



20 February 2004

Our Ref.: FOI/10/2004

Mr Sean O'Donoghue  
Chief Executive  
Killybegs Fishermen's Organisation Ltd.  
Bruach na Mara  
St. Catherine's Road  
Killybegs  
Co. Donegal

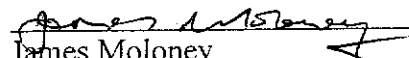
Dear Mr O'Donoghue,

I refer to your letter dated 19 January 2004 requesting certain records, under the Freedom of Information Acts, in relation to tonnage and engine power capacity.

With reference to the categories of information set out in your letter, I am enclosing copies of the following records:

1. Extract (Appendix) from internal Department minute dated 5 September 2003. Also extract from internal Department minute dated 17 October 2003.
2. Such a record does not exist.
3. Extract from Ireland's MAGP IV Report to the European Commission for 2002. Please note footnote to table in Section 2.1 qualifying the data.
4. See extract provided for 3 above. Also extract from Commission Decision 2002/652/EC.
5. Reply to Parliamentary Question on 27 January 2004.

Yours sincerely,

  
James Moloney  
Sea Fisheries Administration Division

EXTRACT FROM INTERNAL DEPARTMENT MINUTE  
DATED 5 SEPTEMBER 2003. *jm*

Appendix 1

Capacity situation of the Irish fleet – current date

<b>Polyvalent segment</b>	<b>GT</b>	<b>KW</b>
EU maximum limits (Article 12 of Reg 2371/02)	43,659	147,111
Total capacity situation (registered + entitlements)	48,000 +	165,000+
<b>Capacity to be withdrawn</b>	<b>4,340 / 5,000</b>	<b>18,000 / 20,000</b>

<b>Pelagic Segment</b>	<b>GT</b>	<b>KW</b>
EU maximum limits (Article 12 of Reg 2371/02)	36,470	47,873
Total registered capacity	31,986	47,837
Safety capacity "owed"	2,442	Nil
Increased capacity arising from 2003 renewal prog	3,852	Nil
Capacity available to AD company	4,494 (732 n/a)	Nil

EXTRACT FROM INTERNAL DEPARTMENT MINUTE  
DATED 17 OCTOBER 2003.

Jim

of this policy would be that essentially all excess capacity must be taken out under policy proposal H (safety tonnage).

At the time of my submission on fleet policy proposals of 5 September 2003, the amount of polyvalent capacity to be withdrawn was estimated at 4,340 – 5,000 GT and 18,000 to 20,000 kW. These are estimated amounts. We have not been able to get definitive details of the amount, despite the Licensing Authority devoting substantial time and resources to the exercise. The difficulty arises because there has been no overall capacity tracking system in place since management of the capacity of the fleet commenced in 1990 and records were held in paper form. The quality of the records varies greatly and in some cases is very poor. In the end it has not been possible to get an accurate determination. The best estimate we are able to give of capacity that must be withdrawn and a possible timeframe is as follows:

*Estimate of excess polyvalent capacity in system and possible timeframe for its removal*

Polyvalent capacity	GT	KW
Immediate	1,600	-
Short term	2,100	7,200
Additional –time frame not clear (estimate)	1,600	14,800
Total	5,300	22,000

It must be emphasised that this is a best estimate and that it is difficult to get any strong handle on the final category. This relates to capacity off-register in respect of which the Department has not received any requests to date to have brought back on to the Register. Our best estimate is as set out above. We can not have a high level of confidence that it is accurate, however, in the absence of any hard information it is the best we can do. On this basis and assuming that only policy proposal H is used to take excess polyvalent capacity out of the system, I suggest that the replacement capacity ratio be amended as follows:

1 RSW pelagic GT for 2.2 polyvalent GTs and 9 polyvalent kW.

This ratio is, in my view reasonable. Some reduction has been possible in kW which has regard for the concerns expressed by the industry representatives. It must also be taken into account that industry outside the representatives for these vessels consider that the policy proposal is overly accommodating to these vessel owners. In addition, in my view the cost to owners of this new policy is not disproportionate having regard for the normal cost of polyvalent capacity and pelagic capacity and the benefit achieved by the vessel owners as a result of having a number of years benefit from not having to provide the capacity up front as was required of every other vessel within the fleet.

