainneacha cumais loingis) a leagan síos do gach Ballstát, arna sonrú de réir olltonnáiste (OT) agus cumhacht an innill (cileavatanna– kW), do chumas iomlán iascaigh na n-árthaí iascaireachta atá cláraithe sa Bhallstát sin. Éilíonn sé go gcinnteoidh na Ballstáit nach sáraítear na Leibhéil Tagartha seo agus go ndéanfar bainistíocht ar na hárthaí a thagann isteach sa loingeas agus orthu siúd a imíonn amach as, sa chaoi, ó 1 Eanáir 2003 amach, go gcúiteoidh an cumas a chaillfidh an loingeas, gan chúnamh ón Stát, ar a laghad an cumas breise a thiocfaidh isteach ann ina dhiaidh sin, gan chúnamh ón Stát.

Leagann an Rialachán forálacha amach freisin a shonraíonn go gcoinneoidh na Ballstáit cláir loingis iascaireachta, mar aon le clár loingis an Chomhphobail, ina mbeidh an fhaisnéis a sholáthróidh na Ballstáit faoi shaintréithe agus ghníomhaíocht na n-árthaí.

Maidir le Rialachán 1438/2003 dar dáta 12 Lúnasa 2003 de chuid an Choimisiúin, a leagann síos na rialacha forfheidhmiúcháin faoin gComhbheartas Loingis mar a shainítear sa Rialachán ón gComhairle, sonraíonn sé seo na Leibhéil Tagartha do loingis iascaireachta na mBallstát.

Léirítear staid loingeas na hÉireann i 2008 sa tuarascáil seo.

1.3 Treoracha Beartais chun an Údarás Ceadúnúcháin

Leag Treoir Beartais 2/2003, a d'eisigh an tAire ar 17 Samhain 2003 chun an Údaráis Cheadúnacháin de réir Ailt 3(2)(b) d'Acht 2003, beartas foriomlán ceadúnaithe bád iascaireachta mara amach. Leagadh an beartas seo síos i bhfianaise rialacha nua bainistíochta loingeas an AE, agus tar éis athbhreithniú a bheith déanta ar staid loingeas iascaireachta na hÉireann agus ar a chumas.

Le linn 2008 d'eisigh an tAire Treoir Beartais amháin eile chun an Údaráis Cheadúnúcháin. Lean Treoir Beartais 1/2008 dar dáta 28 Aibréan 2008 den mhoratóir ar thaifead gníomhaíochta "peiligí" (mórmhara) le go n-áireodh sé na blianta 2007 agus 2008 freisin.

Is féidir téacsanna na dTreoireacha Beartais uile a eisíodh chun an Údaráis Cheadúnúcháin a léamh ar shuíomh gréasáin na Roinne.

Alt 2 - Cúntas ar Loingeas Iascaireachta na hÉireann sa bhliain 2008

2.1 Deighleoga an loingis

Fo-rangaíodh Loingeas Iascaireachta na hÉireann ina chúig dheighleog, de bhun Threoir Beartais 2/2003. Go bunúsach ghlac an fhoroinnt seo ar an loingeas leis na deighleoga a leagadh síos i gClár Treorach Ilbhliantúil an Aontas Eorpaigh, ar tháinig Rialachán 2371/2002 ón gComhairle ina áit, ach deighleog nua "Dobharshaothrú" a chur leo.

Seachas i dtosca áirithe a leagtar amach sa Treoir Beartais, ní cheadaítear aistriú cumais idir na deighleoga (ná idir na fo-dheighleoga) agus ní mór cumas a bhaint, mar chúiteamh, den deighleog (nó den fho-dheighleog) ina bhfuil árthach á thabhairt isteach. Cuirtear an téarma *córas isteach/amach* ar.

Tá cúntas ginearálta ar dheighleoga an loingis agus ar a gcomhdhéanamh ag deireadh 2008, anseo thíos:

- Deighleog Mórmhara Sáile Cuisniúcháin (SC): Bhí 23 árthach sa deighleog seo a bhí ag plé go mór mór le speicis mhórmhara (scadáin, ronnaigh, bolmáin agus faoitíní gorma go príomha).

- *Deighleog Trálaer Bíoma:* Bhí 12 árthach sa deighleog seo, agus bíonn siad i mbun trálaeireachta bíoma.

