



# Licensing Authority for Sea-fishing Boats

Annual Report 2022

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## **Licensing Authority for Sea-fishing Boats Annual Report 2022**

*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 2022, 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 Roni Hawe. The Deputy Registrar General, now retired, was Dr. Deirdre Kelleher. Both were 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 Union 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.

The core work of the Licensing Authority during 2022 is summarised hereunder:

- The number of new applications for a sea-fishing boat licence totalled 223.
- A total of 191 vessels were licensed and registered in 2022 from new licence applications received.
- The licences for 1,659 vessels were renewed in 2022. This was 57 less than in 2021.
- The number of registered sea-fishing boats in the Irish fleet at the end of 2022 was 1,985, a decrease of 0.4% on the 2021 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 68,271GT and 188,906kW. This shows an increase of 2.3% in Gross Tonnage (GT) and a reduction of 0.5% in engine power (kW) compared to the 2021 figures.
- At the end of 2022, a total of 11,019GT and 12,463kW was off-register in private ownership, i.e. held in the owner’s account and available for use as replacement capacity but not assigned to a vessel. Under Policy Directive 2/2003, capacity that is taken off the Sea Fishing Boat Register must be re-introduced onto the register within 2 years of its removal, otherwise the entitlement will be lost to its owner.
- No new Ministerial Policy Directive was issued by the Minister to the Licensing Authority during 2022.
- The Merchant Shipping (Registration of Ships) Act 2014 was enacted on 25 December 2014 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.
- The EU Control Regulations (Council Regulation 1224/2009 as amended and Commission Implementing Regulation 404/2011) provide 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 national transposing regulations, the European Union (Common Fisheries Policy) (Point System) Regulations 2020 (S.I. No. 318 of 2020) as amended by S.I No. 590 of 2021 requires the Licensing Authority 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). In 2022, 28 points were recorded by the Licensing Authority to 8 licences.

## Section 1 - Legislative Overview of Licensing and Registration

### 1.1 National Legislation

The legislation governing sea-fishing boat licensing in 2022 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 2022 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 2022 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 2022 a further fourteen Ministerial Policy Directives were received by the Licensing Authority (See Appendix 1).

No new Policy Directive was received in 2022.

The texts of all Policy Directives issued to the Licensing Authority can be viewed at the Department of Agriculture Food and the Marine website at <https://www.gov.ie/en/organisation-information/5907a-sea-fisheries-administration/#licensing-authority>.

## Section 2 - Description of the Irish Fishing Fleet in 2022

### 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 2022, 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 2,172GT 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 23.00m to 28.05m in length overall, from 83GT to 196GT in volume and 221kW to 474kW in engine power.
- *Polyvalent Segment:* This segment comprised 1,714 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 – this sub-segment comprised 226 vessels licensed and registered under the “Potting Scheme<sup>1</sup>”.
- *Specific Segment:* This segment contained 140 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 0.66GT to 135GT in volume and 3.7kW to 560kW in engine power.
- *Aquaculture Segment:* This segment contained 98 vessels with a total capacity of 4,295.48GT and 11,817.66kW. 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.

<sup>1</sup> 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<sup>2</sup>. 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 (ie through Voluntary Permanent Cessation 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 2022 and 31 December 2022 is outlined in the following table:

**Table 1: Capacity Position Irish fishing fleet 1 January to 31 December 2022**

<b>Segment</b>	<b>No. of Vessels</b>		<b>GTs</b>		<b>kWs</b>	
	<b>Jan-22</b>	<b>Dec-22</b>	<b>Jan-22</b>	<b>Dec-22</b>	<b>Jan-22</b>	<b>Dec-22</b>
<b>Polyvalent</b>	1,718	1,714	32,790	32,918	116,241	115,797
<b>RSW Pelagic</b>	23	23	26,259	27,819	47,397	47,223
<b>Beam Trawl</b>	10	10	1,139	1,139	2,818	2,818
<b>Specific</b>	145	140	2,227	2,100	11,908	11,250
<b>Total</b>	<b>1,896</b>	<b>1,887</b>	<b>62,415</b>	<b>63,976</b>	<b>178,364</b>	<b>177,088</b>
<b>Aquaculture</b>	97	98	4,280	4,295	11,669	11,818

## 2.3 Off-Register Capacity

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 2022 a total of 11,019GT and 12,463kW of capacity was "off-register".

<sup>2</sup> Article 22, Annex II

Of the total 11,019GT off register, 8,280GT related to RSW Pelagic and the balance of 2,739GT was primarily Polyvalent (2,126GT), with minor quantities of Specific (556GT) and Beamer (57GT).

In relation to kW, the total of 12,463kW included 9,031kW Polyvalent and the balance of 3,432kW was a combination of Specific (2,620kW), RSW Pelagic (137kW) and Beamer (675kW).

#### 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

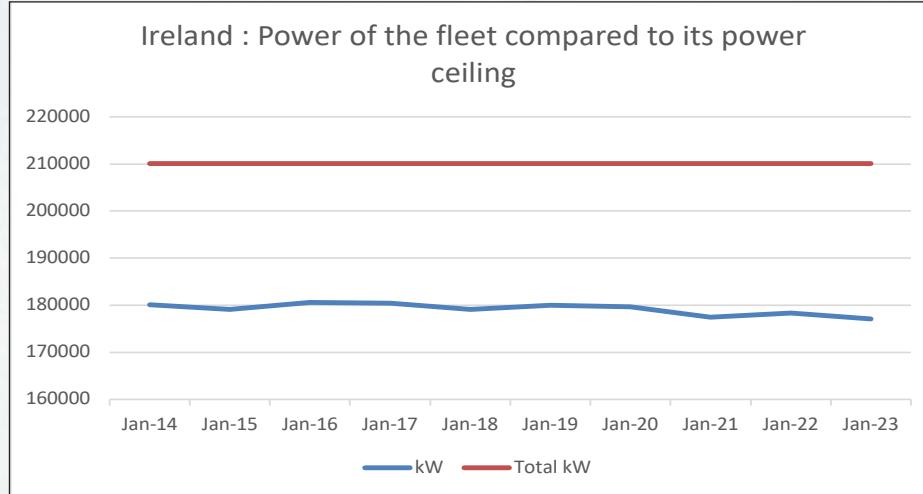
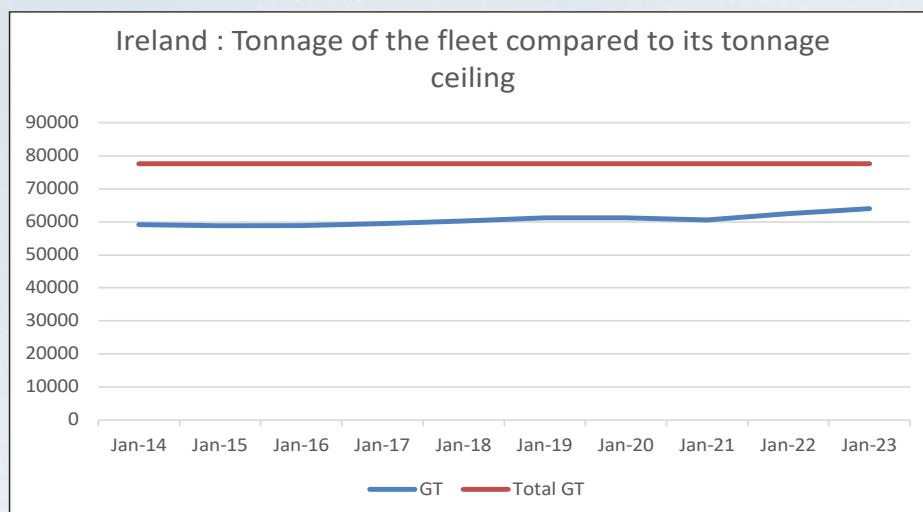
Section 75 of the Sea Fisheries and Maritime Jurisdiction Act 2006 states that “the Registrar General may, in the interest of proper management of the capacity of Irish sea-fishing boats, enter a sea-fishing boat in the Register or remove it from the Register”. While the majority of fishing vessels are 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 2022, 2 vessels were compulsorily de-registered and 5 vessels 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 2022. 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



