

Roinn na Mara

(Department of the Marine)

Fisheries (Consolidation) Act, 1959

Fish Culture Licence

The Minister for the Marine by this licence authorises, subject to the conditions set out in the Schedule to this licence

Mr. Michael Murphy, 82 Sandymount Avenue, Ballsbridge, Dublin 4 (hereinafter referred to as "the licensee").

1. To carry on at or in connection with the fish farm situate in the townland of Drumcavany in the Barony of Kilmacrenan, County Donegal the plans of which have been submitted to and approved by the Minister for the Marine all necessary operations in relation to the culture of salmon.
2. To purchase and have in possession salmon, salmon smolts, together with the ova, fry and fingerlings of salmon, the acquisition of which has been approved by the Minister for the Marine.
3. To capture and have in possession within the confines of the said fish farm live salmon, salmon smolts, and the ova, fry and fingerlings thereof at any time of the year.
4. To have in possession and to sell at any time of the year salmon for table use.
5. For the management of said fish farm to have in possession and use nets, traps, or other such engines as may be approved from time to time by the Minister for the Marine.

SCHEDULE

Conditions subjected to which this licence is granted

1. No fish other than salmon shall be bred and handled at the said fish farm.
2. The licensee shall provide and maintain such gratings or other devices in the intake and discharge channels as will effectually prevent the admission of migratory fish into other water courses and ponds of the fish farm, and make adequate arrangements to ensure the safe passage past the farm of migratory fish and shall make all necessary provisions to prevent the escape of salmon and rainbow trout from the ponds and water courses of the farm and shall carry out any instructions issued in this connection from time to time by the Minister for the Marine.
3. Abstraction of water shall be so regulated that sufficient water will be maintained at all time in the natural water courses adjoining the farm to ensure the free passage of migratory fish past the farm. The licensee shall comply with any directions issued in that connection by the Minister for the Marine from time to time.
4. The stock of fish held in the farm shall not exceed such quantity as may be specified by the Minister for the Marine from time to time and will not in any event exceed 100,000 smolts.
5. Records shall be kept at the said fish farm of all fish stripped, bred, held and handled at the said fish farm and of all sales of fish from it and such records shall be available for inspection at all reasonable times by any inspector appointed for the purpose of Part X of the Fisheries (Consolidation) Act, 1959.
6. The Licensee shall furnish to the Secretary, Department of the Marine such returns from the records kept at the said fish farm as may be required from time to time by the Minister for the Marine.
7. Live salmon, salmon smolts or the ova fry or fingerlings thereof shall not be sold or disposed of to any person or in any way transferred outside the said fish farm save in accordance with the written permission of the Minister for the Marine.
8. Environmental monitoring shall be carried out as directed by the Minister for the Marine from time to time.
9. The said fish farm and all premises used in connection with operations carried on at the said fish farm shall be open to inspection at any time by any authorised officer within the meaning of the Fisheries Acts.

10. The Licensee shall notify the Secretary, Department of the Marine within forty-eight hours of the appearance or suspected appearance of any disease at the said fish farm or abnormal losses or mortalities and shall send samples to the Fish Pathology Unit, Abbotstown, Castleknock, Co. Dublin, in a prescribed manner as and when requested to do so and shall comply with any directions as to the treatment, disposal or destruction of stocks of fish at the said fish farm in the interests of safeguarding the stocks of fish in the State.
11. The Licensee shall make arrangements for the provision of a lime pit for the disposal of dead fish.
12. The licensee shall make adequate arrangements for the hygienic operation of the said fish farm (including selection and preparation of food, treatment and disposal of effluent) and in that connection shall comply with any directions which may be issued from time to time by the Minister for the Marine.
13. Such precautions shall be taken as the Minister for the Marine may specify from time to time, in relation to (a) introductions of salmon and the ova or fry for stocking the farm, including disease free certification, in appropriate terms, and (b) the adaptation of methods of operation or type of installation (e.g. use of concrete ponds).
14. In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit to dispose of the fish including revocation of licence.
15. Should the licensee fail to comply with any or all of the conditions in this licence, the Minister for the Marine may revoke the licence.
16. This licence shall be subject to review and/or amendment on or before 30 April 1992.

Dated this 18th day of May 1987
For the Minister for the Marine

John Norton

An Officer of the Department of the Marine duly authorised in that behalf.

- N.B. (1) This licence is valid only so long as the layout of the fish farm conforms to the plans duly approved as provided in Paragraph 1 of this licence.
- (2) This licence may be amended or revoked as provided by Section 15 of the Fisheries (Consolidation) Act, 1959.
- (3) This licence is not to be construed as authorising the licensee in any way to interfere with or infringe the rights of any other person.