



AN t-ÚDARÁS UM
CHOSAINT
IASCAIGH MHARA

SEA-FISHERIES
PROTECTION
AUTHORITY

ANNUAL REPORT

2021



BIA MARA SÁBHÁLTE INBHUNAITHE
SAFE SUSTAINABLE SEAFOOD



Our Vision

To be a trusted regulator that promotes and verifies compliance supporting sustainability in Ireland's Sea-Fisheries and seafood sector in a fair, proportionate and transparent way and where necessary enforcing sea-fisheries and seafood safety law effectively.

Our Mission

The Sea-Fisheries Protection Authority is committed to the promotion of compliance and the effective and fair regulation of the sea-fishing and seafood sectors that fall within the Authority's mandate in order to support safe and sustainable seafood. This means the fair regulation of all fishing vessels operating within Ireland's 200-mile limit and Irish fishing vessels wherever they operate and all seafood produced in Ireland.

Our Values

The SFPA promotes a culture of accountability, professionalism, teamwork and transparency.

- The SFPA have an ethos of independence, integrity and impartiality.
- The SFPA strive for excellence by using the best available information to make decisions and supporting continuous learning, innovation and collaboration within the organisation.
- The SFPA are committed to diversity, inclusion and the fair, respectful and equal treatment of all.

Our Functions

The SFPA was established in 2007 under the provisions of the Sea-Fisheries and Maritime Jurisdiction Act 2006 and operates under the aegis of the Department of Agriculture, Food and the Marine.

The principal functions of the SFPA are set out in Section 43 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 and are:

- ✓ To secure efficient and effective enforcement of sea-fisheries law and food safety law;
- ✓ To promote compliance with and deter contraventions of sea-fisheries law and food safety law;
- ✓ To detect contraventions of sea-fisheries law and food safety law;
- ✓ To provide information to the sea-fisheries and seafood sectors on sea-fisheries law and food safety law and relevant matters within the remit of the Authority, through the Consultative Committee or by any other means it considers appropriate;
- ✓ To advise the Minister in relation to policy on effective implementation of sea-fisheries law and food safety law;
- ✓ To provide assistance and information to the Minister in relation to the remit of the Authority;
- ✓ To collect and report data in relation to sea-fisheries and food safety as required by the Minister and under Community law;
- ✓ To represent or assist in the representation of the State at national, Community and international fora as requested by the Minister; and
- ✓ To engage in any other activities relating to the functions of the Authority as may be approved by the Minister.

2021 AT A GLANCE



47,229 Landings
314,574 Tonnes



4,455 Consignments
42 Countries
121,395 Tonnes



3,083 Third Country Imports
27 Countries
15,187 Tonnes



1,531 Shellfish Samples taken



1,115 Official Control
Samples taken



1,345 Fishing Vessel
Inspections carried out



2,221 Food Safety
Inspections carried out
17 Food Safety Incidents
investigated



66 Case Files Initiated
95 Separate Infringements
Detected



115 Foreshore Licences
Reviewed

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Governance

A large blue and white fishing vessel is docked at a pier. The vessel has a white upper hull and a blue lower hull. It features several masts and rigging. A teal text box is overlaid on the image, containing the definition of corporate governance. The background shows a clear blue sky and a body of water.

Corporate governance comprises the systems and procedures by which organisations are directed, controlled and managed.

Chair's Statement

Paschal Hayes



The significant work programme undertaken by the SFPA during 2021 would not have been achievable without the commitment and professionalism of colleagues across the organisation.

As the sea-fisheries regulator, the Sea-Fisheries Protection Authority's (SFPA) role is to regulate those areas of the sea-fishing and seafood sectors under the Authority's mandate to support safe and sustainable seafood. This means the regulation of all fishing vessels operating within Ireland's 200-mile limit and Irish fishing vessels, which number almost 2,000, wherever they operate as well as all seafood produced in Ireland. I am pleased to submit our Annual Report for 2021 which details the extensive work programme the SFPA undertook across the year in fulfilment of our commitment to our statutory remit.

The year marked the beginning of the SFPA's new three-year corporate strategy, developed collaboratively in consultation with a wide range of stakeholders. Notwithstanding the challenges presented by the pandemic for a second year, the SFPA worked continuously across all areas under our remit, in addition to progressing key areas of corporate governance and further enhancing the organisation's capability in a programme of activity aligned to the new strategy.

