



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

T01/043/1

CERTIFICATE OF ASSIGNMENT
OF

**AQUACULTURE LICENCE AQ NO. 485 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:

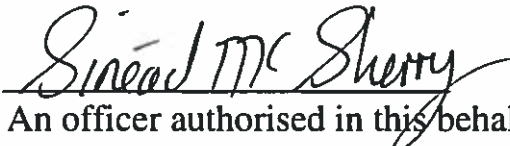
Kian Louet-Feisser,
Whitestown,
Greenore,
Co Louth.

To

Charm Louet-Feisser,
Seecrin Bush,
Riverstown,
Dundalk,
Co. Louth.

with effect from 27th October 2021, subject to the terms and conditions thereof.

Signed:


An officer authorised in this behalf
By the said Minister

CERTIFICATE OF AMENDMENT

of

AQUACULTURE LICENCE

AND

FORESHORE LICENCE AQ 485

DATED 9 JANUARY, 1996

TO

KIAN LOUET-FEISSER
DUNDALK STREET
CARLINGFORD
CO. LOUTH

This is to certify that the Minister for the Marine and Natural Resources has amended the said licences by reducing the licensed areas from 15.25 ha to 4 ha (the co-ordinates of which are attached and the areas of which are shown in red on the attached map) for the period up to and including 8 January 2006, subject to the terms and conditions thereof and subject to the provisions of the Fisheries (Amendment) Act, 1997 (No. 23).

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

07 June, 2001

APR 1996

Dated 9th day of January, 1996

MINISTER FOR THE MARINE

WITH

MR. KIAN LOUET-FEISSER

AQUACULTURE LICENCE

AGREEMENT made the 9th day of January 1996

1. *Between the Minister for the Marine, (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), and the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order, 1977 (S.I. No. 30 of 1977), (as adapted by the Tourism, Fisheries and Forestry) (Alteration of Name of Department and Title of Minister) Order, 1987 (S.I. No. 82 of 1987), hereby grants to Mr. Kian Louet-Feisser, whose registered address is at Dundalk Street, Carlingford, Co. Louth (hereinafter referred to as "the Licensee"), at the places and in the waters referred to in the Schedule hereto (hereinafter referred to as "the fishery"), the exclusive right to*
 - (a) *deposit, propagate and harvest oysters on trestles and bags details of which have been submitted to and approved by the Minister, placed in those areas of Carlingford Lough defined in the attached schedule and designated in the Foreshore Licence dated the 9th day of January 1996 and the map annexed thereto 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 be subject to the following conditions:*
 - (a) *no fish other than oysters 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, Department of the Marine, (Aquaculture Section), Leeson Lane, Dublin 2, and the Fisheries Research Centre (Fish Pathology Unit), Abbotstown, Castleknock, County Dublin, within forty-eight hours of the suspected appearance of any 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 furnish to the said Secretary at the said address such returns relating to the fishery as may be required by the Minister;**
- (e) 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;**
- (f) 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;**
- (g) the Licensee shall comply with the terms of the Molluscan Shellfish (Conservation of Stocks) Order, 1987, and with any other instrument in force for the time being governing the movement of shellfish;**
- (h) 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;**
- (i) 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 (h) of this paragraph;**

- (j) the Licensee shall not use any substance or thing or do anything which has a deleterious effect on the fishery 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;**
- (k) 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 him in that regard by the Minister;**
- (l) the Licensee shall make adequate provision for the removal and disposal of all waste from the fishery;**
- (m) the Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, damage, costs, expenses and any demands or claims howsoever arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or other thing used in connection with the fishery or in the exercise of the rights granted under this licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition;**
- (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 Act, 1963 to 1986) 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 this licence being assigned to a society (within the meaning of section 2 of the Industrial and Providential 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)** *this licence shall remain in operation until the 8th day of January, 2006 subject to the payment of the fee prescribed by the Department of the Marine;*
- (r)** *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.*

3. *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 the provisions of sub-section 54 (14) of the Fisheries Act, 1980 which covers notice, grounds, representations and compensation.*

4. *The number given to the Licensee under this licence shall be AQ485.*


*Present when the Seal of Office
of the Minister for the Marine was
affixed and was authenticated by
the signature of:*

WITNESS: Michael B. Redna
ADDRESS: Dept of Marine
Kelsoy St DUBL 2
OCCUPATION: Civil Servant


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

*SIGNED on behalf of Licensee in
the presence of:*

WITNESS: Paul J. J.
ADDRESS: Carlingford
G. Louth Ireland
OCCUPATION: Oyster Farmer