## 2.7 Trends in ownership in the Irish fishing fleet.

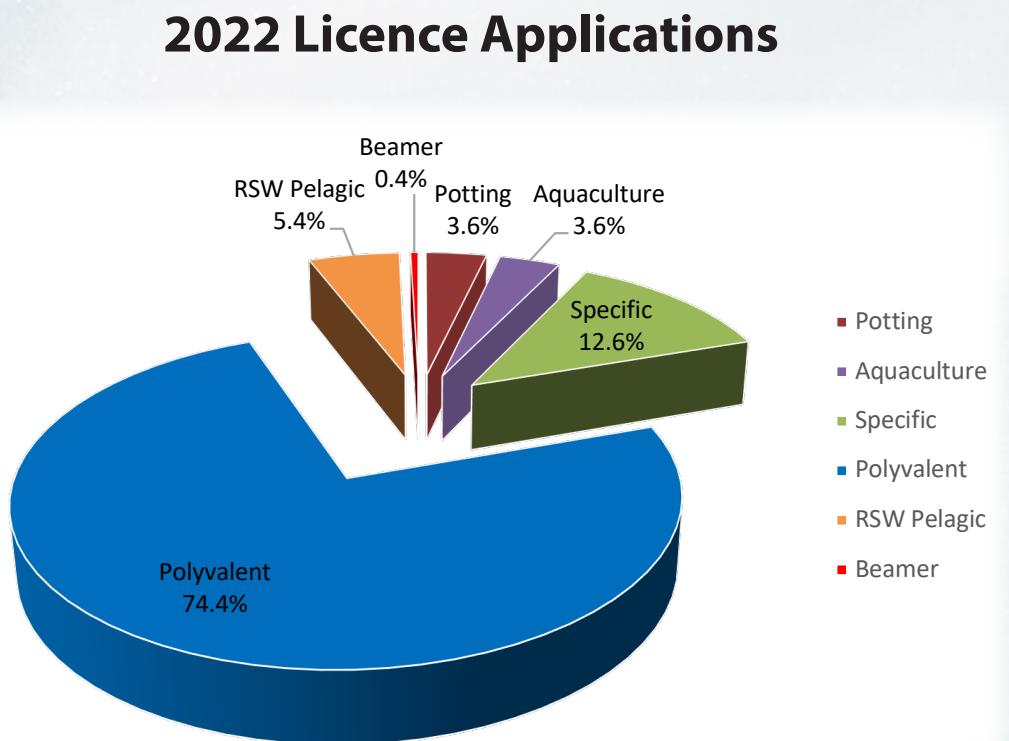
The following table shows the position of the Irish fleet in terms of ownership by a body corporate. The number of vessels licenced by a body corporate in 2022 is 290. This represents an increase of 88% from 154 vessels in 2016 and an increase of 1.7% from 285 vessels in 2021.

Year	Total Number of Sea Fishing Boat Licences	Number of Sea Fishing Boat Licences to a Body Corporate	% of Total Licences in Body Corporate Name
2016	2,092	154	7.4%
2021	1,993	285	14.3%
2022	1,985	290	14.6%

## Section 3 - Activities of the Licensing Authority in 2022

### 3.1 Licence Applications

A total of 223 applications for sea-fishing boat licences were received during the year 2022; 12 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 licence 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 2022.

A letter of licence offer is valid for one year from the date of issue, to allow the applicant time to meet the conditions outlined in the letter of offer. In 2022, a total of 211 letters of licence offer were issued.

A total of 191 vessels were licensed and registered during 2022 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 exclusive responsibility of the Marine Survey Office of the Department of Transport.

Sea-fishing boat licences for 1,250 vessels under 15m in length overall were renewed in 2022.

Licences for 30 fishing vessels greater than or equal to 24m in registered length were also renewed in 2022.

Licences for 135 fishing vessels greater than or equal to 15m in length overall and less than 24m in registered length were renewed during 2022. The licences were issued in line with the vessels' Fishing Vessel Safety Certificates.

Licences for 222 vessels licensed under the Scheme for Licensing of Traditional Pot Fishing Boats in the Irish Inshore Fleet were renewed in 2022.

Licences for 22 vessels in the RSW Pelagic segment were renewed in 2022.

### 3.3 EU Fleet Register Reporting

Commission Implementing Regulation (EU) 2017/218 sets out the requirements for the 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 Third Country Requirements

During 2022, the Licensing Authority serviced requirements to provide all requested post-Brexit compulsory information fields that are required by the UK authorities in order for Irish sea fishing boats to be approved to fish in UK waters. Such information was provided via the EU Fleet Register to the European Commission which engages with the UK authorities on Member States' behalf. This work facilitated the approval of 326 Irish sea fishing boats for UK foreign vessel licences in 2022.

### 3.5 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 throughout 2022 at the following online location (<https://www.gov.ie/en/category/agriculture>).

### 3.6 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 2022 [appointed by the Minister for Agriculture, Food and the Marine under section 6 of the Act].

During 2022, 2 appeals (each against expired capacity under the two-year rule) were lodged with the Appeals Officer. In the course of 2022, no appeal decisions were made. At the end of 2022, 2 appeals were pending. The names of the appellants and the determinations of the Appeals Officer are published on the Department's website at <https://www.gov.ie/en/publication/ef698-emile-daly-appeals-decisions/>.

## Section 4 - Staffing and Organisational Arrangements

During 2022, 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 2022 comprised of:

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

The Licensing Authority was also assisted in carrying out its 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, Bord Iascaigh Mhara, the Marine Survey Office, the Mercantile Marine Office of the Department of Transport and the Local Registrars of Shipping of the Revenue Commissioners.

*I would like to thank the now retired 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 2022.*

Roni Hawe  
Registrar General of Fishing Boats  
June 2023

## 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





# Údarás Ceadúnúcháin um Báid lascaireachta Mara

Tuarascáil Bhliantúil 2022

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## **Údarás Ceadúnúcháin do Bháid lascaireachta Mara Tuarascáil Bhliantúil 2022**

*Tuarascáil don Aire Talmhaíochta, Bia agus Mara*

*ar chomhlíonadh fheidhmeanna an Údaráis*

*Ceadúnúcháin do Bháid lascaireachta Mara sa bhliain  
2022, de bhun alt 3(7) den Acht lascaigh (Leasú) 2003.*

## Réamhrá

De réir alt 3 den Acht lascaigh (Leasú) 2003 (Uimh. 21 de 2003), aistríodh feidhm cheadúnú bád iascaireachta mara ón Aire go dtí an tÚdarás Ceadúnúcháin do Bháid lascaireachta Mara le héifeacht ón 1 Iúil 2003.