Sustaining Ireland's marine resources, and assuring consumer trust in the quality, provenance and safety of our seafood produce are critical to achieving the collective ambitions for the sector. The SFPA, for its part, is committed to developing and supporting a culture of regulatory compliance across the sea-fisheries and seafood sectors, adopting a risk-based approach to control, targeting additional resources at vessels or areas where the activity involved poses a higher risk of non-compliance.

During 2021, Sea-Fisheries Protection Officers of the SFPA undertook 1,345 fishing vessel inspections, along with 1,372 Non-Landing Administrative Controls. Additionally, 2221 food safety inspections were completed.

The low level of non-compliance found illustrates the considerable efforts being made by most fishermen and businesses to work within the regulations, as well as the robust inspection system in place to assure and, where necessary, to enforce compliance.

Nevertheless, from a control perspective, 2021 was one of the most demanding and challenging years ever for the SFPA. The United Kingdom's departure from the EU significantly increased the SFPA's work outputs during the year, through additional operational tasks, and supplementary measures for vessels landing into Ireland as well as enhanced measures for trade to and from the UK. A further five ports were designated in 2021 to facilitate UK landings including the opening of a new port office at Greencastle. On the trade side, there was a 744% year on year increase in the number of export consignments requiring catch certificates, an increase mainly due to the new requirement of such certificates for exports to the UK.

Additionally, the revocation of Ireland's Control Plan by the EU Commission impacted all sectors of the fishing industry, from the small inshore day vessel to the larger offshore vessels. This resulted in a complete change in work practices overnight for the SFPA, with substantial repercussions for the organisation. In addition to managing these changes, significant effort was also devoted to devising a revised control plan, which was submitted to the European Commission in September and adopted on an interim basis until April 2022.

The SFPA's activities in the areas of sea-fisheries and seafood safety is supported and enabled by a comprehensive work programme and the commitment of colleagues across a wide range of business Units including Corporate Affairs, Finance, HR, and IT.

Significant work was undertaken during the year towards the completion of the organisational change programme that is already underway. The Organisational Capability Review published in April 2020 made 46 recommendations that, when implemented, will improve the effectiveness and efficiency of the SFPA. The timeline for the implementation of the recommendations from the Review is an ambitious one. Nonetheless significant progress was made on the implementation of the recommendations over the course of 2021, and I would like to acknowledge and thank the independent Advisory Board which is supporting the Authority and overseeing the implementation of the recommendations. Of the 46 recommendations 17 were completed, during 2021, while 25 were in progress and 4 had yet to commence.

A number of the review recommendations relate to enhancing the SFPA's data management and data analytics capability and IT capability. These were a major focus for the SFPA during 2021, and work in these areas will continue through 2022. Our industrial relations capability was another area highlighted for improvement. While we were unable to make as much progress here as we sought during the year, we remain resolute in our commitment to this area.

The significant work programme undertaken by the SFPA during 2021 would not have been achievable without the commitment and professionalism of colleagues across the organisation. During 2021, the number of employees increased by 19 to 167, a 60% increase over four years, and a reflection of the increased commitments and regulatory outputs of the organisation. I would like to thank all colleagues in our port offices around the coast and at our Head Office in Clonakilty for their hard work throughout the year.

I would also like to acknowledge and thank my predecessor, Dr Susan Steele, who took up the position of Director of the European Fisheries Control Agency during 2021. Susan guided the Authority during a time of substantial regulatory change. The SFPA's achievements during her tenure can be seen in the significant progress made in strengthening and modernising Ireland's sea-fisheries and seafood safety regulatory system, and in the development of the SFPA's own organisational capacity. I would also like to acknowledge the significant contributions of Susan's fellow members of the Authority during her tenure - Andrew Kinneen, who retired as a member of the Authority last year, after many decades of commitment to Ireland's sea-fisheries industry, and Micheal O'Mahony, whose term of office concluded in 2020.

The SFPA is supported in our sea-fisheries inspections by the Naval Service and the Air Corps, and we greatly appreciate their valuable assistance. I also thank the members of the SFPA's Audit and Risk Committee and the Sea-Fisheries Protection Consultative Committee for their continued support and valuable guidance.