- *Deighleog Ilchineálach:* Bhí 1,777 árthach, bunáite mhór an loingis, sa deighleog seo. Tá na h-árthaí seo ilchuspóireach agus áiríonn siad árthaí beaga (eangaí agus potaí) cladaigh, agus árthaí móra nó meánmhéide a bhíonn ag díriú ar iasc geal, iasc mórmhara agus mhoilisc dhébhlaoscacha.

- *Saindeighleog:* Bhí 146 árthach sa deighleog seo, a gceadaítear dóibh moilisc dhébhlaoscacha agus speicis dobharshaothraithe a sheilg.

- *Deighleog an Dobharshaothraithe:* Níl an deighleog seo, ina raibh 32 árthach arbh ionann a gcumas iomlán 4,675 OT agus 11,798 kW ag deireadh na bliain, faoi réir an chórais isteach/amach. Níl sé ceadaithe na h-árthaí seo a úsáid ach amháin d'fhonn ceantair dhobharshaothraithe a bhainistiú, a fhorbairt agus a chothabháil agus féadfaidh siad sceathrach a bhailiú ó phóir diúilicíní fiáine mar chuid de sheirbhís d'fhearais dobharshaothraithe, faoi réir srianta áirithe, mar a leagadh síos i gcomhthéacs Ailt 1 de Rialachán 1438/2003 de chuid an Choimisiúin Eorpaigh.

2.2 Leibhéil Tagartha agus Uasteorainn Loingis

B'iad na Leibhéil Tagartha do loingeas iascaireachta na hÉireann ar 1 Eanáir 2003, mar a leagtar amach i Rialacháin an Choimisiúin 1438/2003, ná **88,700 OT** agus **244,834 kW**. Is í uasteorainn an loingis staid chumais an loingis ar 1 Eanáir 2003, faoi réir coigeartuithe is féidir a cheadú ach nach sáróidh na Leibhéil Tagartha. Is í uasteorainn an loingis an bhunlíne ar a noibrítear an *córas isteach-amach.*

Ba í uasteorainn loingeas na hÉireann ar 31 Nollaig 2008 ná **79239 OT** agus **213,027 kW**. Baintear líon na n-imeachtaí as an loingeas a mhaoiníonn ciste an Stáit, .i. tríd an Scéim Díchoimisiúnaithe, de na Leibhéil Tagartha, chun é seo a áireamh

Mar a leanas a bhí staid chumais loingeas na hÉireann ar 1 Eanáir 2008 agus 31 Nollaig 2008:

Deighleog	Líon na n-Árthaí		OT		kWss	
	Ean.-08	Noll.-08	Ean.-08	Noll.-08	Ean.-08	Noll.-08
Ilchineálach[1]	1,737	1,770	39,170	32,621	139,009	121,794
Mórmhara	22	23	21,810	28,344	35,164	41,764
Trál Bíoma	14	12	1,973	974	6,866	2,577
Saindeighleog	130	146	3,316	3,109	14,886	14,455
Iomlán	**1,903**	**1,951**	**66,269**	**65,048**	**195,925**	**180,590**
Dobharshaothrú	32	65	4,560	4,675	10,936	11,796

[1] Feach ar nóta ar an Scéim Díchoimisiúnaithe 2008 – tharla go raibh laighdiú OT agus kW cé go raibh meadú ins an uimhir árthaigh sa deighleog go h-iomlán sa bhliain 2008.

Ardú sna Leibhéil Tagartha

Sa bhliain 2008, tar éis idirbheartaíocht agus comhaontú leis an Coimisiún Eorpach, socraíodh go gceartódh an Coimisiún na Leibhéil Tagartha agus staid an chumais, mar a leanas:

1 *Atomhas:* Ceadaíonn Rialachán 1438/2003 de chuid an Choimisiúin an Leibhéal Tagartha agus staid chumais an tonnáiste a choigeartú d'fhonn caighdeánú thomhas an tonnáiste de réir olltonaí (OT) a chur san áireamh de réir Rialacháin 2930/86 ón gComhairle, arna leasú ag Rialachán 3259/94 ón gComhairle. Áiríonn figiúirí an chumais tonnáiste a léirítear thuas luachanna OT árthaí a atomhaiseadh i ndiaidh 1 Eanáir 2003, agus an Leibhéil Tagartha coigeartaithe dá réir sin ag an gCoimisiún Eorpach.

