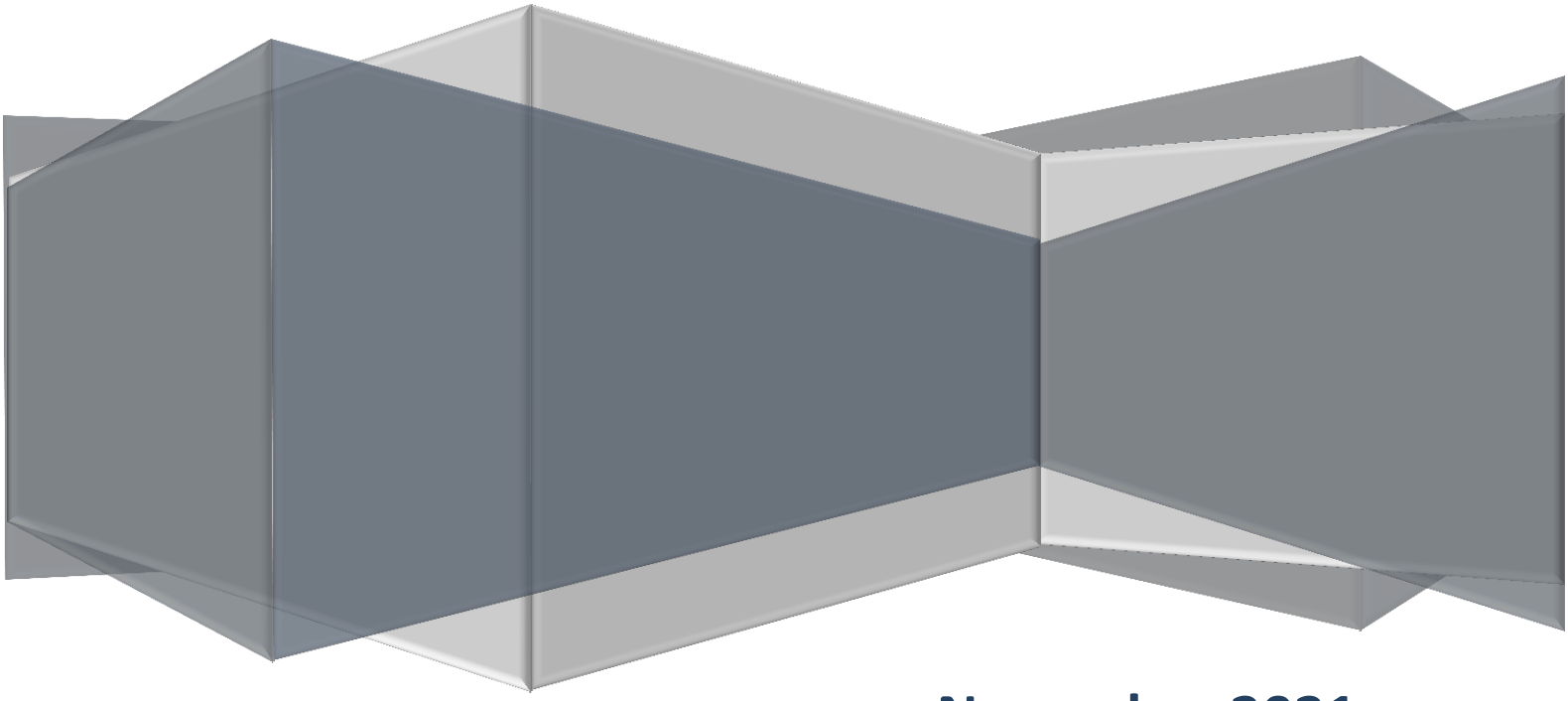
Pilot Quota Balancing Policy for Demersal Stocks

Policy & Information Booklet



November 2021

(with technical amendment in August 2019)

An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Quota Balancing Pilot Policy for Demersal Stocks

The Pilot Quota Balancing Policy for Demersal (Whitefish) Stocks (with technical amendment of August 2019) was implemented on 1st June 2020. A timeline of the development of the pilot policy, to date, is presented at Appendix 2.

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Minister for Agriculture, Food and the Marine

Date: 30 November 2021

An Roinn Talmhaíochta, Bia agus Mara
Department of Agriculture, Food and the Marine

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1. Quick Guide to Demersal Quota Balancing

- After a fishery management period closes, the Sea Fisheries Protection Authority (SFPA) will provide the final quantity of landings (as reported by the Master of the Vessel in the landing declarations), for the relevant demersal stocks, to the Department.
- Where a fishing trip has spanned more than one fishery management period (e.g. from August into September), for the purposes of quota balancing the date of catch as recorded in the operational logbook is used to decide in which period the fish was caught. Where there is any difference between the quantity of catch recorded in the operational logbook and the final quantity of landings in the landing declaration (e.g. in a trip that takes place over two fishery management periods), the difference is divided between these fishery management periods according to the catch data for each period (catch share) recorded in the operational logbook.
- For example, in a fishing trip that spans more than one fishery management period (e.g. from August into September), the operational logbook states that that 2 tonnes of Hake was caught in August and 3 tonnes of Hake was caught in September. The landing declaration states that the total final quantity of landings for Hake for that trip was 5.5 tonnes. For the purpose of quota balancing, 5.5 tonnes x 2/5 (2.2 tonnes) of Hake is regarded as caught in August and 5.5 tonnes x 3/5 (3.3 tonnes) of Hake is regarded as caught in September. Where the declared quantity of landings in the landing declarations (as divided out, where relevant) exceeds the catch limit for the period for any relevant demersal stock(s), the Department will commence the quota balancing process for the vessel.
- A provisional quota balancing statement will issue to the Licence Holder. This statement will set down the catch limit (per relevant demersal stock) for the vessel for the period, the declared quantity of landings for the period, the quantity of landings in excess of the catch limit(s) and the balancing adjustment(s) worked out for any excess.
- For landings in excess of permitted catch limits, a multiplying factor will apply (see example below).
- The Licence Holder will be given a set number of days to query relevant trip/landing data with the SFPA and/or catch limit(s)/ balancing adjustment enquiries with the Department.
- A final quota balancing statement will then issue to the Licence Holder setting out the final balancing adjustments that have been incurred. It will advise that balancing adjustments (quota balancing) will be applied at the earliest possible opportunity.
- An authorisation will issue to the licence holder for a subsequent fishery management period when any balancing adjustments are applied.
- This authorisation will set out the adjusted catch limits for the relevant demersal stocks that have been quota balanced.
- **Once an authorisation has been issued to a vessel, that vessel is *only permitted to fish up to the catch limit for any demersal stock(s) for the fishery management period set down in the authorisation.***
- Fishing activity for all other demersal stocks (i.e. not set down in the authorisation) is to be carried out in accordance with the relevant Fisheries Management Notice(s) for that fishery management period.