The Sea-Fisheries Protection Authority is adhering to the relevant aspects of the Public Spending Code.

Finally, on behalf of the Authority, I also thank the Minister for Agriculture, Food, and the Marine, together with the executives and staff within his department for their continued support of the SFPA in its endeavours and actions this year.



Paschal Hayes

EXECUTIVE CHAIRPERSON

Report of Director of Corporate Affairs

Conor O'Shea

The Corporate Affairs Unit is responsible for providing services and support to the SFPA Authority and Staff on matters in relation to Corporate Governance, Corporate Reporting, the General Data Protection Regulation and Freedom of Information.



In 2021, the Unit continued to deliver on its assigned tasks to support the SFPA in delivering on its mandate. The Unit provided administrative support to the Authority, the Audit & Risk Committee and the Sea-Fisheries Protection Consultative Committee throughout the year. The year brought many challenges particularly because of the changing situation regarding the COVID-19 pandemic, but the Unit worked as required including remote working at short notice and this was done in a seamless way with minimum impact to the delivery of the core services provided by Corporate Affairs.

In 2021, the Unit assisted the Authority in the development of its new Strategy which was published in November 2021. Other routine work during the year included dealing with Freedom of Information and AIE requests and Parliamentary Questions.

The SFPA held quarterly meetings with its parent Department updating them on the implementation of the Code of Practice for the Governance of State Bodies and delivery of its Strategy Statement 2018 -2020 and on the new Statement of Strategy 2021 -2023 as part of its responsibilities in its Oversight and Performance Agreement with DAFM. The Unit liaised with other Business Units to prepare the required reports in advance of the meetings. During the latter half of 2021, a new Oversight and Performance Delivery agreement was agreed between the SFPA and DAFM.

Whilst 2021 was a very challenging year for everyone in the Unit we continued to carry out our duties in a professional manner. I would like to thank the members of the team for their contribution to the Unit's delivery of its mandate.

Conor O'Shea
Director of Corporate Affairs

Report of Director of Finance

Sharon Nagle

Similar to all other business Units of the Sea-Fisheries Protection Authority (“SFPA”), the Finance Unit continued to work remotely during 2021, in line with public health advice, and only essential work has been physically carried out in the office.

The Finance Unit continued to provide strategic and operational financial support and advice to the business Units of the SFPA.

**€14 million
budget**

RECEIVED AND MANAGED
IN 2021 BY THE FINANCE UNIT

The Finance Unit received and managed a budget of over €14 million in 2021. Funding was made available under subhead D.6 of Vote 30 Department of Agriculture, Food and the Marine. Funding was also made available to the SFPA under the Operational Programme of the Department of Agriculture, Food and the Marine and supported by the European Maritime and Fisheries Fund (EMFF). In 2021, project income received in respect of the expenditure incurred under the Programme was €0.8 million.

The SFPA Financial Statements were subject to audit by the Comptroller and Audit General and the audit report from the C&AG forms part of the financial statements in this Annual Report.

The Finance Unit plays a key role in ensuring that an effective system of internal control is maintained and operated. The SFPA has outsourced its internal audit function and under the stewardship of the Audit and Risk Committee, four corporate internal audits were undertaken during 2021. Audits included: a review of the system of internal financial control, follow-up review of audit recommendations from previous internal audits, a review of HR and a data quality review. Management responses were provided to internal audit recommendations arising and reported to the Audit and Risk Committee and appropriate corrective action plans have been agreed and are being implemented.

The outbreak of COVID-19 has evolved rapidly and the Finance Unit has supported the organisation’s response to the Governments’ ‘Return to Work Safely Protocol’ by assisting with the procurement of goods and services to support the implementation of the SFPA’s COVID-19 Response Plan. Furthermore, the Finance Unit has adapted policies and procedures for the duration of the pandemic to ensure the safety of its staff including procedures with respect to the use of pooled utility vehicles and private vehicles.

Despite the challenges, in March 2021, the Finance Unit went live with a new integrated financial management system, which will improve the Unit’s ability to provide efficient and effective financial support and advice to the business Units of the SFPA.