Mar a shonraítear san Acht sin, is é an tÚdarás Ceadúnúcháin Ard-Chláraitheoir na mBád lascaireachta, nó, faoi mhaoirseacht an Ard-Chláraitheora, Leas-Chláraitheoir na mBád lascaireachta.

Cheap an tArd-Chláraitheoir agus an Leas-Chláraitheoir faoin Acht lascaigh Mara agus Dlínse Muirí 2006 (Uimh. 8 de 2006). Is é Roni Hawe an tArd-Chláraitheoir. Ba í Dr. Deirdre Kelleher, atá ar scor anois, an Leas-Chláraitheoir. B'oifigigh de chuid na Roinne Talmhaíochta, Bia agus Mara iad beirt.

Tá an tÚdarás Ceadúnúcháin neamhspleách i bhfeidhmiú a fheidhmeanna, faoi réir an dlí atá i bhfeidhm de thuras na huaire maidir le ceadúnú bád iascaireachta mara, lena n-áirítear, go háirithe, oibleagáidí dlíthiúla an Stáit a eascraíonn faoi aon dlí de chuid institiúide de chuid an Aontais Eorpaigh nó faoi chomhaontú idirnáisiúnta eile atá ina cheangal ar an Stát, agus Treoracha Beartais ón Aire.

## Achoimre Feidhmiúcháin

Is é Ráiteas Misin an Údaráis Ceadúnúcháin do Bháid lascaireachta Mara “córas ceadúnaithe agus clárúcháin atá tréadhearcach, cothrom, soláimhsithe a sholáthar do bháid iascaireachta mara agus a chinntíú go gcomhlíontar uasteorainneacha acmhainne cabhláigh iascaireachta arna gcinneadh ag an AE agus ceanglais tuairiscithe”. Tá sé mar aidhm ag an gcóras ceadúnaithe agus clárúcháin bonn a chur faoi fhorbairt cabhlach iascaireachta nua-aimseartha, sábháilte atá dea-fheistithe chun acmhainneacht na gcuótáí gabhála atá ar fáil a uasmhéadú chun leasa úinéirí árthaigh, a bpobail áitiúla agus an gheilleagair níos leithne.

Tá achoimre anseo thíos ar chroí-obair an Údaráis Ceadúnúcháin le linn 2022:

- B'ionann líon na n-iarratas nua ar cheadúnas bád iascaireachta mara agus 223.
- Ceadúnaíodh agus cláraíodh 191 árthach san ionlán i 2022 ó iarratais nua ar cheadúnais a fuarthas.
- Rinneadh athnuachan ar na ceadúnais do 1,659 soitheach i 2022. Bhí sé seo 57 níos lú ná in 2021.
- Ba é líon na mbád iascaireachta mara cláraithe i gcabhlach na hÉireann ag deireadh 2022 ná 1,985, laghdú 0.4% ar fhigiúr 2021.
- Ba é 68,271GT agus 188,906kW toilleadh ionlán ar-chlár loingeas na hÉireann (lena n-áirítear soithí Dobharshaothraithe), arna shloinneadh i dtónaí comhlán, tomhas toirte, agus cileavata, tomhas ar chumhacht innill. Léiríonn sé seo méadú 2.3% ar an Olltonnáiste (GT) agus laghdú 0.5% ar chumhacht innill (kW) i gcomparáid le figiúirí 2021.
- Ag deireadh na bliana 2022, bhí 11,019GT agus 12,463kW san ionlán as an gclár faoi úinéireacht phríobháideach, m.sh. coinnithe i gcuntas an úinéara agus ar fáil le húsáid mar acmhainn athsholáthair ach ní raibh siad sannta do shoitheach. Faoi Threoir Beartais 2/2003, ní mór toilleadh a bhaintear de Chlár na mBád lascaireachta Mara a thabhairt isteach arís ar an gclár laistigh de 2 bhliain óna bhaint, nó caillfear an teidlíocht dá úinéir.
- Níor eisigh an tAire aon Treoir Beartais ón Aire chuig an Údaráis Ceadúnúcháin le linn 2022.
- Achtáodh an tAcht Loingis Cheannaíochta (Clárú Long), 2014 ar an 25 Nollaig 2014 agus tá sé faoi réir teacht i bhfeidhm trí ordú um thosach feidhme. Beidh impleachtaí praiticiúla agus dlíthiúla ag an Acht seo do cheadúnú agus do chlárú gach bád iascaireachta mara.
- Soláthraíonn Rialacháin Rialaithe an AE (Rialachán 1224/2009 ón gComhairle arna leasú agus Rialachán Cur Chun Feidhme 404/2011 ón gCoimisiún) an bunús dlí agus an riachtanas chun faireachán a dhéanamh ar chabhlach, deimhniú agus fíorú cumhachta innill, agus chun córas pointí a bhunú le haghaidh cionta iascaigh thromchúiseacha. Éilíonn na rialacháin trasuimh náisiúnta, Rialacháin an Aontais Eorpaigh (Comhbheartas lascaigh) (Córas Pointí) 2020 (S.I. Uimh. 318 de 2020) arna leasú le S.I Uimh. 590 de 2021 ar an Údaráis Ceadúnúcháin taifead a dhéanamh, i gcoinne an tsealbhóra ceadúnais agus i gcoinne an toilleadh an tsoithigh, aon phointí a shannfaidh an tÚdarás um Chosaint lascaigh Mhara (ÚCIM) don soitheach. In 2022, thaifead an tÚdarás Ceadúnúcháin 28 bpóinte ar 8 gceadúnas.

## Cuid 1 - Forbhreathnú Reachtaíochta ar Cheadúnú agus Clárú

### 1.1 Reachtaíocht Náisiúnta

Tá an reachtaíocht a rialaíonn céadúnú báid iascaireachta mara in 2022 leagtha amach in alt 4 den Acht lascaigh (Leasú) 2003 ("Acht 2003"), (arna chur isteach le halt 97 den Acht lascaigh Mhara agus Dlínse Muirí 2006).

Tá an reachtaíocht lena rialaítear clárú báid iascaireachta mara in 2022 leagtha amach in ailt 74 go 80 agus in alt 100 den Acht lascaigh Mhara agus Dlínse Muirí 2006, agus sna Rialacháin Loingis Cheannaíochta (Clárlann, Litreoireacht agus Uimhriú Báid lascaireachta) 2005 (S.I. Uimh. 261 de 2005).

Forálann Acht 2003 go mbeidh an tÚdarás Ceadúnúcháin neamhspleách i bhfeidhmiú a fheidhmeanna faoi réir -

- (a) an dlí atá i bhfeidhm de thuras na huaire maidir le céadúnú báid iascaireachta mara, lena n-áirítear, go háirithe, oibleagáidí dlíthiúla an Stát a eascraíonn faoi aon dlí de chuid institiúide de chuid na gComhphobal Eorpach nó faoi chomhaontú idirnáisiúnta eile atá ina cheangal ar an Stát, agus
- (b) cibé Treoracha Beartais maidir le céadúnú báid iascaireachta mara a thabharfaidh an tAire i scríbhinn ó am go ham.