2 *Árthaí Cladaigh:* Bhí in áirithe na Leibhéil Tagartha agus staid an chumais a choigeartú i 2008, anois agus ceadúnú agus clárú na n-árthaí a faomhadh de réir na Scéime um Cheadúnú Bád Iascaireacht Pota i Loingeas Cladaigh na hÉireann, agus de réir na scéime cladaigh roimhe sin, a bheith curtha i gcrích. Foráiltear clárú na mbád cladaigh, d'fhonn an bhailchríoch a chur ar na scéimeanna bád cladaigh seo, i bhfo-nóta (1) d'Iarscríbhinn I de Rialachán 438/2003 de chuid an Choimisiúin a bhaineann le leibhéil tagartha loingis na mBallstát.

3 Tar éis clárú 470 árthaí iascaireachta cladaigh a bheith críochnaithe ag an tUdaras Ceadúnúcháin ag deireadh na bliana 2007, chuir an Coimisiún **2,641 OT** agus **28,057kW** eile san aireamh i Leibhéil Tagartha na hEireann.

Árthaí Saindeighleoige: Ag ríomh Leibhéil Tagartha na hÉireann dó, tá **7,089 OT** agus **29,285 kW** curtha san áireamh i leith árthaí sa deighleog seo ag an Coimisiún, ardaithe ó **6,706OT** agus **28,259k**, leibheil a bhí ró iseal dar an tÚdarás Ceadúnúcháin.

Baineann an fhaisnéis seo a leanas le h-ábhar freisin maidir leis an monatóireacht ar an ngéilliúntas don chóras isteach/amach agus do na Leibhéil Tagartha:

Níor deonaíodh aon mhéadú tonnáiste i 2008 de bhun na bhforálacha "tonnáiste sábháilteachta" in Alt 11(5) de Rialachán 2371/2002 ón gComhairle agus in Alt 8 de Rialachán 1438/2003 de chuid an Choimisiúin.

Níor faomhadh aon chabhair phoiblí d'árthach ar bith i loingeas na hÉireann chun críche athnuachana ná nuachóirithe tar éis 31 Nollaig 2002.

Alt 3 - Gníomhaíochtaí an Údaráis Cheadúnúcháin sa bhliain 2008

3.1 Iarratais ar Cheadúnais

Fuarthas 321 n-iarratas san iomlán ar cheadúnais do bháid iascaireachta mara i rith na bliana. Tarraingíodh siar 15 díobh seo ina dhiaidh sin. Breithníodh iad uile sa tréimhse 3 sheachtain a leagtar síos i bplean gníomhaíochta um sheirbhís chustaiméirí na Roinne.

Ceadúnaíodh agus cláraíodh 309 árthach le linn 2008, tar éis do na h-iarratasóirí na riachtanais a bhaineann le ceadúnú agus clárú a chomhlíonadh.

3.2 Athnuachan Ceadúnas

Athnuadh Ceadúnais na mBád Iascaireachta Mara d'árthaí iascaigh fé bhun 15 mhéadar ar fad san iomlán i mí an Mheithimh 2008.

Athnuadh ceadúnais d'árthaí iascaigh thar 24 mhéadar san iomlán mar fhad cláraithe i mí an Mheithimh freisin.

Athnuadh ceadúnais d'árthaí iascaigh idir 15 mhéadar ar fad san iomlán cláraithe agus 24 mhéadar mar fhad cláraithe idir mí Mean Fhomhair agus Nollaig 2008.

Athnuadh ceadúnais i gcás an loingis mhórmharai I mi na Nollaig 2008.

Athnuadh na ceadúnais go léir de réir riachtanais na Rialachán um Shábháilteacht Mhuirí.

3.3 Clár Loingis

Tháinig córas tuairiscithe nua an AE ar chláir loingis i bhfeidhm ar 1 Meán Fómhair 2004. Cuireann sé seo de cheangal ar gach Ballstát "pictiúr" a chur go leictreonach chuig an gCoimisiún Eorpach, uair in aghaidh na ráithe, dá loingeas iascaireachta a thabharfaidh na sonraí a leagtar síos i Rialachán 26/2004 de chuid an Choimisiúin do gach árthach ina bhunachar sonraí. Chuir an tÚdarás Ceadúnúcháin na pictiúir seo ar aghaidh i mí an Mhárta, mí an Mheithimh, mí Mheán Fómhair agus mí na Nollag mar a theastaigh. Ceartaíodh aon earráid a sainaithníodh de réir Rialacha Gnó an Choimisiúin Eorpaigh faoi tharchur na bpictiúr roimh an sprioc-am a leagadh síos sa rialachán faoi thuairisciú ar an loingeas.

