

Department of Agriculture, Food and the Marine

An Roinn Talmhaíochta, Bia agus Mara

Fisheries Management Notice No. 40 of 2021

(September Under 55ft Boats Demersal Quota Management Notice)

The 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 the September Demersal (boats under 55ft) Quota Management Notice 2021 (Fisheries Management Notice No. 40 of 2021).

1.2 This Notice comes into force on 1 September 2021 and ceases to have effect on 1 October 2021.

2. In this Notice:

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

“ICES” means the International Council for the Exploration of the Sea;

“Union waters” means European Union waters. Where this term is used in conjunction with an ICES or CECAF sub-area or division specified in Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5, it means that only the European Union 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;

“fishing trip” means any voyage of a sea-fishing boat during which fishing activities are conducted that starts at the moment when the fishing boat leaves a port and ends on arrival in port;

“demersal authorisation” means an authorisation to fish for demersal stocks under section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006. If a demersal authorisation has issued to an Irish sea-fishing boat, that Irish sea-fishing boat is only permitted to fish a species specified in column (1) of Schedule 1 of the demersal authorisation, from a fishing area specified in column (2) of Schedule 1 of the demersal authorisation, up to the catch limit specified in column (3) of Schedule 1 of the demersal authorisation. The catch limit(s) for that species/those species in that fishing area/those fishing areas set out in Schedule 2 of this Fisheries Management Notice are not available to that Irish sea-fishing boat during the fishing period;

“catch, retention and landing restrictions” mean the total quantity, in tonnes, of that species of fish in column (1), a quantity of which, greater than that specified in column (3) may not be landed by an Irish sea-fishing boat, dependant on the particular boat’s length and/or fishing method and/or whether the boat has been issued with a demersal authorisation for that species/those species of fish in that fishing area/those fishing areas during September 2021;

“fishing area” means waters falling within the ICES sub-areas and divisions specified in Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5 as defined in Annex III to Regulation (EC) No. 218/2009 of the European Parliament and of the Council of 11 March 2009, as amended;

“de minimis limit” means the maximum amount of a particular stock which may be discarded in accordance with Article 13 of Commission Delegated Regulation (EU) 2020/2015 of 21 August 2020 specifying details of the landing obligation for certain fisheries in Western waters for the period 2021-2023;

“stock” means a species of fish in a defined fishing area specified in columns (1) and (2) of Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5;

“discards” means catches that are returned to the sea.

- 3.1 During September 2021, a person on board an Irish sea-fishing boat less than 55 feet in length, fishing in a fishing area specified in column (2) of Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5, shall not have, retain on board or land (or cause or permit another person to have or retain on board or land), a quantity of a species of fish specified in column (1) of Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5, from the fishing area specified in column (2) of Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5, that is greater than the corresponding quantity specified in column (3), either on a single occasion or when combined with previous landings by that boat of that species of fish caught in the specified area in September 2021.

When the quantity of a species of fish specified in column (1) of Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5 that has been landed, from the fishing area specified in column (2) of Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5, exceeds column (3) of Schedule 1, Schedule 2, Schedule 3, Schedule 4 and Schedule 5, then the boat may not fish in that fishing area for that stock for the remainder of the fishing period.

- 3.2. *Stocks relevant for Demersal Quota Balancing (Schedule 2)*

During September 2021, a person on board an Irish sea-fishing boat less than 55 feet in length in respect of which a demersal authorisation has not been granted for that species of fish specified in column (1) for the fishing area specified 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), a quantity of that species of fish specified in column (1) of Schedule 2 opposite that fishing area specified in column (2) where the fish were caught that is greater than the corresponding quantity specified in column (3) either on a single occasion or when combined with previous landings by that boat of that species of fish caught in the specified area in September 2021.

3.3 By-catch Limits (Schedule 3)

The catch limits specified in Schedule 3 are exclusively for by-catches. No directed fisheries are permitted under these catch limits.

During September 2021, a person on board an Irish sea-fishing boat less than 55 feet in length, fishing in a fishing area specified in column (2) of Schedule 3 shall not have, retain on board or land (or cause or permit another person to have or retain on board the boat or land), a quantity of a species of fish specified in column (1) of Schedule 3 from the fishing area specified in column (2) of Schedule 3, that is greater than the corresponding quantity specified in column (3), either on a single occasion or when combined with previous landings by that boat of that species of fish caught in the specified area in September 2021.

When the quantity of a species of fish specified in column (1) of Schedule 3 that has been landed, from the fishing area specified in column (2) of Schedule 3, exceeds column (3) Schedule 3, then the boat may not fish in that fishing area for that stock for the remainder of the fishing period.

3.4 De Minimis

De Minimis exemptions are set down in Article 13 of Commission Delegated Regulation (EU) 2020/2015 of 21 August 2020 specifying details of the landing obligation for certain fisheries in Western waters for the period 2021-2023.