The timeframe: The KFO wants a 2 year timeframe. The IFPO suggests an extension to February 2004.

EXTRACT FROM IRELAND'S MAGP IV REPORT TO  
THE EUROPEAN COMMISSION FOR 2002.

JM.

**Section 1**      **Introduction**

- 1.1 The objectives for the Irish fishing fleet were established under the terms of the Multi-Annual Guidance Programme for the fleet, or MGP, which covered the period 1997-2002 and which was agreed by the Council of Ministers in June, 1997 and December, 2001.
- 1.2 Commission Decision 98/125/EEC, as last amended by Commission Decision of 29/07/2002, set out the objectives which were to be achieved in respect of the Irish fishing fleet by the end of 2002. The objectives for 2002 were set at 83,167 GT and 215,939 kW.
- 1.3 In addition to the overall fleet capacity objective, Ireland, in common with other Member States, was obliged to achieve specified capacity or effort objectives in respect of individual fleet segments. For these purposes, the Irish fleet is divided into three segments, viz. (i) Polyvalent, (ii) Pelagic and (iii) Beam Trawlers.
- 1.4 The following Table sets out the objectives for the Irish fleet which were to be achieved by 31st December, 2002.

Segment	GT (000)	KW (000)	Effort (000 hours)	Effort (000 hours)
Polyvalent	45,648	161,953	-	-
Pelagic	36,363	47,873	9,966,000	11,389,000
Beam Trawlers	1,156	6,113	287,000	1,557,000

Commission Decision 98/125, as amended, also specifies interim objectives, to be met by the end of 1998, 1999, 2000 and 2001, in respect of the effort of the pelagic and beam trawler segments. Details of progress towards realising the relevant objectives for end-2002 are given in Sections 2 and 3 below.

- 1.5 The capacity of Specific Segment vessels (that is, vessels engaged in aquaculture or fishing for bi-valve molluscs) is not included in the fleet objectives.

**Section 2**      **Capacity of the Irish Fishing Fleet**

- 2.1 Capacity figures for the three segments of the Irish fishing fleet at 31st December, 2002 are given in the following Table (but see footnote 1 to Table); comparable figures for 2000 and 2001 are also given:

SEGMENT	GT			kW		
	2002	2001	2000	2002	2001	2000
Polyvalent	40,325	40,476	37,326	136,939	138,627	144,508
Pelagic	31,760	22,804	22,804	47,837	41,520	41,520
Beam Trawlers	1,259	1,132	1,132	5,125	5,129	5,129
<b>Total</b>	<b>73,344</b>	<b>64,412</b>	<b>61,262</b>	<b>189,901</b>	<b>185,276</b>	<b>191,157</b>

<sup>1</sup> It should be noted that, mainly due to technical difficulties with the Irish fleet register, the Irish and EU fleet registers were not fully up to date at end-2002 and did not reflect the true capacity situation of the Irish fleet.

- 2.2 The tonnage and engine power of the Polyvalent Segment decreased marginally, by 0.4% and 1.2% respectively, between 2001 and 2002. This was due mainly to the time lag between de-registration of vessels leaving the fleet and registration of replacement vessels entering the fleet.
- 2.3 The capacity objectives for the Pelagic Segment were increased by 14,055 GT and 14,400 kW to take account of additional fishing opportunities in Mauritanian and other West African waters. The Pelagic Segment is within the objectives for the segment laid down in Commission Decision of 29/07/02.
- 2.4 The GT of the Beam Trawler segment increased by 11.2% as a result of the remeasurement in GT, and subsequent de-registration, of one vessel, and the introduction of two smaller vessels.
- 2.5 The capacity objectives of the fleet will need to be adjusted to take account of approved safety tonnage applications and the remeasurement of the fleet in GT.
- 2.6 The total capacity of the Irish fleet at end-2002 was 73,344 GT and 189,901 kW, and was within the overall objectives specified by Commission Decision 29/07/02. The totals take account of vessels for which provision is made in footnote (1) to the Table in Commission Decision of 29/07/02 and which had been included in the Fishing Vessel Register by the end of 2002 (see Section 7 below).