- *Example of application of Multiplying Factor:*

Catch Limit ***(tonnes)***	**Landings** ***(tonnes)***	**Landings in excess of Catch Limit** ***(tonnes)***	**Category**	**Balancing Adjustment** ***(tonnes)***
10	10.50	0.50	Up to 10% of Catch limit **Multiplying Factor 1.0**	0.50
10	11.50	1.50	Over 10% up to 20% of Catch limit **Multiplying factor 1.2**	1.80
10	13	3	Over 20% up to 40% of Catch limit **Multiplying factor 1.4**	4.20
10	14.50	4.50	Over 40% up to 50% of Catch limit **Multiplying factor 1.8**	8.10
10	16	6	Greater than 50% Catch limit **Multiplying factor 2.0**	12
0	*2*	*2*	*Fishing without a catch/by-catch limit* ***Multiplying factor 2.0***	*4*

2. Introduction – Quota Balancing for Demersal Stocks

The Quota Balancing Scheme for Demersal Stocks has been developed by the Department of Agriculture, Food and the Marine at the request of, and with the assistance of, the Quota Management Advisory Committee (QMAC).[1]

3. Key Points

- This is a pilot scheme for demersal stocks.
- Quota Balancing means that where a vessel fishes in excess of catch limit for a relevant stock during a fishery management period, a balancing adjustment is made from future catch limit(s) for that vessel.
- A multiplying factor applies so that the greater the excess catch when compared with the catch limit, the larger the balancing adjustment that will be made.
- The Quota Balancing system is being introduced on a phased basis to assist with the full implementation of the Landing Obligation requirements. The objective of the Landing Obligation is to eliminate the wasteful and unsustainable practice of discarding fish at sea.
- The Quota Balancing system is a management, conservation and rational exploitation measure that will aid the Minister in matching catch limit to actual catch to support the Landing Obligation requirements.
- ***Quota Balancing by the Department is independent of any action being considered or taken by the control authorities.***

[1] For more details on the QMAC, please see https://www.gov.ie/en/collection/4703a-policy-quota-management/

4. Scope

A pilot scheme for pelagic stocks was introduced by the Minister for Agriculture, Food and the Marine on 1st January 2018, and a settled quota balancing policy for pelagic stocks was signed by the Minister in July 2020, which incorporated any amendments and clarifications since 2018.The Department's IT System continues to be upgraded with a view to supporting a full range of enhanced Quota Management processes, both for operators and administrators.

The landing obligation (as provided for under Article 15 of Regulation (EU) No. 1380/2013)[2] is about conservation, and measures to align its principles with Ireland's quota management system should follow this premise. The quota balancing system for relevant demersal stocks will incorporate the application of a multiplying factor similar to that applied to Member States in Article 105 of Regulation (EC) 1224/2009 as amended.[3]

Where a vessel exceeds its catch limit for a relevant demersal stock in a fishery management period, the excess catch of that stock retained on board and landed will be subject to quota balancing.

Quota balancing by the Department in accordance with the arrangements set out in this scheme is considered to be independent of any action being considered or taken by the control authorities.

The Sea Fisheries Protection Authority's (SFPA) role is limited to furnishing the Department with quality assured landing data (as submitted by the Master of the Vessel in the landing declaration(s)) for a fishery management period (as apportioned, where relevant) so that the Department can implement quota balancing.

Where a fishing trip has spanned more than one fishery management period, any divergence between the quantity of catch recorded in the operational logbook and the final quantity of landings in the landing declaration is apportioned out between the relevant management periods in accordance with the catch data for each period (catch share) recorded in the operational logbook.

In the pilot phase of this policy, Demersal Quota Balancing applied to 5 stocks: Haddock in 6a, Hake in 6 & 7, Monkfish in 6, Monkfish in 7 and Whiting in 7b-k. As per the pilot policy, effort is being made to introduce quota balancing for further demersal stocks on a phased basis. At this time, the pilot policy is being updated to include 4 further stocks: Haddock in 6b, Megrim in 6, Megrim in 7 and Pollack in 7.

Pilot Phase – Demersal Stocks* (* further stocks to be added on a phased basis)

SPECIES	AREA	AREA CODE
Haddock ***Haddock***	6a 6b	HAD/5BC6A. HAD/6B1214
Hake	6, 7	HKE/571214
Megrim ***Megrim***	6 7	LEZ/56-14 LEZ/07.
Monkfish (Anglerfish) ***Monkfish (Anglerfish)***	6 7	ANF/56-14 ANF/07.
Pollack	7	POL/07.
Whiting	7b-k	WHG/(7X7A)7X7A-C

[2] https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1380&from=EN

[3] https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1224&from=EN

5. Determination of balancing adjustments from future catch limits

Where a vessel fishes in excess of catch limit for one or more relevant demersal stock(s) in a fishery management period, it will be necessary to make a balancing adjustment from future catch limit(s) for that vessel. The Department will endeavour to make this balancing adjustment at the next possible fishery management period or as near as possible thereafter.

Such a balancing adjustment from a future catch limit will be determined to be necessary when the sum of landings for a vessel set out in the landing declarations (as apportioned, where relevant) exceeds the catch limit for that demersal stock (for that vessel) in the relevant Authorisation/Fisheries Management Notice for the fishery management period.

Fishery Management Periods: For demersal stocks, monthly/two month/three month/quarterly fishery management periods may operate.

In order to implement this system of quota balancing, the following are necessary:

- For demersal stocks, the Department will ask the SFPA to provide quality assured landing data (as reported by the Master of the Vessel in the landing declaration(s) and as apportioned, where relevant) so that the Department may implement quota balancing.
- For the current purposes of this demersal scheme, landings in excess of catch limits are considered as attaching to the vessel itself and not the fishing capacity associated with the vessel.

