

CERTIFICATION OF RENEWAL
OF
AQUACULTURE LICENCE No.198
AND
FORESHORE LICENCE No.198

Dated 30 January 1995

This is to certify that the above-mentioned licences have been renewed, subject to the modification of the Aquaculture Licence specified below, with the approval of the Minister of State at the Department of Communications, Marine and Natural Resources, for the period up to and including 15 February 2007 subject to the terms and conditions thereof and subject to the provisions of the Fisheries (Amendment) Act, 1997 (No. 23), as amended.

Aquaculture Licence

- substitution for condition 2(l) of the following condition

- 2(l)(i) *The Licensee shall fallow the licensed area for at least 30 continuous days before restocking with fish of a different generation, in accordance with the requirements of the Department of Communications, Marine and Natural Resources (Protocol No. 5 Fallowing at Offshore Finfish Farms, as may be revised from time to time).*
- 2(l)(ii) *The Licensee shall undertake Benthic Monitoring of the licensed area in accordance with the detailed specifications of the Department of Communications, Marine and Natural Resources (Monitoring Protocol No. 1 for Offshore Finfish Farms - Benthic Monitoring, as may be revised from time to time) and promptly prepare and implement a Benthic Amelioration Plan if permitted parameters are breached.*
- 2(l)(iii) *The Licensee shall undertake Water Column Monitoring of the licensed area in accordance with the detailed specifications of the Department of Communications, Marine and Natural Resources (Monitoring Protocol No. 2 for Offshore Finfish Farms - Water Column Monitoring, as may be revised from time to time) and promptly take any required follow-up action in the light of the results of that monitoring.*
- 2(l)(iv) *The Licensee shall arrange for the treatment of fish against sea-lice and shall comply with the detailed specifications of the Department of Communications, Marine and Natural Resources (Monitoring Protocol No. 3 for Offshore Finfish Farms - Sea lice Monitoring and Control, as may be revised from time to time).*
- 2(l)(v) *The Licensee shall co-operate in the audit from time to time of its aquaculture operations and licensed area and facilities and premises in accordance with the detailed specifications of the Department of Communications, Marine and Natural Resources (Monitoring Protocol No. 4 for Offshore Finfish Farms - Audit of Operations, as may be revised from time to time)*

Signed: _____

A person authorised under Section 15 of the Minister and Secretaries Act, 1924, to authenticate the seal of the Minister for Communications, Marine and Natural Resources

Dated this 4 AUG 2004

CERTIFICATE OF ASSIGNMENT

OF
AQUACULTURE LICENCES No's. AQ 198, AQ 199 AND AQ 299.

AND
FORESHORE LICENCES No's AQ 198, AQ 199 AND AQ 299

This is to certify that the Licences-referred to above have been assigned, with the approval of the Minister of State at the Department of Communications, Marine and Natural Resources, from:

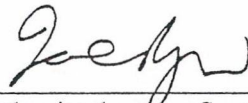
Murpet Fish Ltd.

to

Silver King Seafoods Limited
c/o John Power
Curryglass
Waterfall
Co. Cork

subject to the terms and conditions thereof.

Signed:



A person authorised under Section 15
of the Ministers and Secretaries Act 1924,
to authenticate the seal of the Minister for
Communications, Marine and Natural
Resources.

31 July 2004

Certification of Renewal of Aquaculture Licence No. AQ 198

Dated 30 January, 1995

and Companion Foreshore Licence

Granted to

Murpet Fish Company, Unit 2, Garvan Court, Main Street, Ballyboffey, Co Donegal

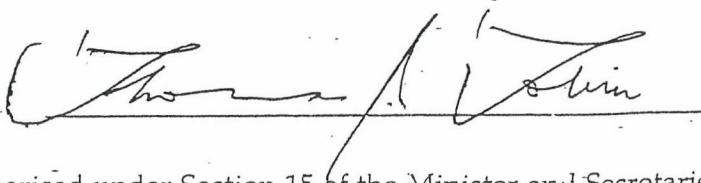
This is to certify that the above mentioned licences have been renewed with the approval of the Minister of State at the Department of the Marine and Natural Resources for the period up to and including 15 February, 2004 subject to the terms and conditions thereof and subject to the provisions of the Fisheries (Amendment) Act, 1997 (No. 23) and

(a) The Licensee shall undertake Benthic Monitoring of the licensed areas in accordance with the detailed specifications of the Department of the Marine and Natural Resources (Monitoring Protocol No. 1 for Offshore Finfish Farms - Benthic Monitoring, as may be revised from time to time) and promptly prepare and implement a Benthic Amelioration Plan if permitted parameters are breached.

(b) The Licensee shall undertake Water Column Monitoring of the licensed areas in accordance with the detailed specifications of the Department of the Marine and Natural Resources (Monitoring Protocol No. 2 for Offshore Finfish Farms - Water Column Monitoring, as may be revised from time to time) and promptly take any required follow-up action in the light of the results of that monitoring.