Forálann Acht 2003 gur féidir achomharc a dhéanamh chuig Oifigeach Achomhairc neamhspleách laistigh de mhí amháin ón gcinneadh, leasú nó cúlghairm ar chinntí an Údarás Ceadúnúcháin ar iarratais ar cheadúnais, nó ar leasú nó ar chúlghairm céadúnais. Is féidir le duine atá míshásta le cinneadh an Oifigigh Achomhairc, laistigh de 3 mhí ó dháta an chinnidh, iarratas a dhéanamh chuig an Ard-Chúirt ar Athbhreithniú Breithiúnach ar an gcinneadh.

Tugann na Rialacháin Loingis Cheannaíochta (Clárlann, Litreoireacht agus Uimhriú Báid lascaireachta) 2005 (S.I. Uimh. 261 de 2005) éifeacht do cheanglais an AE maidir le taifeadadh olltonnáiste agus toisí na mbáid iascaireachta ar Chlár na mBáid lascaireachta agus d'éascaigh sé nuashonrú ar nósanna imeachta a bhaineann le clárú. Ina theannta sin, thug na Rialacháin isteach ceanglas go ndéanfaí táscairí deighilte le haghaidh soithí atá cláraithe i ndeighleoga áirithe den chabhlach (Fo-dheighleog Potaithe agus an Deighleog Dhobharshaothraithe) a mharcáil ar bhogha an tsoithigh mar aon lena Chód Calafoirt agus a Uimhir Chláraithe.

## 1.2 Reachtaíocht an AE

I dteannta na reachtaíochta náisiúnta agus na dTreoracha Beartais ón Aire, tá ról suntasach ag dlí an AE i mbainistíocht chabhlach iascaigh mhara na hÉireann, mar a léirítear i bhforálacha Acht 2003 dá dtagraítear thusa.

Ceanglaíonn Rialachán (AE) Uimh. 1380/2013 ó Pharlaimint na hEorpa agus ón gComhairle an 11 Nollaig 2013 maidir leis an gComhbheartas lascaigh, ar gach Ballstát bearta a chur i bhfeidhm chun acmhainn iascaireachta a chabhláigh a choigeartú dá dheiseanna iascaireachta le himeacht ama, ag cur san áireamh treochtaí agus bunaithe ar an gcomhairle eolaíoch is fearr, agus é mar chuspóir cothromaíocht chobhsaí agus marthanach a bhaint amach idir acmhainn agus deiseanna. Shocraigh an Rialachán teorainn Acmhainn lascaireachta na hÉireann ón 1 Eanáir 2014. Sloinntear an teorainn seo i dtéarmaí olltonnáí (GT) agus cumhacht innill (cileamatacha – kW) le haghaidh acmhainn iascaireachta ionmlán na soithí iascaireachta a bhfuil bratach na hÉireann ar foluain acu. Ceanglaítear ar gach Ballstát a áirithíú, ón 1 Eanáir 2014, nach sáróidh acmhainn iascaireachta a chabhláigh, tráth ar bith, an Uasteorainn Acmhainne iascaireachta a leagtar amach. Baintear é seo amach trí bhainistiú a dhéanamh ar iontrálacha isteach sa chabhlach agus ar imeacht as an gcabhlach ar bhealach ina ndéantar gach iontráil acmhainne nua isteach sa chabhlach a chuíteamh, gan chabhair phoiblí, tríad an méid céanna acmhainne ar a laghad a tharraingt siar roimhe sin, arís gan chabhair phoiblí. Tugtar an “córas iontrála/imeachta” ar an meicníocht seo.

Leag Rialachán (AE) Uimh. 1380/2013 amach freisin forálacha a bhaineann le cláir chabhláigh iascaireachta na mBallstát a chothabháil chomh maith le Clár Cabhláigh an Chomhphobail, ina raibh faisnéis arna soláthar ag na Ballstáit maidir le saintréithe agus gníomhaíocht soithí.

Tá staid loingeas na hÉireann in 2022 leagtha amach sa Tuarascáil seo.

## 1.3 Treoracha Beartais ón Aire

Tá an polasaí foriomlán um cheadúnú bád iascaireachta mara leagtha amach i dTreoir Beartais 2/2003, arna eisiúint don Údarás Ceadúnúcháin ag an Aire ar 17 Samhain 2003 de réir alt 3(2)(b) d'Acht 2003. Tugadh an beartas seo isteach i bhfianaise rialacha bainistíochta cabhláigh an AE mar a bhí (2003) agus tar éis athbhreithniú a dhéanamh ar chabhlach iascaireachta na hÉireann agus ar an acmhainn ghaolmhar.

Sa tréimhse 2004 go 2022 fuair an tÚdarás Ceadúnúcháin ceithre Threoir Beartais déag ón Aire (Féach Aguisín 1).

Ní bhfuarthas aon Treoir Beartais nua in 2022.

Is féidir téacsanna na dTreoracha Beartais go léir a eisítear chuig an Údarás Ceadúnúcháin a fheiceáil ar shuíomh Gréasán na Roinne Talmhaíochta, Bia agus Mara ag <https://www.gov.ie/en/organisation-information/5907a-sea-fisheries-administration/#licensing-authority>.

## Cuid 2-Cur síos ar Chabhlach lascaireachta na hÉireann in 2022

### 2.1 Deighilt An Chabhlaign

Tá cabhlach iascaireachta na hÉireann roinnte i gcúig dheighleog faoi láthair de réir Threoir Beartais an Aire 2 de 2003, arna leasú ag Treoir Beartais 1 de 2006 agus Treoir Beartais 1 de 2011 agus Treoir Beartais 2 de 2011. Tá dhá cheann de na cúig dheighleog seo, mar a thuairiscítear thíos, fo-dheighilte arís.

Ní cheadaítear toilleadh a aistriú idir na deighleoga agus na fo-dheighleoga. Ní mór toilleadh "athsholáthair" coibhéiseach a bhaint as an teascán nó fo-dheighleog ina bhfuil soitheach á thabhairt isteach. Bunaithe ar an 1 Eanáir 2003 le Rialachán 2371/2002 ó Chomhairle an AE, tugtar "an réimeas iontrála/imeachta" air seo. Rinneadh Rialachán 2371/2002 Chomhairle an AE a aisghairm 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, ón 1 Eanáir 2014 (féach cuid 1.2).