The staff members of the Finance Unit carried out their roles in a highly competent, proactive and professional manner and I would like to thank them all sincerely for their contribution and commitment to the Unit’s achievements.

Sharon Nagle
Director of Finance

Report of Director of Human Resources

Yvonne Grant

The SFPA Human Resources team is committed to providing a professional service to our internal customers. We do this through being responsive to staff needs, promoting employee health and wellbeing, encouraging staff development, promoting equality and diversity and being a strategic support to managers.

Throughout 2021, the SFPA HR team delivered on our mandate and contributed to the achievement of the strategic goals of the organisation through the HR Strategy and business Unit plan.

The HR team support a culture of high performance. The Performance Management and Development System is embedded in the organisation and all staff members undertake a performance review and development discussion with their manager each year. The HR team support line managers through the process, as well as deliver training to any new managers and staff members in relation to the process.

We aim to recruit the best people for posts through robust and transparent recruitment practices in line with CPSA guidelines. 38 posts were filled during 2021. This figure included 10 new Sea-Fisheries Protection Officers (SFPO) who undergo an extensive training programme in advance of being issued with a warrant including training in fisheries control, food safety and legal training.

Overall in 2021, headcount increased to 167 employees. This represents a 60% increase in headcount over the past four years. As the organisation continues to grow, the correct structures and systems are required to ensure we are able to adapt to the growth. The HR team partner with the senior managers and act as a strategic support when planning and managing their teams, ensuring the teams have the skills we require in the organisation and helping to build organisation and staff capability. Seven newly promoted managers completed an Introduction to Management Training Programme during 2021 to provide the foundations they will require to effectively manage their teams.

The HR and Health and Safety team continued to provide guidance and support during the ongoing pandemic. The SFPA followed public health guidance and encouraged our staff members to work remotely as much as possible for non-operational tasks. In September, the government advice to work remotely changed and we were able to plan a phased and staggered return to the workplace, which was carefully managed. We welcomed 43 new staff members to the SFPA during the pandemic while we have been working remotely.

The brief return to the workplace was a valuable opportunity for these new personnel to be properly integrated into their teams and the organisation.

The HR team finalised a new SFPA Diversity, Equality & Inclusion Policy during the year. The SFPA is committed to the public service core values of equality, respect and fairness. The new policy reaffirms the organisation's commitment to the development and implementation of improved measures to promote and support the employment of persons with disabilities and our commitment to working together to maintain a workplace environment that reflects the spirit of equal opportunities, free from prohibited or inappropriate conduct and one where SFPA staff will be treated equally and respected for their individuality and diversity.

In February, the SFPA received notice of industrial action by FORSA members. This industrial action was suspended following the intervention of DPER and the WRC. Extensive discussions have taken place over recent years, as part of the SFPA IR Framework, with the assistance of external IR professionals in an effort to resolve the matters in dispute. Discussions with the assistance of the WRC Conciliation Service failed to result in agreement. At year end, the SFPA and FORSA were waiting for confirmation that the Oversight Body for Non-Commercial State Agencies would consider the dispute in their next meeting.

The SFPA would welcome the input of FORSA to the implementation of the recommendations arising out of the Organisational Capability Review. A number of invitations have been extended to FORSA to request their input and to engage in the implementation process. The SFPA view the progression of particular review recommendations pertaining to industrial relations as providing an opportunity for SFPA management and the representative union to improve the IR relationship.

I would like to thank the members of the HR and Health and Safety teams for their valuable contribution during the year.

Yvonne Grant
Director of Human Resources

Report of Director ICT and ERS

Brian Fitzgerald

This Unit is responsible for managing and monitoring data acquisition from the electronic logbook (ERS), the sales notes portal, the fisheries inspection tool (ieInspect) and the data exchange system (FERS) which enables the transmissions of Fisheries and Sales activity between Ireland, EU and third countries.

The Unit also provides ICT support to all SFPA staff in HQ and all offices nationwide. Servicing the 24X7 nature of these operations is provided by a Unit compliment of 1 Director (AP), 1 ICT Manager (HEO), 2 ICT Technical Staff (EO), 4 Sea-Fisheries Protection Officers (SFPOs) and 1 Administrative Clerical Officer. The staff are based in Clonakilty and in offices nationwide. A significant amount of the unit's work has been conducted by staff working from home using remote access technologies during the pandemic.