(c) The Licensee shall comply with the detailed specifications of the Department of the Marine and Natural Resources (Monitoring Protocol No. 3 for Offshore Finfish Farms - Sea Lice Monitoring and Control, as may be revised from time to time) for Sea Lice Monitoring and Control in all licensed areas of the Licensee.

(d) The Licensee shall co-operate in the Audit from time to time of its aquaculture operations and licensed areas and facilities and premises in accordance with the detailed specifications of the Department of the Marine and Natural Resources (Monitoring Protocol No. 4 for Offshore Finfish Farms - Audit of Operations, as may be revised from time to time).

Signed: 

A person authorised under Section 15 of the Minister and Secretaries Act, 1924, to authenticate the seal of the Minister for the Marine and Natural Resources.

8 March, 2001

AGREEMENT made the 30th day of January, 1995.

1. The Minister for the Marine, (hereinafter referred to as "the Minister"), in exercise of the powers conferred on him by Section 15 of the Fisheries (Consolidation), Act, 1959, and the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order, 1977 (S.I. No. 30 of 1977), (as adapted by the Tourism, Fisheries and Forestry (Alteration of Name of Department and Title of Minister) Order, 1987 (S.I. No. 82 of 1987)), hereby grants to Gaelic Seafoods (Ireland) Ltd., whose registered address is at Rusheenamanagh, Carna, Co. Galway (hereinafter referred to as "the Licensee"), at the place and in the waters defined in the attached Schedule hereto and delineated on the map annexed hereto and thereon coloured red (hereinafter referred to as "the fishery"), the exclusive right to

(a) perform all operations necessary for the culture of salmon and rainbow trout in cages, details of which have been submitted to and approved by the Minister placed in that area east of Inishfarnard in Coulagh Bay, Co. Cork, designated in the agreement dated the 30th day of January, 1995 and the map annexed thereto between the Licensee and the Minister;

(b) at any time of year to purchase, have in possession or sell salmon, salmon smolts and rainbow trout the acquisition of which has been approved by the Minister;

(c) at any time of year to take and have in possession salmon, salmon smolts and rainbow trout within the confines of the area referred to at (a) above;

(d) for the management of the fishery, to have in possession and use nets, traps or other such devices as may be approved by the Minister for the taking of salmon and rainbow trout as aforesaid.

2. This licence shall be subject to the following conditions:

- (a) no fish other than salmon and rainbow trout shall be cultured or taken under the terms of this licence without the prior written permission of the Minister;
- (b) the Licensee shall make adequate arrangements to ensure that the cages shall not obstruct the passage of migratory fish and shall take all measures necessary to prevent the escape of salmon and rainbow trout from the cages and shall carry out any instructions issued in this connection by the Minister;
- (c) the licensee shall ensure that all towing of cages for any reason to and from the fish farm site is carried out only with the prior notification to and approval of the Minister;
- (d) the stock of fish in the cages shall not exceed such quantity as may be specified by the Minister from time to time, the number of smolts to be stocked at the site should not in any event exceed 400,000. Licensed stocking densities are not to be exceeded and will be subject to inspection at any time by the Department of the Marine;
- (e) the Licensee shall not harvest more than 500 tonnes (dead weight) of fish in any one calendar year.
- (f) all chemicals and antibiotics used in the fishery shall be used in accordance with instructions issued by the Minister from time to time;
- (g) the Licensee shall keep records of all chemicals and antibiotics with which the fish have been treated, including quantities and times of use;

- The Licensee shall notify the Secretary, Department of the Marine, (Aquaculture Section), Leeson Lane, Dublin 2, and the Fisheries Research Centre (Fish Pathology Unit), Abbotstown, Castleknock, Dublin 15, within forty-eight hours of the suspected appearance of any disease in the fishery or of any abnormal losses or mortalities in the fishery and shall carry out any instructions issued by the Minister as a result of the notification including instructions relating to the treatment, disposal and destruction of diseased stocks;
- (i) disposal of all dead fish shall be in a manner acceptable to the local authority;
 - (j) the Licensee shall notify the Secretary, Department of the Marine, (Aquaculture Section), Leeson Lane, Dublin 2, within twenty-four hours of any escapes of fish from the fishery and shall keep records of fish escaped, including numbers, types, origin and year classes and shall make these records available to the Secretary on request;
 - (k) the Licensee shall furnish to the said Secretary at the said address such returns relating to the fishery as may be required by the Minister;
 - (l) the Licensee shall carry out such monitoring as the Minister shall specify from time to time and the results of such monitoring shall be furnished to said Secretary;
 - (m) the licensee shall ensure that water quality monitoring is continued for the duration of this licence in accordance with specifications laid down by the Minister, which may be modified from time to time, and results should be forwarded to the Fisheries Research Centre at agreed regular intervals;