The following principles will apply for Demersal Quota Balancing:

- *Landings:*
    - the determination of the **date of landings** for one or more relevant demersal stocks in a fishery management period will be based on the landings record for the relevant demersal stock(s) **set out in the landing declaration(s)** submitted by the Master of the Vessel at the end of a trip (as provided to the Department by the SFPA). However, where a fishing trip has spanned more than one fishery management period, the determination of date will be based on the date of catch as recorded in the operational logbook.
    - the determination of the **quantity of landings** for one or more relevant demersal stocks in a fishery management period will be based on the landings record for the relevant demersal stock(s) **set out in the landing declaration(s)** submitted by the Master of the Vessel at the end of a trip (as provided to the Department by the SFPA). However, where a fishing trip has spanned more than one fishery management period, any divergence between the quantity of catch recorded in the operational logbook and the final quantity of landings in the landing declaration is apportioned out between the relevant management periods in accordance with the catch data for each period (catch share) recorded in the operation logbook.

- *Relevant Vessels:* Only those vessels which have landed in excess of catch limit for a fishery management period for one or more relevant demersal stocks, as submitted by the Master of the Vessel in the landing declaration(s) (and as apportioned, where relevant), will be quota balanced. The aim is that any Quota Balancing Statements will be issued by email on a

periodic basis (usually monthly or bi-monthly) to current licence holders (vessel owners) for all vessels landing in excess of catch limit for one or more of the relevant demersal stocks, as set out in the landing declaration(s) (and as apportioned, where relevant) submitted by the Master of the Vessel. Vessels which do not land in excess of catch limit for any of the relevant demersal stocks will not receive any Quota Balancing Statements in the pilot phase for demersal stocks.

- Quota balancing currently follows the vessel in the pilot phase i.e. landings in excess of catch limits are considered as attaching to the vessel itself (or any replacement) and not the fishing capacity associated with the vessel.

- *Catch Limits:* For the purposes of quota balancing for demersal stocks, the catch limit(s) for any relevant demersal stocks set out in an Authorisation issued to a vessel for a fishery management period supersede (i.e replace) the catch limit(s) set out in the relevant Fisheries Management Notice for the category of vessel to which the relevant vessel belongs for that fishery management period (see 'Recoupment' below)

- *Multiplying Factor:* Balancing will be applied to the landings in excess of catch limits set out for the demersal stock(s) in the Authorisation/Fisheries Management Notice for that fishery management period. Balancing will be on an equal basis for landings in excess of permitted catch limits up to 10%. For landings in excess of 10%, a multiplying factor in accordance with the table below will apply to the entire amount in excess of catch limit:

Extent of overfishing relative to permitted catch/by-catch limit	**Multiplying factor**
(Up to 10% of allocation	1.0)
Over 10% up to 20%	1.2
Over 20% up to 40%	1.4
Over 40% up to 50%	1.8
Any further overfishing greater than 50%	2.0
Fishing without a catch/by-catch limit for a relevant stock (or in a zone where the vessel is not permitted to fish)	2.0

Example of application of Multiplying Factor

Catch Limit *(tonnes)*	**Landings** *(tonnes)*	**Landings in excess of Catch Limit** *(tonnes)*	**Category**	**Balancing Adjustment** *(tonnes)*
10	10.50	0.50	Up to 10% of Catch limit **Multiplying Factor 1.0**	0.50
10	11.50	1.50	Over 10% up to 20% of Catch limit **Multiplying factor 1.2**	1.80
10	13	3	Over 20% up to 40% of Catch limit **Multiplying factor 1.4**	4.20
10	14.50	4.50	Over 40% up to 50% of Catch limit **Multiplying factor 1.8**	8.10
10	16	6	Greater than 50% Catch limit **Multiplying factor 2.0**	12
0	*2*	*2*	*Fishing without a catch/by-catch limit* ***Multiplying factor 2.0***	*4*

- *Minimum Catch Limit for Individual Vessels:* A minimum catch limit, e.g. 0.40t for over 55ft vessels and 0.20t for under 55ft vessels (as decided by the Minister following QMAC advice), may be made available to an individual vessel where its balancing adjustment for a particular stock is greater than (or equal to) the catch limit for that category of vessel under the relevant Fisheries Management Notice. In such instances, any outstanding balancing adjustment for that stock will only be reduced by the difference between the catch limit available to other vessels in that category under the relevant Fisheries Management Notice and the minimum catch limit for that category of vessel. The licence holder will be granted an Authorisation to fish the reduced quantity of that stock. Any outstanding quota balancing adjustment still remaining at the end of the fishery management period is carried over into a subsequent fishery management period until a full adjustment is made (see example in Appendix 1).

- *National Landing Obligation By-catch Amount (LO by-catch) for all Vessels:* A small by-catch amount may be made available to all vessels (e.g. 0.40t for over 55ft vessels and 0.20t for under 55ft vessels), as decided by the Minister following QMAC advice, on a periodic basis for all relevant demersal stocks as long as there is national quota available for the relevant demersal stock. The aim is to allow other commercial fisheries to continue for vessels and avoid a 'choke situation'. Fishing in excess of by-catch limit for relevant stocks will be managed in the same manner as fishing in excess of catch limit for relevant stocks.

An example of how quota balancing will apply in practice to demersal stocks is outlined below in Appendix 1.

6. Recoupment

Where a vessel lands in excess of catch limit available for one or more demersal stocks, a balancing adjustment will be made against future fishing opportunities for that specific stock for that vessel at the next available opportunity. The Department will endeavour to make this balancing adjustment at the next possible fishery management period or as near as possible thereafter. Quota balancing will only apply where the landings concerned are at least 50kg in excess of the catch limit made available for that demersal stock.

Authorisation Process:

When the balancing adjustment is applied for one or more demersal stocks fished in excess of catch limit, the relevant vessel will be issued with an Authorisation setting down the adjusted catch limits for these (quota balanced) demersal stocks for that fishery management period.

Once an Authorisation has been issued to a relevant vessel, that vessel is *only permitted to fish up to the catch limit for that/those demersal stock(s) set down in the Authorisation. The catch limit for that stock/those stocks set out in the Fisheries Management Notice for that fishery management period will not be available to the vessel and the vessel will continue to operate under an Authorisation for that stock/those stocks until the full balancing adjustment has been made.*

The vessel will operate for all other demersal stocks not subject to Quota Balancing (i.e. not set down in the Authorisation) for that fishery management period in accordance with catch limits set out for its category of vessel under the relevant Fisheries Management Notice(s).

