



Licensing Authority for Sea-fishing Boats

Annual Report 2020

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**Licensing Authority for Sea-fishing Boats
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*Report to the Minister for Agriculture, Food and
the Marine on the performance of the functions of
the Licensing Authority for Sea-fishing Boats in the
year 2020, 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 from the Minister 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 by the Minister under the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006). The Registrar General is Mr. Kevin Moriarty and the Deputy Registrar General is Dr. Deirdre Kelleher. Both are officials of the Department of Agriculture, Food and the Marine.

The Licensing Authority is independent in the exercise of its functions, subject to 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 Ministerial Policy Directives.

Executive Summary

The Mission Statement of the Licensing Authority for Sea-fishing Boats is to “*provide a transparent, equitable, user-friendly licensing and registration system for sea-fishing boats and to ensure compliance with EU-determined fishing fleet capacity ceilings and reporting requirements*”. The licensing and registration regime aims to underpin the development of a modern, safe fishing fleet that is well-equipped to maximise the potential of available catch quotas to the benefit of the vessel owners, their local communities, and the wider economy.

2020 marked another busy year for the Licensing Authority. The core work of the Licensing Authority is summarised hereunder:

- In 2020 the number of new applications for a sea-fishing boat licence totalled 220.
- A total of 179 vessels were licensed and registered in 2020 from new licence applications received.
- The licences for 1,721 vessels were renewed in 2020. This was 10 less than in 2019.
- The number of registered sea-fishing boats in the Irish fleet at the end of 2020 was 1,998, a decrease of 0.3% on the 2019 figure.
- The total on-register capacity of the Irish fleet (including Aquaculture vessels), expressed in gross tonnes, a measure of volume, and kilowatts, a measure of engine power, was 64,912GT and 189,169kW, decreases of 0.9% and 1% respectively on the 2019 figures.
- At the end of 2020, a total of 14,122GT and 12,022kW was off-register, i.e. held in the owner’s account and available for use as replacement capacity but not assigned to a vessel. Under current licensing policy, capacity that is off-register for two years or more is no longer available for use as replacement capacity.
- No Ministerial Policy Directive was issued by the Minister to the Licensing Authority during 2020.
- The Merchant Shipping (Registration of Ships) Act 2014 was enacted by the Department of Transport, Tourism and Sport on 25/12/14 and is subject to coming into force by commencement order. This Act will have practical and legal implications for the licensing and registration of all sea fishing boats.
- EU Control Regulation (Council Regulation 1224/2009 and Commission Implementing Regulation 404/2011) provides the legal basis and imperative for fleet monitoring, certification and verification of engine power, and for the establishment of a regime of points for serious fisheries offences. The Licensing Authority is required to record against the licence holder and against the capacity of the vessel, any points assigned to the vessel by the Sea Fisheries Protection Authority (SFPA). No points were recorded in 2020 under the European Union (Common Fisheries Policy) (Point System) Regulations 2020 (S.I. No. 318 of 2020).

Section 1 - Legislative Overview of Licensing and Registration

1.1 National Legislation

The legislation governing sea-fishing boat licensing in 2020 is set out in section 4 of the Fisheries (Amendment) Act 2003 (the "2003 Act"), (as inserted by section 97 of the Sea-Fisheries and Maritime Jurisdiction Act 2006).

The legislation governing sea-fishing boat registration in 2020 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 its 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 of 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) gives effect to EU requirements regarding the recording on the Register of Fishing Boats of gross tonnage and dimensions of fishing boats and facilitated the updating of procedures relating to registration. Furthermore, the Regulations 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 legislation and Ministerial Policy Directives, EU law plays a significant role in the management of Ireland's sea-fishing fleet, as evidenced in the provisions of the 2003 Act referred to above.

Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy requires each Member State to put in place measures to adjust the fishing capacity of its fleet to its fishing opportunities over time, taking into account trends and based on best scientific advice, with the objective of achieving a stable and enduring balance between capacity and opportunities. The Regulation set Ireland's Fishing Capacity Ceiling from 1 January 2014. This ceiling is expressed in terms of gross tonnes (GT) and engine power (kilowatts – kW) for the total fishing capacity of fishing vessels flying the Irish flag. Each Member State is required to ensure that from 1 January 2014, the fishing capacity of its fleet does not, at any time, exceed the Fishing Capacity Ceiling set. This is achieved by managing entries into its' fleet and exits from the fleet in a manner whereby each entry of new capacity into the fleet, is compensated, without public aid, by the previous withdrawal of at least the same amount of capacity, again without public aid. This mechanism is known as the "entry/exit regime".

Regulation (EU) No 1380/2013 also set out provisions relating to the maintenance of fishing fleet registers by Member States as well as the Community Fleet Register, which contained information supplied by Member States on vessel characteristics and activity.

The position of the Irish fleet in 2020 is set out in this Report.

1.3 Ministerial Policy Directives

The 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 introduced in light of the then (2003) EU fleet management rules and followed a review of the Irish fishing fleet and related capacity.

In the period 2004 to 2020 a further fifteen Ministerial Policy Directives were received by the Licensing Authority (See Appendix 1).

No new Policy Directive was received in 2020.

The texts of all Policy Directives issued to the Licensing Authority can be viewed on the website of the Department of Agriculture, Food and the Marine.

Section 2 - Description of Irish Fishing Fleet in 2020

2.1 Fleet Segmentation

The Irish fishing fleet is currently divided into five segments in accordance with Ministerial Policy Directive 2 of 2003, as amended by Policy Directive 1 of 2006 and Policy Directive 1 of 2011 and Policy Directive 2 of 2011. Two of the five segments, as described hereunder, are further sub-segmented.

The transfer of capacity between the segments and sub-segments is not permitted. Equivalent “replacement” capacity must be taken out of the segment or sub-segment into which a vessel is being introduced. Established on 1 January 2003 by EU Council Regulation 2371/2002, this is known as the “entry/exit regime”. EU Council Regulation 2371/2002 was repealed and replaced, by Regulation (EU) No 1380/2013 of the European Parliament and the Council of 11 December 2013 on the Common Fisheries Policy, from 1 January 2014 (see section 1.2).

A general description of the fleet segments, and their composition at the end of 2020, 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, blue whiting and boarfish). Vessels in the RSW segment range in size from 23.96m to 64.91m in registered length, from 325GT to 1,988GT in volume and 522kW to 3,460kW in engine power.
- *Beam Trawler Segment*: This segment contained 10 vessels, dedicated to beam trawling. Vessels in this segment may fish only by means of beam trawls, and target demersal species, including plaice, sole, turbot etc. They range in size from 23m to 28.05m in length overall, from 83GT to 196GT in volume and 221kW to 474kW in engine power.
- *Polyvalent Segment*: This segment comprised 1,722 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. Vessels in this segment range from 3.06m to 38m in length overall, from 0.19GT to 469GT in volume and 0kW to 1,119kW in engine power. The segment has four sub-segments:

- vessels under 18m in length overall
 - vessels equal to or over 18m in length overall
 - the Scallop sub-segment – vessels equal to or over 10m in length overall with qualifying track record in the scallop fishery, as defined in Ministerial Policy Directive 2 of 2003, as amended by Ministerial Policy Directives 1 of 2006, 1 of 2011 and 2 of 2011.
 - the Potting sub-segment – vessels licensed and registered under the “Potting Scheme¹”.
- *Specific Segment:* This segment contained 147 vessels, which are permitted to fish for bivalve molluscs and aquaculture species. There are two sub-segments:
 - Scallop sub-segment - vessels equal to or over 10m in length overall with qualifying track record in the scallop fishery, as defined in Ministerial Policy Directive 2 of 2003, as amended by Ministerial Policy Directives 1 of 2006, 1 of 2011 and 2 of 2011
 - Specific general sub-segment - vessels in this segment range from 5.35m to 35.59m in length overall, from .66GT to 135GT in volume and 3.7kW to 560kW in engine power.
- *Aquaculture Segment:* This segment contained 96 vessels with a total capacity of 4,278GT and 11,655kW. The Aquaculture Segment is not subject to the entry/exit regime outlined at section 1.2. The capacity of the Aquaculture Segment is not part of Ireland’s Fishing Capacity Ceiling set from 1 January 2014 under Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy. Vessels licensed in this segment must be used exclusively in the harvesting, transport, handling and/or landing of aquaculture products and can, subject to an authorisation under section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006, collect wild mussel seed as part of a service to aquaculture installations, subject to certain restrictions determined in the context of Regulation (EU) No 1380/2013.
- Vessels in the aquaculture segment range from 4.38m to 49.07m in length overall, from 0.57GT to 561GT in volume and 7.30kW to 748kW in engine power.

¹ The Scheme for the Licensing of Traditional Pot Fishing Boats in the Irish Inshore Fleet was introduced in 2003 in order to regularise the position of a substantial number of under 12-metre vessels engaged in pot fishing. Vessels in the sub-segment must fish by means of pots only and may not target quota species. The capacity of the vessels was awarded free of charge; however, it is not eligible as replacement capacity in any other segment/sub-segment of the fleet and cannot be traded, transferred or otherwise used. The licence may however be transferred to an immediate family member.