4 Boats Fishing Haddock exclusively with Danish/Scottish Fly Seines (Schedule 4)

During September 2021, a person on board an Irish sea-fishing boat fishing exclusively by means of Danish/Scottish Fly Seines in ICES division 7a or ICES divisions 7b-k, sub areas 8, 9 and 10: Union waters of CECAF 34.1.1., shall not have or retain on board or land, a quantity of Haddock greater than the quantity that is specified in column (3) of Schedule 4, from the fishing area specified in column (2) of Schedule 4, either on a single occasion or when combined with previous landings by that boat of that species of fish caught in the specified area in September 2021.

When the quantity of a species of fish specified in column (1) of Schedule 4, that has been landed, from the fishing area specified in column (2) of Schedule 4, exceeds column (3) of Schedule 4, then the boat may not fish in that fishing area for that stock for the remainder of the fishing period.

5. Nephrops (Schedule 5)

Boats targeting Nephrops in ICES Areas 6 & 7 and Functional Unit 16 of ICES Subarea 7

During September 2021, in any one fishing trip, a person on board an Irish sea-fishing boat, targeting Nephrops in ICES Areas 6 and 7 may only fish in either of

- ICES Area 6 and ICES Area 7, excluding Functional Unit 16 of ICES Subarea 7, or
- Functional Unit 16 of ICES Subarea 7

SCHEDULE 1 (Catch, retention and landing restrictions in respect of an Irish sea-fishing boat less than 55 feet in length)		
Species of fish (1)	Fishing area (2)	Catch Limit (3)
GREATER SILVER SMELT <i>(Argentina silus)</i>	United Kingdom and Union waters of 4; Union waters of 3a (ARU/34-C)	0 tonnes
GREATER SILVER SMELT <i>(Argentina silus)</i>	6 and 7; United Kingdom and international waters of 5 (ARU/567.)	0 tonnes
COD <i>(Gadus morhua)</i>	6b; United Kingdom and international waters of 5b west of 12°00' W and of 12 and 14 (COD/5W6-14)	0.25 tonnes
GREENLAND HALIBUT <i>(Reinhardtius hippoglossoides)</i>	6; United Kingdom and Union waters of 4; United Kingdom waters of 2a; United Kingdom and international waters of 5b (GHL/2A-C46)	0 tonnes
HADDOCK <i>(Melanogrammus Aeglefinus)</i>	7a (HAD/07A.)	12 tonnes

HADDOCK (<i>Melanogrammus Aeglefinus</i>)	United Kingdom, Union and international waters of 6b; international waters 12 and 14 (HAD/6B1214)	8 tonnes
HADDOCK (<i>Melanogrammus Aeglefinus</i>)	7b-k, 8, 9 and 10; Union waters of CECAF 34.1.1 (HAD/7X7A34)	3 tonnes
MEGRIMS (<i>Lepidorhombus spp.</i>)	7 (LEZ/07.)	8 tonnes
MEGRIMS (<i>Lepidorhombus spp.</i>)	6; United Kingdom and international waters of 5b; international waters of 12 and 14 (LEZ/56-14)	3 tonnes
LING (<i>Molva Molva</i>)	6, 7, 8, 9 and 10; international waters of 12 and 14 (LIN/6X14.)	20 tonnes
PLAICE (<i>Pleuronectes Platessa</i>)	7f and 7g (PLE/7FG.)	0.50 tonnes
SAITHE (<i>Pollachius virens</i>)	6; Union and international waters of 5b, 12 and 14 (POK/56-14)	25 tonnes
POLLOCK (<i>Pollachius Pollachius</i>)	7 (POL/07.)	10 tonnes
POLLOCK (<i>Pollachius pollachius</i>)	6; United Kingdom and international waters of 5b; international waters of 12 and 14 (POL/56-14)	1 tonne
REDFISH (<i>Sebastes spp.</i>)	Union and international waters of 5; international waters of 12 and 14 (RED/51214D)	0 tonnes
COMMON SOLE (<i>Solea Solea</i>)	7a (SOL/07A.)	1 tonne

COMMON SOLE (<i>Solea Solea</i>)	7f and 7g (SOL/7FG.)	0.15 tonnes
COMMON SOLE (<i>Solea Solea</i>)	7h, 7j and 7k (SOL/7HJK.)	0.05 tonnes
SKATES AND RAYS (<i>Rajiformes</i>)	United Kingdom and Union waters of 6a, 6b, 7a-c and 7e-k (SRX/67AKXD)	10 tonnes

SCHEDULE 2

(Catch, retention and landing restrictions in respect of an Irish sea-fishing boat less than 55 feet in length.

IMPORTANT: The catch limit specified in column (3) for a species specified in column (1) from the fishing area specified in column (2) only applies if a demersal authorisation has not been issued to an Irish sea-fishing boat in respect of that species of fish specified in column (1) from that fishing area specified in column (2).