Where a quota balancing adjustment is still outstanding for any demersal stocks at the end of a fishery management period, the vessel will be issued with a new Authorisation to fish for those stocks for the subsequent fishery management period and so on for each subsequent fishery management period until a full adjustment has been made.

Where a vessel continues to fish for relevant demersal stocks in excess of catch limit for any subsequent fishery management period(s), that vessel will continue to be issued with an Authorisation setting out revised catch limits for relevant demersal stocks for each subsequent fishery management period until such time as a full adjustment for all relevant demersal stocks has been made.

Should any amount of the balancing adjustment remain outstanding at the end of a calendar year, the balance will be carried forward into the subsequent year and so on. When the balancing adjustment is applied to a vessel, it will be clearly set down in the Authorisation issued to the relevant vessel for the relevant fishery management period.

Quota Balancing against a different Demersal Stock:

The balancing adjustment is to be made against the same demersal stock, but in exceptional circumstances, where this is not possible, the adjustment will be made against a stock with the nearest equivalent economic value, on a one-for-one basis. Any proposed adjustment against a different stock will be brought before the Quota Management Advisory Committee, in anonymised form, for advice, which will be subject to Ministerial approval.

Where a vessel is unlikely to receive a further allocation of the demersal stock(s) within the following 12-month period, a balancing adjustment will be made in respect of an alternative stock(s) by the Minister taking account of the advice of the QMAC. In this regard, account will be taken of the main target stock(s) for the vessel concerned. Also, regard will be had to the respective economic values of the stocks concerned and every effort will be made to ensure that a comparable value applies or as near as possible thereto.

Quota Balancing for Pelagic by-catches when fishing Demersal Stocks:

Where a vessel lands a by-catch of a pelagic stock when fishing demersal stocks (and does not have a catch limit for the relevant pelagic stock(s)), a balancing adjustment will be made against a stock with the nearest equivalent economic value, on a one-for-one basis, and in accordance with the appropriate multiplying factor. In this regard, account will be taken of the main target stock(s) for the vessel concerned. Any proposed adjustment against an alternative stock will be brought before the Quota Management Advisory Committee in anonymised form, for advice, which will be subject to Ministerial approval.

7. Notice to Licence Holders (Vessel Owners)

The Minister, in accordance with his powers as set down in Section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 for the management and conservation and rational exploitation of fishing opportunities for Irish fishing boats under the Common Fisheries Policy, will set out full details of the balancing adjustment to be recouped (for landings in excess of catch limit). These details will accompany future catch limit(s) where the adjustment is being applied (adjusted catch limits set down by Authorisation).

8. Timing of Balancing Adjustment

Any balancing adjustment will be given effect as early as possible, following the completion of the procedures set out above.

9. Frequently Asked Questions

Q.1 Why is Quota Balancing being introduced and what does it mean in practice?

A Quota Balancing system is being introduced to assist with the full implementation of the Landing Obligation (or 'Discards Ban' as it is also known), as provided for under Article 15 of Regulation (EU) No. 1380/2013. A quota balancing system is a conservation measure that will aid the Minister in matching available quota to actual catch so that incentives to discard are reduced.

Quota balancing means that balancing adjustments will be made from future allocations of fishing opportunities where a vessel fishes in excess of catch limit. A multiplying factor will also apply, meaning that the greater the extent of overfishing relative to permitted catch, the greater the balancing adjustment(s) that will be made.

Q.2 What Stocks will be covered?

*Quota Balancing is being introduced on a phased basis for relevant **Demersal Stocks.** (see table on page 4 above). Quota Balancing for pelagic stocks was introduced by the Minister for Agriculture, Food and the Marine on 1st January 2018 and the settled quota balancing policy for pelagic stocks signed by the Minister in July 2020 will continue to apply.*

Q.3 What data will be used during the Quota Balancing process for Demersal Stocks?

After the end of each fishery management period for Demersal stocks, the SFPA will provide the Department with quality assured landing data (as reported by the Master of the Vessel in the landing declarations) for a fishery management period (as apportioned, where relevant) for the relevant Demersal stocks so that the Department can implement quota balancing. Where a fishing trip has spanned more than one fishery management period, any divergence between the quantity of catch recorded in the operational logbook and the final quantity of landings in the landing declaration is

apportioned out between the relevant management periods in accordance with the catch data for each period (catch share) recorded in the operation logbook.

Q.4 Which vessels will be Quota Balanced?

Only those vessels which have landed in excess of catch limit for a fishery management period for one or more relevant demersal stocks, as set out in the landing declaration(s) submitted by the Master of the Vessel, will be quota balanced. Quota balancing currently follows the vessel in the pilot phase. i.e. landings in excess of catch limits are considered as attaching to the vessel itself (or any replacement) and not the fishing capacity associated with the vessel.

Q.5 Will vessels who use paper log sheets be Quota Balanced?

Yes, all vessels that have landed in excess of catch limit for a fishery management period for one or more relevant demersal stocks, as set out in the landing declaration(s) (as apportioned, where relevant) submitted by the Master of the Vessel, will be quota balanced. The onus is on the Master of the Vessel using paper log sheets to submit final landing declarations in a timely fashion.

Q.6 How will Licence Holders (Vessel Owners) know if their vessel is being Quota Balanced?

Quota Balancing Statements will be usually be issued by email on a monthly (or bi-monthly) basis to current licence holders for all vessels which have landings in excess of catch limit(s) for one or more of the relevant demersal stocks, as set out in the landing declaration(s) (as apportioned, where relevant) submitted by the Master of the Vessel. Vessels which do not land in excess of catch limit for any of the relevant demersal stocks will not receive any Quota Balancing Statements in the pilot phase.

Relevant Licence holders (vessel owners) nominate a single email address per vessel (single point of contact) which is regularly monitored and can be used to receive quota balancing statements. Should a Licence Holder wish to nominate a different email address at any stage, he/she should contact the Department directly at QBenquiries@agriculture.gov.ie. ***Unless the Department is informed directly of any change in writing, the nominated email address will continue to be used as the single point of contact for Quota Balancing.***

Q.7 When will Licence Holders (Vessel Owners) Receive a Quota Balancing Statement?

Quota balancing statements for relevant demersal stocks fished in excess of catch limit(s) will be issued by DAFM to current vessel licence holders after the relevant fishery management period has closed and quota balancing adjustments have been calculated, based on landing data as provided to the Department by the SFPA.