- (n) the licensee shall, before the end of each year for the duration of this licence, forward to the Fisheries Research Centre, annual review/update of water chemistry and other environmental parameters to assess the impact of operations at the fish farm;
- (o) the licensee shall ensure that sea-lice densities are monitored regularly and that all warranted measures are taken to ensure that lice densities are minimised and the licensee shall comply with any instructions issued by the Minister in this regard;
- (p) live salmon, salmon smolts and rainbow trout shall not be sold or disposed of to any person or in any way transferred outside the said fish farm save in accordance with the prior written permission of the Minister;
- (q) the licensee shall keep the Secretary, Department of the Marine advised of ongoing precautionary measures to deal with naturally occurring algal blooms in the area of the fish farm;
- (r) the fishery and any equipment, structure, thing or premises wherever situated, used in connection with operations carried on in the fishery shall be open for inspection at any time by an authorised person (within the meaning of section 292 of the Fisheries (Consolidation) Act, 1959 (No.14 of 1959) (as amended by the Fisheries Act, 1980) other than a private water keeper), a sea fisheries protection officer (within the meaning of section 220 of the Fisheries (Consolidation) Act, 1959) or any other person appointed in that regard by the Minister;

- (s) the Licensee shall give all reasonable assistance to an authorised person, a sea fisheries protection officer or any person duly appointed by the Minister, to enable the person or officer enter and inspect the fishery, equipment, structures, things or premises pursuant to sub-paragraph (r) of this paragraph;
- (t) the Licensee shall not use any substance or thing or do anything which has a deleterious effect on the fishery environment including the use of organotin based anti-foulants and shall make adequate arrangements for the hygienic and disease-free operation of the fishery and shall comply with any directions issued by the Minister from time to time in that regard;
- (u) the Licensee shall not carry out any operations authorised by this licence in the fishery in such a manner as to interfere unreasonably with fishing or navigation in the vicinity of the fishery and shall comply with any direction given to it in that regard by the Minister;
- (v) the Licensee shall make adequate provision for the removal and disposal of all waste from the fishery;
- (w) the Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, damage, costs, expenses and any demands or claims howsoever arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or other thing used in connection with the fishery or in the exercise of the rights granted under this licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition;

- (x) the Licensee shall obtain the consent of the Minister to any proposed major change in the shareholding or control of the Licensee where such change substantially alters the identity of the Licensee;
- (y) this licence shall remain in operation until the 15th day of February, 2001 subject to the payment of the fee prescribed by the Department of the Marine;
3. The Minister shall be at liberty at any time to revoke or amend this licence if he considers that it is in the public interest to do so or if he is satisfied that there has been a breach of any condition specified in the licence or that the fishery to which the licence relates is not being properly maintained. Any such revocation or amendment shall be subject to the provisions of section 15 of the Fisheries (Consolidation) Act, 1959.
 4. This licence will remain subject to ongoing review in light of continued monitoring of, and research into, the two marine sites and neighbouring sea trout fisheries which may be undertaken by the Salmon Research Agency and/or the Fisheries Research Centre.
 5. In the event of proven contra-indications for sea trout stocks causatively linked to the fish farming operations permitted under this licence, the Minister may exercise his discretion to take any necessary protective measures ranging from reduction in permitted production levels to revocation of the licence and harvesting of all stock.
 6. The number given to the Licensee under this licence shall be FCL 198.
 7. This licence is not transferable.

8. This Licence replaces the licence dated 15th day of February, 1991 between the Minister and Salmara Fisheries Ltd.

PRESENT when the Seal of Office)
of the MINISTER FOR THE MARINE)
was affixed and was authenticated)
by the Signature of:)
David Glynn)
in the presence of:)
WITNESS: Bernadette Kieley)
ADDRESS: Department of the)
Marine, Leeson Lane, D.2)
OCCUPATION: Civil Servant)

David Glynn
a person authorised
under section 15(1)
of the Ministers and
Secretaries Act,
1924 to authenticate
the Seal of the
Minister.

I agree, on behalf of Gaelic Seafoods (Ireland) Ltd. to accept the terms and conditions of this licence.

Signed: [Signature]

Date: January 14 1995

Witness: [Signature]

Address: [Signature]

[Signature]

Occupation: Regional Director

SCHEDULE

This licence covers all that area of the foreshore which lies within Coulagh Bay, Co. Cork and is enclosed by a line drawn from Irish National Grid Reference point

061150, 053070 to Irish National Grid Reference point

061440, 053070 to Irish National Grid Reference point

061830, 052750 to Irish National Grid Reference point

061830, 052660 to Irish National Grid Reference point

060890, 052690 to the point first mentioned.