Since the introduction of the electronic logbook in 2011, the volumes of electronic logbook messages have remained relatively stable. In terms of individual Irish ERS messages sent from the Electronic Logbook to the Irish hub we have recorded the following activity in the last 5 years:

Year	DED to IRL Hub Messages
2017	63,855
2018	60,997
2019	64,163
2020	57,675
2021	60,825

An example of a DED to IRL Hub message would be a Departure message (DEP) from an ERS vessel at the beginning of a fishing trip which is sent to the IRL hub.

Because of the ongoing pandemic it was anticipated that a decrease in ERS activity would be observed. The years 2020 - 2021 show relatively normal levels of logbook activity when they are compared to the previous years activities, going back to 2017. From a support point of view the number of calls from the industry to the unit remained the same as in previous years. In 2021, there were over 1,100 calls from industry to the SFPA requesting assistance for a variety of ERS and logbook issues from vessels at sea and while in port. We currently provide support to 220 vessels and 660 registered skippers.

In 2022, we plan to upgrade the current ERS (ieCatch) client software to a new FLUX compliant version. Additionally, the new software and laptops will be rolled out to all registered fishing vessels in the 12-15m category and this is part of a wider initiative to digitise all logbook data. The transition to the upgraded software will require a visit to every vessel and will require vessel masters to be trained in the use of the new software. This planned activity assumes that there will be no additional workplace restrictions in place for the rest of 2022. The unit continues to provide support to other tasks such as the Data and ERS working groups in the EU, EFCA and NEAFC, ongoing participation in Rib Patrols, Offshore Patrols, working with other units in ongoing fisheries control projects in DAFM and with our control partners in the FMC and Naval Service.

The provision of ICT services within the SFPA was also very busy in 2021. Staff dealt with over 1,600 technical calls, onboarded 28 new staff, assisted in procurement exercises, worked with the IT Infrastructure division in DAFM in the delivery of network, server, desktop and printing services. All 167 SFPA staff were enabled to work from anywhere with a suite of ICT services which made moving between the office and home as seamless as possible. In 2022, we have planned a new ICT Strategy and we are currently working with consultants to deliver a new ICT model for the SFPA. We will be upgrading all mobile phones, multifunctional device printer/scanners, assisting with ongoing projects, for example eDocs document management system which is being provided by the OGCIO. This is all being done in addition to supporting all the ongoing projects as a result of the implementation of the SFPA Organisational Capability Review. We look forward to a busy and productive year.

Brian Fitzgerald
Director of ICT and ERS

Report of Director of Trade and Audit

Bernard O'Donovan

The Authority continued to develop and strengthen diplomatic and technical links with international seafood trade contacts throughout 2021.

In addition to routine engagement with industry and connected trade stakeholders, the Authority actively assisted industry in preparing for and dealing with the regulatory and supply chain impact on Irish seafood companies in trading with the UK and vessels fishing in UK waters as the UK began its exit from the EU and transitioned to becoming a Third Country. This was manifest by a control and compliance requirement to manage the risk associated with the Illegal, Unreported and Unregulated (IUU) fishing element of trade and vessel landings between Ireland and the UK.



The Authority continued to maintain its certification and control regimes in response to the ongoing challenges brought by COVID-19 and its impact on retaining regulatory oversight and on the changed trading patterns, risks and opportunities for Irish seafood companies. The Authority continued to liaise with overseas control agencies and Department of Foreign Affairs and Trade officials on a wide range of seafood market access and technical support issues. Export markets on which access and support work was actively conducted during the year included South Korea, Japan, China, UAE, Vietnam, USA, Canada and the Gulf States.

Key engagements during 2021 included:

- Regulatory preparedness for the departure of the UK from the EU and the future trading relationship. This included national and EU co-operation and cross-agency collaboration with regulatory partner organisations and agencies to examine and prepare for food safety and fishery control implications;
- Internal capacity building within the organisation including clarification of technical requirements, contingency planning, communication and liaison with other key stakeholders on fisheries regulatory preparedness for the UK exit from the EU regulatory regime and common market;
- Design and delivery of trade information seminars for industry trading with UK in addition to leading individualised regulatory engagement and preparation conversations with diverse external stakeholder groupings;
- Continued organisational involvement with seafood relevant areas of the work of the Codex Alimentarius Commission;
- Updating organisational certification and oversight regimes in response to introduction of revised foundational EU food safety official controls regulation.