Q.8 How many Quota Balancing Statements will a Licence Holder (Vessel Owner) Receive?

Licence holders will receive two statements for each fishery management period their vessel has fished in excess of catch limit for one or more relevant demersal stocks:

- *a provisional quota balancing statement; and,*

- *a final quota balancing statement.*

Once the provisional quota balancing statement has been issued, licence holders will be given a set timeframe to contact the SFPA regarding any anomalies in the landing data for that demersal stock, as submitted by the Master of the Vessel. The final date for enquiries is clearly visible on the statement header. Where there is no reply by the licence holder by or on the final date for enquiries, all landing data (as submitted by the Master of the Vessel) for the demersal stock(s) included in the Quota Balancing statement will be deemed final for the purposes of quota balancing only. After this time, DAFM will issue final quota balancing statements to licence holders by email.

Q.9 What information will be available on the Quota Balancing statements?

Samples of both the provisional and final quota balancing transaction statements, which will issue to Licence Holders (Vessel Owners), are provided below. Please note that these are for illustrative purposes only and are subject to change.

Quota balancing statements will clearly outline the following:

1. *Type of Quota Balancing Statement (Provisional or Final);*
2. *Dates of Fishery Management Period and relevant Demersal stock(s) to be Quota Balanced*
3. *Issue date for the Statement;*
4. *For Provisional Statements only: Final date for declared landing/trip enquiries (data as submitted by the Master of the Vessel) to the SFPA, along with SFPA contact details;*
5. *Vessel details including identifiers and licence holder details;*
6. *Calculation of any quota balancing adjustment to be applied;*
7. *Breakdown of all declared landings by the Master of the Vessel for all trips for the relevant demersal stock(s) fished in excess of catch limit(s) by the vessel in the relevant fishery management period;*
8. *Contact details for DAFM for any catch limit(s)/calculation of balancing adjustment enquiries.*

Q.10 How will Quota Balancing be Calculated?

For the fishery management period, all landing data as apportioned, where relevant (as submitted by the Master of the Vessel) for all trips for each relevant demersal stock(s) is totalled on a per stock basis and quota balancing calculated according to the total landings for each demersal stock in excess of catch limit.

Landings for each relevant demersal stock in excess of catch limit are then converted to a percentage. Balancing will be applied on an equal basis for landings in excess of catch limits up to 10%. For landings in excess of 10%, a multiplying factor in accordance with the table below will apply:

Extent of overfishing relative to permitted catch limit	***Multiplying factor***
(Up to 10% of catch limit	*1.0)*
Over 10% up to 20%	*1.2*
Over 20% up to 40%	*1.4*
Over 40% up to 50%	*1.8*
Any further overfishing greater than 50%	*2.0*
Fishing without a catch/by-catch limit for a relevant stock (or in a zone where the vessel is not permitted to fish)	*2.0*

Example of application of Multiplying Factor:

Catch Limit *(tonnes)*	**Landings** *(tonnes)*	**Landings in excess of Catch Limit** *(tonnes)*	**Category**	**Balancing Adjustment** *(tonnes)*
10	*10.50*	*0.50*	*Up to 10% of Catch limit* ***Multiplying Factor 1.0***	*0.50*
10	*11.50*	*1.50*	*Over 10% up to 20% of Catch limit* ***Multiplying factor 1.2***	*1.80*
10	*13*	*3*	*Over 20% up to 40% of Catch limit* ***Multiplying factor 1.4***	*4.20*
10	*14.50*	*4.50*	*Over 40% up to 50% of Catch limit* ***Multiplying factor 1.8***	*8.10*
10	*16*	*6*	*Greater than 50% Catch limit* ***Multiplying factor 2.0***	*12*
0	*2*	*2*	*Fishing without a catch/by-catch limit* ***Multiplying factor 2.0***	*4*

Q.11 Is it possible to query the figures/data in the quota balancing transaction statement?

Yes. The figures/data included in the quota balancing transaction statement will be the declared landings provided by the SFPA as reported by the Master of the Vessel(s). It should be noted that for a Licence Holder (Vessel Owner) to query the figures/data set down in the provisional Quota Balancing Statement, would, in essence, mean querying the landing declarations of the Master of the Vessel. However, where a genuine mistake has occurred, e.g. entering a decimal point incorrectly, the Licence Holder may bring this to the attention of the SFPA and seek SFPA agreement for an amendment to the landing declaration. Any such issues must be made within the timeframe for a response set out in the Provisional Quota Balancing Statement. Any amendment supported by the SFPA will be submitted by the SFPA to the Department as an adjustment and used by the Department for final Quota Balancing.

Q.12 How will Quota Balancing be Applied?

Any balancing adjustment for each relevant demersal stock will be displayed in tonnes and will be made at the earliest possible opportunity against future catch limit(s). The Department will endeavour to make this balancing adjustment at the next possible fishery management period or as near as possible thereafter (so, for example, if the fishing in excess of catch limit occurs in August, quota balancing statements will issue to the vessel in October and the Department will endeavour to apply any quota balancing adjustment in November).

Q.13 What happens if a Balancing Adjustment cannot be made against the same Stock?

The balancing adjustment is to be made against the same demersal stock but where this is not possible the adjustment will be made against a stock with the nearest equivalent economic value. Any proposed adjustment against a different stock will be brought before the Quota Management Advisory Committee for advice, which will be subject to Ministerial approval. Should any amount of the balancing adjustment remain outstanding at the end of a calendar year, the balance will be carried forward into the subsequent year and so on. When the balancing adjustment is applied to a vessel, it will be clearly set down in the Authorisation issued to the relevant vessel for the relevant fishery management period.

Q.14 How does a Licence Holder (Vessel Owner) know which demersal stocks his/her vessel must fish under an Authorisation and which demersal stocks can be fished under Fisheries Management Notice(s) for the Fishery Management Period?

When the balancing adjustment is applied for one or more demersal stocks fished in excess of catch limit, the relevant vessel will be issued with an Authorisation setting down the adjusted catch limits for these demersal stocks for that fishery management period. Once an Authorisation has been issued to a relevant vessel, that vessel is only permitted to fish up to the catch limit for that/those demersal stock(s) set down in the Authorisation. The catch limit for that stock/those stocks set out in the Fisheries Management Notice for that fishery management period will not be available to the vessel and the vessel will continue to operate under an authorisation for that stock/those stocks until the full balancing adjustment has been made. The vessel will operate for all other demersal stocks not subject to Quota Balancing (i.e. not set down in the Authorisation) for that fishery management period in accordance with catch limits set out for its category of vessel under the relevant Fisheries Management Notice(s).