Director

SCHEDULE

This licence covers all that area which lies within the area designated under the Aquaculture (Carlingford Lough) Order, 1986 and is enclosed by a line drawn from

*Irish National Grid Reference point 320860, 311860 to
Irish National Grid Reference point 321038, 311700 to
Irish National Grid Reference point 321700, 311320 to
Irish National Grid Reference Point 320555, 311455 to the point first
mentioned and known as site 43B*

*all that area designated under the above order which is enclosed by a line
drawn from*

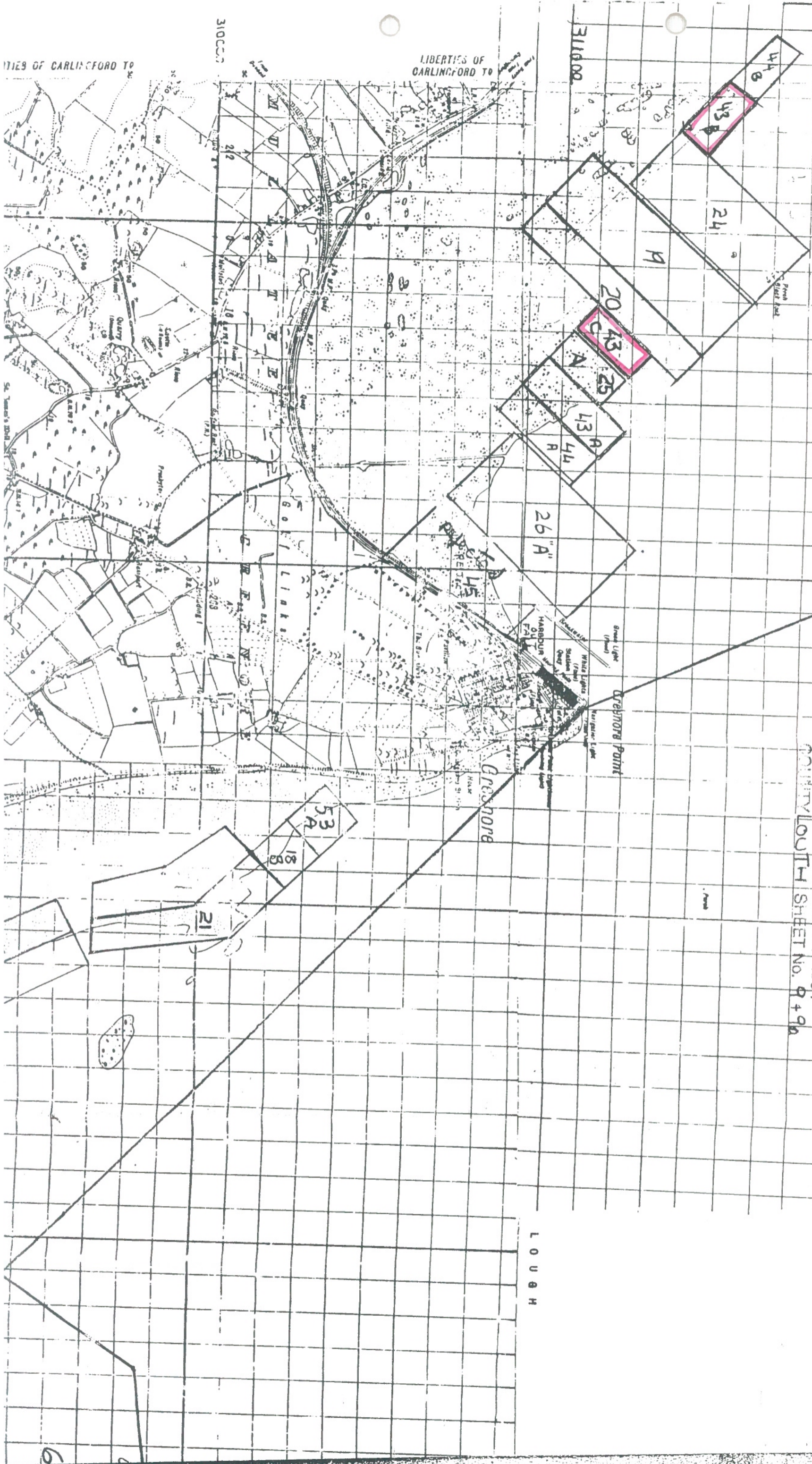
*Irish National Grid Reference point 321440, 311320 to
Irish National Grid Reference point 321500, 311260 to
Irish National Grid Reference point 321155, 310900 to
Irish National Grid Reference Point 321095, 310955 to
the point first mentioned and point and known as Site 43C.*

1/2/1982 H.H.A.

