STANDARD SEA FISHING BOAT LICENSING CONDITIONS APPLICABLE TO ALL VESSELS

General obligation to comply with EU and National law: The owner and/or master of the boat to which this licence relates shall ensure that the boat and all persons on board shall comply with any requirements, for the time being in force, under EU Law and National Law applicable to the operation of fishing boats and their technical characteristics.

Percentage EU Crew: The boat to which this licence relates shall not be used for sea-fishing, whether within the exclusive fishery limits of the State or otherwise unless at least **50 per cent** of the members of the crew are nationals of any of the Member States of the European Communities.

Safety & Seaworthiness: The owners and/or master of the boat to which this licence relates shall ensure that the boat and its crew shall comply with any requirements for the time being in force in relation to the safety of fishing boats and their crews and should maintain the fishing boat in a sea-worthy condition.

Manning: The boat must carry the stipulated number of qualified crew as required under the Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1988, as amended.

Ownership and Registration: This licence is valid for so long, and only for so long, as the person to whom it is granted is the owner of the boat to which it relates and the boat is entered on the sea-fishing boat register.

Licence to be carried on Boat: During the period of its validity this licence shall be carried on board the boat to which it relates and the master or other persons for the time being in charge of the boat shall produce it for inspection on demand by a Sea Fisheries Protection Officer.

Vessel Modifications: Any proposed structural modifications to the vessel, including changes to the vessel's engine, **must** be approved **in advance** by the Licensing Authority. Such modifications can have significant implications in terms of the licensing of the vessel, including replacement capacity requirements. The vessel may be required to be re-measured and a new licence application may be required to be submitted.

Power to suspend or revoke Licence: The Licensing Authority may suspend or revoke this licence, pursuant to section 4 of the Fisheries (Amendment) Act 2003 (No. 21 of 2003)) (as inserted by section 97 of the Sea-Fisheries and Maritime Jurisdiction Act 2006), for a breach of any condition of the licence. In that event, the licence shall be surrendered to the Licensing Authority, Clogheen, Clonakilty, Co. Cork, or risk a Court fine of not more than €500.

Cesser of Licence: Should any information or evidence come to the attention of the Licensing Authority that casts doubt on the veracity of the information or documentation submitted in support of the application for this licence, the licence shall cease to be in force.

Social and Economic benefits: The Licensing Authority in deciding whether or not to renew the licence will require the owner of the boat to provide such information as will demonstrate the extent of the social and economic benefit accruing to the local coastal communities arising from the operation of the boat.

VARIABLE SEA FISHING BOAT LICENSING CONDITIONS APPLICABLE TO CERTAIN VESSEL CATEGORIES AS OUTLINED

(This beam trawl preclusion condition applies to all vessels except those licensed in the Beam Trawl or Specific Segments).

Beam Trawl Preclusion: The boat to which this licence relates shall not be used for sea-fishing by means of beam trawls.

(This beam trawl preclusion condition, prior notice condition and restrictions condition exclusively apply to 4 Polyvalent vessels which have part-time beaming entitlement):

Beam Trawl Preclusion: The boat to which this licence relates shall spend not more than **one-third/one-half/two-thirds** of its fishing time fishing by means of beam trawls.

Prior Notice: Prior notice will be given by the owner(s) / skipper to a Sea Fishery Officer of the Sea Fisheries Protection Authority on **any** occasion on which it is proposed to engage in fishing by means of Beam Trawls.

Restrictions: In the event of any restrictions on beam trawling arising from EU obligations the entitlement of this vessel to engage in fishing by means of beam trawls may be terminated or modified.

(This condition applies to all vessels in the Beam Trawl Segment).

Mackerel and Herring Preclusion: The boat to which this licence relates shall not fish for, land, tranship or have on board herring or mackerel.

(This condition applies to all vessels equal to or greater than 27.43 m (90 feet) in overall length but less than 36.58 m (120 ft) in overall length, except those being licensed in the Specific Segment)

3 mile Limit Preclusion: The boat to which this licence relates shall not be used for sea-fishing in any part of the exclusive fishery limits of the State within a distance of three (3) nautical miles from baselines.

(This condition applies to all vessels equal to or greater than 27.43 m (90 feet) in overall length but less than 36.58 m (120 ft) in overall length not precluded from fishing for herring)

6 mile Limit Herring Preclusion: The boat to which this licence relates shall not be used for sea-fishing for herring in any part of the exclusive fishery limits of the State within a distance of six (6) nautical miles from baselines.

