



Eibhlin O'Sullivan
Irish South and West Fish Producers Organisation

By email: southwest@eircom.net

20 November 2014

Re: **Consultation on amendments to the Sea Fisheries and Maritime Jurisdiction Act 2006**

Dear Eibhlin,

I am writing to seek your views on a proposal to amend the Sea Fisheries and Maritime Jurisdiction Act 2006 to provide for;

- (1) The Implementation of a system of **Points for Masters of fishing vessels** involved in serious infringements of the common fisheries policy. The EU Fisheries control regulation EU 1224/2009 requires member states to implement two points systems, one for the vessel license holder and one for the master (skipper). The regulations contained sufficient policies and procedures to allow the system for the license holder to be implemented by SI. This has been implemented by SI No. 3 of 2014. The system for Masters did not contain any detail other than a date by which the system must be in place and so must be implemented in primary legislation.
- (2) The programme for Government contains the following commitment “ We will replace criminal sanctions system for minor fisheries offences with administrative sanction system to bring Ireland into line with other European jurisdictions.” The Minister is now seeking views on the implementation of a system of **Fixed Penalties for Minor Offences** in the context of this commitment.
- (3) In Ireland, fish quotas are treated as a “Public Good” and allocated to fishermen by the Minister following a consultative management framework with the fishing industry. Essentially they remain a National asset and transferability other than in the context of pair

fishing, set down in legislation, is not permitted. It is proposed to make this policy an explicit statement in the Act.

The attached Regulatory Impact Assessment looks at the implementation of these commitments and sets out the legal parameters within which the amended legislation must fit.

In addition to these complex matters a number of minor amendments are necessary which the RIA explains in more detail.

The consultation period for these proposals will close at 5:00pm on Friday 9th January 2015.

I would like ask relevant stakeholders and any other interested parties to make submissions or comments on these proposals. Responses should be submitted by Email to fisheriesconsultation@agriculture.gov.ie

Post to:

Fisheries Consultation
Seafood Policy Division
Department of Agriculture Food & Marine
National Seafood Centre
Clonakilty
Co Cork

Please Note: All submissions are subject to the Freedom of Information Acts and/or the European Communities (Access to Information on the Environment) Regulations 2007 and may also be published on the Department's website (excluding contact details). If any of the detail you have provided is sensitive on the basis that it is personal, confidential, or commercially confidential, please identify it and give clear reasons why you think it should not be released. The Department will, where possible, consult with you about any information which you have identified as sensitive information before making a decision in response to a request for release under the Freedom of Information Acts.

Following this consultation process, and having regard to the outcome of the submissions made, where appropriate, it my intention to bring the Heads of a Bill to Government, early in 2015. If agreed by Government the heads will be subject to pre-legislative scrutiny by an Oireachtas Committee before a Bill is drafted.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Simon Coveney', written in a cursive style.

Simon Coveney T.D.

Minister for Agriculture, Food and the Marine