

Department of Agriculture Fisheries and Food
An Roinn Talmhaíochta, Iascaigh agus Bia
Fisheries Management Notice No. 040 of 2010
(December Mackerel Quota Management Notice)

I, Sean Connick, Minister of State at the Department of Agriculture, Fisheries and Food, in exercise of the powers conferred on me by section 12 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) and the Sea Fisheries, Foreshore and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 707 of 2007) (as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 705 of 2007), and the Agriculture, Fisheries and Food (Delegation of Ministerial Functions) Order 2010, (S.I. No 303 of 2010) hereby issue the following Notice:

- 1.1 This Notice is November Mackerel Quota Management Notice 2010 (Fisheries Management Notice No. 040 of 2010).
- 1.2 This Notice comes into force on 3 December 2010 and ceases to have effect on 1 January 2011.
2. In this Notice:

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

“EU waters” means European Union waters. Where this term is used in conjunction with an ICES or CECAF sub-area or division listed in Schedule 1. It means that only the European Union waters of that sub-area or division are included;

“length” means , in relation to a sea-fishing boat, the overall length of the 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;

“mackerel authorisation” means an authorisation to fish for mackerel (*Scomber scombrus*) granted under section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006;

‘Catch retention and landing restrictions’ means the total quantity, in tonnes live weight, of that species of fish in column (1) a quantity of which, greater than that specified in column (3), may not be retained onboard or landed by an Irish sea-fishing boat, dependant on the particular vessel’s length and /or fishing method during December 2010.

“fishing area” means waters falling within the ICES and CECAF sub-areas and divisions listed in Schedule 1 as defined in Regulation (EEC) No. 3880/91 of 17 December 1991¹ or Council Regulation (EC) 2597/95 of 23 October 1995², as amended.

3. A person on board an Irish sea-fishing boat less than 18 meters in length to which a mackerel authorisation has not been granted, fishing for mackerel by means other than hooks and lines in a fishing area listed in column (2) of Schedule (1) shall not have or retain on board or land (or cause or permit another person to have or retain on board or land) , during December 2010 a quantity of mackerel that is greater than the quantity specified in column (3) if the fish was caught in that fishing area during December 2010.

Schedule 1 Catch retention and landing restrictions in relation to an Irish sea-fishing boat less than 18 meters in length in respect of which a mackerel authorisation is not extant		
Species of fish (1)	Fishing area (2)	Limit for boats less than 18 meters in length (3)
MACKEREL <i>(Scomber scombrus)</i>	VI, VII, VIIIa, VIIIb, VIIIc and VIId; EU and international waters of Vb; international waters of IIa , XII and XIV	7 TONNES

GIVEN under my Hand,
 1st December 2010 at 18.30 hours

Sean Connick

Minister of State at the Department of
Agriculture, Fisheries and Food

¹ O.J. L 365, 31/12/1991, p. 1-18

² O.J. L 270, 13/11/1995, p. 1-33

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 mackerel by under 18 meter boats without a mackerel Authorisation fishing for Mackerel by means other than hooks and lines during December 2010.

(FMN 2010/040)