

Department of Agriculture, Food and the Marine

An Roinn Talmhaíochta, Bia agus Mara

Fisheries Management Notice No. 02 of 2023

(January Deep-Sea Quota Management Notice)

I, Charlie McConalogue, Minister for Agriculture, Food and the Marine, 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, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), hereby issue the following Notice:

1.1 This notice is the January 2023 Deep-Sea Quota Management Notice (Fisheries Management Notice No. 02 of 2023).

1.2 This notice comes into operation on 1 January 2023 and ceases to have effect on 1 February 2023.

2. In this notice-

“deep-sea authorisation” means an authorisation to fish for deep-sea species granted under section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006;

“deep-sea sharks” means the species *Centroscymnus coelolepis*, *Deania calcea*, *Dalatias licha*, *Etmopterus princeps*, *Etmopterus spinax*, *Centroscyllium fabricii*, *Centrophorus granulosus*, *Galeus murinus*, *Apristuris spp.*, *Chlamydoselachus anguineus*, *Centroscymnus crepidater*, *Hexanchus griseus*, *Oxynotus paradoxus*, *Scymnodon ringens* and *Somniosus microcephalus* ;

“deep-sea species” means a species listed in Annex I to Regulation (EU) 2016/2336 of the European Parliament and of the Council of 14 December 2016;¹

¹ OJ L 354, 23.12.2016, pp. 1–19

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

“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) or column (4), 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 January 2023;

“per cent by-catch” means a percentage by live weight of the total quantity of all species of fish, for which the State has an EU fishing quota, retained on board or landed on any occasion;

“fishing area” means waters falling within the ICES sub-areas and divisions listed in-

- (a) column (2) of Schedule 1, or
- (b) column (2) of Schedule 2,

as defined in Annex III to Regulation (EC) No. 218/2009 of the European Parliament and of the Council of 11 March 2009 as amended.²

3.1 Subject to paragraph 4.1, during January 2023, a person on board an Irish sea-fishing boat greater than or equal to 55 feet in length, fishing in a fishing area listed in column (2) of Schedule 1, shall not have, or retain on board that boat or land (or cause or permit another person to have or retain on board the boat or land), a quantity of a species of fish listed in column (1) of Schedule 1 opposite that fishing area where the fish were caught that is greater than the corresponding quantity specified in column (3), either on a single occasion or when combined with previous landings by that boat of that species of fish caught in the specified area in January 2023.

² OJ L 87, 31.3.2009, pp. 70–108

3.2 Subject to paragraph 4.2, during January 2023, a person on board an Irish sea-fishing boat less than 55 feet in length, fishing in a fishing area listed in column (2) of Schedule 1, shall not have, or retain on board that boat or land (or cause or permit another person to have or retain on board the boat or land), a quantity of a species of fish listed in column (1) of Schedule 1 opposite that fishing area where the fish were caught that is greater than the corresponding quantity specified in column (4), either on a single occasion or when combined with previous landings by that boat of that species of fish caught in the specified area in January 2023

4.1 During January 2023 a person on board an Irish sea-fishing boat greater than or equal to 55 feet in length in respect of which a deep-sea authorisation has been granted, fishing in a fishing area listed in column (2) of Schedule 2, shall not have, or retain on board that boat or land (or cause or permit another person to have or retain on board the boat or land), a quantity of a species of fish listed in column (1) of Schedule 2 opposite that fishing area where the fish were caught that is greater than the corresponding quantity specified in column (3), either on a single occasion or when combined with previous landings by that boat of that species of fish caught in the specified area in January 2023.

4.2 During January 2023, a person on board an Irish sea-fishing boat less than 55 feet in length to which a deep-sea authorisation has been granted, fishing in a fishing area listed in column (2) of Schedule 2, shall not have, or retain on board that boat or land (or cause or permit another person to have or retain on board the boat or land), during January 2023, a quantity of a species of fish listed in column (1) of Schedule 2 opposite that fishing area where the fish were caught that is greater than the corresponding quantity specified in column (4), either on a single occasion or when combined with previous landings by that boat of that species of fish caught in the specified area in January 2023.

5. Where a quantity is specified in—
- (a) column (3) or column (4) of Schedule 1, or
 - (b) column (3) or column (4) of Schedule 2,

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, a person on board an Irish sea-fishing boat of that type

(c) may, notwithstanding paragraph 3 and 4, 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 the quantity of that species of fish specified for that fishing area and that type of vessel if it was caught in that area during January 2023, and 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 the boat does not exceed the per cent by-catch quantity specified in that Schedule for that species, area and type of vessel.

SCHEDULE 1 (Catch retention and landing restrictions in respect of an Irish sea-fishing boat)			
Species (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)
RED SEABREAM <i>(Pagellus bogaraveo)</i>	Union and international waters of 6, 7 and 8 (SBR/678-)	0 tonnes	0 tonnes

SCHEDULE 2 (Catch retention and landing restrictions in respect of an Irish sea-fishing boat to which a deep-sea authorisation has been granted)			
Species (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)
ALFONSINOS <i>(Beryx spp.)</i>	Union and international waters of 3, 4, 5, 6, 7, 8, 9, 10, 12 and 14 (ALF/3X14-)	0 tonnes	0 tonnes
BLACK SCABBARDFISH <i>(Alphanopus carbo)</i>	Union and international waters of 5, 6, 4 and 12 (BSF/56712-)	0 tonnes	0 tonnes

BLUE LING (<i>Molva dypterygia</i>)	Union and international waters of 2 and 4 (BLI/24-)	0 tonnes	0 tonnes
BLUE LING (<i>Molva dypterygia</i>)	Union and international waters of 5b, 6, 7 (BLI/5B67-)	0 tonnes	0 tonnes
DEEP SEA SHARKS	Union and international waters of 5, 6, 7, 8 and 9 (DWS/56789-)	0 tonnes	0 tonnes
ROUNDNOSE GRENADIER (<i>Coryphaenoides rupestris</i>)	Union and international waters of 8, 9, 10, 12 and 14 (RNG/8X14-)	0 tonnes	0 tonnes

GIVEN under my Official Seal

21 December 2022 at 12:21 hours

**Charlie McConalogue,
Minister for Agriculture,
Food and the Marine**

EXPLANATORY NOTE

(This note is not part of the notice 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 deep-sea fish during January 2023.

(FMN 2023/02)