



T09/078/1

CERTIFICATE OF ASSIGNMENT
OF

**AQUACULTURE LICENCE AQ NO. 656 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 for Agriculture, Food and the
Marine, from:

**Comharchumann Sliogéisc Chonamara Teo,
gteic Carna,
Roisín na Mainiach,
Carna,
Co. na Gaillimhe**

To

**Údarás na Gaeltachta,
Na Forbacha,
Co. na Gaillimhe**

with effect from 03 April 2019, subject to the terms and conditions thereof.

Signed:

A handwritten signature in dark ink, appearing to be 'John J. ...', written over a horizontal line.

An officer authorised in this behalf
By the said Minister

COPY

T9/78/1

CERTIFICATE OF AMENDMENT

of

**AQUACULTURE LICENCE AQ 656
DATED 27/03/1998**

AND

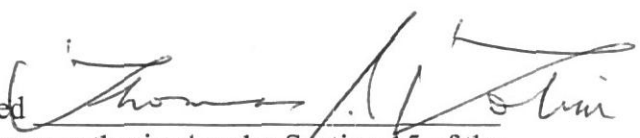
**FORESHORE LICENCE AQ 656
DATED 27/03/1998**

GRANTED TO

**COMHARCHUMAN SLIOGEISC CHONAMARA TEO
CARNA
CO. GALWAY**

This is to certify that the above mentioned licences have been amended by the replacement of attached map and schedule instead of the maps and schedule which were attached in error to the licences dated 27/03/1998.

Signed


A person authorised under Section 15 of the
Minister and Secretaries Act, 1924, to
authenticate the seal of the Minister for the
Marine and Natural Resources

Dated 9 October, 2001

Certified as Replacement Schedule to AQ + FS Licence 656

C. Thompson / 09/10/01

"those parts of Roundstone Bay, Blackhaven or Cloonile Bay, Cashel Bay, Bertraghboy Bay, Ard Bay, Mweenish Bay, Kilkieran Bay, Camus Bay, Casheen Bay, Coonawilleen Bay and Kiggaul Bay, bounded by the high water mark and enclosed by a line drawn initially in a westerly direction from the most south westerly point of the high water mark of the townland of Maumeen to the most south westerly point of the high water mark of the townland of Lettermullan and thence to the most southerly point of the high water mark of Golam Island, and by a line drawn from the most westerly point of the high water mark of Golam Island to the most westerly point of the high water mark of Freaghillaun More and thence to a point on the high water mark 285m metres south of the most westerly point of the high water mark of Dinish Island and thence to the most easterly point of the high water mark of Birmore Island, and by a line drawn from the most westerly point of the high water mark of Birmore Island to a point on the high water mark 250 metres west of the most southerly point of the high water mark of St. Macdara's Island and by a line drawn from the most westerly point of the high water mark of St. Macdara's Island to the most westerly point of the high water mark of Illaunacroagh More and by a line drawn from the most northerly point of the high water mark of Illaunacroagh More to the most southerly point of the high water mark of Inishlackan Island and by a line drawn from a point on the high water mark 290m north east of the most westerly point of the high water mark of Inishlackan Island to the high water mark of the townland of Ervallagh a distance of 1530m and by a line drawn along the northern face of the causeway and bridge, known as Bealadangan Br. connecting the townland of Bealadanagan with Annaghvaan Island and by a line drawn along the western face of the causeway connecting Annaghvaan Island with Illaunatraghta and by a line drawn along the western face of the causeway connecting Illaunatraghta with Lettermore Island and by a line drawn along the western face of the causeway and bridge known as Carricklegaun Bridge connecting Lettermore Island with Gorumna Island, but excluding those waters north of Screeb Bridge known as Loughahalia North and Loughahalia South, the intertidal area at Leighon Island, the intertidal area between Annaghvaan and Lettermore Island, the intertidal area around Inchaghaun and the intertidal area in Mweenish Bay as shown on the attached map".

