

CERTIFICATE OF ASSIGNMENT

OF

**AQUACULTURE LICENCE AQ NO 458 GRANTED IN ACCORDANCE WITH THE
FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)**

AND

**FORESHORE LICENCE GRANTED IN ACCORDANCE
WITH SECTION 3(1) OF THE FORESHORE ACT, 1933 (NO. 12)**

This is to certify that the Aquaculture Licence and Foreshore Licence referred to have been assigned, with the approval of the Minister at the Department of Agriculture, Food and the Marine, from:


**FEIRM MARA OILEÁN ACLA TEO,
6, THE GROVE,
BETTYGLEN,
RAHENY,
DUBLIN 5.**

TO

**ÚDARÁS NA GAELTACHTA,
NA FORBACHA,
CO NA GAILLIMHE,**

with effect from 8th August 2014, subject to the terms and conditions thereof, and, with the following additional condition

- *The acceptance by Údarás na Gaeltachta of responsibility for all financial liabilities to the State (including but not limited to monies owed to Údarás), incurred by Feirm Mara Oileán Acla Teoranta.*

Signed: 

A person authorised in this behalf by the said
Minister.

AQUACULTURE LICENCE NO. 458

GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)

The Minister for Communications, Marine and Natural Resources, in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (no.23), hereby grants an Aquaculture licence to:

FEIRM MARA OILEAN ACLA TEORANTA

6 THE GROVE

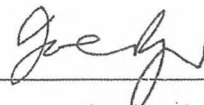
BETTYGLEN

RAHENY

DUBLIN 5

For the cultivation of Turbot at Bunacurry Business Park, Bunacurry, Achill, Co. Mayo in accordance with plans approved of by the Minister, subject to the provisions of the Act referred to and to the terms and conditions set out in the Schedule attached.

Subject as aforesaid, this Aquaculture Licence shall remain in force for a period of ten (10) years commencing on 18 August, 2004.



A person authorised under section 15(1) of the Ministers and Secretaries Act, 1924 to authenticate the Seal of the Minister for Communications, Marine and Natural Resources.

18 August, 2004

SCHEDULE

TERMS AND CONDITIONS OF 10 YEAR AQUACULTURE LICENCE FOR FEIRM MARA OILEAN ACLA TEORANTA, TO OPERATE A TURBOT FISH FARM AT BUNACURRY BUSINESS PARK, BUNACURRY, ACHILL, CO. MAYO.

General

1. This Licence shall be valid only for so long as the layout of the fish farm conforms to the plans submitted to and approved of by the Minister and for so long as the planning permission granted by Mayo County Council dated 23 October, 2003 and the Effluent Discharge Licence granted by Mayo County Council on 23 October, 2003 (ref. WP(W) 89) (or a further such Licence granted by the said Council or by the Environmental Protection Agency).
2. The Licensee shall comply with such instructions as the Minister may issue from time to time for the proper maintenance and control of the fish farm, including in particular instructions issued in relation to any of the matters referred to in the following paragraphs.
3. The Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, claims, damages, costs, expenses or demands arising in any manner whatsoever in connection with the construction, maintenance or use of any structures, apparatus, equipment or other thing used in the exercise of the rights granted under this Licence and the Licensee shall take all steps specified in order to ensure compliance with this condition.
- 4 (a) The Licensee shall ensure that no derelict or redundant structure, apparatus, equipment or thing associated with the fish farm is allowed to remain on the licensed area or on the adjoining land and that any such structure, apparatus, equipment or thing is properly removed for proper disposal elsewhere.

(b) In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit (including the disposal of any fish there and revocation of the Licence) and the Licensee shall be liable to reimburse the Minister in respect of the expense involved in so doing.
5. This Licence is not to be construed as authorising the Licensee to interfere with or infringe in any way the rights of any other person.
6. The Minister shall be at liberty at any time to revoke or amend the Licence if he considers that it is in the public interest to do so, or if he is satisfied that there has been a breach of any condition specified in the

Licence, or in the event of water quality results or general performance at the fish farm not meeting the standards set by the Department of Communications, Marine and Natural Resources (hereinafter referred to as the Department). Any such revocation or amendment shall be subject to the provisions of the Fisheries (Amendment) Act, 1997, or any amendment thereto.

7. The Licensee shall ensure continuous UV treatment of both the intake and outlet pipes.

Stocking etc., restrictions

8. No fish other than turbot shall be bred or handled at the fish farm.
9. Not more than 600 tonnes of turbot shall be produced annually at the fish farm.
10. Such precautions shall be taken by the Licensee as the Minister may specify from time to time in relation to the introduction of turbot (including fry and ova) into the fish farm, including disease free certification and any adaptation of methods of operation or type of installation at the fish farm.