2.2 Fishing Capacity Ceiling

Ireland's Fishing Capacity Ceiling established from 1 January 2014 is set at **77,568GT** and **210,083kW** by Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy. This Capacity Ceiling was calculated by taking Ireland's Reference Level, established on 1 January 2003 by EU Council Regulation 2371/2002, and adding any increases in tonnage granted under the "safety tonnage" provisions that applied to 31 December 2013, and subtracting any exits from the fleet financed by public aid, i.e. through the Decommissioning Schemes. The Fishing Capacity Ceiling is the baseline for the operation of the entry-exit regime.

The capacity situation of the Irish fishing fleet on 1 January 2020 and 31 December 2020 is outlined in the following table:

Table 1: Capacity Position Irish fishing fleet 1 January to 31 December 2020

Segment	No. of Vessels		GTs		kWs	
	Jan-20	Dec-20	Jan-20	Dec-20	Jan-20	Dec-20
Polyvalent	1,723	1,722	32,918	32,382	117,177	115,555
RSW Pelagic	23	23	24,876	24,876	47,109	47,109
Beam Trawl	10	10	1,139	1,139	2,818	2,818
Specific	151	147	2,267	2,237	12,240	12,032
Total	1,907	1,902	61,200	60,634	179,344	177,514
Aquaculture	97	96	4,280	4,278	11,673	11,655

2.3 Off-Register Capacity (i.e. Gross Tonnes and kilowatts)

Capacity, in the form of gross tonnes and kilowatts, is a privately-owned asset that is tradable on the tonnage market, in which the Licensing Authority has no role. Capacity that is not currently assigned to a vessel, known as off-register capacity, is held in the owner's account and can be used as replacement capacity in order to license and register a vessel, or, with certain exceptions, can be disposed of by sale or other means as the owner sees fit.

At the end of 2020 a total of 14,122GT and 12,022kW of capacity was "off-register".

Of the total 14,122GT off register, 11,230GT related to RSW Pelagic and the balance of 2,892GT was primarily Polyvalent (2,668GT), with minor quantities of Specific (187GT) and Beamer (37GT).

In relation to kW, the total of 12,022kW included 9,537kW Polyvalent and the balance of 2,485kW was a combination of Specific (1,150kW), RSW Pelagic (662kW) and Beamer (673kW).

2.4 “2-year rule”

Capacity that is off-register is subject to the so-called “2-year rule”. Ministerial Policy Directive 2/2003 of November 2003 specifies, inter alia, that capacity taken off the Fishing Boat Register must be re-introduced onto the Register within 2 years of removal; otherwise the entitlement is lost to its owner.

An exception is capacity awarded under the Scheme for the Licensing of Traditional Pot Fishing Boats in the Irish Inshore Fleet. The terms of this Scheme state that neither the boat's capacity nor its licence may be traded on, transferred or otherwise used. The Scheme however, does allow for the licence to be transferred to an immediate family member (i.e. spouse, father, mother, brother, sister, child). Capacity is lost if a potting vessel is de-registered and a replacement vessel is not proposed by the owner or by an immediate relative (i.e. spouse, father, mother, brother, sister, child) of the owner.

2.5 Removal of a Fishing Vessel from the Register of Fishing Boats

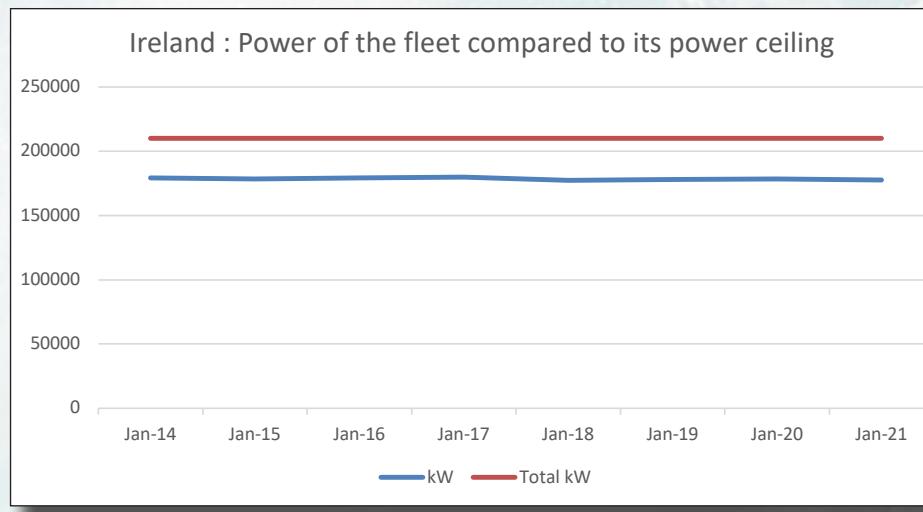
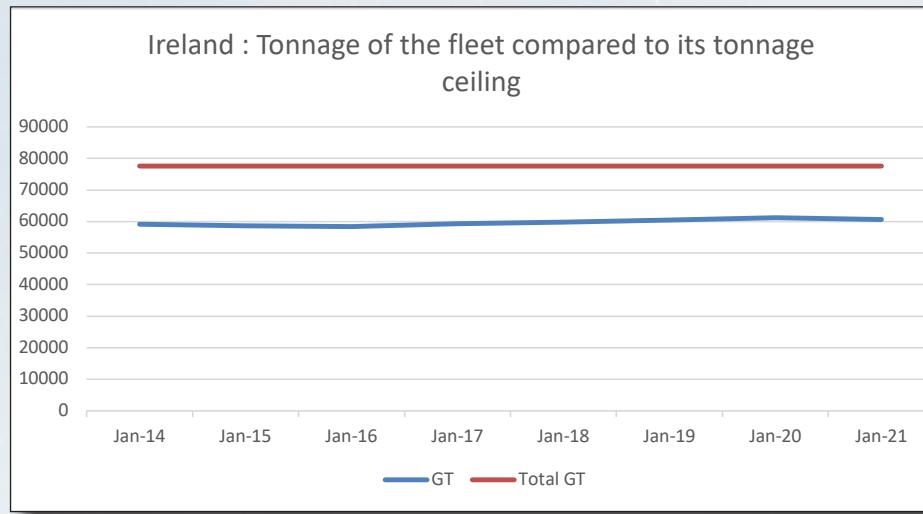
Section 75 of the Sea Fisheries and Maritime Jurisdiction Act 2006 states that “the Registrar General may, in the interest of proper management of the capacity of Irish sea-fishing boats, enter a sea-fishing boat in the Register or remove it from the Register”. While the majority of fishing vessels are removed from the Register of Fishing Boats as a result of voluntary applications by vessel owners, the Registrar General has the power under the Merchant Shipping (Registry, Lettering and Numbering of Fishing Boats) Regulations 2005 (S.I. No. 261 of 2005) to compulsorily remove a vessel from the Register in certain circumstances (e.g. owner ceases commercial fishing, vessel sunk, change of ownership etc.) without application by the vessel owner. The Registrar General may, by notice in writing, give an opportunity to the vessel owner to make a submission as to the circumstances pertaining to the boat and take such submissions into account or, in the event of a change of ownership, require the person to apply to have the boat removed from the Register and to return the certificate of registry of the fishing boat to the Registrar General. The Registrar General may, within 30 days of such notifications, take into account any submission made, or where no removal application is made in the event of a change of ownership; remove the boat from the Register.

The Licensing Authority carries out ongoing reviews of the Register to identify and follow up on registered vessels whose sea-fishing boat licences have lapsed. Under this review in 2020, 2 vessels were compulsorily de-registered and 6 were voluntarily de-registered.

2.6 Trends in capacity of the Irish fleet since 2014.

The following graphs show the position of the Irish fleet in terms of both gross tonnage and engine power over the period January 2014 to January 2021. These graphs have been produced by the Licensing Authority and this data is provided to the European Commission.