DEPARTMENT OF THE MARINE AND NATURAL RESOURCES
Leeson Lane, Dublin 2, Tel No. 6785444
Engineering Section, Fisheries Division

BASED ON THE ORDINANCE SURVEY BY
PERMISSION OF THE GOVERNMENT
PERMIT No 4334
COUNTYLOUTH SHEET No. 9+9a

SHEET 9A



LOUGH

LIBERTIES OF CARLINGFORD TO

LIBERTIES OF CARLINGFORD TO

310000

310000

44 B

24

20

25

26 "A"

53

21

6

(485)

Dated 9th day of January, 1996

485.

MINISTER FOR THE MARINE

with

MR. KIAN LOUET-FEISSER

FORESHORE LICENCE

AGREEMENT made the 9th day of January, 1996 between the Minister for the Marine (hereinafter referred to as "the Minister"), of the one part and Mr. Kian Louet-Feisser whose registered address is at Dundalk Street, Carlingford, Co. Louth (hereinafter referred to as the "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 hereby grants onto the Licensee licence to use and occupy those parts of the Foreshore of Carlingford Lough, Co. Louth, defined in the Schedule and more particularly delineated on the map attached hereto and thereon coloured red for the purpose of laying bags and trestles for the cultivation of oysters subject to the terms and conditions following:

1. This licence shall commence on the 9th day of January, 1996 and remain in force until the 8th day of January 2006 except as hereinafter provided.
2. The Licensee shall pay to the Minister through the Department of the Marine, (Aquaculture Section), Leeson Lane, Dublin 2, the sum of £50 per annum such payments to be made on the 8th day of January 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 8th day of January, 1997.
3. The Licensee shall use those parts of the foreshore, the subject matter of this licence, for the laying of bags and trestles for the cultivation of oysters and for no other purpose whatsoever.
4. The Licensee shall at all times during the continuance of this licence keep the said trestles 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 redundant bags and trestles, waste products or materials associated with the development.

6. *The Licensee shall cause each corner of each area where bags and trestles are laid to be marked by yellow poles topped with a yellow St. Andrew's Cross. The crosses shall be visible at all stages of the tide.*
7. *The Licensee shall comply with any directions which may be issued by the Minister from time to time in that regard.*
8. *The Licensee shall ensure that each set of bags and trestles shall bear the licence number AQ 485.*
9. *The Licensee shall indemnify and keep indemnified the State, 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 the said bags and trestles or in the exercise of the permission hereby granted.*
10. *The Minister shall be at liberty at any time to terminate this licence by giving to the Licensee three weeks previous notice in writing ending on any day and upon determination of such notice the licence and permission hereby granted shall be deemed to be revoked and withdrawn without the liability for the payment of any compensation by the Minister to the Licensee.*
11. *The Licensee shall 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 at their expense remove the said bags and trestles to the satisfaction of the Minister and if the Licensee refuses or fails to do so the Minister may cause the said bags and trestles 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 by him in connection with the removal and restoration, and the Licensee shall take such steps as the Minister may specify in order to secure compliance with this condition.*

12. *In the event of the breach, non-performance or non-observance by the Licensee of any of the conditions herein contained the Minister may forthwith terminate this licence without prior notice to the Licensee.*

13. *Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at their last known address.*

PRESENT when the seal of Office of the)
MINISTER FOR THE MARINE was affixed and)
was authenticated by the signature of

_____)

_____)
WITNESS: _____)

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

ADDRESS: _____)

_____)

OCCUPATION: _____)

SIGNED on behalf of Licensee
in the presence of: _____)

WITNESS: _____)

ADDRESS: _____)

_____)

OCCUPATION: _____)

_____ Director

SCHEDULE

This licence covers all that area which lies within the area designated under the Aquaculture (Carlingford Lough) Order, 1986 and is enclosed by a line drawn from Irish National Grid Reference point.

320860, 311860 to Irish National Grid Reference point

321038, 311700 to Irish National Grid Reference point

321700, 311320 to Irish National Grid Reference point

320555, 311455 to the first point mentioned and all that area designated under the above order which is enclosed by a line drawn from Irish National Grid Reference Point and known as Site 43B.