Hygiene, Fish Health & Water Quality

11. The Licensee shall make adequate arrangements for the hygienic operation of the fish farm (including proper selection and preparation of food, and proper treatment and disposal of wastes) and in that connection shall comply with any direction, which may be issued from time to time by the Minister.
12. The Licensee shall not allow any discharge into the sea or any waters of blood from harvesting.
13. The Licensee shall make arrangements for the disposal of dead fish in accordance with the applicable statutory provisions and requirements.
14. The Licensee shall carry out regularly water quality and other monitoring at the fish farm in accordance with the specifications of the Department (including the essential reference standards against which the monitoring shall be carried out) and provide the results of such monitoring to the Department on request.
15. The Licensee shall provide and maintain such grating or other devices at the point of water abstraction from the sea into the fish farm and also at a point as near as possible to the discharge of seawater as will effectually prevent the admission of any wild fish into the fish farm, and

shall make all necessary provisions to prevent the escape of fish from the fish farm.

16. The Licensee shall fit adequate anti-predator netting on fish farm structures so as to prevent predation and the possible introduction of disease by predators.
17. The Licensee shall notify the Department (Coastal Zone Management Division), Leeson Lane, Dublin 2 and the Fish Health Unit, Marine Institute, Marine Environment and Health Services Division, Snugborough Road, Abbotstown, Dublin 15, within twenty-four hours of the appearance or suspected appearance of any disease or abnormal losses or mortalities at the fish farm and shall send samples to the Fish Health Unit at the above address in a prescribed manner as, and when, requested to do so and shall comply with any directions issued by the Department of Communications, Marine and Natural Resources including direction in relation to the treatment, disposal or destruction of stocks of fish at the fish farm in the interests of safeguarding the stocks of fish in the State.
18. The Licensee shall notify the Department (Coastal Zone Management Division) and the Fish Health Unit, at the above address, within twenty-four hours of any escapes of fish from the fish farm and shall keep records of fish escaped, including numbers, origin, types and year classes and shall make these records available to the Department and the Fish Health Unit on request.

Special requirements on chemical usage

19. All chemicals, antibiotics and disinfectants used on the fish farm shall be used in accordance with instructions as may be issued by the Minister from time to time.

Inspections, records and returns

20. The fish farm and all equipment or premises used in connection with operations carried on at the fish farm shall be open to inspection at any time by any authorised officer (within the meaning of the Fisheries Acts), or any other person appointed by the Minister for the purpose.
21. Records shall be kept at the fish farm of
 - all fish introduced into, stripped, bred, held and handled at the fish farm and all sales of fish from the fish farm;
 - the types and quantities of fish foods used (including their phosphate content), and the times of use;
 - all chemicals, antibiotics and disinfectants with which the fish have been treated, including quantities and times of use;
 - the results of water quality monitoring at the fish farm

and such records shall be available for inspection at the fish farm at all reasonable times by any inspector appointed for any purpose of the Fisheries Acts.

22. The Licensee shall furnish to the Department (Coastal Zone Management Division) Leeson Lane, Dublin 2 such returns from the records kept at the fish farm as may be required from time to time by the Department.
23. The Licensee shall not assign the benefit of the licence without the written consent of the Minister.
24. In the event of the benefit of the Licence being granted to a company (within the meaning of the Companies Acts, 1963 to 1999) the following condition shall apply, namely, the Licensees shall obtain the consent of the Minister to any proposed major change in the shareholding or control of the Licensees where such change substantially alters the identity of the Licensees.
25. In the event of the benefit of the Licence being granted to a society (within the meaning of Section 2 of the Industrial and Provident Societies (Amendment) Act, 1978 (No. 23 of 1978)) the following conditions shall apply, namely,
 - (i) the rules relating to membership of the society shall enable any resident of the State to become a member of it where the resident fulfils all the conditions laid down by the society for membership of it and the rules shall not lay down different conditions for different classes of people;
 - (ii) the rules relating to the society shall be submitted to the Minister as soon as practicable after such assignment and the society shall not amend the rules thereafter, other than with the consent of the Minister; and
 - (iii) the Minister may, if he considers it necessary in the interests of good management of the licensed area, direct that an amendment may be made to the rules of the society, from time to time, and the Licensees shall amend the rules in accordance with that direction.