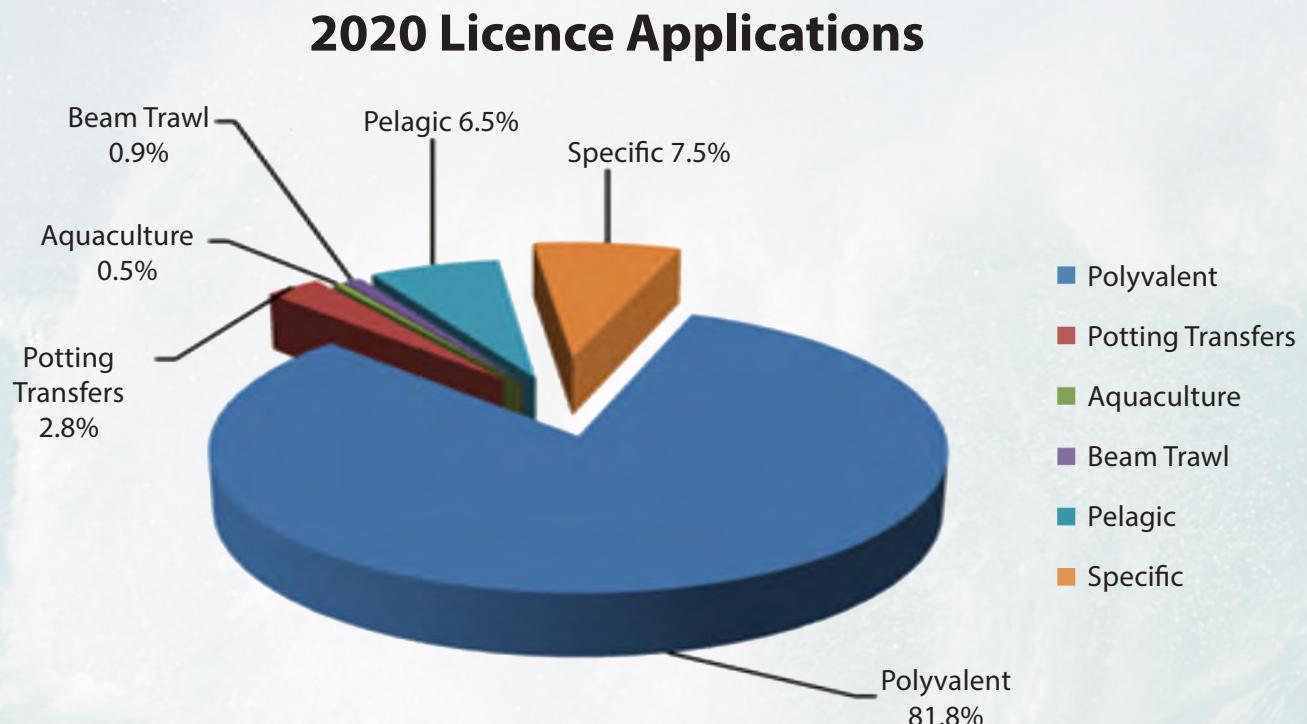
Position of Irish Fleet in terms of Gross Tonnage and Engine Power



Section 3 - Activities of the Licensing Authority in 2020

3.1 Licence Applications

'A total of 214 applications for sea-fishing boat licences were received during the year 2020; 7 of these were subsequently withdrawn. The percentage breakdown of licence applications by segment is illustrated in the following diagram -



A new licence application is required in every case where:

- a new or replacement vessel is coming into the fleet
- ownership of a vessel changes
- the owner wishes to change licence type
- capacity is being moved from one vessel to another
- a vessel's capacity is being replaced, in whole or in part, with off-register capacity.

On receipt of a license application a letter of licence offer is issued that sets out the conditions under which a licence may be granted in that particular case. When all the conditions have been fulfilled, a non-operative licence is issued to allow the vessel to be registered. When the registration process has been completed, an operative sea-fishing boat licence and a registration certificate are issued.

The Licensing Authority's service plan requires that a letter of licence offer is issued within 3 weeks of receipt of a completed application. This target was met in every case in 2020.

A letter of licence offer is valid for one year from the date of issue, to allow the applicant time to fulfil the requirements. In 2020, a total of 220 letters of licence offer were issued.

A total of 98 non-operative licences were issued in 2020 to enable the vessels in question to be registered and licensed to fish.

A total of 179 vessels were licensed and registered during 2020 on foot of new applications, after the applicants fulfilled the necessary requirements for licensing and registration.

3.2 Licence Renewals

In general, sea fishing boat licences are renewed by the Licensing Authority on an annual basis. In preparation for the renewal, every vessel record is examined to ensure that the vessel will have a current safety certificate on the renewal date. Although it is the responsibility of the vessel owner to ensure that the vessel's safety certification is up to date, the Licensing Authority will alert any owners whose safety certification will have expired by the renewal date, as the Licensing Authority is legally prohibited from granting or renewing a licence unless a valid safety certificate is in place in respect of the vessel on the date of grant or renewal.

Safety regulation and certification (i.e. Declaration of Compliance with the Code of Practice for fishing vessels under 15m in length overall; Fishing Vessel Safety Certificates for fishing vessels between 15m in length overall and 24m in registered length; Certificates of Compliance for vessels over 24m in registered length) is the responsibility of the Marine Survey Office of the Department of Transport.

Because it is a requirement to carry the licence on board the vessel, each licence is laminated before issue.

Sea-fishing boat licences for 1,261 vessels under 15m in length overall were renewed in 2020.

Licences for 34 fishing vessels greater than or equal to 24m in registered length were also renewed in 2020.

Licences for 145 fishing vessels greater than or equal to 15m in length overall and less than 24m in registered length were renewed during 2020. The licences were issued in line with the vessels' Fishing Vessel Safety Certificates.

Licences for 258 vessels licensed under the Scheme for Licensing of Traditional Pot Fishing Boats in the Irish Inshore Fleet were renewed in 2020.

Licences for 23 vessels in the RSW Pelagic segment were renewed in 2020.

3.3 EU Fleet Register Reporting

Commission Implementing Regulation (EU) 2017/218 established a new EU Fleet Register reporting system. This regulation requires each Member State to send the European Commission (DG MARE) an electronic update of its fishing fleet, containing the data specified

in the Regulation, for each vessel in its database. The Regulation sets out the requirements regarding collection, validation and transmission of the data. The Licensing Authority sends daily updates to the EU Commission. The EU Commission carries out reconciliations on the data to ensure that, *inter alia*, a vessel is currently registered to only one Member State's fleet.

3.4 Website

As required under section 3(8) of the Fisheries (Amendment) Act 2003, the Licensing Authority continued to have up to date information on licence applications and licensing decisions published on the website of the Department of Agriculture, Food and the Marine throughout 2020 (<https://www.gov.ie/en/category/agriculture>).

3.5 Appeals

Under the Fisheries (Amendment) Act 2003, sea-fishing boat licence applicants are entitled to appeal against a decision of the Licensing Authority in relation to their application. Ms. Emile Daly BL served as an independent Appeals Officer during 2020 [appointed by the Minister for Agriculture, Food and the Marine under section 6 of the Act].

During 2020, 4 appeals (against expired capacity under the two-year rule) were lodged with the Appeals Officer. In the course of 2020, 1 appeal decision was made. At the end of 2020, 4 appeals were pending. The names of the appellants and the determinations of the Appeals Officer are published on the Department's website.

Section 4 - Staffing and Organisational Arrangements

During 2020, staffing and other administrative supports for the Licensing Authority were provided by the Sea Fisheries Administration Division of the Department of Agriculture, Food and the Marine.

Apart from the Registrar General and Deputy Registrar General, the administrative support staff of the Licensing Authority at year end 2020 comprised of:

- 1 Higher Executive Officer
- 1 Administrative Officer
- 3 Executive Officers
- 2 Clerical Officers.

The Licensing Authority was also assisted in carrying out his functions by ongoing liaison with the Sea-Fisheries Policy and Management Division of the Department of Agriculture, Food and the Marine, the Sea Fisheries Protection Authority, the Marine Survey Office & the Mercantile Marine Office of the Department of Transport, Tourism and Sport and the Local Registrars of Shipping of the Revenue Commissioners.

I would like to thank the Deputy Registrar General, Dr. Deirdre Kelleher and the staff of the Licensing Authority, as well as the other bodies cited above, for their assistance in carrying out my functions during 2020.

Kevin Moriarty
Registrar General of Fishing Boats
June 2021

Appendix 1.

Policy Directives under section 3(2)(b) of the Fisheries (Amendment) Act 2003

1. [Policy Directive 1-2003](#)
2. [Policy Directive 2-2003](#)
3. [Policy Directive 1-2004](#)
4. [Policy Directive 2-2004](#)
5. [Policy Directive 3-2004](#)
6. [Policy Directive 1-2005](#)
7. [Policy Directive 2-2005](#)
8. [Policy Directive 1-2006](#)
9. [Policy Directive 1-2007](#)
10. [Policy Directive 1-2008](#)
11. [Policy Directive 1-2011](#)
12. [Policy Directive 2-2011](#)
13. [Policy Directive 1-2012](#)
14. [Policy Directive 2-2012](#)
15. [Policy Directive 1-2017](#)
16. [Policy Directive 1-2019](#)



Údarás Ceadúnúcháin um Báid lascaireachta Mara

Tuarascáil Bhliantúil 2020

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Údarás Ceadúnúcháin um Báid lascaireachta Mara Tuarascáil Bhliantúil 2020

*Tuarascáil chun an Aire Talmhaíochta, Bia agus Mara
maidir le comhlíonadh fheidhmeanna an Údaráis
Ceadúnúcháin um Báid lascaireachta Mara sa bhliain
2020, de bhun Alt 3(7) den Acht lascaigh (Leasú) 2003.*

Réamhrá

De bhun Alt 3 den Acht lascaigh (Leasú), 2003 (Uimh. 21 de 2003), aistríodh an fheidhm cheadúnaithe báid iascaireachta mara chun an Údarás Ceadúnúcháin um Báid lascaireachta Mara ón Aire le héifeacht ón 1 Iúil 2003.