Q.15 What happens when a vessel has a quota balancing adjustment to be applied that is greater than the catch limit(s) set out in a Fisheries Management Notice for the category of vessel to which the relevant vessel belongs?

A minimum catch limit, e.g. 0.40t for over 55ft vessels and 0.20t for under 55ft vessels (as decided by the Minister following QMAC advice), may be made available to an individual vessel where its balancing adjustment for a particular stock is greater than (or equal to) the catch limit for that category of vessel under the relevant Fisheries Management Notice. In such instances, any outstanding balancing adjustment for that stock will only be reduced by the difference between the catch limit available to other vessels in that category under the relevant Fisheries Management Notice

and the minimum catch limit for that category of vessel. The licence holder will be granted an Authorisation to fish the reduced quantity of that stock. Any outstanding quota balancing adjustment still remaining at the end of the fishery management period is carried over into a subsequent fishery

management period until a full adjustment is made (see example in Appendix 1).

Q.16 Will a fishery be closed by FMN when the SFPA advise that thenational quota has been taken?

Yes. The Minister will close the fishery by Fisheries Management Notice when the SFPA advise that the national quota for that fishery has been exhausted.

Q.17 Will any landings that are set against the target stock, at the end of the year (interstocks flexibility in accordance with Article 15(8) of the CFP Regulation 1380/2013) be subject to quota balancing?

Any interstocks flexibility will be carried out at the end of the year by the Department at national level. Landings of stocks, subject to interstocks flexibility, by individual vessels will fall within the scope of the quota balancing scheme.

Q.18 If a vessel does not land up to the maximum catch limit set down in a particular fishery management period, can the vessel combine the balance of the catch limit with the maximum catch limit set down for the following fishery management period?

No. Quota is a national resource. The combination of catch limits across periods could support a possible case for individual rights to quota and support a future case for an Individual Transferable Quota system and accordingly will not be permitted.

Q.19 What happens when a vessel with an outstanding quota balancing adjustment changes ownership during a fishery management period?

Quota balancing currently follows the vessel in the pilot phase. Any licence holder acquiring a vessel should exercise due diligence with regard to any outstanding balancing adjustments that are attaching to that vessel.

APPENDIX 1

Example of Quota Balancing for Demersal Stocks

In August 2021, Starry Boat (over 55ft vessel) fished under a Fisheries Management Notice for all relevant Demersal stocks.

In August 2021, Starry Boat targeted Haddock in 6a, Monkfish (Anglerfish) in 7, Whiting in 7b-k, and Hake in 7.

Catch limits on the FMN were as follows:

- 12t for Haddock in 6a;
- 8t for Monkfish (Anglerfish) in 7;
- 50t for Whiting in 7b-k; and
- 10t for Hake in 6, 7;

Starry Boat landed the following quantities:

- 11t of Haddock in 6a;
- 7t of Monkfish (Anglerfish) in 7;
- 80t of Whiting in 7b-k; and
- 12t of Hake in 7;

As Starry Boat did not land in excess of catch limit for Haddock or Monkfish (Anglerfish), no quota balancing will apply to these stocks. However, Starry Boat landed in excess of catch limit for Whiting and Hake as follows:

VESSEL	STOCK CODE	SPECIES	CATCH/BY-CATCH LIMIT	LANDINGS	LANDINGS VS CATCH/BY-CATCH LIMIT	% OF CATCH/BY-CATCH LIMIT LANDED
Starry Boat	HKE/571214	Hake	10t	12t	+2t	120%
Starry Boat	WHG/7X7A-C	Whiting	50t	80t	+30t	160%

Hake

The extent of landings relative to permitted catch limit for Hake in 6, 7 is +20%. Applying the multiplier set out in the table above, the excess catch falls into the 'Over 10% up to 20%' category, therefore a multiplier of 1.2 will apply.

Landings in excess of catch limit = 2t

Calculation of the adjustment to be re-balanced in the next fishing management period
2 x 1.2 (multiplying factor for 'Over 10% up to 20%') = 2.4t

The future fishing opportunities for Hake in 6, 7 will adjusted by – 2.4t for Starry Boat

Whiting

The extent of landings relative to permitted catch limit for Whiting in 7b-k is +60%. Applying the multiplier set out in the table above, the excess catch falls into the 'Any further overfishing greater than 50%' category, therefore a multiplier of 2 will apply.

Landings in excess of catch limit = 30t

Calculation of the adjustment to be re-balanced in the next fishing management period
30 x 2 (multiplying factor for 'Any further overfishing greater than 50%') = 60t

The future fishing opportunities for Whiting in 7b-k will adjusted by – 60t for Starry Boat

The quota balancing adjustments are applied for Starry Boat to future catch limits for Hake in 6, 7 and Whiting in 7b-k. The licence holder for Starry Boat will be granted an Authorisation to fish the reduced quantity of these stocks. For all other relevant Demersal stocks NOT set down in the Authorisation (not subject to Quota Balancing), Starry Boat fishes under the relevant Fisheries Management Notice(s). The Department will endeavour to make these balancing adjustments at the next possible fishery management period or as near as possible thereafter (so in this scenario, Starry Boat fished in excess of catch limits for Hake and Whiting in August, the Department will issue quota balancing statements to Starry Boat in October and endeavour, where possible, to apply these quota balancing adjustments in November (see below)).