Seo a leanas cur síos ginearálta ar dheighleoga an chabhlaign, agus a gcomhdhéanamh ag deireadh 2022:

- *Deighleog Peiligeach Uisce Mara Cuisnithe (UMC):* Bhí 23 soitheach sa deighleog seo a bhí ag gabháil go príomha d'iascaireacht speiceas peiligeach (scadán, ronnach, bolmán, faoitín gorm agus torciasc den chuid is mó). Tá raon méide soithí sa deighleog RSW ó 23.96m go 64.91m ar fhad cláraithe, ó 325GT go 2,172GT i méid agus 522kW go 3,460kW i gcumhacht innill.
- *Deighleog Trálaer Bíoma:* Bhí 10 soitheach sa deighleog seo, tiomnaithe do thrálaeireacht bíoma. Ní féidir le soithí sa deighleog seo iascaireacht a dhéanamh ach le tráil bhíoma, agus spriocspeicis ghrinnill, lena n-áirítear leathóg, bonn, turbard srl. Tá raon méide acu ó 23.00m go 28.05m ar fad, ó 83GT go 196GT i méid agus 221kW go 474kW i gcumhacht innill.
- *Deighleog Ilfhiúsach:* Chuimsigh an deighleog seo 1,714 soitheach, an chuid is mó den chabhlach iascaireachta mara. Is soithí ilfheidhmeacha iad soithí ilfhiúsacha agus áirítéar leo soithí beaga cladaigh (báid eangach agus potairí), agus soithí meánacha agus móra amach ón gcósta, a dhíríonn ar iasc geal, iasc peiligeach agus moilisc dhébhlaoscacha. Tá soithí sa deighleog seo idir 3.06m agus 38m ar fad ar an ionlán, ó 0.19GT go 469GT i méid agus 0kW go 1,119kW i gcumhacht innill. Tá ceithre fho-dheighleog sa deighleog:

- soithí faoi 18m ar fad san iomlán
- soithí cothrom le nó níos mó ná 18m ar fad san iomlán
- an fo-dheighleog Mheallóga – soithí atá cothrom le nó níos mó ná 10m ar fad ar an iomlán a bhfuil cuntas teiste cáilitheach acu san iascach muiríní, mar a shainítear i dTreoir Beartais Aireachta 2 de 2003, arna leasú ag Treoracha Beartais ón Aire 1 de 2006, 1 de 2011 agus 2 de 2011
- an fo-dheighleog potaireachta – chuimsigh an fo-dheighleog seo 226 soitheach ceadúnaithe agus cláraithe faoin "Scéim Potaireachta<sup>1</sup>".
- Deighleog Sonrach: Bhí 140 soitheach sa deighleog seo, a bhfuil cead acu iascaireacht a dhéanamh le haghaidh moilisc dhébhlaoscacha agus speicis dotharshaothraithe. Tá dhá fho-dheighleog ann:
  - Fo-dheighleog muiríní - soithí atá cothrom le nó níos mó ná 10m ar fad ar an iomlán a bhfuil cuntas teiste cáilitheach acu san iascach muiríní, mar atá sainmhínithe i dTreoir Beartais ón Aire 2 de 2003, arna leasú ag Treoracha Beartais ón Aire 1 de 2006, 1 de 2011 agus 2 de 2011
  - Fo-dheighleog ghinearálta shonrach - tá raon leathan soithí sa deighleog seo ó 5.35m go 35.59m ar fad, ó 0.66GT go 135GT i méid agus 3.7kW go 560kW i gcumhacht innill.
- *Deighleog Dhobharshaothraithe:* Bhí 98 soitheach sa deighleog seo le toilleadh iomlán de 4,295.48GT agus 11,817.66kW. Níl an Deighleog Dhobharshaothraithe faoi réir an chórais iontrála/amach a leagtar amach i gcuide 1.2. Níl toilleadh an Deighleog Dhobharshaothraithe mar chuid d'uasteorainn Acmhainne lascaireachta na hÉireann a leagtar amach ón 1 Eanáir 2014 faoi Rialachán (AE) Uimh. 1380/2013 ó Pharlaimint na hEorpa agus ón gComhairle an 11 Nollaig 2013 maidir leis an gComhbheartas lascaigh. Ní mór soithí atá ceadúnaithe sa mhír seo a úsáid go heisiach chun táirgí dotharshaothraithe a bhaint, a iompar, a láimhseáil agus/nó a thabhairt i dtír agus is féidir leo, faoi réir údarú faoi alt 13 den Acht lascaigh Mhara agus Dlínsé Muirí 2006, síol diúilicíni fiáine a bhailiú mar chuid de sheirbhís chuig suiteálacha dotharshaothraithe, faoi réir srianta áirithe arna gcinneadh i gcomhthéacs Rialachán (AE) Uimh. 1380/2013.

Tá soithí sa deighleog dotharshaothraithe idir 4.38m agus 49.07m ar fad ar an iomlán, ó 0.57GT go 561GT i méid agus 7.30kW go 748kW i gcumhacht innill.

<sup>1</sup> Tugadh isteach an Scéim um Cheadúnú Báid lascaireachta Traidisiúnta Pota i gCabhlaigh Cladaigh na hÉireann i 2003 chun suíomh líon suntasach soithí faoi 12 mhéadar a bhíonn i mbun iascaireachta i bpotaí a rialú. Caithfidh soithí sa bhfo-dheighleog iascaireacht a dhéanamh le potaí amháin agus ní fhéadfaidh siad diríú ar speicis chuóta. Bronnadh toilleadh na n-árthaí saor in aisce; ach níl sé incháilithe mar acmhainn athsholáthair in aon dheighleog/fo-dheighleog eile den chabhlaigh agus ní féidir é a thrádáil, a aistriú ná a úsáid ar bhealach eile, áfach. Féadfar an ceadúnas a aistriú, áfach, chuig duine de neasteaghlaigh duine.

## 2.2 Uasteorainn Acmhainne lascaireachta

Socraítear uasteorainn Acmhainne lascaireachta na hÉireann a bunaíodh ón 1 Eanáir 2014 ag **77,568GT** agus **210,083kW** le Rialachán (AE) Uimh. 1380/2013 ó Pharlaimint na hEorpa agus ón gComhairle an 11 Nollaig 2013 maidir leis an an gComhbheartas lascaigh<sup>2</sup>. Ríomhadh an Uasteorainn Acmhainne seo trí Leibhéal Tagartha na hÉireann, a bunaíodh ar 1 Eanáir 2003 le Rialachán 2371/2002 ón gComhairle an AE, a thógáil, agus aon mhéaduithe ar an tonnáiste a deonaíodh faoi na forálacha “tonnáiste sábhalteachta” a bhí i bhfeidhm go dtí 31 Nollaig 2013 a thógáil, agus aon bhealaí amach a dhealú ón chabhlach arna mhaoiniú ag cúnamh poiblí (i.e. trí Scéimeanna Scoir Buan Deonacha). Is í an Uasteorainn Acmhainne lascaireachta an bhunlíne le haghaidh oibriú an chórais iontrála-amach.

Tá staid acmhainne loingeas iascaireachta na hÉireann an 1 Eanáir 2022 agus an 31 Nollaig 2022 leagtha amach sa tábla seo a leanas:

**Tábla 1: Seasamh Acmhainne Cabhlach Lascaireachta na hÉireann 1 Eanáir - 31 Nollaig 2022**

<b>Deighleog</b>	<b>Líon Soithí</b>		<b>GT</b>		<b>kW</b>	
	Eanáir-22	Nollaig-22	Eanáir-22	Nollaig-22	Eanáir-22	Nollaig-22
Ilfhiúsach	1,718	1,714	32,790	32,918	116,241	115,797
UMC Peiligeach	23	23	26,259	27,819	47,397	47,223
Trál Bíoma	10	10	1,139	1,139	2,818	2,818
Sonrach	145	140	2,227	2,100	11,908	11,250
<b>Iomlán</b>	<b>1,896</b>	<b>1,887</b>	<b>62,415</b>	<b>63,976</b>	<b>178,364</b>	<b>177,088</b>
Dobharshaothrú	97	98	4,280	4,295	11,669	11,818

## 2.3 Acmhainn Lasmuigh den Chlár

Is sócmhainn faoi úinéireacht phríobháideach atá intrádála ar an margadh tonnáiste é acmhainn, i bhfoirm olltonnáí agus cileavata, nach bhfuil aon ról ag an Údarás Ceadúnúcháin inti. Coinnítear acmhainn nach sanntar soitheach faoi láthair, ar a dtugtar acmhainn lasmuigh den chlár, i gcuntas an úinéara agus is féidir é a úsáid mar acmhainn athsholáthair chun soitheach a cheadúnú agus a chlárú, nó, le heisceachtaí áirithe, is féidir é a dhiúscairt trí dhíol nó modhanna eile de réir mar is cuí leis an úinéir.