Mar a leagtar amach san Acht sin, is é an tÚdarás Ceadúnúcháin an tArd-Chláraitheoir um Báid lascaireachta, nó, an Leas-Ard-Chláraitheoir um Báid lascaireachta, faoi mhaoirseacht an Ard-Chláraitheora.

Cheap an tAire an tArd-Chláraitheoir agus an Leas-Ard-Chláraitheoir faoin Acht lascaigh Mhara agus Dlínse Muirí, 2006 (Uimh. 8 de 2006). Is é an tUas. Kevin Moriarty an tArd-Chláraitheoir agus is í an Dr Deirdre Kelleher an Leas-Ard-Chláraitheoir. Is oifigigh de chuid na Roinne Talmhaíochta, Bia agus Mara iad an bheirt acu.

Tá an tÚdarás Ceadúnúcháin neamhspleáach i bhfeidhmiú a chuid feidhmeanna, faoi réir an dlí, fad a bhíonn sé i bhfeidhm, maidir le ceadúnú báid iascaireachta mara, lena n-áirítear aon oibleagáidí dlíthiúla a bheadh ar an Stát de bhun dlí institiúide ar bith de chuid na gComhphobal Eorpach nó de bhun comhaontú idirnáisiúnta eile atá ina cheangal ar an Stát, agus Treoracha Beartais ón Aire.

Achoimre Feidhmiúcháin

Is é Ráiteas Misin an Údarás Cheadúnúcháin um Báid lascaireachta Mara "córas ceadúnúcháin agus cláraithe atá tréadheartach, cothrom agus soláimhsithe a sholáthar do bháid iascaireachta mara agus cinntíú go gcomhlíontar uasteorainneacha agus ceanglais tuairiscithe na gcabhlach iascaireachta de réir mar atá leagtha síos ag an Aontas Eorpach". Tá sé d'aidhm leis an gcóras ceadúnúcháin agus clárúcháin buntacú le forbairt ar chabhlach nua-aimseartha sábhálte atá dea-fheistithe chun na cuotaí gabhlacha a d'fhéadfadh bheith ar fáil a uasmhéadú chun leasa úinéirí na soithí iascaigh, a bpobal áitiúil, agus an gheilleagair i gcoitinne.

Ba bhliain ghnóthach eile í an bhliain 2020 don Údarás Ceadúnúcháin. Tugtar achoimre thíos ar phríomhobair an Údarás Cheadúnúcháin.

- Sa bhliain 2020, fuarthas 220 iarratas nua, ar an iomlán ar cheadúnas báid iascaireachta mara.
- Ceadúnaíodh agus cláraíodh 179 soitheach, ar an iomlán, in 2020 mar gheall ar iarratais nua ar cheadúnas a fuarthas.
- Rinneadh na ceadúnais do 1,721 soitheach a athnuachan in 2020. B'ionann seo agus 10 gceadúnas ní ba lú ná mar a rinneadh a athnuachan in 2019.
- Ba 1,998, líon na soithí cláraithe iascaireachta a bhí i gcabhlach na hÉireann faoi dheireadh na bliana 2020. Is ionann sin agus laghdú 0.3% ar fhigiúr na bliana 2019.
- Ba 64,912OT (olltonnáiste) agus 189,169kW acmhainn iomlán ar chlár chabhlach na hÉireann (lena n-áirítear soithí Dobharshaothraithe), arna sonrú de réir olltonnáiste, tomhas toirte, agus cileavatanna, tomhas chumhacht an innill agus ba mhéadú 0.9% agus laghdú 1% é seo, faoi seach, ar fhigiúirí na bliana 2019.
- Ag deireadh 2020, bhí 14,122OT agus 12,022kW san iomlán ann nach raibh cláraithe, i.e. a bhí coinnithe i gcuntas an úinéara agus ar fáil le húsáid mar acmhainn athsholáthair ach nach raibh sannta do shoitheach. De réir beartais reatha um cheadúnú báid iascaireachta mara, ní bhíonn acmhainn nach bhfuil cláraithe ar feadh dhá bhliain nó níos mó ar fáil a thuilleadh le húsáid mar acmhainn athsholáthair.
- Níor eisigh an tAire aon Treoir Bheartais don Údarás Ceadúnúcháin i rith 2020.
- D'achtaigh an Roinn Iompair, Turasóireachta agus Spóirt an tAcht Loingis Cheannaíochta (Clárúchán Long), 2014 an 25/12/14 agus tá sé seo faoi réir teacht i bhfeidhm ag ordú um thosach feidhme. Beidh impleachtaí praiticiúla agus dlíthiúla ag an Acht seo maidir le ceadúnú agus clárú báid iascaireachta mara trí chéile.
- Tá bunús dlí agus riachtanais don chabhlach san áireamh i Rialachán Rialaithe an AE (Rialachán 1224/2009 ón gComhairle agus Rialachán Forfheidhmiúcháin 404/2011 ón gCoimisiún) maidir le monatóireacht, deimhniúchán agus fiorúchán chumhacht an innill, agus córas pointí pionóis á bhunú ann do choireannatromchúiseachá iascaigh. Ceanglaíonn an túdarás um Chosaingt lascaigh Mhara (an ÚCIM) ar an Údarás Ceadúnúcháin taifead a choimeád in aghaidh an tsealbhóra ceadúnais agus in aghaidh acmhainn an tsoithigh. Níor cuireadh aon phointí i dtaifead in 2020 faoi Rialacháin an AE (Comhbheartas lascaigh) (Córas Pointí), 2020 (I.R. Uimh. 318 de 2020).

Mír 1 – Léargas Ginearálta ar an Reachtaíocht a bhaineann le Ceadúnú agus Clárú

1.1 Reachtaíocht Náisiúnta

Tá an reachtaíocht a rialaíonn ceadúnú báid iascaireachta mara in 2020 leagtha síos in alt 4 den Acht lascaigh (Leasú), 2003 ("Acht 2003"), (arna chur isteach le halt 97 den Acht lascaigh Mara agus Dlínse Muirí, 2006)

Tá an reachtaíocht a rialaíonn clárú báid iascaireachta mara in 2020 leagtha síos in ailt 74 go 80 agus in alt 100 den Acht lascaigh Mara agus Dlínse Muirí, 2006, agus sna Rialacháin Loingis Cheannaíochta (Clárú, Litreoireacht agus Uimhriú Bád lascaigh) 2005 (I.R. Uimh. 261 de 2005).

Foráiltear in Acht 2003 go mbeidh an tÚdarás Ceadúnúcháin neamhspleách i bhfeidhmiú a fheidhmeanna faoi réir –

- (a) an dlí, fad a bhíonn sé i bhfeidhm, maidir le ceadúnú báid iascaireachta mara, lena n-áirítear aon oibleagáidí dlíthiúla a bheadh ar an Stát de bhun dlí institiúide ar bith de chuid na gComhphobal Eorpach nó de bhun comhaontú idirnáisiúnta eile atá ina cheangal ar an Stát, agus
- (b) na Treoracha Beartais siúd i dtaca le ceadúnú báid iascaireachta mara a d'fhéadfadh an tAire a thabhairt ó am go chéile i scríbhinn.

Foráiltear in Acht 2003 gur féidir achomharc a dhéanamh in aghaidh chinntí an Údaráis Ceadúnúcháin faoi iarratais ar cheadúnas, nó faoi leasú nó cúlghairm ceadúnaí, le hOifigeach Achomhairc neamhspleách, go ceann míosa ón uair a rinneadh an cinneadh, an leasú nó an chúlghairm. Is féidir le duine atá míshásta le cinneadh an Oifigigh Achomhairc iarratas a chur isteach chun na hArd-Chúirte ar Athbhreithniú Breithiúnach go ceann 3 mhí ó dháta an chinnidh.

Bronntar sna Rialacháin Loingis Cheannaíochta (Clárú, Litreoireacht agus Uimhriú Bád iascaireachta), 2005 (I.R. Uimh. 261 de 2005) éifeacht ar cheanglais an AE maidir le holltonnáiste agus toisí báid iascaireachta mara a chur i dtaifead ar Chlár na mBád iascaireachta Mara agus d'éascaigh seo nuashonrú a dhéanamh ar nósanna imeachta maidir le clárúchán. De bhreis air sin, tugadh isteach sna Rialacháin ceanglas go ndéantar táscairí deighleoige do shoithí atá cláraithe i ndeighleooga áirithe den chabhlach (Fo-Dheighleog na bPotaí agus Deighleog an Dhobharshaothraithe) a mharcáil ar cheann an tsoithigh mar aon le Cód an Chalafoirt agus an Uimhir Chláraithe.

1.2 Reachtaíocht ón Aontas Eorpach (AE)

Chomh maith leis an reachtaíocht náisiúnta agus Treoracha Beartais an Aire, tá ról nach beag ag dlí an AE i mbainistíocht cabhlach iascaireachta mara na hÉireann, mar is léir i bhforálacha Acht 2003 dá dtagraítear thusa.