(This condition applies to all vessels equal to or greater than 27.43 m (90 feet) in overall length but less than 36.58 m (120 ft) in overall length not precluded from fishing for mackerel)

12 mile Limit Mackerel Preclusion: The boat to which this licence relates shall not be used for sea-fishing for mackerel in any part of the exclusive fishery limits of the State within a distance of twelve (12) nautical miles from baselines.

(This condition applies to all vessels equal to or greater than 27.43m in Length Overall, except those being licensed in the Beam Trawl and Specific Segment).

Irish Sea Preclusion: The boat to which this licence relates shall not be used for sea-fishing in any part of the Irish Sea between the Latitudes 52 N and 55 N.

(This condition applies to the 4 Polyvalent vessels greater than 27.43m in Length Overall with part-time beaming entitlement)

Irish Sea Beam Trawl Restriction: The boat to which this licence relates shall not be used for sea-fishing in any part of the Irish Sea between the Latitudes 52 N and 55 N, except by means of beam trawls.

(This condition applies to vessels equal to or greater than 36.58 m in Length Overall, except those being licensed in the specific segment).

12 mile Limit Preclusion: The boat to which this licence relates shall not be used for sea-fishing in any part of the exclusive fishery limits of the State within a distance of twelve (12) nautical miles from baselines.

(This condition applies to all Polyvalent vessels greater than or equal to 18m unless licensed in Tier 1 or Tier 2).

Mackerel Preclusion: The boat to which this licence relates shall not fish for, land, tranship or have on board mackerel.

(This condition applies to all Polyvalent & RSW Pelagic vessels greater than or equal to 20m unless licensed in CS and/or NW herring).

Herring Preclusion: The boat to which this licence relates shall not fish for, land, tranship or have on board herring, except for herring from the Irish Sea and the Norwegian, International and European Community waters of ICES areas I and II, and only pursuant to an authorisation under section (13)(1) of the Sea Fisheries and Maritime Jurisdiction Act 2006 for these stocks.

(All vessels (except Aquaculture vessels) greater than or equal to 15m in Length Overall).

Boat Monitoring (VMS), Electronic Recording/Reporting (ERS) & Automatic Identification System (AIS): The boat must have on board a fully functional satellite-based position monitoring terminal, a fully functional electronic recording and reporting system and a fully functional automatic identification system in accordance with EU Regulations 1224/2009 and 404/2011 or any Regulations amending or replacing these Regulations, and shall comply with all relevant position monitoring requirements and with all relevant recording and reporting requirements for the time being in force.

(This condition applies to all Aquaculture vessels greater than or equal to 15m in Length Overall).

Boat Monitoring (VMS) & Automatic Identification System (AIS): The boat must have on board a fully functional satellite-based position monitoring terminal and a fully functional automatic identification system in accordance with EU Regulations 1224/2009 and 404/2011 or any Regulations amending or replacing these Regulations, and shall comply with all relevant position monitoring requirements for the time being in force.

(This condition applies to all vessels (except Aquaculture vessels) greater than or equal to 12m in Length Overall and less than 15m in Length Overall).

Boat Monitoring (VMS) & Electronic Recording/Reporting (ERS): The boat must have on board a fully functional satellite-based position monitoring terminal and a fully functional electronic recording and reporting system in accordance with EU Regulations 1224/2009 and 404/2011 or any Regulations amending or replacing these Regulations, unless a VMS and/or ERS exemption has been granted by the Sea Fisheries Protection Authority (SFPA), and shall comply with all relevant position monitoring requirements and with all relevant recording and reporting requirements for the time being in force.

(This condition applies to all Aquaculture vessels greater than or equal to 12m in Length Overall and less than 15m in Length Overall).

Boat Monitoring (VMS): The boat must have on board a fully functional satellite-based position monitoring terminal in accordance with EU Regulations 1224/2009 and 404/2011 or any Regulations amending or replacing these Regulations, unless a VMS exemption has been granted by the Sea Fisheries Protection Authority (SFPA), and shall comply with all relevant position monitoring requirements and with all relevant recording and reporting requirements for the time being in force.

(This condition applies to Specific (General) vessels greater than or equal to 10m Length Overall (i.e. no scallop track record).

Specific Aquaculture Restriction: The boat to which this licence relates shall fish solely for Aquaculture purposes and for Bi-valve Shellfish Species. However a preclusion applies with regard to Scallops (Pecten Maximus) - see Scallops Preclusion condition.