Sample Provisional **Quota Balancing Statement**
Demersal Stocks August 2021

An Roinn Talmhaíochta, Bia agus Mara
Department of Agriculture, Food and the Marine

Issue Date:	1/10/2021
Enquiries by:	8/10/2021[1]

Vessel Details				
Vessel Name	**Licence Holder(s)**	**CFR Number**	**Port Reg. Number**	**Management Period**
Starry Boat	Joe Bloggs	IRL00000100	A123	01/08/2021 to 31/08/2021

Calculation of Balancing Adjustment for Hake (HKE) in 6, 7						
Stock Code	**Catch/by-catch Limit (*tonnes*)**	**Declared Landings* (*tonnes*)**	**Landings in excess of Catch/by-catch Limit**	**% Landings in excess of Catch/by-catch Limit**	**Multiplier[2]**	**Balancing Adjustment[3] (*tonnes*)**
HKE/571214	10.000	12.000	2.000			
TOTAL	**10.000**	**12.000**	**2.000**	**20.0%**	**x 1.2**	**2.400**

***Declared Landings for Hake (HKE) in 6, 7**				
Stock Code	**Zone(s)**	**Landing Date**	**Logsheet Number**	**Declared Landings (*tonnes*)**
HKE/571214	6	12/08/2021	IRLA123-2021-001	5.500
HKE/571214	7	23/08/2021	IRLA123-2021-002	6.500
			TOTAL	**12.000**

Calculation of Balancing Adjustment for Whiting (WHG) in 7b-k						
Stock Code	**Catch/by-catch Limit (*tonnes*)**	**Declared Landings* (*tonnes*)**	**Landings in excess of Catch/by-catch Limit**	**% Landings in excess of Catch/by-catch Limit**	**Multiplier[2]**	**Balancing Adjustment[3] (*tonnes*)**
WHG/7X7A-C	50.000	80.000	30.000			
TOTAL	**50.000**	**80.000**	**30.000**	**60.0%**	**x 2**	**60.000**

***Declared Landings for Whiting (WHG) in 7b-k**				
Stock Code	**Zone(s)**	**Landing Date**	**Logsheet Number**	**Declared Landings (*tonnes*)**
WHG/7X7A-C	VII	02/08/2021	IRLA123-2021-003	21.000
WHG/7X7A-C	VII	14/08/2021	IRLA123-2021-004	17.000
WHG/7X7A-C	VII	22/08/2021	IRLA123-2021-005	14.000
WHG/7X7A-C	VII	28/08/2021	IRLA123-2021-006	28.000
			TOTAL	**80.000**

(1)

If you do not agree with the data, enquiries must be made by 8/10/2021. **In the event of a non- reply by this date, all data (as submitted by the Master of the Vessel) will be deemed final for the purposes of Quota Balancing only.**

Declared Landings/Trips enquiries to be submitted to the **SFPA** at: quotabalancing@sfpa.ie

Please provide the full Trip ID and an explanation of why you do not agree with the data provided in your statement.

Catch Limit(s)/Calculation of Balancing Adjustment enquiries to be submitted to the **Department** at: QBEnquiries@agriculture.gov.ie

(2)

Landing in excess of Catch/by-catch Limit	**Multiplying Factor**
Up to 10%	1.0
Over 10% up to 20%	1.2
Over 20% up to 40%	1.4
Over 40% up to 50%	1.8
Greater than 50%	2.0
Fishing without a catch/by-catch limit for a relevant stock (or in a zone where the vessel is not permitted to fish)	*2.0*

(3)

Any balancing adjustment will be made, at the earliest possible opportunity, against future catch limit(s) for the above mentioned demersal stocks fished in excess of catch limit. The Department will endeavour to make this balancing adjustment at the next possible fishery management period or as near as possible thereafter. When the balancing adjustment is applied for one or more demersal stocks fished in excess of catch limit, the relevant vessel will be issued with an Authorisation setting down the adjusted catch limits for these demersal stocks for that fishery management period. Once an Authorisation has been issued to a relevant vessel, that vessel is only permitted to fish up to the catch limit for that/those demersal stock(s) set down in the Authorisation. The catch limit for that stock/those stocks set out in the Fisheries Management Notice for that fishery management period will not be available to the vessel and the vessel will continue to operate under an authorisation for that stock/those stocks until the full balancing adjustment has been made. The vessel will operate for all other demersal stocks not subject to Quota Balancing (i.e. not set down in the Authorisation) for that fishery management period in accordance with catch limits set out for its category of vessel under the relevant Fisheries Management Notice(s).

Sample Final **Quota Balancing Statement**
Demersal Stocks August 2021

Issue Date:	20/10/2021

Vessel Details				
Vessel Name	**Licence Holder(s)**	**CFR Number**	**Port Reg. Number**	**Management Period**
Starry Boat	Joe Bloggs	IRL00000100	A123	01/08/2021 to 31/08/2021

Calculation of Balancing Adjustment for Hake (HKE) in 6, 7						
Stock Code	**Catch/by-catch Limit (*tonnes*)**	**Declared Landings* (*tonnes*)**	**Landings in excess of Catch/by-catch Limit**	**% Landings in excess of Catch/by-catch Limit**	**Multiplier[2]**	**Balancing Adjustment[3] (*tonnes*)**
HKE/571214	10.000	12.000	2.000			
TOTAL	**10.000**	**12.000**	**2.000**	**20.0%**	**x 1.2**	**2.400**

***Declared Landings for Hake (HKE) in 6, 7**				
Stock Code	**Zone(s)**	**Landing Date**	**Logsheet Number**	**Declared Landings (*tonnes*)**
HKE/571214	6	12/08/2021	IRLA123-2021-001	5.500
HKE/571214	7	23/08/2021	IRLA123-2021-002	6.500
			TOTAL	**12.000**

Calculation of Balancing Adjustment for Whiting (WHG) in 7b-k						
Stock Code	**Catch/by-catch Limit (*tonnes*)**	**Declared Landings* (*tonnes*)**	**Landings in excess of Catch/by-catch Limit**	**% Landings in excess of Catch/by-catch Limit**	**Multiplier[2]**	**Balancing Adjustment[3] (*tonnes*)**
WHG/7X7A-C	50.000	80.000	30.000			
TOTAL	**50.000**	**80.000**	**30.000**	**60.0%**	**x 2**	**60.000**

***Declared Landings for Whiting (WHG) in 7b-k**				
Stock Code	**Zone(s)**	**Landing Date**	**Logsheet Number**	**Declared Landings (*tonnes*)**
WHG/7X7A-C	7	02/08/2021	IRLA123-2021-003	21.000
WHG/7X7A-C	7	14/08/2021	IRLA123-2021-004	17.000
WHG/7X7A-C	7	22/08/2021	IRLA123-2021-005	14.000
WHG/7X7A-C	7	28/08/2021	IRLA123-2021-006	28.000
			TOTAL	**80.000**

(1)

Landing in excess of Catch/by-catch Limit	**Multiplying Factor**
Up to 10%	1.0
Over 10% up to 20%	1.2
Over 20% up to 40%	1.4
Over 40% up to 50%	1.8
Greater than 50%	2.0
Fishing without a catch/by-catch limit for a relevant stock (or in a zone where the vessel is not permitted to fish)	*2.0*