COPY

Dated 27th day of March 1998

MINISTER FOR THE MARINE
AND NATURAL RESOURCES

WITH

Comharchumann Sliogeisc Chonamara Teo

AQUACULTURE LICENCE

COUNTERPART

AGREEMENT made the **27th day of March 1998**

1. The Minister for the Marine and Natural Resources, (hereinafter referred to as "the Minister"), in exercise of the powers conferred on him by Section 54 of the Fisheries Act, 1980 (No. 1 of 1980) hereby grants to

Comharchumann Sliogeisc Chonamara Teo

Cill Chiaráin

Conamara

Co na Gaillimhe

(hereinafter referred to as "the Licensee"), at the place and in the waters attached referred to in the Schedule hereto and delineated on the map attached hereto and thereon coloured red (hereinafter referred to as "the fishery"), the exclusive right to

- (a) deposit, propagate and harvest oysters, scallops and clams details of which have been submitted to and approved by the Minister, placed within those areas of Kilkieran and Bertraghboy Bays, Co Galway designated in the Foreshore Licence dated the **27th day of March 1998** between the Minister and the Licensee;
 - (b) carry out all operations necessary for obtaining, storing and disposing of the produce of the fishery as may be authorised by the Minister.
2. This licence shall remain in operation until the **26th day of March 2008** subject to:
 - (i) the payment of an aquaculture licence fee of £2000 pa for each of the first five years,
 - (ii) An Comharchumann undertaking and submitting to the Minister before March 2003 a feasibility study of the aquaculture development,
 - (iii) review of annual licence fee payable for years 2004-2008 in the light of (ii).

3. This licence shall be subject to the following conditions:

- (a) no fish other than oysters, scallops and clams shall be cultured or taken under the terms of this licence without the prior written permission of the Minister;
- (b) The Licensee shall notify the Secretary General, Department of the Marine and Natural Resources, Leeson Lane, Dublin 2, and the Fisheries Research Centre (Fish Health Unit), Abbotstown, Castleknock, County Dublin, within forty-eight hours of the appearance of any suspected disease in the fishery or of any abnormal losses or mortalities in the fishery and shall carry out any instructions issued by the Minister as a result of the notification including instructions relating to the treatment, disposal and destruction of diseased stocks;
- (c) disposal of all dead fish shall be in a manner acceptable to the local authority;
- (d) the Licensee shall not use any substance or thing or do anything which has a deleterious effect on the environment and shall make adequate arrangements for the hygienic and disease-free operation of the fishery and shall comply with any directions issued by the Minister from time to time in that regard;
- (e) the Licensee shall not carry out any operations authorised by this licence in the fishery in such a manner as to interfere unreasonably with fishing or navigation in the vicinity of the fishery and shall comply with any direction given to the Licensee in that regard by the Minister;
- (f) the Licensee shall make adequate provision for the removal and disposal of all waste from the fishery;
- (g) the Licensee shall furnish to the said Secretary General at the said address such returns relating to the fishery as may be required by the Minister;
- (h) the Licensee shall carry out such monitoring as the Minister shall specify from time to time and the results of such monitoring shall be furnished to said Secretary General;

- (i) the Licensee shall furnish to the Fisheries Research Centre at the said address such samples of his produce as may be required by the Minister;
- (j) the Licensee shall comply with the terms of the Molluscan Shellfish (Conservation of Stocks) Order, 1987 (S.I. No. 118 of 1987) and with any other instrument in force for the time being governing the movement of shellfish;
- (k) the fishery and any equipment, structure, thing or premises wherever situated, used in connection with operations carried on in the fishery shall be open for inspection at any time by an authorised person (within the meaning of section 292 of the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959) (as amended by the Fisheries Act, 1980) other than a private water keeper), a sea fisheries protection officer (within the meaning of section 220 of the Fisheries (Consolidation) Act, 1959) or any other person appointed in that regard by the Minister;
- (l) the Licensee shall give all reasonable assistance to an authorised person, a sea fisheries protection officer or any person duly appointed by the Minister, to enable the person or officer enter and inspect the fishery, equipment, structures, things or premises pursuant to sub-paragraph (k) of this paragraph;
- (m) the Licensee shall indemnify and keep indemnified the State and the Minister, their officers, agents and employees against all actions, loss, claims, damages, costs, expenses and demands arising in any manner whatsoever in connection with the construction, maintenance or use of any structures or in exercise of the permission hereby granted.
- (n) the Licensee shall not assign, underlet or part with this demise or the liberties hereby created without the written consent of the Minister, such consent not to be unreasonably withheld;
- (o) in the event of this licence being assigned to a company (within the meaning of the Companies Acts, 1963 to 1990) 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;
- (p) in the event of the benefit of this licence being granted to a society (within