321440, 311320 to Irish National Grid Reference Point

321500, 311260 to Irish National Grid Reference Point

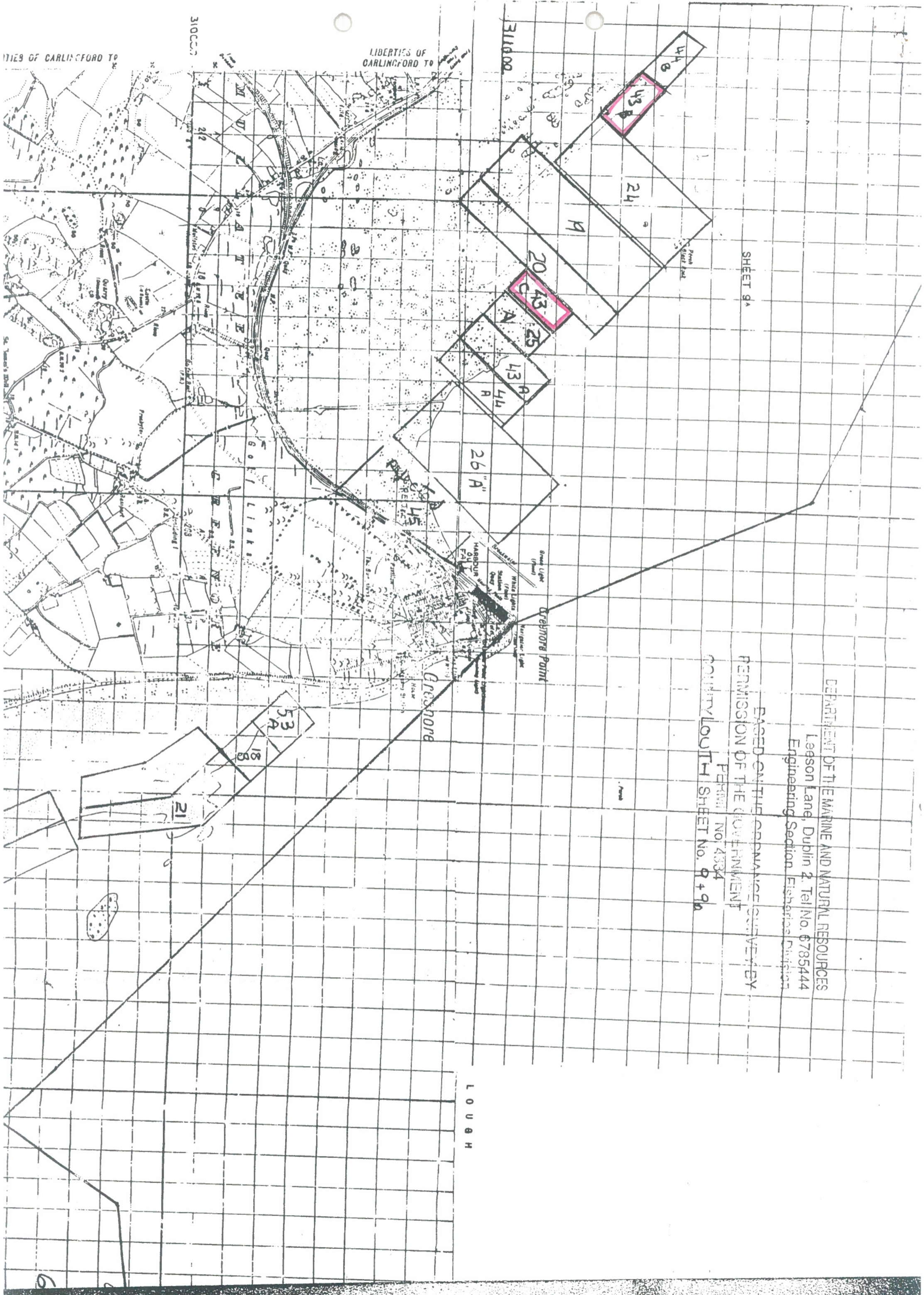
321155, 310900 to Irish National Grid Reference Point

321095, 310955 to the first mentioned point and known as Site 43C.

DEPARTMENT OF THE MARINE AND NATURAL RESOURCES
Leeson Lane, Dublin 2, Tel No. 6785444
Engineering Section, Fisheries Division

BASED ON THE ORDNAVANCE SURVEY BY
PERMISSION OF THE GOVERNMENT
PERMIT No 4334
COUNTYLOUTH SHEET No. 9+9a

SHEET 9A



LOUGH

LIBERTIES OF CARLINGFORD TO

LIBERTIES OF CARLINGFORD TO

31005

31000

44 B

24

20

25

26 "A"

53

21

6