(2)

Any balancing adjustment will be made, at the earliest possible opportunity, against future catch limit(s) for the above mentioned demersal stocks fished in excess of catch limit. The Department will endeavour to make this balancing adjustment at the next possible fishery management period or as near as possible thereafter. When the balancing adjustment is applied for one or more demersal stocks fished in excess of catch limit, the relevant vessel will be issued with an Authorisation setting down the adjusted catch limits for these demersal stocks for that fishery management period. Once an Authorisation has been issued to a relevant vessel, that vessel is only permitted to fish up to the catch limit for that/those demersal stock(s) set down in the Authorisation. The catch limit for that stock/those stocks set out in the Fisheries Management Notice for that fishery management period will not be available to the vessel and the vessel will continue to operate under an authorisation for that stock/those stocks until the full balancing adjustment has been made. The vessel will operate for all other demersal stocks not subject to Quota Balancing (i.e. not set down in the Authorisation) for that fishery management period in accordance with catch limits set out for its category of vessel under the relevant Fisheries Management Notice(s).

An Roinn Talmhaíochta, Bia agus Mara
Department of Agriculture, Food and the Marine

Department of Agriculture, Food and the Marine

Sample Authorisation under section 13(7) of the Sea-Fisheries and Maritime Jurisdiction Act 2006 of alterations to conditions of Fishery Management Notices for November 2021 granted under section 13 of that Act

Additional conditions attaching to Fishery Management Notices (FMN) for November 2021

Authorisation No. HM / <FISH_AUTHORISATION_NO 123456789> /<2021>

Vessel Name	Port Registration No.
Starry Boat	A123

In accordance with paragraph 8(1) of your authorisation, issued pursuant to section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006, the following is your catch limit for the stocks outlined below in Schedule 1 for the fishing period commencing 00.01 hours on **1st November 2021** and ending at midnight on **30th November 2021**.[4]

SCHEDULE 1	
(1)	**(2)**
Relevant Stock Code(s) for Fishing Period <1st November to 30th November>	**Final Vessel Catch/By-Catch Limit(s) for the Fishing Period <1st November to 30th November> (*in tonnes*)[5]**
HKE/571214	**5.6**
WHG/7X7A-C	**0.40**

[4] All other stocks with the exception of those outlined in Schedule 1 may be fished up to the catch/by-catch limits outlined in the relevant FMN(s) for the relevant period, unless closure of one or more of same fisheries is directed by FMN for the relevant period. You may only fish the stocks outlined in Schedule 1, Column 1 up to the catch/by-catch limit outlined in Schedule 1, Column 2 for the relevant period, and not up to the catch/by-catch limits outlined for the same stocks in the relevant FMN(s) for the relevant period, unless closure of one or more of same fisheries is directed by FMN for the relevant period.

[5] Please see overleaf for Schedule 2 (Calculation of Final Catch/By-Catch Limits(s) for Relevant Stocks for Fishing Period). Where there is more than one catch limit available to a vessel opposite a particular stock, the applicable catch limit is dependent on the exclusive use of specified gear which will be clearly identified – please also refer to the relevant FMN for more information.

Dated 31st October 2021

For the Minister for Agriculture, Food and the Marine

_____

An officer on behalf of the Minister

SCHEDULE 2							
CALCULATION OF FINAL CATCH/BY-CATCH LIMITS(S) FOR RELEVANT STOCKS FOR FISHING PERIOD <1st NOVEMBER TO 30th NOVEMBER>							
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**	**(8)**
Relevant Stock Code for current Fishing Period <1st November to 30th November>	**FMN Catch/By-Catch[6] Limit for Relevant Stock Code for current Fishing Period**	**Balancing Adjustment(s) carried forward from previous Authorisation <NUMBER>**	**New Balancing Adjustment(s) from Fishing Period <1st August to 31st August>[7]**	**Total Outstanding Balancing Adjustment(s)[8]**	**Balancing Adjustment(s) applied to current Fishing Period[9]**	**Balancing Adjustment(s) carried forward to next Fishing Period[10]**	**Final Vessel Catch/By-Catch Limit(s) for the Relevant Stock Code in Tonnes**
HKE/571214	8	0	2.4	2.4	2.4	0	**5.6**
WHG/7X7A-C	40	0	60	60	39.60	20.40	**0.40**

For information on the collection, processing and sharing of data for quota management, including quota balancing, please see the most up-to-date version of our data protection statement at https://www.agriculture.gov.ie/seafood/seafoodpolicy/forms/

[6] Where the relevant FMN has different catch limits for a stock code, depending on the type of gear used exclusively to fish for that stock, this will be taken into consideration in the Final Vessel Catch Limits under Schedule 1, Column (2) and will be clearly identified.

[7] See the relevant Final Quota Balancing Statement issued for this fishery management period for details of any new Balancing Adjustments.

[8] This is calculated by adding the figures in Columns (3) and (4) together for the stock code outlined in Column (1) – that is the sum of any remaining balancing adjustment carried forward from the previous Authorisation and any new balancing adjustment for the previous fishery management period.

[9] Where the total balancing adjustment in column (5) is greater than the FMN Catch/By-Catch limit set out in column (2), a minimum catch limit may be allowed. In this instance, the balancing adjustment applied to the current fishing period is the difference between the FMN Catch/By-Catch limit set out in column (2) and the minimum catch limit set out in column (8). The outstanding balancing adjustment set out in column (7) is carried over into subsequent fishery management period(s) until a full adjustment is made.

[10] This is the balancing adjustment to be brought forward to the next Authorisation issued for this vessel

Appendix 2: Timeline of the development of the policy

The Pilot Quota Balancing Policy for Demersal (Whitefish) Stocks (with technical amendment of August 2019) was implemented on 1st June 2020. A timeline of the development of the policy, to date, is presented hereunder.

30 April 2019	Pilot Quota Balancing Policy for Demersal Stocks signed by the Minister

Policy amendments approved by the Minister

06 August 2019	Technical amendment to the Pilot Quota Balancing Policy for Demersal Stocks
21 April 2020	Delayed implementation of the Pilot Quota Balancing Policy for Demersal Stocks
30 November 2021	Quota Balancing Policy for Demersal Stocks updated to incorporate 4 additional Demersal Stocks to apply from 1 January 2022