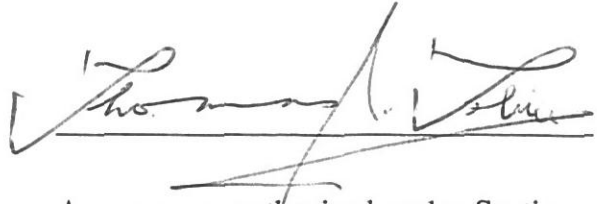
the meaning of section 2 of the Industrial and Provident Societies (Amendment) Act, 1978 (No. 23 of 1978)) the following conditions shall apply, namely,

- (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 its 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 fishery, direct that an amendment be made to the rules of the society, from time to time, and the Licensee shall amend its rules in accordance with that direction;
- (q) should the Licensee fail to commence operations under the terms of this licence to the satisfaction of the Minister within one year of the date of issue of this licence, the Minister may revoke without compensation the licence if he thinks fit.

4. The Minister shall be at liberty at any time to revoke or amend this 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 fishery to which the licence relates is not being properly maintained. Any such revocation or amendment shall be subject to section 54(14) of the Fisheries Act, 1980.

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

THOMAS J. TOBIN



A person so authorised under Section

WITNESS: Kerraine Hughes

15(1) of the Ministers and Secretaries

ADDRESS: Department of Marine and

Act, 1924 to authenticate the seal of the

Natural Resources, Merrion House, Dublin 2

Minister.

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee

Thomas O'Mahon, Director

Comharchumann Sliogeisc
Chonamara Teo

in the presence of:

WITNESS: Deirdre Conboy

ADDRESS: Doire Leithan Ioroi

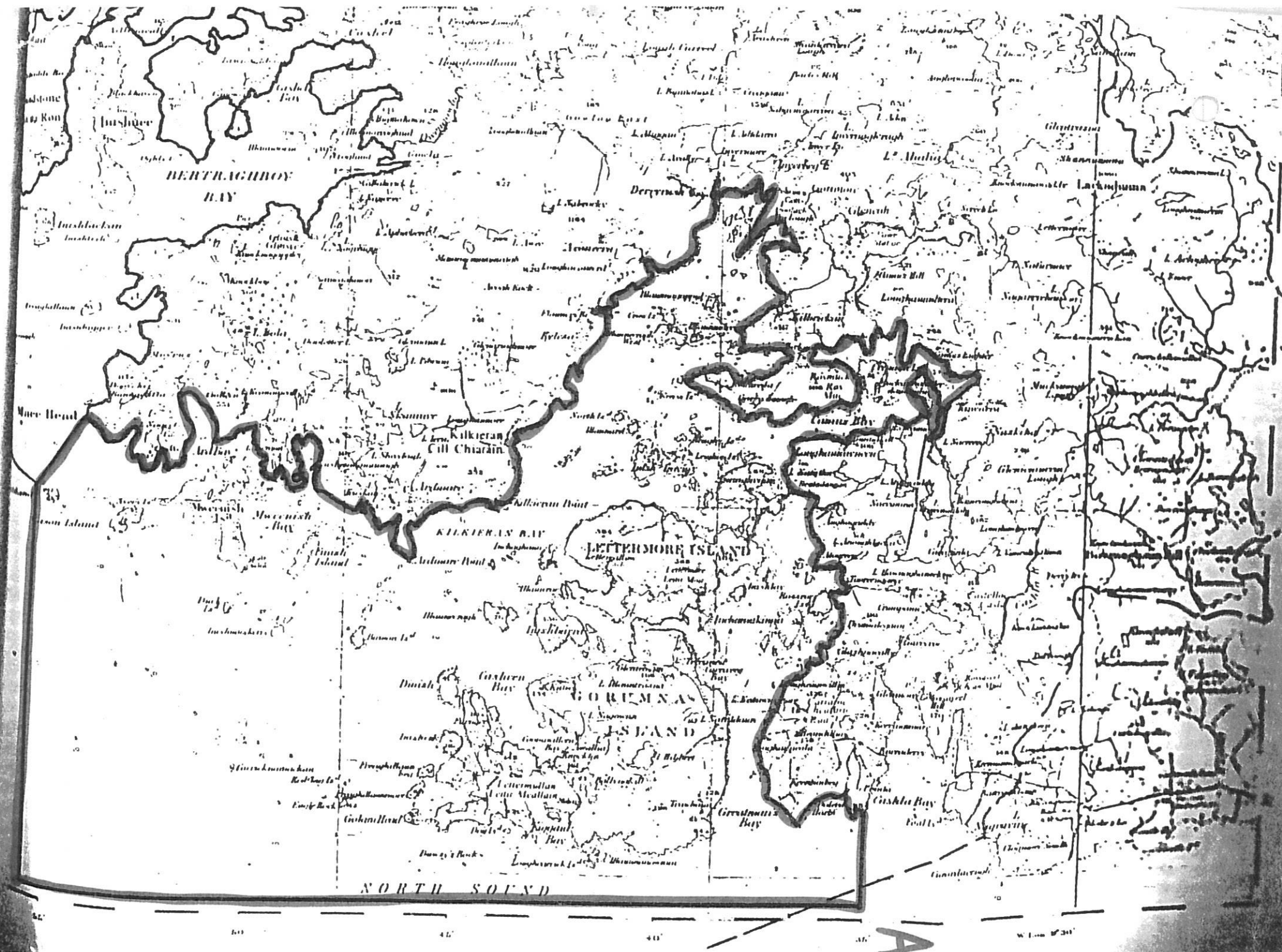
An Spidéal Co Meath

OCCUPATION: Fidhneannair Febsalta

SCHEDULE

This licence covers all that area which lies within the areas designated under:

- the Aquaculture (Kilkieran Bay) Order, 1986 (S.I. No. 396 of 1986) being all that area of Kilkieran Bay and adjoining waters which is bordered by the high water mark and which is enclosed by a line drawn due south from the most southerly point of the high water mark in the townland of Keeraunbeg, barony of Moycullen, county of Galway, for a distance of 2,500, and thence continuing due west for a distance of 23,000m and thence continuing in a northerly direction to the most westerly point of the high water mark of St. Macdara's Island, barony of Ballynahinch, county of Galway and continuing in a north-easterly direction to the most westerly point of the high water mark of the townland of Halfmace, barony of Ballynahinch, county of Galway; and is enclosed by a red line on map A attached hereto; and
- the Aquaculture (Bertraghboy Bay) Order, 1986 (S.I. No. 395 of 1986) being all that area of Bertraghboy Bay and adjoining waters which is bordered by the high water mark and which is enclosed by a line drawn in a south-westerly direction from the most westerly point of the high water mark of the townland of Halfmace, barony of Ballynahinch, county of Galway, to the most westerly point of the high water mark of St. Macdara's Island, barony of Ballynahinch, county of Galway, and thence continuing in a north-westerly direction to the most westerly point of the high water mark of Illaunamid, barony of Ballynahinch, county of Galway and thence continuing in a north-easterly direction to the most westerly point of the high water mark of the townland of Ballinaleama, barony of Ballynahinch, county of Galway; and is enclosed by a red line on map B attached hereto.



COPY

Dated the 27th day of March 1998

MINISTER FOR THE MARINE
AND NATURAL RESOURCES

with

Comharchumann Sliogeisc Chonamara Teo

FORESHORE LICENCE

COUNTERPART

Foreshore Licence

AGREEMENT made the **27th day of March 1998** between the Minister for the Marine and Natural Resources (hereinafter referred to as "the Minister"), of the one part and

Comharchumann Sliogesc Chonamara Teo

Cill Chiaráin

Conamara

Co na Gaillimhe

(hereinafter referred to as "the Licensee") of the other part whereby the Minister in exercise of the powers vested in him by Section 3(1) of the Foreshore Act, 1933 (No. 12 of 1933) hereby grants to the Licensee a licence to use and occupy that part of the Foreshore of Kilkieran and Bertraghboy Bays, Co. Galway delineated in the attached schedule and more particularly delineated on the map annexed hereto and thereon coloured red for the purpose of cultivating oysters, scallops and clams subject to the terms and conditions following:

1. This licence shall commence on the **27th day of March 1998** and remain in force until the **26th day of March 2008** except as hereinafter provided.
2. The Licensee shall pay to the Minister, through the Department of the Marine and Natural Resources, Leeson Lane, Dublin 2, the sum of £50 per annum such payment to be made on the **27th day of March** in every year during the continuance of this licence the first of such payments to be made on the signing hereof in respect of the period ending the **26th day of March 1999**.
3. The Licensee shall use that part of the foreshore, the subject matter of this licence, for the cultivation of oysters, scallops and clams and for no other purpose whatsoever.
4. The Licensee shall at all times during the continuance of this licence keep any marker 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, the adjacent lands or the public interest.
5. The Licensee shall ensure that the licensed area and the area around the development shall be kept clear of all waste products or materials associated with

the development and shall comply with any directions which may be issued by the Minister from time to time in that regard.

6. The Licensee shall comply with any directions which may be issued by the Minister from time to time in that regard.
7. The Licensee shall ensure that marker buoys deployed in connection with the development shall bear the licence number AQ 656.
8. The Licensee shall indemnify and keep indemnified the State and the Minister, their officers, agents and employees against all actions, loss, claims, damages, costs, expenses and demands arising in any manner whatsoever in connection with the construction, maintenance or use of marker buoys or in exercise of the permission hereby granted.
9. 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 this licence from any other cause, remove the said marker buoys to the satisfaction of the Minister and if the Licensee refuses or fails to do so the Minister may cause the said market buoys to be removed 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 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 this condition.
10. The Minister shall be at liberty at any time to revoke or amend this 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 fishery to which the licence relates is not being properly maintained.
11. 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.

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

THOMAS J. TOBIN



A person so authorised under Section

WITNESS: Horraire Hughes

15(1) of the Ministers and Secretaries

ADDRESS: Department of Marine &

Act, 1924 to authenticate the seal of the

Natural Resources, Leeson Lane, Dublin 2

Minister.

OCCUPATION: CIVIL SERVANT

SIGNED on behalf of Licensee

Donnan O'Mahoney

Comharchumann Sliogeisc
Chonamara Teo

in the presence of:

WITNESS: Jackie Connel

ADDRESS: Doree Leher Shore

an Spidell Co No 300000

OCCUPATION: Fulhmann's Fabrika

SCHEDULE

This licence covers all that area which lies within the areas designated under:

- the Aquaculture (Kilkieran Bay) Order, 1986 (S.I. No. 396 of 1986) being all that area of Kilkieran Bay and adjoining waters which is bordered by the high water mark and which is enclosed by a line drawn due south from the most southerly point of the high water mark in the townland of Keeraunbeg, barony of Moycullen, county of Galway, for a distance of 2,500, and thence continuing due west for a distance of 23,000m and thence continuing in a northerly direction to the most westerly point of the high water mark of St. Macdara's Island, barony of Ballynahinch, county of Galway and continuing in a north-easterly direction to the most westerly point of the high water mark of the townland of Halfmace, barony of Ballynahinch, county of Galway; and is enclosed by a red line on map A attached hereto; and
- the Aquaculture (Bertraghboy Bay) Order, 1986 (S.I. No. 395 of 1986) being all that area of Bertraghboy Bay and adjoining waters which is bordered by the high water mark and which is enclosed by a line drawn in a south-westerly direction from the most westerly point of the high water mark of the townland of Halfmace, barony of Ballynahinch, county of Galway, to the most westerly point of the high water mark of St. Macdara's Island, barony of Ballynahinch, county of Galway, and thence continuing in a north-westerly direction to the most westerly point of the high water mark of Illaunamid, barony of Ballynahinch, county of Galway and thence continuing in a north-easterly direction to the most westerly point of the high water mark of the townland of Ballinaleama, barony of Ballynahinch, county of Galway; and is enclosed by a red line on map B attached hereto.