

Department of Agriculture, Food and the Marine

An Roinn Talmhaíochta, Bia agus Mara

Fisheries Management Notice No. 49 of 2013

(September Demersal Quota Management Notice)

I, Simon Coveney, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 12 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) 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, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), hereby issue the following Notice:

1.1 This Notice is September Demersal Quota Management Notice 2013 (Fisheries Management Notice No. 49 of 2013).

1.2 This Notice comes into force on 1 September 2013 and ceases to have effect on 1 October 2013.

2. In this Notice:

“CECAF” means the Committee for the Eastern Central Atlantic Fisheries;

“EC waters” means European Community waters. Where this term is used in conjunction with an ICES or CECAF sub-area or division listed in Schedule 1, Schedule 2, it means that only the European Community waters of that sub-area or division are included;

“length” means , in relation to a sea-fishing boat, the overall length of the 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;

“monkfish authorisation” means an authorisation to fish for monkfish (family *Lophiidae*) granted under section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006;

‘Catch retention and landing restrictions’ means the total quantity, in tonnes live weight, of that species of fish in column (1) a quantity of which, greater than that specified in column (3) or column (4), may not be retained onboard or landed by an Irish sea-fishing boat, dependant on the particular vessel’s length and /or fishing method during September 2013.

“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, retained on board or landed on any occasion. In this notice this definition does not apply to Cod in VIa; Union and International waters of Vb east of 12°00’W (COD/5BE6A). By-catch of cod in this area may be landed provided that it does not comprise more than 1.5% of the live weight of the total catch retained on board per fishing trip.

“fishing area” means waters falling within the ICES and CECAF sub-areas and divisions listed in Schedule 1, Schedule 2 as defined in Regulation (EEC) No. 3880/91 of 17 December 1991¹ or Council Regulation (EC) 2597/95 of 23 October 1995², as amended.

3.1 Subject to paragraph 4, a person on board an Irish sea-fishing boat greater than or equal to 55 feet in length fishing in a fishing area listed in column (2) of Schedule 1 shall not have or retain on board that boat or land (or cause or permit another person to have or retain on board the boat or land) during September 2013 a quantity of a species of fish listed in column (1) of Schedule 1 opposite that fishing area that is greater than the corresponding quantity specified in column (3) if the fish was caught in that fishing area during September 2013.

3.2 Subject to paragraph 4, a person on board an Irish sea-fishing boat less than 55 feet in length fishing in a fishing area listed in column (2) of Schedule 1, shall not have or retain on board or land (or cause or permit another person to have or retain on board the boat or land) during September 2013 a quantity of a species of fish listed in column (1) of Schedule 1 opposite that fishing area that is greater than the corresponding quantity specified in column (4) if the fish was caught in that fishing area during September 2013.

¹ O.J. L 365, 31/12/1991, p. 1-18

² O.J. L 270, 13/11/1995, p. 1-33

4.1 Subject to paragraph 4.3, a person on board an Irish sea-fishing boat greater than or equal to 55 feet in length in respect of which a monkfish authorisation has not been granted, fishing in a fishing area listed in column (2) of Schedule 2, shall not have or retain on board that boat or land, (or cause or permit another person to have or retain on board the boat or land), during September 2013, a quantity of a species of fish listed in column (1) of Schedule 2 opposite that fishing area that is greater than the corresponding quantity specified in column (3) if the fish was caught in that fishing area during September 2013.

4.2 Subject to paragraph 4.3, a person on board an Irish sea-fishing boat less than 55 feet in length to which a Monkfish authorisation has not been granted, fishing in a fishing area listed in column (2) of Schedule 2, shall not have or retain on board that boat or land (or cause or permit another person to have or retain on board the boat or land), during September 2013, a quantity of a species of fish listed in column (1) of Schedule 2 opposite that fishing area that is greater than the corresponding quantity specified in column (4) if the fish was caught in that fishing area during September 2013.

4.3 A person on board an Irish sea-fishing boat fishing **exclusively** by means of Scottish Fly Seines in respect of which a monkfish authorisation has not been granted shall not, in ICES division VIIa or ICES divisions VIIb-k, sub areas VIII, IX and X: EU waters of CECAF 34.1.1., have or retain on board that boat or land, during September 2013, a quantity of haddock greater than the quantity that is specified in column (5) of Schedule 2 opposite mention of the relevant ICES area if the haddock was caught in that area during September 2013.

5 Where a quantity is specified in—

- (a) column (3) or column (4) of Schedule 1,
- (b) column (3) or column (4) of Schedule 2

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, a person on board an Irish sea-fishing boat of that type-

- (c) may, notwithstanding paragraph 3, 4, 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 the quantity of that species of fish specified if it was caught in that area during September 2013, and
- (d) 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, area and type of vessel.