Éilítear i Rialachán (AE) Uimh. 1380/2013 ó Pharlaimint na hEorpa agus ón gComhairle dár dáta an 11 Nollaig 2013 de réir an Chomhbheartais iascaigh ar gach Ballstát bearta a chur i bhfeidhm le hacmhainn iascaigh a gcabhláigh a chur in oiriúint ar chaoi gur féidir cothromáiocht sheasmhach mharthanach a bhaint amach idir an acmhainn sin agus na deiseanna iascaigh le himeacht aimsire, ag cur treochtaí san áireamh agus é seo bheith bunaithe ar an deachleachtas eolaíochta is fearr. Leagtar síos sa Rialachán Uastearainn Acmhainn iascaireachta na hÉireann ón 1 Eanáir 2014 ar aghaidh. Sonraítear an Uastearainn seo de réir olltonnáiste (OT) agus chumhacht an innill (cileavatanna – kW) i dtaobh acmhainn iomlán iascaireachta na soithí iascaigh a bhfuil bratach na hÉireann ar foluain acu. Éilítear ar gach Ballstát a chinntí nach sáraítear in aon tráth, ón 1 Eanáir 2014 i leith, an Uastearainn Acmhainn iascaireachta atá leagtha síos Baintear an méid sin amach trí bhainistiú a dhéanamh ar líon na mbád iascaireachta mara a thagann isteach sa chabhlach agus a imíonn as an gcabhlach agus sin a dhéanamh ar mhodh a fhágann go ndéantar acmhainn nua a thagann isteach sa chabhlach, gan cabhair phoiblí, a chuíteamh le himeacht an mhéid chéanna acmhainne ar a laghad roimhe sin, gan cabhair phoiblí. Tugtar “an córas isteach/amach” air sin.

Ina theannta sin, leagtar amach i Rialachán (AE) Uimh. 1380/2013 forálacha a bhaineann le cothabháil clár loingis iascaireachta ag na Ballstáit, chomh maith le forálacha a bhaineann le clár Chabhlach an Chomhphobail, ina mbíonn faisnéis a sholáthraíonn na Ballstáit maidir le saintréithe agus gníomhaíochtaí na soithí.

Tá staid chabhlach na hÉireann sa bhliain 2020 leagtha amach sa tuarascáil seo.

1.3 Treoracha Beartais ón Aire

Tá beartas foriomlán maidir le ceadúnú báid iascaireachta mara leagtha amach i dTreoir Beartais 2/2003 a d'eisigh an tAire don Údarás Ceadúnúcháin an 17 Samhain 2003 de réir alt 3(2)(b) d'Acht 2003. Rinneadh an beartas sin a leagan síos i bhfianaise rialacha maidir le bainistiú chabhlach an AE agus d'éirigh sé as athbhreithniú a rinneadh ar chabhlach na hÉireann agus ar an acmhainn a ghabhann leis.

Sa tréimhse ó 2004 go 2020, tá cúig threoir déag eile maidir le Treoracha Beartais ón Aire faighte ag an Údarás Ceadúnúcháin (féach Agusín 1).

Ní bhfuarthas aon Treoir Bheartais nua in 2020.

Is féidir téacsanna na dTreoracha Beartais uile atá eisithe don Údarás Ceadúnúcháin a léamh ar láithreán gréasáin na Roinne Talmhaíochta, Bia agus Mara.

Mír 2 – Tuarisc ar Chabhlach lascaireachta na hÉireann sa bhliain 2020

2.1 Deighleoga an Chabhlacha

Tá cabhlach iascaireachta na hÉireann roinnte ina chúig dheighleog faoi láthair de réir Threoir Bheartais ón Aire 2 de 2003, arna leasú le Treoir Bheartais 1 de 2006 agus le Treoir Bheartais 1 de 2011 agus le Treoir Bheartais 2 de 2011. Tá fodheighleoga ann, i gcás dhá cheann de na cúig dheighleog, mar a thuairiscítear thíos.

Ní cheadaítear acmhainn a aistriú idir na deighleoga agus na fodheighleoga. Ní mór acmhainn “ionaid” choibhéiseach a thógáil ón deighleog nó ón bhfodheighleog a bhfuil soitheach á tabhairt isteach inti. Tugtar “córas isteach/amach” air sin agus bunaíodh é le héifeacht ón 1 Eanáir 2003 le Rialachán 2371/2002 ó Chomhairle an AE. Rinneadh Rialachán 2371/2002 ó Chomhairle an AE a chúlghairm agus cuireadh Rialachán AE Uimh. 1380/2013 ó Pharlaimint na hEorpa agus ón gComhairle an 11 Nollaig 2013 maidir leis an gComhbheartas lascaigh ina ionad (féach 1.2) ó 1 Eanáir 2014.

Seo a leanas tuairisc ghinearálta ar dheighleoga an chabhlacha agus ar chomhdhéanamh na ndeighleog sin ag deireadh na bliana 2020:

- *An Deighleog Pheiligeach Sháile Chuisnithe (SC):* Bhí 23 soitheach ann sa deighleog seo agus iad ag gabháil go formhór d’iascaireacht speiceas peiligeach (scadáin, ronnaigh, bolmáin, faoitíní gorma agus torciasc, go príomha). Tá soithí sa deighleog sháile chuisnithe sa raon méide ó 23.96m go 64.91m ar fad iomlán cláraithe, ó 325OT go 1,988OT de réir toirte agus ó 522kW go 3,460kW de réir cumhacht innill.
- *Deighleog na dTrálaer Bíoma:* Bhí 10 soitheach ann sa deighleog seo agus iad ag gabháil do thrálaeireacht bhíoma amháin. Ní cheadaítear do na soithí sa deighleog seo iascaireacht a dhéanamh ach amháin trí thráil bhíoma a úsáid agus díríonn siad ar speicis ghrinnill, lena n-áirítear leathóga, sóil, turbaird, etc. Tá soithí sa deighleog seo sa raon méide ó 23m go 28.05m ar fad san iomlán, ó 830T go 1960T de réir toirte agus ó 221kW go 474kW de réir cumhacht innill.
- *An Deighleog Ilfheidhmeach:* Bhí 1,722 soitheach ann sa deighleog seo agus cuimsíonn sí an chuid is mó den chabhlach iascaireachta mara. Is soithí ilchuspóra iad na soithí ilfheidhmeacha agus, ina measc, áirítear soithí beaga cladaigh (a úsáideann líonta agus potaí), agus soithí meánmhéide agus mórmhéide a dhíríonn ar iasc geal, ar iasc peiligeach agus ar mhoilisc dhébhlaoscacha. Tá soithí sa deighleog seo sa raon méide ó 3.06m go 38m ar fad san iomlán, ó 0.19GT go 469GT de réir toirte agus ó 0kW go 1,119kW de réir cumhacht innill. Tá ceithre fhodheighleog ann sa deighleog seo:

- soithí faoi bhun 18m ar fad san iomlán
 - soithí atá 18m nó níos mó ar fad san iomlán
 - fodheighleog na Muiríní – soithí atá 10m nó níos mó ar fad san iomlán agus a bhfuil cuntas teiste cáilitheach acu san iascach muiríní, arna mhíniú i dTreoir Bheartais 2 de 2003 ón Aire, arna leasú le Treoir Bheartais 1 de 2006, 1 de 2011 agus 2 de 2011 ón Aire
 - fodheighleog na bPotaí – soithí atá ceadúnaithe agus cláraithe faoi "Scéim na bPotaí".
- *An tSaindeighleog:* Bhí 147 soitheach ann sa deighleog seo, agus cead acu iascaireacht a dhéanamh ar mhoilisc dhébhlaoscacha agus ar speicis doborshaothraithe. Tá dhá fhodheighleog ann:
- Fodheighleog na Muiríní – soithí atá 10m nó níos mó ar fad san iomlán agus a bhfuil cuntas teiste cáilitheach acu san iascach muiríní, arna mhíniú i dTreoir Bheartais 2 de 2003 ón Aire, arna leasú le Treoir Bheartais 1 de 2006, 1 de 2011 agus 2 de 2011 ón Aire.
 - An tSain-Fhodheighleog Ghinearálta – tá soithí sa deighleog seo sa raon méide ó 5.35m go 35.59m ar fad san iomlán, ó .66OT go 135OT de réir toirte agus ó 3.7kW go 560kW de réir cumhacht innill.
- *Deighleog an Dobharshaothraithe:* Bhí 96 soitheach ag a raibh acmhainn iomlán 4278 OT agus 11,655kW sa deighleog seo. Níl Deighleog an Dobharshaothraithe faoi réir an chórais "isteach/amach" a dtugtar cuntas air ag mír 1.2. Níl a acmhainn ina cuid d'Uasteorainn Chumas lascaireachta na hÉireann atá socraithe le héifeacht ón 1 Eanáir 2014 faoi Rialachán (AE) Uimh. 1380/2013 an 11 Nollaig 2013 ó Pharlaimint na hEorpa agus ón gComhairle maidir leis an gComhbheartas lascaigh. Ní mór soithí atá ceadaithe sa deighleog seo a úsáid go heisiach chun tárgí doborshaothraithe a bhaint, a iompar, a láimhseáil agus/nó a thabhairt i dtír agus féadfaidh siad, faoi réir údarú faoi alt 13 den Acht lascaigh Mhara agus Dlínse Muirí, 2006, síol diúilicín a bhailiú mar chuid de sheirbhís do mhonarchana doborshaothraithe, faoi réir srianta áirithe a dhearbaítear i gcomhthéacs Rialachán (AE) Uimh. 1380/2013.