Ag deireadh 2022 bhí 11,019GT agus 12,463kW acmhainne “as-chlár”.

<sup>2</sup> Airteagal 22, larscríbhinn II

As an iomlán 11,019GT lasmuigh den chlár, bhain 8,280GT le RSW Peiligeach agus bhí an t-iarmhéid de 2,739GT Ilfhiúsach go príomha (2,126GT), le mionchainníochtaí de Shonrach (556GT) agus Beamer (57GT).

Maidir le kW, bhí 9,031kW Ilfhiúsach mar chuid d'iomlán de 12,463kW agus bhí an t-iarmhéid de 3,432kW ina meascán de Shonrach (2,620kW), UMC Peiligeach (137kW) agus Beamer (675kW).

## 2.4 “riail 2 bhliaín”

Tá acmhainn as-chlár faoi réir an “riail 2 bhliaín” mar a thugtar air. Sonraítear i dTreoir Beartais Aireachta 2/2003 de mhí na Samhna 2003, i measc nithe eile, nach mór acmhainn a baineadh de Chlár na mBád lascaireachta a thabhairt isteach arís ar an gClár laistigh de 2 bhliaín tar éis é a bhaint; nó caillfear an teidlíocht dá (h)úinéir.

Eisceacht is ea acmhainn a bronnadh faoin Scéim um Cheadúnú Báid lascaireachta Traidisiúnta i gCabhlaigh Cladaigh na hÉireann. Deir téarmaí na Scéime seo nach féidir acmhainn an bháid ná a cheadúnas a thrádáil, a aistriú nó a úsaíd ar bhealach eile. Ligeann an Scéim, áfach, go n-aistrítear an ceadúnas chuig duine de neasteaghlaich duine (m.sh. céile, athair, máthair, deartháir, deirfiúr, leanbh). Cailltear acmhainn má dhéantar soitheach potaithe a dhíchlárú agus mura moltar soitheach athsholáthair ag an úinéir nó ag gargaol (m.sh. céile, athair, máthair, deartháir, deirfiúr, leanbh) an úinéara.

## 2.5 Soitheach lascaireachta a bhaint de Chlár na mBád lascaireachta

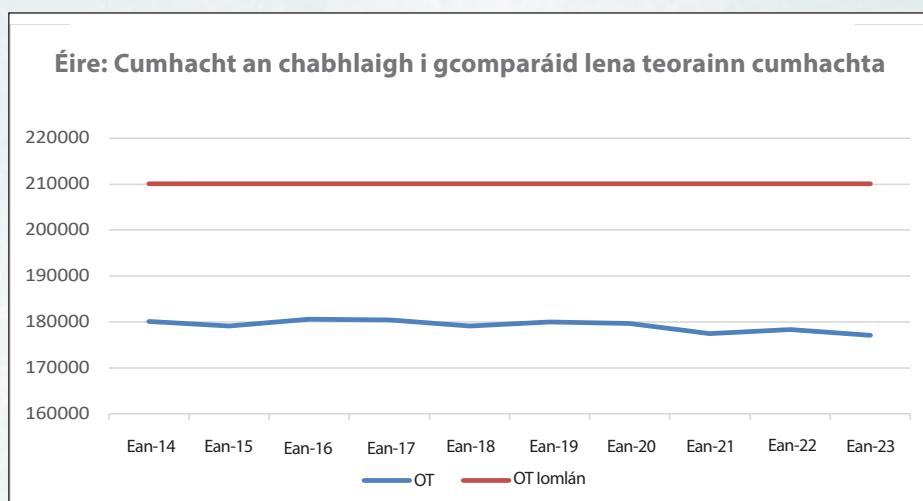
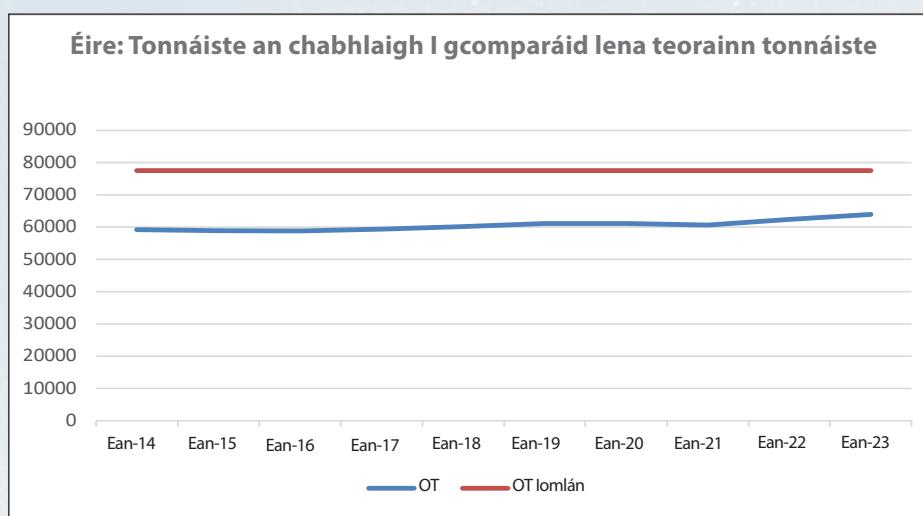
Deir Alt 75 den Acht lascaigh Mhara agus Dlínse Muirí 2006 “go bhféadfaidh an tArd-Chláraitheoir, ar mhaithle le bainistiú cuí a dhéanamh ar acmhainn bháid iascaireachta mara na hÉireann, báid iascaireachta mara a chur isteach sa Chlár nó é a bhaint den Chlár”. Cé go mbaintear formhór na soithí iascaireachta de Chlár na mBád lascaireachta mar thoradh ar iarratais dheonacha ó úinéirí soithí, tá an chumhacht ag an Ard-Chláraitheoir faoi na Rialacháin um Loingis Cheannaíochta (Clárú, Litreoireacht agus Uimhriú Báid lascaireachta) 2005 (S.I. Uimh. 261 de 2005) soitheach a bhaint den Chlár go héigeantach in imthosca áirithe (m.sh. scoirfidh an t-úinéir d'iascaireacht tráchtála, soitheach a chuaigh faoi, athrú úinéireachta etc.) gan iarratas ó úinéir an tsoithigh. Féadfaidh an tArd-Chláraitheoir, trí fhógra i scríbhinn, deis a thabhairt d'úinéir an tsoithigh aighneacht a dhéanamh maidir leis na himthosca a bhaineann leis an mbád agus aighneachtaí den sórt sin a chur san áireamh nó, i gcás athrú úinéireachta, a cheangal ar an duine iarratas a dhéanamh chun an bád a bhaint den Chlár agus deimhniú clárúcháin an bháid iascaireachta a thabhairt ar ais don Ard-Chláraitheoir. Féadfaidh an tArd-Chláraitheoir, laistigh de 30 lá ó fhógra den sórt sin, aon aighneacht a dhéantar a chur san áireamh, nó i gcás nach ndéantar aon iarratas ar bhaint i gcás athrú úinéireachta; an bád a bhaint den Chlár.