SCHEDULE 1 (Catch retention and landing restrictions in respect of an Irish sea-fishing boat)			
Species of fish (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)
COD <i>(Gadus morhua)</i>	Vib; EU and international waters of Vb west of 12°00 W and of XII and XIV	3 tonnes	1.50 tonne
COD <i>(Gadus morhua)</i>	VIa; EU and international waters of Vb east of 12°00' W	1.50 per cent by-catch	1.50 per cent by-catch
GREATER SILVER SMELT <i>(Argentina silus)</i>	EU waters of III & IV	10% by-catch	10% by-catch
GREATER SILVER SMELT <i>(Argentina silus)</i>	EU and international waters of V,VI & VII	10% by-catch	10% by-catch
GREENLAND HALIBUT <i>(Reinhardtius hippoglossoides)</i>	EU waters of IIa & IV; EU and international waters of Vb & VI	0 tonnes	0 tonnes

HADDOCK (<i>Melanogrammus aeglefinus</i>)	EU and international waters of VIb, XII and XIV	30 tonnes	15 tonnes
MEGRIM (<i>Lepidorhombus spp.</i>)	VII	4 tonnes	2 tonnes
POLLOCK (<i>Pollachius pollachius</i>)	VI	10 tonnes	5 tonnes
REDFISH (<i>Sebastes spp.</i>)	EU and international waters of V; international waters of XII & XIV	0 tonnes	0 tonnes
TUSK (<i>Brosme brosme</i>)	EU and international waters of V, VI & VII	5% by-catch	5% by-catch
SAITHE (<i>Pollachius virens</i>)	VI; EU and international water of Vb, XII & XIV	36 tonnes	18 tonnes
SKATES AND RAYS (<i>Rajiformes</i>)	EU waters of VIa, VIb, VIIa-c and VIIe-k	40 tonnes	20 tonnes

SCHEDULE 2 (Catch retention and landing restrictions in relation to an Irish sea-fishing boat in respect of which a monkfish authorisation is not extant)				
Species of fish (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)	Limit for boats using Scottish fly seines (5)
COD (<i>Gadus morhua</i>)	VIIa	2 tonnes	1 tonne	Not Applicable

COD (<i>Gadus morhua</i>)	VIIIb, VIIIc, VIIe-k, VIII, IX and X; EU waters of CECAF 34.1.1	1 tonne	0.50 tonnes	Not Applicable
COMMON SOLE (<i>Solea solea</i>)	VIII f & VII g	2 % by-catch	2 % by-catch	Not Applicable
COMMON SOLE (<i>Solea solea</i>)	VII a	20 % by-catch	5 % by-catch	Not Applicable
HADDOCK (<i>Melanogrammus aeglefinus</i>)	EU and international waters of Vb and VI a	6 tonnes	3 tonnes	Not Applicable
HADDOCK (<i>Melanogrammus aeglefinus</i>)	VII a	8 tonnes	4 tonnes	12 tonnes
HADDOCK (<i>Melanogrammus aeglefinus</i>)	VIII b-k, VIII, IX & X,; EU waters of CECAF 34.1.1	2 tonnes	1 tonnes	3 tonnes
HAKE (<i>Merluccius merluccius</i>)	VI and VII; EU and international waters of Vb; international waters of XII & XIV	3 tonnes	1.50 tonnes	Not Applicable
LING (<i>Molva molva</i>)	EU and international waters of VI, VII, VIII, IX, X, XII & XIV	1 tonne	0.50 tonne	Not Applicable
MONKFISH (family <i>Lophiidae</i>)	VI; EU and international waters of Vb; international waters of XII & XIV	4 tonnes	2 tonnes	Not Applicable
MONKFISH (family <i>Lophiidae</i>)	VII	3 tonnes	1.50 tonnes	Not Applicable

NORWAY LOBSTER ⁴ (<i>Nephrops norvegicus</i>)	VII	12 tonnes	6 tonnes	Not Applicable
NORWAY LOBSTER ⁵ (<i>Nephrops norvegicus</i>)	Functional Unit 16 of ICES Subarea VII	0 tonnes	0 tonnes	Not Applicable
PLAICE (<i>Pleuronectes platessa</i>)	VIIIf & VIIg	1% by-catch	1% by-catch	Not Applicable
PLAICE (<i>Pleuronectes platessa</i>)	VIIhjk	0 tonnes	0 tonnes	Not Applicable
POLLOCK (<i>Pollachius pollachius</i>)	VII	4 tonnes	2 tonnes	Not Applicable
WHITING (<i>Merlangius merlangus</i>)	VI	1 tonnes	0.50 tonnes	Not Applicable
WHITING (<i>Merlangius merlangus</i>)	VIIa	1 tonnes	0.50 tonnes	Not Applicable
WHITING (<i>Merlangius merlangus</i>)	VIIb, VIIc, VIId, VIIe, VIIf, VIIfg, VIIh, VIIj and VIIk	50 tonnes	25 tonnes	Not Applicable

GIVEN under my Official Seal,
21st August 2013 at 17.30 hours

Simon Coveney
Minister for Agriculture,
Food and the Marine

⁴ In cases where the presentation of norway lobster is not whole, a multiplier of 3 will be applied to any quantities in order to determine the quantities of norway lobster retained on board or landed for the purposes of this Notice.

⁵ In cases where the presentation of norway lobster is not whole, a multiplier of 3 will be applied to any quantities in order to determine the quantities of norway lobster retained on board or landed for the purposes of this Notice.

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 demersal fish during September 2013.

(FMN 2013/49)