3.4 Scéim Díchoimisiúnaithe 2008

De dhroim tabhairt isteach do Scéim Dichoimisiúnaithe ag an Roinn Talmhaíochta, Iascaigh agus Bia i mí Aibreán 2008, dírithe ar árthaí ag díriú ar iasc geal, bhí ar an t-Údarás Ceadúnúcháin 44 árthaí, ar a bhí staid chumais iomlán 6,746 OT agus 18,719 kW acu, a bhaint as an gClár Loingeas Iascaireachta.

3.5 Suíomh gréasáin

De réir Ailt 3(8) den Acht Iascaigh (Leasú) 2003, chuir an tÚdarás faisnéis, a nuashonraítear go rialta, faoi iarratais agus chinntí ar cheadúnais, á foilsiú ar shuíomh gréasáin na Roinne i rith na bliana freisin.

3.6 Achomhairc

Bhreithnigh beirt Oifigeach Achomhairc, a cheap an tAire de bhun Ailt 6 den Acht Iascaigh (Leasú) 2003 (Uimh. 21), na h-achomhairc i 2008, is é sin le rá Michael Vallely Uas., BL agus Emile Daly Uas., BL. Bhí tearma oifige do Emile Daly caite in mi Mean Fhomhair 2008, agus athcheapfar í ag an tAire le haghaidh tearma nua 3 bliana.

I rith na bliana, taisceadh 13 achomharc in aghaidh cinntí de chuid an Údaráis Cheadúnúcháin leis na hOifigigh Achomhairc, ar bhain 11 gcinn leis an diúltú don Chumas Cúitimh d'Iarratais ar Cheadúnais do Bháid Iascaireachta Mara, 1 ceann díobh leis an Scéim um Cheadúnú Bád Iascaireachta Pota i Loingeas Cladaigh na hÉireann, agus 1 ceann le coinníoll ceadúnais a cuireadh le ceadúnas.

Breithníodh 13 achomharc faoi dheireadh na bliana. Tá ainmneacha na n-achomharcóirí, na hOifigigh Achomhairc ábhartha agus cinntí na nOifigeach Achomhairc arna bhfoilsiú ar shuíomh gréasáin na Roinne.

3.7 Leas-Ard-Chláraitheoir nua

Ceapadh Máirín Ní Dhuinn Uas. mar Leas-Árd-Chláraitheoir in ionad Brendan Linehan, Uas. i mi Mean Fhomhair 2008. Uas. i mi Mean Fhomhair 2008.

Alt 4 - Socruithe eagraíochtúla agus soláthair foirne

Is é an Roinn Talmhaíochta, Iascaigh agus Bia a cuireann tacaíochtaí riaracháin agus foirne ar fáil don Údarás Ceadúnúcháin.

Mar a leanas na h-acmhainní foirne a cuireadh ar fáil I 2008, seachas an tArd-Chláraitheoir agus an Leas-Ard-Chláraitheoir:

2 Ardoifigeach Feidhmiúcháin
3 Oifigeach Feidhmiúcháin
1 Oifigeach Foirne
2 Oifigeach Cléireachais.

Ba chúnamh freisin don t-Údarás Ceadúnúcháin agus é ag comhlíonadh a dhualgas an t-idirchaidreamh leanúnach leis an Rannán Beartais agus Forbartha Bia Mara don Roinn Talmhaíochta, Iascaigh agus Bia, leis an Údarás um Chosaint Iascaigh Mhara, le Oifig na Suirbhéireachta Muirí (MSO) don Roinn Iompair,agus le Cláraitheoiri lLoingis Áitiúla na gCoimisinéirí Ioncaim.

Tá mé an-bhuíoch don iar-Leas-Árd-Chláraitheoir, Brendan Linehan, Uas, as ucht an chabhair agus tacaíocht a thug sé dhom agus é sa phost.

Táim an-bhuíoch freisin don Leas–Árd-Chláraitheoir nua, Máirín Ní Dhuinn, Uas., agus d'fhoireann na hÚdaráis Ceadúnúcháin, maraon leis na comhlachtaí thuasluaite, as ucht an gcúnamh a thug said dhom dhúlgaisí na hÚdaráis a chomhlíonadh i rith an bhliain.

Paschal Hayes
Árd-Chláraitheoir Bád Iascaireachta

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