

Department of Communications, Marine and Natural Resources
An Roinn Cumarsáide, Mára agus Acmhainní Nádurtha

Fisheries Management Notice No. 11 of 2007
(April Demersal Quota Management Notice)

I, John Browne, Minister of State at the Department of Communications, Marine and Natural Resources, in exercise of the powers conferred on me by section 12 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (“the Act”) and the Marine (Delegation of Ministerial Functions) (No. 2) Order 2006, hereby issue the following Notice:

1. This Notice may be cited as Fisheries Management Notice No. 11 of 2007.
2. This Notice comes into force on 1 April 2007.
3. In this Notice:

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

“EC waters” means European Community waters. Where this term is used in conjunction with an ICES or CECAF sub-area or division listed in Schedule 1 or Schedule 2 to this Notice, it means that only the European Community waters of that sub-area or division are included for the purposes of this Notice;

“length” means the overall length of a boat, or the distance from the forepart of the stem of the boat to the aft side of the head of the sternpost of the boat or to the foreside of the rudder stock;

“monkfish authorisation” means an authorisation to fish for monkfish (family *Lophiidae*) which has been granted under section 13 of the Act;

“per cent by-catch” means a percentage by live weight of the total quantity of all species of fish included in the State’s fishing quota retained on board or landed on any occasion;

“fishing area” means waters falling within the ICES and CECAF sub-areas and divisions listed in Schedule 1 or Schedule 2 to this Notice as they are defined respectively in Regulation (EEC) No.

3880/91 of 17 December 1991¹, as amended, and Council Regulation (EC) 2597/95 of 23 October 1995², as amended;

“specified period” means the period from 1 April 2007 to 30 April 2007.

4. (a) It is prohibited for an Irish sea-fishing boat greater than or equal to 55 feet in length, or for a person on board that boat, fishing in a fishing area listed in column (2) of Schedule 1 to this Notice, to have or retain on board or land, during the specified period, more of the species of fish given in column (1) of that Schedule opposite that fishing area than the corresponding quantity specified in column (3) of that Schedule if that fish was caught in that fishing area during the specified period.
- (b) It is prohibited for an Irish sea-fishing boat less than 55 feet in length, or for a person on board that boat, fishing in a fishing area listed in column (2) of Schedule 1 to this Notice, to have or retain on board or land, during the specified period, more of the species of fish given in column (1) of that Schedule opposite that fishing area than the corresponding quantity specified in column (4) of that Schedule if that fish was caught in that fishing area during the specified period.
5. (a) It is prohibited for an Irish sea-fishing boat greater than or equal to 55 feet in length to which a 2006 monkfish authorisation has not been granted, or for a person on board that boat, fishing in a fishing area listed in column (2) of Schedule 2 to this Notice, to have or retain on board or land, during the specified period, more of the species of fish given in column (1) of that Schedule opposite that fishing area than the corresponding quantity specified in column (3) of that Schedule if that fish was caught in that fishing area during the specified period.
- (b) It is prohibited for an Irish sea-fishing boat less than 55 feet in length to which a 2006 monkfish authorisation has not been granted, or for a person on board that boat, fishing in a fishing area listed in column (2) of Schedule 2 to this Notice, to have or retain on board or land, during the specified period, more of the species of fish given in column (1) of that Schedule opposite that fishing area than the corresponding quantity specified in column (4) of that Schedule if that fish was caught in that fishing area during the specified period.
- (c) Notwithstanding paragraphs 5(a) and 5(b) of this Notice, it is prohibited for an Irish sea-fishing boat that does not hold a valid monkfish authorisation, or for a person on board that boat, fishing in fishing areas VIIa or VIIb-k, to have or retain on board or land, during the

¹ O.J. L 365, 31/12/1991, p. 1-18

² O.J. L 270, 13/11/1995, p. 1-33

specified period, more haddock than the quantity of haddock specified in column (5) of Schedule 2 to this Notice for that fishing area if that haddock was caught in that fishing area during the specified period.