(This condition applies to vessels in the Polyvalent and Specific Segments which are greater than or equal to 10m in Length Overall and do not satisfy the requirements of 100% Active Scallop Fishing History).

Scallops Preclusion: The vessel will be precluded from fishing for scallops (Pecten maximus). However by way of derogation and to allow for a by-catch, a quantity of scallop that is no greater than 10% by live weight of the total quantity of all species of fish may be retained on board or landed on any occasion.

(This condition applies to all vessels in the Beam Trawl Segment which are greater than or equal to 10m in Length Overall).

Scallops Preclusion: The vessel will be precluded from fishing for scallops (Pecten maximus). However by way of derogation and to allow for a by-catch, a quantity of scallop that is no greater than 10% by live weight of the total quantity of all species of fish may be retained on board or landed on any occasion.

(This condition applies to Specific (General) vessels less than 10m Length Overall and Specific (Scallop) vessels greater than or equal to 10m Length Overall (i.e. scallop track record).

Specific Aquaculture Restriction: The boat to which this licence relates shall fish solely for Aquaculture purposes and for Bi-valve Shellfish Species.

(This condition applies to vessels with RSW tanks.)

RSW Tanks: It shall not be permitted to place any device or object within a refrigerated seawater tank, which could cause an incorrect estimate to be made by a sea fisheries protection officer of the quantum of the fish being held in the tank.

(This condition applies to vessels with de-rated propulsion kW engine power).

Engine Power: The de-rated engine power must be permanent and verifiable on a continuous basis.

(This condition applies to vessels licensed with capacity from the 1991 Special Whitefish Scheme – See Policy Directive 2/2003 Part M).

ICES Area VII Preclusion: The boat to which this licence relates shall not be used for fishing in any part of ICES Area VII east of 8 degrees West Longitude.

(This condition applies to vessels licensed with capacity from the 1991 Special Whitefish Scheme – See Policy Directive 2/2003 Part M).

Landings: The boat to which this licence relates shall be required to land at least two-thirds of its catch into Irish Ports.

(This condition applies to vessels licensed with capacity awarded under the Lost at Sea Scheme).

Lost at Sea Scheme: The vessel to which this licence relates must, on any occasion, be skippered personally by the vessel owner or by an immediate family member of the vessel owner, as formally agreed and accepted by the applicant under the terms and conditions of the Lost at Sea Scheme.

(This condition applies to Polyvalent (Potting) vessels only).

Scope of Licence: The boat to which this licence relates shall only be used for sea-fishing for non-quota species and only by means of pots.

(This condition applies to Polyvalent (Potting) vessels only).

Capacity: The capacity (tonnage and engine power) of the boat to which this licence relates will not be acceptable as replacement capacity in the future.

(This condition applies to Polyvalent (Potting) vessels only).

Fisheries Conservation and Management: The boat to which this licence relates will be subject to local inshore conservation and management measures.

(This condition applies to Aquaculture vessels only).

Aquaculture Primary Restriction: The boat shall be used solely for the management, development and servicing of aquaculture areas, in accordance with the Aquaculture Plan submitted by you, and shall operate only in aquaculture areas except, where required, to collect wild mussel seed as part of a service to those aquaculture installations, in accordance with a Mussel Seed Authorisation issued by the Department of Agriculture, Food & the Marine.

(This condition applies to Aquaculture vessels only).

Aquaculture Mussel Seed Restriction: This licence does not confer any entitlement in relation to the allocation of mussel seed by the Department of Agriculture, Food & the Marine. Approval of proposed aquaculture activities specified in an Aquaculture Plan, and/or on the basis of other information provided, solely relates to sea-fishing boat licensing and should not be construed as conferring, in any way, entitlement to mussel seed in any allocations to be made by the Department.

(This condition applies to Aquaculture vessels only).

Aquaculture Plan Approval Restriction: Any proposed new or revised Aquaculture Plan must be approved by the Department of Agriculture, Food & the Marine.

(This condition applies to Aquaculture vessels only).

Aquaculture Area Preclusion: This licence does not confer any entitlement to an aquaculture licence in respect of any area.

(This condition applies to Aquaculture vessels only).

Aquaculture Area Restriction: A copy of this licence together with a copy of the Aquaculture Plan, as submitted by you and approved by the Department of Agriculture, Food & the Marine, will be forwarded for information to the Aquaculture Division in the Department of Agriculture in Northern Ireland, in the context of their role in relation to aquaculture operations in Lough Foyle and Carlingford Lough.