



## **Ministerial Decision - Section 68 and Section 19(A)4 of the Fisheries (Amendment) Act 1997 (as amended)**

**FISHERIES (AMENDMENT) ACT 1997 (AS AMENDED): NOTICE OF MINISTERIAL DECISION UNDER THE PROVISIONS OF SECTION 68(1) AND SECTION 19(A)4 OF THE ACT, IN RESPECT OF ENTITLEMENT TO CONTINUE AQUACULTURE OPERATIONS UNDER THE PROVISIONS OF SECTION 19(A)4 OF THE ACT FOR THE CULTURE OF SALMON AND RAINBOW TROUT IN CAGES AT A SITE EAST OF INISHFARNARD, COULAGH BAY, CO CORK, T5/233 HELD BY SILVER KING SEAFOODS LIMITED, A WHOLLY OWNED COMPANY OF COMHLUCHT IASCAIREACHTA FANAD TEORANTA (T/A MARINE HARVEST IRELAND), FANAD FISHERIES, KINDRUM, FANAD, LETTERKENNY, CO DONEGAL**

Following an examination by his Department of possible overstocking, the Minister for Agriculture, Food and the Marine has determined that a provable breach of a licence condition (condition 2(d)) did not occur.

Condition 2(d) of the licence states *“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;”*

The Minister has concluded that a provable breach of the licence condition did not occur, in circumstances where evidential issues may arise as to what technically constitutes a smolt. The Minister wishes to seek to avoid a similar situation occurring in the future and therefore wishes to endeavour to have the licence amended.