Tá soithí i ndeighleog an doborshaothraithe sa raon méide ó 4.38m go 49.07m ar fad san iomlán, ó 0.57OT go 561OT de réir toirte agus ó 7.30kW go 748kW de réir cumhacht innill.

¹ Tugadh isteach an Scéim um Cheadúnú Báid lascaireachta Thraidisiúnta Pota i Loingeas Cladaigh na hÉireann in 2003 d'fhonn rialú a dhéanamh ar líon suntasach de shoithí faoi 12 mhéadar a thugann faoi iascaireacht potaí. Le potaí amháin atá cead ag soithí faoin bhfodheighleog seo a bheith ag iascaireacht agus níl cead acu ach speicis a bhfuil cuóta ag baint leo a ghabháil. Bronnadh acmhainn na soithí seo saor in aisce; níl sé incháilithe d'acmhainn ionaid áfach in aon dheighleog/fodheighleog eile den loingeas agus ní ceadmhach é a thrádáil, a aistriú ná a úsáid ar aon bhealach eile. Is ceadmhach, áfach, an ceadúnas a aistriú chuig duine den neasteaghlaich.

2.2 Uasteorainn Acmhainne lascaireachta

Tá Uasteorainn Chumas lascaireachta na hÉireann, a bunaíodh le héifeacht ón 1 Eanáir 2014, socrailte ag **77,568OT** agus **210,083kW** le Rialachán (AE) Uimh. 1380/2013 an 11 Nollaig 2013 ó Pharlaimint na hEorpa agus ón gComhairle maidir leis an gComhbheartas lascaigh. Riomhadh an Uasteorainn Chumas lascaireachta seo trí Leibhéal Tagartha na hÉireann a bunaíodh an 1 Eanáir 2003 le Rialachán 2371/2002 ó Chomhairle an AE a thabhairt san áireamh agus aon mhéaduithe ar thonnáiste a dheonaítear faoi na forálacha “tonnáiste sábhláileachta” a bhí i bhfeidhm an 31 Nollaig 2013 a chur leis an Leibhéal Tagartha agus aon tonnáiste a d’fhág an cabhlach agus é maoinithe le cabhair phoiblí, i.e. trí Scéimeanna Díchoimisiúnaite, a dhealú ón Leibhéal Tagartha. Is í an Uasteorainn Chumas lascaireachta an bhunlíne i gcomhair oibriú an chórais “isteach/amach”.

Tugtar cuntas sa tábla seo a leanas ar staid chumas chabhlach iascaireachta na hÉireann an 1 Eanáir 2020 agus an 31 Nollaig 2020:

Tábla 1: Staid Chumas Chabhlach lascaireachta na hÉireann ón 1 Eanáir go dtí an 31 Nollaig 2020

Deighleog	Lón na Soithí		OT		kWs	
	Ean.-20	Noll.-20	Ean.-20	Noll.-20	Ean.-20	Noll.-20
Ilfheidhmeach	1,723	1,722	32,918	32,382	117,177	115,555
Deighleog Pheiligeach (Sáile Cuisniúcháin)	23	23	24,876	24,876	47,109	47,109
Trál Bíoma	10	10	1,139	1,139	2,818	2,818
Saindeighleog	151	147	2,267	2,237	12,240	12,032
Iomlán	1,907	1,902	61,200	60,634	179,344	177,514
Dobharshaothrú	97	96	4,280	4,278	11,673	11,655

2.3 Acmhainn nach bhfuil Cláraithe (i.e. Olltonaí agus Cileavataí)

Is sócmhainn faoi úinéireacht phríobháideach é an acmhainn i bhfoirm olltonaí agus cileavataí, agus tá sé intrádálaithe ar an margadh tonnáiste. Níl aon ról ag an Údarás Ceadúnúcháin sa mhargadh sin. Déantar acmhainn nach bhfuil sannta do shoitheach faoi láthair (acmhainn nach bhfuil cláraithe) a choimeád i gcuntas an úinéara féin agus is féidir é a úsáid mar acmhainn ionaid chun soitheach a cheadúnú agus a chlárú nó, faoi réir eisceachtaí áirithe, is féidir é a dhiúscairt trína dhíol nó trí mhodh eile de réir mar is cuí leis an úinéir.

Ag deireadh na bliana 2020, bhí acmhainn 14,122OT agus 12,022kW san iomlán ann nach raibh cláraithe.

Maidir leis an méid iomlán 14,122OT nach raibh cláraithe, bhain 11,230OT de leis an Deighleog Pheiligeach Sháile Chuisnithe (SC) agus bhain an t-iarmhéid 2,892OT go formhór leis an deighleog Ilfheidhmeach (2,668OT), agus bhain cainníocht an-bheag de leis an tsaindeighleog (187OT) agus le deighleog na dtrál bíoma (37OT).

Maidir leis an acmhainn kW, chuimsigh an méid iomlán 12,022kW, 9,537kW sa deighleog ilfheidhmeach agus bhain an t-iarmhéid 2,485kW go formhór leis an tsaindeighleog (1,150kW), an deighleog pheiligeach sháile chuisnithe (662kW) agus bíoma (673 kW).

2.4 “Rial an dá bhliain”

Tagann an acmhainn nach bhfuil cláraithe faoi réir rialach ar a dtugtar “rial an dá bhliain”. I dTreoir Bheartais 2/2003 ón Aire i mí na Samhna 2003, sonraíodh, inter alia, nach mór acmhainn a bhaintear de Chlár na mBÁd lascaireachta a chur isteach sa Chlár arís laistigh de 2 bhliain ón tráth a bhaintear den chlár é; mura ndéantar amhlaidh, caillfidh an t-úinéir an teidliocht ina leith sin.

Eisceacht is ea acmhainn a dhámhtar faoin Scéim um Cheadúnú Báid lascaireachta Traidisiúnta Pota i gCabhlach Cladaigh na hÉireann. Sonraítear i dtéarmaí na Scéime sin nach féidir trádáil a dhéanamh i leith acmhainn ná cheadúnas an bháid ná na nithe sin a aistriú nó a úsáid ar shlí eile. Déantar socrú leis an Scéim, áfach, go bhféadfar an ceadúnas a aistriú chuig duine den teaghlaigh céanna (i.e. céile, athair, máthair, deartháir, deirfiúr nó leanbh). Cailltear an acmhainn má dhíchláraítear báid iascaireachta pota agus mura molann an t-úinéir nó neasghaoil (i.e. céile, athair, máthair, deartháir, deirfiúr, leanbh) soitheach ionaid.