Déanann an tÚdarás Ceadúnúcháin athbhreithnithe leanúnacha ar an gClár chun soithí cláraithe a bhfuil a gceadúnas báid iascaireachta mara imithe i léig a aithint agus chun obair leantach a dhéanamh orthu. Faoin athbhreithniú seo in 2022, díchláraíodh 2 árthach go héigeantach agus díchláraíodh 5 árthach go deonach.

## 2.6 Treochartaí maidir le hacmhainn loingeas na hÉireann ó 2014 i leith.

Léiríonn na graif seo a leanas staid loingeas na hÉireann i dtéarmaí olltonnáiste agus cumhacht innill thar an tréimhse Eanáir 2014 go dtí Eanáir 2022. Is é an tÚdarás Ceadúnúcháin a chuir na graif seo ar fáil agus cuirtear na sonraí seo ar fáil don Choimisiún Eorpach.

### Staid Chabhlach na hÉireann i dtéarmaí Olltonnáiste agus Cumhacht Innill



## 2.7 Treochartaí úinéireachta i gcabhlach iascaireachta na hÉireann.

Léiríonn an tábla seo a leanas staid loingeas na hÉireann i dtéarmaí úinéireachta ag comhlacht corporaithe. Is é 290 líon na soithí atá ceadúnaithe ag comhlacht corporaithe in 2022. Is ionann é sin agus méadú 88% ó 154 soitheach in 2016 agus méadú 1.7% ó 285 soitheach in 2021.

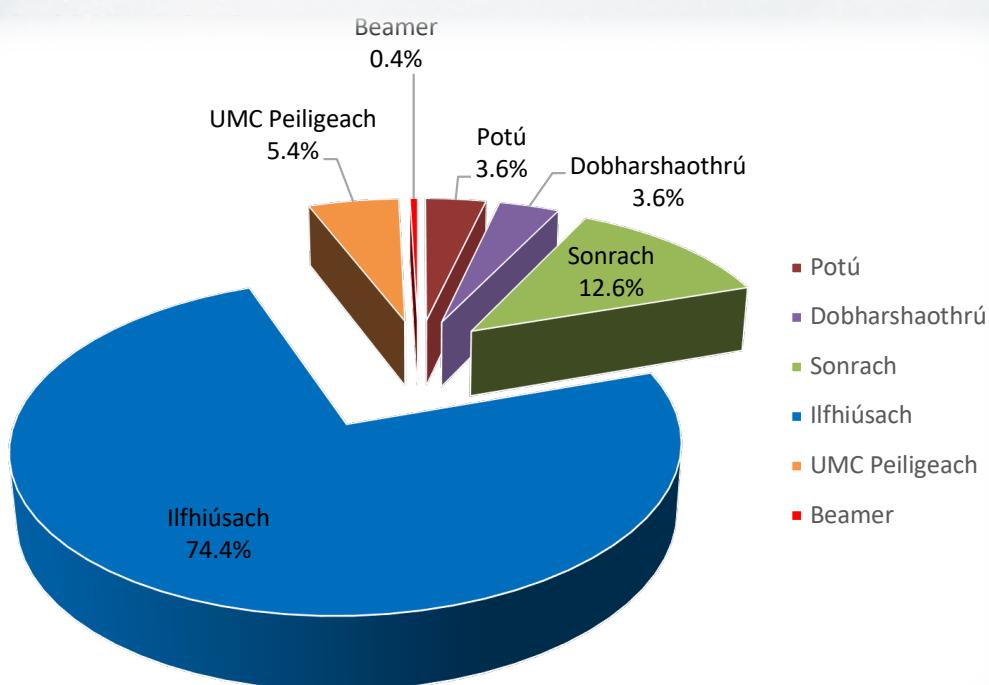
Bliain	Líon Iomlán na gCeadúnas Bád Iascaireachta Mara	Líon na gCeadúnas Bád Iascaireachta Mara do Chomhlacht Corporáideach	% d'Iomlán na gCeadúnas i bhForas Ainm Chorparáideach
2016	2,092	154	7.4%
2021	1,993	285	14.3%
2022	1,985	290	14.6%

## Cuid 3 - Gníomhaíochtaí an Údaráis Cheadúnúcháin in 2022

### 3.1 Iarratais ar Cheadúnais

Fuarthas 223 iarratas ar cheadúnais bád iascaireachta mara i rith na bliana 2022; tarraingíodh siar 12 díobh seo ina dhiaidh sin. Léirítear miondealú céatadán na n-iarratas ar cheadúnais de réir míre sa léaráid seo a leanas -

## Iarratais ar Cheadúnais 2022



Tá gá le hiarratas ar cheadúnas nua i ngach cás nuair:

- atá soitheach nua nó soitheach athsholáthair ag teacht isteach sa chabhlach
- a athraíonn úinéireacht soithigh
- is mian leis an úinéir an cineál cheadúnais a athrú
- atá acmhainn á bogadh ó shoitheach amháin go soitheach eile
- atá acmhainn soithigh á athsholáthar, go hiomlán nó go páirteach, le hacmhainn lasmuigh den chlár.

Nuair a fhaightear iarratas ar cheadúnas eisítear litir thairisceana ar cheadúnas a leagann amach na coinníollacha faoinar féidir cheadúnas a dheonú sa chás áirithe sin. Nuair a bhíonn na coinníollacha go léir comhlíonta, eisítear cheadúnas neamhoibríoch chun an soitheach a chlárú. Nuair a bhíonn an próiseas clárúcháin curtha i gcrích, eisítear cheadúnas oibríochta bád iascaireachta mara agus deimhniú clárúcháin.

Éilíonn plean seirbhísé an Údaráis Ceadúnúcháin go n-eiseofar litir thairisceana ar cheadúnas laistigh de 3 sheachtain ó iarratas comhlánaithe a fháil. Baineadh an sprioc seo amach i ngach cás i 2022.

Tá litir thairisceana ar ceadúnas bailí ar feadh bliana ón dáta eisiúna, chun am a thabhairt don iarratasóir na coinníollacha a leagtar amach sa litir thairisceana a chomhlíonadh. In 2022, eisíodh 211 litir thairisceana ar cheadúnas san iomlán.

Ceadúnaíodh agus cláraíodh 191 soitheach san iomlán le linn 2022 de bhun iarratais nua, tar éis do na hiarratasóirí na ceanglais riachtanacha maidir le ceadúnú agus clárú a chomhlíonadh.