EXTRACT FROM COMMISSION DECISION 2002/652/EC. *fm*

## IRELAND

Area	Stocks	Segment	Fishery	Catch composition	Pilot rate	Weighted reduction	Situation 1.1.1997			Objective 1.1.1997			Objective 31.12.2002		
							GT (*)	KW	GT (*) x t ('000)	KW	GT (*) x t ('000)	KW	GT (*)	GT (*) x t ('000)	KW x t ('000)
EU waters	Demersal and pelagic	4G1	Polyvalent (1)	DR: 5,8 % OF: 11,9 % Others: 82,3 %	36 %	6,4 %	41 879	161 232	48 769	173 027	45 648	161 953			
		4G2	Pelagic trawl and purse seines (2)	DR: 2 % OF: 19 % Others: 79 %	30 %	6,3 %	20 254	38 893	22 308	33 473	6 001	7 405	5 623	6 939	
EU waters, third country and international waters	Pelagic		Mauritanian (3) waters										4 343	4 450	
		Segment totals					20 254	38 893				36 363	47 873	9 966	11 389
EU waters	Flatfish and demersal	4G3	Beam trawl (4)	DR: 7,9 % OF: 27,6 % Others: 64,5 %	36 %	12,8 %	1 130	5 129	1 156	6 113	330	1 786	6 113	287	1 557
		Total					63 263	205 254	72 234	212 613	83 167	215 939			

DR: depletion risk; OF: overfished.

(1) Includes estimated GT values in accordance with Article 4 of the present Decision, where applicable. The final and definitive revision of the tonnage objectives for segments 4G1, 4G2 and 4G3, to take into account the re-measurement of the fleet, will be completed before the end of 2004.

(2) The objectives of the polyvalent segment for 1.1.1997 have been increased by 5 473 GT and 28 447 kW to take into account the capacity of previously unregistered vessels. These figures will be revised when all remaining licence applications have been processed.

(3) The capacity objectives of this segment have been increased by 14 055 GT and 14 400 kW to take into account additional fishing opportunities in Mauritanian and other west African waters. The fishing effort objectives for Community waters remain unchanged. The fishing effort objectives fixed for Mauritanian waters assume a baseline activity of the vessels concerned of 309 days per year. These effort objectives are subject to review in the light of the development of the fisheries.

(4) Up to 285 GT and 906 kW from the polyvalent segment objective may be transferred to the beam trawl segment objective during MAGP IV in order to update existing vessels in that segment.

(5) The objective for 1.1.1997 has been increased by 4 434 kW, representing 45 % of the backlog from MAGP III.

**PARLIAMENTARY QUESTION NO 585**

**Dail Eireann**

To ask the Minister for Communications, Marine and Natural Resources the number of fishing vessels registered in the State; and the total tonnage and kilowatts in this regard.

- Martin Ferris.

\* For WRITTEN answer on Tuesday, 27th January, 2004.

**Ref No:** 1117/04

---

**REPLY**

**Minister for Communications, Marine and Natural Resources (Mr D Ahern)**

The independent Licensing Authority for sea-fishing boats established under the Fisheries (Amendment) Act 2003, the Registrar General of Fishing Boats, has advised that 1,501 fishing vessels are currently entered on the Irish Fishing Boat Register, having a total capacity of 82,409 gross tonnes and 224,959 kilowatts. I understand that these figures are subject to revision in the context of the processing of a backlog of registration and de-registration applications arising from computer software problems with the register, the introduction of new EU and national fleet policies, and ongoing changes in the fishing fleet.