6. Where a quantity is given in column (3) or column (4) of Schedule 1 or Schedule 2 to this Notice in respect of a particular species of fish, fishing area and type of vessel, and where that quantity is expressed as a per cent by-catch, an Irish sea-fishing boat of that type, or person on board that boat:

- (a) may, notwithstanding paragraphs 5(a) and 5(b) of this Notice, have or retain on board between the hours of 00:01 and 23:59 of each day of a fishing voyage up to 1.5 times that quantity of that species of fish if it was caught in that area during the specified period, but
- (b) must ensure by 24:00 of each day of a fishing voyage that the quantity of that species of fish caught in that area and retained on board does not exceed the per cent by-catch quantity specified in that Schedule for that species and that area and that vessel type.

SCHEDULE 1 (Catch retention and landing restrictions for the period 1 April to 30 April 2007 for Irish sea-fishing boats)			
Species of fish (1)	Fishing area (2)	Limit for boats greater than or equal to 55 feet in length (3)	Limit for boats less than 55 feet in length (4)
GREATER SILVER SMELT <i>(Argentina silus)</i>	III, IV	10 per cent by-catch	10 per cent by-catch
GREATER SILVER SMELT <i>(Argentina silus)</i>	V, VI, VII	10 per cent by-catch	10 per cent by-catch
GREENLAND HALIBUT <i>(Reinhardtius hippoglossoides)</i>	IIa (EC waters), IV (EC waters), VI	0 tonnes	0 tonnes
HAKE <i>(Merluccius merluccius)</i>	Vb (EC waters), VI, VII, XII, XIV	15 tonnes	7.5 tonnes
LING <i>(Molva molva)</i>	VI, VII, VIII, IX, X, XII, XIV	5 tonnes	2.5 tonnes
REDFISH <i>(Sebastes spp.)</i>	V, XII, XIV	0 tonnes	0 tonnes
TUSK <i>(Brosme brosme)</i>	V, VI, VII	5 per cent by-catch	5 per cent by-catch
WHITING <i>(Merlangius merlangus)</i>	VIIa	3 tonnes	1.5 tonnes

SCHEDULE 2

**(Catch retention and landing restrictions for the period 1 April 2007 to 30 April 2007
for Irish sea-fishing boats to which a 2006 monkfish authorisation has not been granted)**

Species of fish (1)	Fishing area (2)	Limit for boats greater than or equal to 55 feet in length (3)	Limit for boats less than 55 feet in length (4)	Limit for boats using Scottish fly seines (5)
COD <i>(Gadus morhua)</i>	VIIa	3 tonnes	1.5 tonnes	Not Applicable
COD <i>(Gadus morhua)</i>	VIIb-k, VIII, IX, X, CECAF 34.1.1 (EC waters)	2 tonnes	1 tonnes	Not Applicable
COMMON SOLE <i>(Solea solea)</i>	VIIa	40 per cent by-catch	10 per cent by-catch	Not Applicable
COMMON SOLE <i>(Solea solea)</i>	VIIfg	5 per cent by-catch	5 per cent by-catch	Not Applicable
HADDOCK <i>(Melanogrammus aeglefinus)</i>	VIb	18 tonnes	9 tonnes	Not Applicable
HADDOCK <i>(Melanogrammus aeglefinus)</i>	VIIa	8 tonnes	4 tonnes	10 tonnes
HADDOCK <i>(Melanogrammus aeglefinus)</i>	VIIb-k	8 tonnes	4 tonnes	10 tonnes
MONKFISH (family <i>Lophiidae</i>)	Vb (EC waters), VI, XII, XIV	4 tonnes	2 tonnes	Not Applicable
MONKFISH (family <i>Lophiidae</i>)	VII	3 tonnes	1.5 tonnes	Not Applicable
NORWAY LOBSTER <i>(Nephrops norvegicus)</i>	VII	30 tonnes ³	15 tonnes ³	Not Applicable
PLAICE <i>(Pleuronectes platessa)</i>	VIIfg	5 per cent by-catch	5 per cent by-catch	Not Applicable

GIVEN under my Hand,
22 March 2007 at 12:30 hours

John Browne,

**Minister of State at the Department of Communications,
Marine and Natural Resources**

³ In cases where the presentation of norway lobster is not whole, a multiplier of 3 will be applied to any quantities in order to determine the quantities of norway lobster retained on board or landed for the purposes of this Notice.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

This Notice sets restrictions on the catching, retaining on board or landing of various species of demersal fish during April 2007.

(FMN 2007/011)