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19th of July, 2016.

Ref. Supplementary information to our correspondence of July 15th concerning our sites at Deenish and Inishfarnard.

Dear Kevin,

Following our meeting last Thursday with the minister and officials from DAFM, we have reviewed our correspondence in light of the information imparted to us at that meeting and we feel it necessary to submit some further supplementary correspondence before the statutory time for response elapses.

As we have pointed out in our previous correspondence some of the terms and conditions attaching to our licences are now anachronistic and deeply counter to the original intention of the legislation governing our sector. It is the responsibility of the state and the department to take the necessary steps to keep the regulatory regime updated so that companies such as ourselves can carry out our business without being forced into impossible situations whereby we simply cannot operate without incurring the accusation of being in breach of certain inimical terms and conditions contained within the same aquaculture licence.

Given the economic importance of our activities to the localities in which we operate and the clearly demonstrable fact that we are not having any significant adverse environmental impact, there is a heavy burden of liability on the Minister and the department to maintain, and if necessary from time to time overhaul the regulatory regime so that the licence holders can operate without being forced into impossible situations never envisaged by the original legislation. That is the situation we currently find ourselves in; it is effectively impossible for us to operate, even at a minimal level without seeming to fall foul of the contradictory terms and conditions attaching to our hopelessly outmoded licences.

It thus came as a crushing disappointment to us to be told at our meeting on Thursday that the vital review of the licensing system promised in Food Wise 2025 had not been acted upon as yet. We noted that the minister stated that 'he hoped' to have the process started by the end of the year. This leaves us to have to try to carry on under the current impossible circumstances. We do not for a moment lay any blame on the Minister's shoulders as he has only just started in his new role but the delay in tackling this problem is reminiscent of the delays which led to the state being prosecuted by the EU in 1997 for failure to overhaul the licensing system to bring it into compliance with Natura 2000. The repercussions of that failure have dogged the sector ever since and are still stymying


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development to this day. This current delay in initiating the vital review committed to in Food Wise 2025 is further evidence of ongoing failure on the part of the state and the department to fulfil its obligations to its licence holders.

On the basis that the minister, to his credit, has decided to finally initiate the long overdue review of the system we contend that no action or sanction of any kind should be taken against our company with regard to the alleged breaches in the contradictory licence terms and conditions at our sites until such time as the review has been completed and our reasonable actions in running our operations in accordance with good practice in modern salmon farming can be seen through a modern regulatory lens. Otherwise we run the risk of being sanctioned in a manner that is utterly contrary to the original intention of the legislation.

Thank you again for your interest and attention.

A handwritten signature in blue ink, consisting of several overlapping, slanted strokes that form a stylized, illegible name.