2.5 Soitheach lascaireachta a bhaint de Chlár na mBÁd lascaireachta

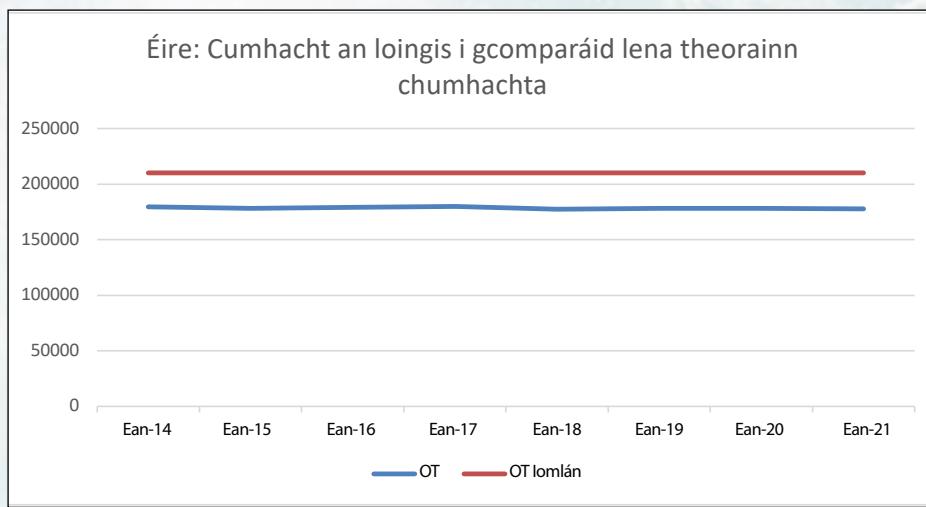
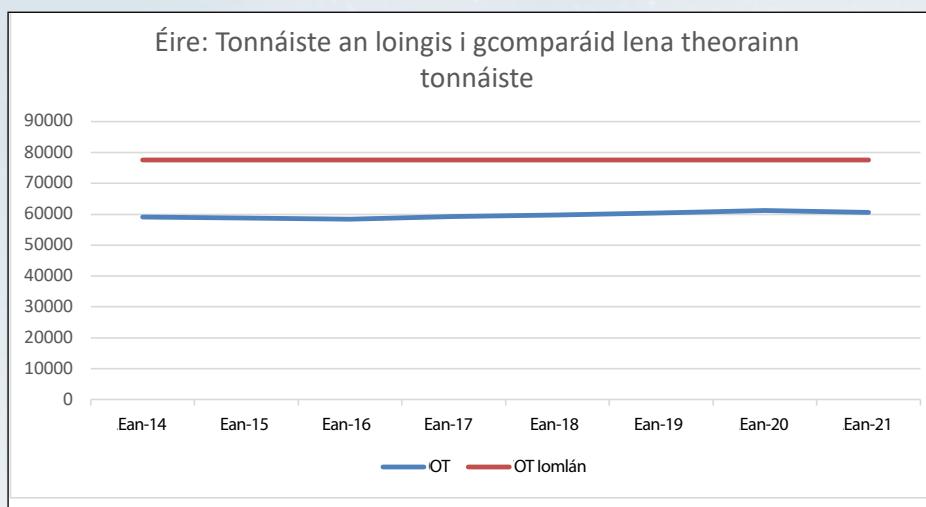
In Alt 75 den Acht lascaigh Mhara agus Dlínse Muirí, 2006 sonraítear go bhféadfaidh an tArd-Chláraitheoir, ar mhaithe le bainistiú cuí acmhainn bháid iascaireachta mara na hÉireann, báid iascaireachta mara a thaifeadadh sa Chlár nó an báid sin a bhaint den Chlár. Cé go ndéantar tromlach na soithí iascaireachta a bhaint de Chlár na mBÁd lascaireachta mar thoradh ar iarratais dheonacha ó úinéirí na soithí, tá cumhacht ag an Ard-Chláraitheoir faoi na Rialacháin Loingis Cheannaíochta (Clárú, Litreoireacht agus Uimhriú Báid lascaireachta), 2005 (I.R. Uimh. 261 de 2005) soitheach a bhaint den chlár go héigeantach in imthosca áirithe (e.g. má scoireann an t-úinéir den iascaireacht tráchtála, má théann an soitheach go tóin poill, má thagann athrú ar úinéireacht, etc.) gan iarratas a fháil ó úinéir an tsoithigh lena mbaineann. Féadfaidh an tArd-Chláraitheoir, le fógra i scribhinn, deis a thabhairt d'úinéir an tsoithigh aighneacht a dhéanamh laistigh de 30 lá ó dháta an fhógra maidir leis na himthosca a bhaineann leis an mbáid agus an aighneacht sin a chur san áireamh nó, i gcás go dtugann athrú ar úinéireacht, a cheangal ar an duine iarratas a dhéanamh go mbainfear an báid ón gClár agus chun an deimhniú clárúcháin an bháid iascaireachta a thabhairt ar ais don Ard-Chláraitheoir. Féadfaidh an tArd-Chláraitheoir, laistigh de 30 lá i ndiaidh na bhfógraí síud a fháil, a chur san áireamh aon aighneacht a rinneadh, nó sa chás nach ndéantar aon iarratas i gcás athrú úinéireachta; an báid a bhaint den Chlár.

Déanann an tÚdarás Ceadúnúcháin athbhreithniú ar bhonn leanúnach ar an gClár chun soithí cláraithe a bhfuil a gceadúnais imithe in éag a shainaithint agus chun beart a dhéanamh ina leith sin. Mar thoradh ar an athbhreithniú sin sa bhliain 2020, rinneadh 2 shoitheach a dhíchlárú go héigeantach agus rinneadh 6 shoitheach a dhíchlárú go deonach.

2.6 Treochtaí i dtaca le cumas chabhlach na hÉireann ón mbliain 2014 i leith.

Sna graif seo a leanas, taispeántar staid chabhlach na hÉireann i dtéarmaí olltonnáiste agus cumhacht innill araon sa tréimhse ó Eanáir 2014 go hEanáir 2021. Chuir an tÚdarás Ceadúnúcháin na graif seo le chéile agus cuirtear na sonraí seo ar fáil don Choimisiún Eorpach.

Staid Chabhlach na hÉireann i dtéarmaí Olltonnáiste agus Cumhacht Innill

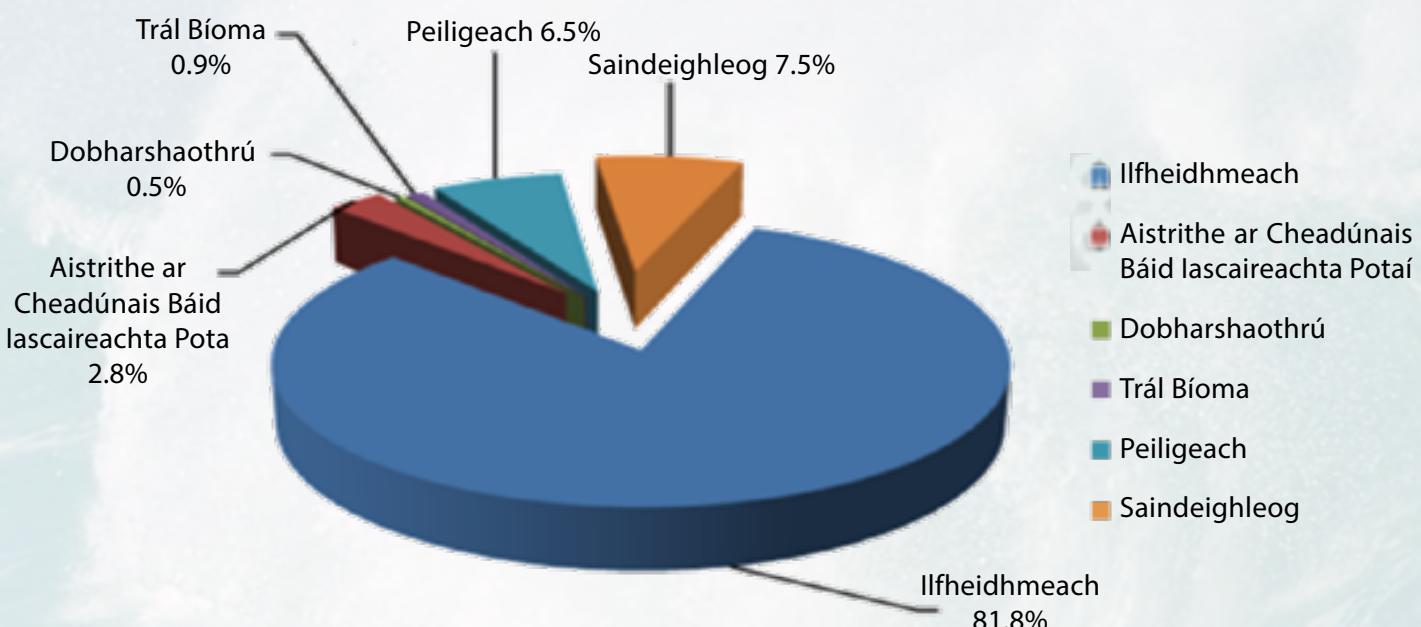


Mír 3 - Gníomhaíochtaí an Údaráis Cheadúnúcháin sa bhliain 2020

3.1 Iarratais ar Cheadúnais

San ionlán, fuarthas 214 iarratas ar cheadúnais do bháid iascaireachta mara le linn na bliana 2020; rinneadh 7 gcinn díobh sin a tharraingt siar ina dhiaidh sin. Léirítear sa léaráid seo a leanas miondealú céatadánach na n-iarratas ar cheadúnais de réir deighleoige -

Iarratais ar Cheadúnais 2020



Is gá iarratas nua ar cheadúnas a dhéanamh i ngach cás díobh seo a leanas:

- tá soitheach nua nó soitheach ionaid ag teacht isteach sa chabhlach
- tagann athrú ar úinéireacht an tsoithigh
- is mian leis an úinéir an cineál ceadúnais a athrúa
- tá cumas á aistriú ó shoitheach amháin go soitheach eile
- tá cumas nach bhfuil cláraithe á chur in ionad chumas ionlán an tsoithigh nó in ionad cuid de chumas an tsoithigh.

I ngach cás, eisítear litir tairisceana ceadúnais ina leagtar amach na coinníollacha ar fúthu a fhéadfáit ceadúnas a dheonú sa chás áirithe sin. Nuair a chomhlíontar na coinníollacha go léir, eisítear ceadúnas neamhoibríoch chun gur féidir an soitheach a chlárú. Tar éis an próiseas clárúcháin a chríochnú, eisítear ceadúnas oibríoch báid iascaireachta mara agus deimhniú clárúcháin.

I bplean seirbhíse custaiméara an Údaráis Cheadúnúcháin ceanglaítear go ndéanfar litir thairisceana ceadúnais a eisiúint laistigh de 3 seachtaine ón tráth a fhaightear iarratas comhlánaithe. Baineadh an sprioc sin amach i ngach cás sa bhliain 2020.