### 3.2 Athnuachaintí ar Ceadúnas

De ghnáth, déanann an tÚdarás Ceadúnúcháin ceadúnais bád iascaireachta mara a athnuachan ar bhonn bliantúil. Mar ullmhúchán don athnuachan, scrúdaítear taifead gach soitheach lena chinntíú go mbeidh deimhniú sábhálteachta reatha ag an soitheach ar an dáta athnuachana. Cé go bhfuil sé de fhreagracht ar úinéir an tsoithigh a chinntíú go bhfuil deimhniú sábhálteachta an tsoithigh cothrom le dáta, tabharfaidh an tÚdarás Ceadúnúcháin foláireamh d'aon úinéir a mbeidh a ndeimhniú sábhálteachta imithe in éag faoin dáta athnuachana, toisc go bhfuil toirmeasc dlíthiúil ar an Údarás Ceadúnúcháin ceadúnas a dheonú nó a athnuachan mura bhfuil deimhniú sábhálteachta bailí i bhfeidhm i leith an tsoithigh ar an dáta deonaithe nó athnuachana.

Rialúchán agus deimhniú sábhálteachta (i.e. Dearbhú Comhlíonta an Chóid Chleachtais do shoithí iascaireachta faoi 15m ar fad ar an iomlán; Deimhnithe Sábhálteachta Soithí lascaireachta do shoithí iascaireachta idir 15m ar fad agus 24m ar fad cláraithe; Tá Deimhnithe Comhlíonta le haghaidh soithí atá níos mó ná 24m ar fhad cláraithe) mar fhreagracht eisiach ar Oifig na Suirbhéireachta Muirí na Roinne lompair.

Rinneadh athnuachan ar cheadúnais bád iascaireachta mara do 1,250 soitheach faoi 15m ar fad in 2022.

In 2022, rinneadh athnuachan ar cheadúnais do 30 soitheach iascaireachta níos mó ná nó cothrom le 24m ar fhad cláraithe.

Rinneadh athnuachan ar cheadúnais le haghaidh 135 soitheach iascaireachta atá níos mó ná nó cothrom le 15m ar fad san iomlán agus níos lú ná 24m ar fhad cláraithe le linn 2022. Eisíodh na ceadúnais de réir Deimhnithe Sábhálteachta Soithí lascaireachta na soithí.

In 2022, rinneadh athnuachan ar cheadúnais do 222 soitheach atá ceadúnaithe faoin Scéim um Cheadúnú Báid lascaireachta Pota Traidisiúnta i Loingeas Cladaigh na hÉireann.

Rinneadh athnuachan ar cheadúnais le haghaidh 22 árthach sa deighleog UMC Peiligeach in 2022.

### 3.3 Tuairisciú ar Chlár Cabhlaigh an AE

Leagtar amach i Rialachán Cur Chun Feidhme (AE) 2017/218 ón gCoimisiún na ceanglais maidir le córas tuairiscithe Chlár Cabhlaigh an AE. Ceanglaítear leis an Rialachán seo ar gach Ballstát

nuashonrú leictreonach ar a chabhlaich iascaireachta, ina mbeidh na sonraí atá sonraithe sa Rialachán, a sheoladh chuig an gCoimisiún Eorpach (DG MARE) le haghaidh gach soitheach ina bhunachar sonraí. Leagtar amach sa Rialachán na ceanglais maidir le bailiú, bailóchtú agus tarchur na sonraí. Seolann an tÚdarás Ceadúnúcháin nuashonruithe laethúla chuig Coimisiún an AE. Déanann Coimisiún an AE réitigh ar na sonraí lena chinntí, inter alia, nach bhfuil soitheach cláraithe faoi láthair ach le cabhlach Ballstáit amháin.

### 3.4 Riachtanais Tríú Tíre

Le linn 2022, rinne an tÚdarás Ceadúnúcháin freastal ar riachtanais chun na réimsí faisinéise éigeantacha iar-Bhreatimeacht go léir a iarradh a theastaíonn ó údaráis na Ríochta Aontaithe a sholáthar chun go gceadófaí báid iascaireachta mara na hÉireann chun iascaireacht a dhéanamh in uiscí na RA. Cuireadh faisinéis den sórt sin ar fáil trí Chlár Cabhlach an AE don Choimisiún Eorpach a théann i dteagmháil le húdaráis na RA thar ceann na mBallstát. D'éascaigh an obair seo faomhadh 326 bád iascaireachta mara na hÉireann le haghaidh ceadúnais soitheach eachtrach na RA in 2022.

### 3.5 Suíomh Gréasáin

Mar a cheanglaítear faoi alt 3(8) den Acht lascaigh (Leasú) 2003, lean an tÚdarás Ceadúnúcháin d'fhaisnéis cothrom le dáta ar iarratais ar cheadúnais agus ar chinntí ceadúnaithe a fhoilsíú i rith 2022 ag an suíomh ar líne seo a leanas - <https://www.gov.ie/en/category/agriculture>.

### 3.6 Achromhairc

Faoi Acht lascaigh (Leasú) 2003, tá iarratasóirí ar cheadúnais bád iascaireachta mara i dteideal achomharc a dhéanamh in aghaidh chinneadh an Údaráis Ceadúnúcháin maidir lena n-iarratas. Bhí Emile Daly BL ina Oifigeach Achomhairc neamhspleách le linn 2022 [ceaptha ag an Aire Talmhaíochta, Bia agus Mara faoi alt 6 den Acht].

Le linn 2022, lóisteáladh 2 achomharc (gach ceann acu i gcoinne acmhainn éagtha faoin rial dhá bliain) leis an Oifigeach Achomhairc. Le linn 2022, ní dhearnadh aon chinntí achomhairc. Ag deireadh 2022, bhí 2 achomharc ar feithreamh. Foilsítear ainmneacha na n-achomharcóirí agus cinntí an Oifigigh Achomhairc ar shuíomh Gréasáin na Roinne ag <https://www.gov.ie/en/publication/ef698-emile-daly-appeals-decisions/>.

## Cuid 4 - Socruithe Foirne agus Eagrúcháin

Le linn 2022, chuir Rannóg Riarachán lascaigh Mhara na Roinne Talmhaíochta, Bia agus Mara tacaíocht foirne agus tacaíochtaí riaracháin eile ar fáil don Údarás Ceadúnúcháin.

Seachas an tArd-Chláraitheoir agus an Leas-Chláraitheoir, ba iad seo a leanas foireann tacaíochta riaracháin an Údarás Ceadúnúcháin ag deireadh na bliana 2022:

- 1 Oifigeach Riaracháin
- 1 Ardoifigeach Feidhmiúcháin
- 3 Oifigigh Fheidhmiúcháin
- 3 Oifigigh Chléireachais.

Tugadh cúnamh freisin don Údarás Ceadúnaithe chun a fheidhmeanna a chomhlíonadh trí idirchaidreamh leanúnach leis an Rannóg um Beartas agus Bainistíocht lascaigh Mhara den Roinn Talmhaíochta, Bia agus Mara, an tÚdarás um Chosaint lascaigh Mhara, Bord lascaigh Mhara, Oifig na Suirbhéireachta Muirí, Oifig Loingis Thráchtala na Roinne lompair agus Cláraitheoirí Áitiúla Loingis na gCoimisinéirí loncaim.

*Ba mhaith liom buíochas a ghabháil leis an Leas-Chláraitheoir atá ar scor anois, an Dr. Deirdre Kelleher agus le foireann an Údarás Cheadúnaithe, chomh maith leis na comhlacthaí eile a luadh thuas, as a gcúnamh le linn m'fheidhmeanna a chomhlíonadh le linn 2022.*

Roni Hawe  
Ard-Chláraitheoir na mBáid lascaireachta  
Meitheamh 2023

## 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