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Counterpart

**FORESHORE LICENCE IN RESPECT OF ONE SEA WATER INTAKE PIPE
AND ONE EFFLUENT DISCHARGE PIPE**

AGREEMENT made on 18 August, 2004 between the Minister for Communications, Marine and Natural Resources (hereinafter referred to as "the Minister"), of the one part, and

FEIRM MARA OILEAN ACLA TEORANTA

6 THE GROVE

BETTYGLEN

RAHENY

DUBLIN 5

(hereinafter referred to as "the Licensee") of the other part, whereby the Minister in exercise of the powers conferred on him by Section 3 (1) of the Foreshore Act, 1933 (No. 12) hereby grants to the Licensee licence to use and occupy those parts of the foreshore in Bunacurry, Achill, Co. Mayo more particularly delineated on the map annexed hereto for the purpose of laying, maintaining and using one sea water intake pipe as shown coloured green on the map annexed hereto and one effluent discharge pipe as shown coloured red on the map annexed hereto, in accordance with plans and drawings submitted to and approved by the Minister in connection with the Licensee's fish farm at Bunacurry Industrial Estate, Achill, Co. Mayo on the terms and conditions set out in the Schedule attached.

This Foreshore Licence shall remain in force for a maximum period of ten (10) years commencing on 18 August 2004, except as hereinafter provided, and only for so long as Aquaculture Licence No. 458 granted on 18 August, 2004 is in force.

SCHEDULE

TERMS AND CONDITIONS APPLICABLE TO FORESHORE LICENCE

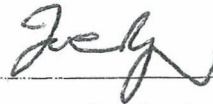
1. (a) The Licensee shall use that part of the foreshore, the subject matter of this licence, for the purposes of constructing, laying, inspecting, maintaining or replacing an effluent discharge pipe and a seawater intake pipe in connection with the fish farm and for no other purpose whatsoever.

(b) The Licensee may use adjoining foreshore for the purposes of constructing, laying, inspecting, maintaining or replacing the said pipes and shall restore the said foreshore to its proper condition immediately after such use.
2. The aforesaid pipes shall be laid in accordance with drawings submitted to and approved of by the Minister.
3. The Licensee shall at all times during the continuance of this licence keep the said pipes in a good and proper state of repair and condition to the satisfaction of the Minister and ensure that they will not be injurious to navigation, fishing, the adjacent lands and property or the public interest, and the Licensee shall comply with any directions which may be issued by the Minister from time to time in that regard.
4. The Licensee shall indemnify and keep indemnified the State, the Minister for Communications, Marine and Natural Resources, his officers, servants or agents against all actions, loss, claims, damages, costs, expenses and demands howsoever arising in connection with the construction, maintenance, use or replacement of the said effluent discharge pipe and seawater intake pipe or in the exercise of the permission hereby granted.
5. Subject to the provisions of the Fisheries (Amendment) Act, 1997 (No. 23 of 1997) the Minister may revoke or amend the Licence if he considers that it is in the public interest to do so or if he is satisfied that there has been a breach of any condition specified in the Licence or that the foreshore to which the Licence relates is not being properly maintained.
6. The Licensee shall, at the expense of the Licensee, if so required by the Minister and within three weeks after receipt of such notice or on determination of the licence from any other cause, remove the said effluent discharge pipe and seawater intake pipe and restore the foreshore to the satisfaction of the Minister and if the Licensee refuses or fails to do so the Minister may cause the said effluent discharge pipe and seawater intake pipe to be removed and the foreshore restored and shall be entitled to recover from the Licensee as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred by him in connection with the removal and restoration, and the Licensee shall take such steps as the Minister may specify in order to secure compliance with the condition.

7. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at the last known address of the Licensee.
8. In the event of the benefit of the licence being granted to a company (within the meaning of the Companies Acts, 1963 to 1999) the following condition shall apply, namely the Licensee shall obtain the consent of the Minister to any proposed major change in the shareholding or control of the Licensee where such change substantially alters the identity of the Licensee.
9. In the event of the benefit of the licence being granted to a society (within the meaning of Section 2 of the Industrial and Provident Societies (Amendment) Act, 1978 (No. 23 of 1978)) the following conditions shall apply, namely,
 - (i) the rules relating to membership of the society shall enable any resident of the State to become a member of it where the resident fulfils all the conditions laid down by the society for membership of it and the rules shall not lay down different conditions for different classes of people;
 - (ii) the rules relating to the society shall be submitted to the Minister as soon as practicable after such assignment and the society shall not amend the rules thereafter, other than with the consent of the Minister, and
 - (iii) the Minister may, if he considers it necessary in the interests of good management of the licensed area, direct that an amendment may be made to the rules of the society, from time to time, and the Licensee shall amend the rules in accordance with that direction

PRESENT when the Seal of Office of the
MINISTER FOR COMMUNICATIONS, MARINE AND
NATURAL RESOURCES was affixed and
was authenticated by the Signature of:

JOE RYAN



a person authorised under Section 15
(1) of the Ministers and Secretaries
Act, 1924 to authenticate the seal of
the Minister

WITNESS: Eileen O'Reilly
ADDRESS: Dept of Communications,
Marine & Natural Resources, Leeson Lane
D2.
OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee



in the presence of:

WITNESS: Aisling Roche
ADDRESS: Rockfield
Clonmorris, Co. Mayo
OCCUPATION: Consultant