Bíonn litir thairisceana ceadúnaí sailí ar feadh bliana tar éis an dáta eisiúna, le go mbeidh dóthain ama ag an iarratasóir chun na ceanglais a chomhlónadh. Rinneadh 220 litir thairisceana ceadúnaí, ar an iomlán, a eisiúint sa bhliain 2020.

Ar an iomlán, rinneadh 98 ceadúnas neamhoibríoch a eisiúint in 2020 chun a chumasú na soithí a bhí i gceist a chlárú agus a cheadúnú i leith iascaireacht a dhéanamh.

Le linn na bliana 2020, rinneadh 179 soitheach san iomlán a cheadúnú agus a chlárú de bhun iarratas nua, tar éis do na hiarratasóirí na ceanglais riachtanacha i gcomhair ceadúnúcháin agus clárúcháin a chomhlónadh.

3.2 Athnuachan Ceadúnas

I gcoitinne, déanann an tÚdarás Ceadúnúcháin ceadúnaí do bháid iascaireachta mara a athnuachan ar bhonn bliantúil. Mar ullmhúchán don athnuachan, déantar taifead gach soithigh a scrúdú chun a chinntíú go mbeidh deimhniú sábhálteachta reatha ag an soitheach ar an dáta athnuachana. Cé gurb é úinéir an tsoithigh atá freagrach as a chinntíú go bhfuil deimhniú sábhálteachta an tsoithigh cothrom le dáta, tabharfaidh an tÚdarás Ceadúnúcháin foláireamh d'aon úinéirí a mbeidh a ndeimhniúchán imithe as dáta faoin dáta athnuachana, mar gheall go gcuirtear toirmeasc dlíthiúil ar an Údarás Ceadúnúcháin ceadúnas a dheonú nó a athnuachan mura bhfuil deimhniúchán bailí sábhálteachta i bhfeidhm maidir leis an soitheach ar dháta an deonaithe nó na hathnuachana.

Tá Oifig na Suirbhéireachta Muirí de chuid na Roinne lompair freagrach as rialú agus deimhniúchán sábhálteachta (i.e. Dearbhú Comhlíonta an Chóid Chleachtais do shoithí iascaireachta atá faoi 15m ar fad iomlán; Deimhnithe Sábhálteachta Soithí lascaireachta do shoithí iascaireachta atá idir 15m agus 24m ar fad iomlán cláraithe; Deimhnithe Comhlíonta do shoithí os cionn 24m ar fad iomlán cláraithe).

De bharr gur riachtanas é an ceadúnaí a iompar ar bord an tsoithigh, cuirtear lannú ar gach ceadúnaí sula n-eisítear é.

Athnuadh ceadúnaí bháid iascaireachta mara do 1,261 soitheach faoi bhun 15m ar fad iomlán in 2020.

Athnuadh ceadúnaí do 34 soitheach iascaigh 24m, ar a laghad, ar fad iomlán cláraithe in 2020, chomh maith leis sin.

Athnuadh ceadúnaí do 145 soitheach iascaigh idir 15m ar fad iomlán, ar a laghad, agus 24m ar fad iomlán cláraithe i rith na bliana 2020. Eisíodh na ceadúnaí de réir Dheimhnithe Sábhálteachta na Soithí lascaireachta.

Athnuadh ceadúnaí do 258 soitheach iascaigh faoin Scéim um Cheadúnú Báid lascaireachta Potaí Thraidisiúnta i Loingeas Cladaigh na hÉireann in 2020.

Athnuadh ceadúnaí i gcás 23 soitheach sa deighleog pheiligeach sháile chuisnithe in 2020.

3.3 Clár Cabhlagh an AE a Thuairisciú

Bhunaigh Rialachán Cur Chun Feidhme an Choimisiúin (AE) 2017/218 córas tuairiscithe nua Chlár Chabhlach an AE. Cuireann an rialachán seo de cheangal ar gach Ballstát nuashonrú leictreonach dá chabhlach iascaigh a sheoladh chuig an gCoimisiún Eorpach (DG MARE) dá loingeas iascaireachta a thabharfaidh na sonraí a leagtar síos sa Rialachán, i ndáil le gach soitheach ina bhunachar sonraí. Leagtar amach sa Rialachán na ceanglais a bhaineann leis na sonraí a bhailíu, a bhailíochtú agus a tharchur. Seolann an tÚdarás Ceadúnúcháin nuashonruithe laethúla chuig Coimisiún an AE. Déanann Coimisiún an Aontais Eorpaigh réiteach ar na sonraí le cinntíu, inter alia, go mbíonn an soitheach iascaigh deimhnithe ag an am le cabhlach aon Bhallstáit amháin.

3.4 Láithreán Gréasáin

Faoi mar a cheanglaitear faoi alt 3(8) den Acht lascaigh (Leasú), 2003, lean an tÚdarás Ceadúnúcháin ag cur fainseise, a nuashonraítéar go rialta, faoi iarratais agus chinntí faoi cheadúnais, in airde ar láithreán gréasáin na Roinne Talmhaíochta, Bia agus Mara i rith na bliana 2020 (<https://www.gov.ie/en/category/agriculture>).

3.5 Achromhairc

Faoi Acht lascaigh (Leasú), 2003, tá iarratasóirí ar cheadúnais bháid iascaireachta mara i dteideal achomharc a iarraidh in aghaidh chinneadh an Údaráis Cheadúnúcháin maidir lena n-iarratas. D'fhóin Emile Daly Uasal, BL, ina hOfigeach Achomhairc Neamhspleách le linn na bliana 2020 [arna ceapadh ag an Aire Talmhaíochta, Bia agus Mara faoi Alt 6 den Acht].

Le linn na bliana 2020, cuireadh 4 achomharc faoi bhráid an Oifigigh Achomhairc (in aghaidh acmhainn éagtha faoi rial an dá bhliain). I gcaitheamh 2020, rinneadh cinneadh amháin faoi achomharc. Ag deireadh 2020, bhí 4 achomharc ar feitheamh. Foilsítear ainmneacha na n-achomharcóirí agus cinntíúcháin an Oifigigh Achomhairc ar láithreán gréasáin na Roinne.

Mír 4 - Soláthair Foirne agus Socruithe Eagraíochtúla

Le linn na bliana 2020, ba é Rannán Riaracháin um lascaigh Mhara de chuid na Roinne Talmhaíochta, Bia agus Mara a chuir tacaíochtaí soláthair foirne agus riarracháin eile ar fáil don Údarás Ceadúnúcháin.

Gan an tArd-Chláraitheoir agus an Leas-Ard-Chláraitheoir a áireamh, bhí an fhoireann seo a leanas i bhfoireann tacaíochta riarracháin an Údarás Cheadúnúcháin ag deireadh na bliana 2020:

- 1 Ardoifgeach Feidhmiúcháin
- 1 Oifigeach Riaracháin
- 3 Oifigeach Feidhmiúcháin
- 2 Oifigeach Cléireachais

Ba chúnamh é freisin don Údarás Ceadúnúcháin agus é ag comhlíonadh a dhualgas an t-idirchaidreamh leanúnach a rinneadh leis an Rannán Beartas agus Forbartha Bia Mara den Roinn Talmhaíochta, Bia agus Mara, leis an Údarás um Chosaint lascaigh Mara, le hOifig na Suirbhéireachta Muirí (MSO) agus Oifig Mhuirí Thráchtala na Roinne lompair, Turasóireachta agus Spóirt agus le Cláraitheoirí Loingis Áitiúla na gCoimisinéirí loncaim.

Ba mhaith liom buiochas a ghabháil leis an Leas- Ard-Chláraitheoir, an Dr. Deirdre Kelleher agus le foireann an Údarás Cheadúnúcháin, mar aon leis na comhlachtaí eile thuasluaithe, as ucht an chúnaimh a thug siad dom tabhairt faoi m'fheidhmeanna rith na bliana 2020.

Kevin Moriarty
Ard-Chláraitheoir Báid lascaireachta
Meitheamh 2021

Aguisín 1.

Treoracha Beartais faoi alt 3(2)(b) den Acht lascaigh (Leasú), 2003.

1. [Treoir Bheartais 1-2003](#)
2. [Treoir Bheartais 2-2003](#)
3. [Treoir Bheartais 1-2004](#)
4. [Treoir Bheartais 2-2004](#)
5. [Treoir Bheartais 3-2004](#)
6. [Treoir Bheartais 1-2005](#)
7. [Treoir Bheartais 2-2005](#)
8. [Treoir Bheartais 1-2006](#)
9. [Treoir Bheartais 1-2007](#)
10. [Treoir Bheartais 1-2008](#)
11. [Treoir Bheartais 1-2011](#)
12. [Treoir Bheartais 2-2011](#)
13. [Treoir Bheartais 1-2012](#)
14. [Treoir Bheartais 2-2012](#)
15. [Treoir Bheartais 1-2017](#)
16. [Treoir Bheartais 1-2019](#)