Ms Nuala Free  
Freedom of Information Act Officer  
Department of Communications, Marine and Natural Resources  
Leeson Lane  
Dublin 2

19th January 2004

Rec'd with fee  
23/1/04  
FOI Unit

**Request under Freedom of Information Act**

Dear Ms Free

I refer to the above legislation.

I request a copy of the following records under the Freedom of Information Acts 1997 and 2003.

I enclose with this letter €15 to cover the relevant fee.

I require copies of the following records under the Freedom of Information Acts 1997 and 2003 referable to the following categories:

1. The total capacity in gross tonnage (GT) and kilowattage (kW) of off register GT and kW between the 1 January 1990 and the 31 December 1999. The off register capacity of interest is that mentioned in Section E of Policy Directive 2/2003.
2. The number of vessels included in the above category of off register GT and kW.
3. The precise capacity (situation) of the polyvalent segment in GT and kW on the Irish fishing register on the 1 January 2003.
4. The capacity objective for the polyvalent segment GT and kW on the 1st January 2003.

JAMES  
MACURRY  
TO DISCUSS CASE  
WITH SEAN O'DONOGHUE  
KEVIN  
25/1/04

Chief Executive: Sean O'Donoghue.



5. The capacity in GT and kW for all segments of the Irish fleet on the Irish fishing register on the 1 January 2004.

I look forward to hearing from you in early course.

Yours faithfully

  
Sean O'Donoghue  
Chief Executive

FOR AND ON BEHALF OF

Michael Cavanagh - MFV Fr McKee - Greencastle, Co Donegal

Brendan Gill - MFV Brendelen - Greencastle, Co Donegal

Eamon McHugh - MFV Antarctic - Fintra Road, Killybegs, Co Donegal

Des Faherty - MFV Atlantean - Elm Wood, Killybegs, Co Donegal

Eileen Oglesby - MFV Neptune - Kincasslagh, Co Donegal

Joseph Doherty - MFV Aine - Meenbanad, Burtonport, Co Donegal

**Mr Sean O'Donoghue  
Chief Executive  
Killybegs Fishermen's Organisation Ltd.,  
Bruach na Mara  
St Catherine's Road  
Killybegs  
Co Donegal**

**FOI/10/2004**

28<sup>th</sup> January 2004

Dear Mr O'Donoghue,

I refer to the Freedom of Information request received in this office on the 23rd January 2004 along with the associated fee. Your request refers to matters involving gross tonnage (GT) and kilowattage (kW).

The officer handling your request will be **Mr James Moloney, Sea Fisheries Administration, Department of Communications, Marine & Natural Resources, Leeson Lane, Dublin 2. He can be contacted at 01 678 2472.**

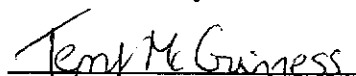
A final decision on your request will normally be sent to you within 4 weeks of receipt of your request. This means that you can expect to receive your decision by the **20<sup>th</sup> February 2004.**

If you have not heard from us once the allotted time has expired, you are automatically entitled to appeal to the Department for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired.

You should also be aware that you are entitled to a review of the decision if your request is refused or if you are for any reason dissatisfied with the outcome of your request. The review is a full and new examination of the matter carried out by a more senior member of staff of this body. In the event that you need to make an appeal, you can do so by writing to Mr John Wynne, FOI Unit, Department of Communications, Marine & Natural Resources, Leeson Lane, Dublin 2. Please note that there will be a charge for all appeals of FOI requests. This charge will be levied at €75.

Please note, the Department of Communications, Marine & Natural Resources has a policy of posting a summary of your request, your name and address and the subsequent reply on the Department's website for reference purposes.

Yours sincerely,

  
**Terry Mc Guinness**  
*FOI Unit*