If a demersal authorisation has been issued to an Irish sea-fishing boat for that species of fish specified in column (1) from that fishing area specified in column (2), the catch limit specified in the demersal authorisation applies and the catch limit specified in column (3) does not apply.

Species of fish (1)	Fishing area (2)	Catch Limit (3)
ANGLERFISH (family <i>Lophiidae</i>)	7 (ANF/07.)	2 tonnes
ANGLERFISH (family <i>Lophiidae</i>)	6; United Kingdom and international waters of 5b; international waters of 12 and 14 (ANF/56-14)	4 tonnes
HADDOCK (MELANOGRAMMUS AEGLEFINUS)	6a; United Kingdom and international waters of 5b (HAD/5BC6A.)	12 tonnes
HAKE (MERLUCCIOUS MERLUCCIOUS)	6 and 7; United Kingdom and international waters of 5b; international waters of 12 and 14 (HKE/571214)	7 tonnes
WHITING (MERLANGIUS MERLANGUS)	7b, 7c, 7d, 7e, 7f, 7g, 7h, 7j and 7k (WHG/7X7A-C)	20 tonnes

SCHEDULE 3 (Catch, retention and landing restrictions in respect of an Irish sea-fishing boat less than 55 feet in length) <u>CATCH LIMITS SPECIFIED ARE EXCLUSIVELY FOR BY-CATCHES</u> <u>NO DIRECTED FISHERIES ARE PERMITTED UNDER THESE CATCH LIMITS</u>		
Species of fish (1)	Fishing area (2)	By-Catch Limit (3)
COD (<i>Gadus morhua</i>)	7a (COD/07A.)	0.25 tonnes
COD (<i>Gadus morhua</i>)	6a; United Kingdom and international waters of 5b east of 12°00' W (COD/5BE6A)	2 tonnes
COD (<i>Gadus Morhua</i>)	7b, 7c, 7e-k, 8, 9 and 10; Union waters of CECAF 34.1.1 (COD/7XAD34)	0.25 tonnes
PLAICE (<i>Pleuronectes Platessa</i>)	7h, 7j and 7k (PLE/7HJK.)	0.15 tonnes
TUSK (<i>Brosme brosme</i>)	6 and 7; United Kingdom and international waters of 5 (USK/567EI.)	2 tonnes
WHITING (<i>Merlangius Merlangus</i>)	7a (WHG/07A.)	4 tonnes
WHITING (<i>Merlangius Merlangus</i>)	6; United Kingdom and international waters of 5b; international waters of 12 and 14 (WHG/56-14)	4 tonnes

SCHEDULE 4 (Catch, retention and landing restrictions in respect of an Irish sea-fishing boat less than 55 feet in length, fishing Haddock exclusively by Danish/Scottish Fly Seines in ICES Area 7a and ICES Area 7b-k, 8, 9, and 10; Union waters of CECAF 34.1.1)

Species of fish (1)	Fishing area (2)	Catch Limit (3)
HADDOCK (<i>Melanogrammus Aeglefinus</i>)	7a (HAD/07A.)	36 tonnes
HADDOCK (<i>Melanogrammus Aeglefinus</i>)	7b-k, 8, 9 and 10; Union waters of CECAF 34.1.1 (HAD/7X7A34)	9 tonnes

SCHEDULE 5 (Catch, retention and landing restrictions in respect of an Irish sea-fishing boat, less than 55 feet in length, for Nephrops in ICES Area 6 and 7 and Functional Unit 16 of ICES Subarea 7)		
Species of fish (1)	Fishing area (2)	Catch Limit (3)
NORWAY LOBSTER ¹ (<i>Nephrops norvegicus</i>)	7 (NEP/07.) <u>inclusive of catch limit in Functional Unit 16 of ICES Subarea 7</u>	7.50 tonnes

“of which”

NORWAY LOBSTER ² (<i>Nephrops norvegicus</i>)	Functional Unit 16 of ICES Subarea 7 (NEP/*07U16) <u>within the catch limit for Norway Lobster in ICES area 7</u>	0 tonnes
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GIVEN under the Official Seal of
the Minister for Agriculture, Food and the Marine

24 August 2021 at 16:15 hours

Cecil Beamish

**A person authorised to authenticate the Official Seal
of the Minister for Agriculture, Food and the Marine.**

¹ 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.

² 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 2021, in respect to boats less than 55ft in length. The catch limit set out for any of the stocks set out in Schedule 2, which are the demersal stocks relevant for quota balancing, will only apply if a demersal authorisation has not been issued in respect of that stock for September 2021.

(FMN 2021/40)

Information Note

Landing Obligation Information Booklet available to view on the Departments website at:
<https://www.gov.ie/en/publication/5b637-land-obligationsdiscards-ban/>