The Authority developed its work in seafood trade regulation, provision of technical market access support, performing official controls in disciplines including company and product registration and certification, seafood safety and sea-fisheries conservation. Implementation and enforcement by the Authority of EU official controls regulation and fisheries conservation legislation continue to act as the regulatory baselines upon which Ireland's robust seafood certification system is built. Inspection and health certification of export consignments continued during another year of specific COVID-19 related challenges in order to continue to provide public health and customer assurance regarding seafood safety and quality standards that are expected in international food markets and underpinned by EU regulations.

Trade flows of fish and fishery products certified

Exports of Irish seafood to international destinations outside the EU encompassed the processing of 4,455 health certificates for 121,395 tonnes of produce in 2021. This represented respective increases over 2020 data of 10% and 32% in the amount of export health certificates issued and export tonnage certified, reflecting a recovery in export trade over the course of the global pandemic. The main export markets certified by volume of produce were Nigeria, Egypt, China, Cameroon and Japan, primarily covering exports of high volume frozen pelagic fish.

Official controls in the deterrence of Illegal, Unreported and Unregulated (IUU) fishing continued to be conducted. This included the verification of 3,083 catch certificates relating to the import of 15,187 tonnes of produce from all third countries, including the UK. This represented respective increases over 2020 data of 315% and 186% in the amount of import certificates and import tonnage verified, reflecting the requirement introduced for UK anti-IUU certification and significant recoveries in import trade volumes. The main countries from which import consignments originated were UK, Iceland, China, Ecuador and Vietnam. Imports from UK accounted for 66% and 35% in the respective overall amounts of certificates issued and tonnage imported from all third countries.

793 catch certificates were issued for the export of 22,486 tonnes of Irish seafood produce to third countries, including the UK. The main species exported were Atlantic Mackerel, Blue Whiting, Atlantic Herring and Atlantic Horse Mackerel. This represented respective increases over 2020 data of 744% and 95% in the amount of export catch certificates and related export tonnage catch certified. Exports to UK accounted for 71% of the total number of certificates issued.

A total of 637 direct landings of fishery products by non-EU fishing vessels into Ireland resulted in the import of 65,143 tonnes of produce. This represented respective increases over 2020 data of 1,955% and 32%. Landings by UK-registered vessels accounted for 96% of the overall total number of landings by non-EU fishing vessels into Ireland.

Bernard O'Donovan
Director of Trade and Audit

Report of Director of Enforcement

Dr. Laurie O’Keeffe

The Enforcement Unit is responsible for supporting enforcement action taken by the Sea-Fisheries Protection Authority under its remit to secure efficient and effective enforcement of sea-fisheries law and food safety law under the Sea-Fisheries and Maritime Jurisdiction Act 2006.

Where Sea-Fisheries Protection Officers detect an infringement, the Enforcement Unit offers guidance and support in relation to enforcement action taken by officers where appropriate. The Enforcement Unit is committed to ensuring a fair, proportionate approach to compliance in addition to a proportionate approach to enforcement, in line with the SFPA Strategy Statement 2021-2023.

The Enforcement Unit is responsible for managing all criminal prosecutions along with the administrative procedures associated with the point system for serious infringements. This includes advising on investigations and prosecution case files, as well as liaising with the Director of Public Prosecutions, the various State Solicitors around the country and other agencies in relation to prosecutions. The Unit also supports all Determination Panel and Appeal hearings in relation to the licence holder point system for serious infringements under SI 318/2020. The Unit was also actively involved in advising on the draft legislation to implement the point system for masters as required under EU law.

66 case files in 2021

COMPRISING OF 95
INFRINGEMENTS

In 2021, the Unit opened 66 case files comprising of 95 infringements. 21 points cases were sent to the Determination Panel. Of the 14 cases which have been determined so far, serious infringements were found to have taken place in 13 cases.

Despite the challenges presented by COVID-19, the staff of the Enforcement Unit have continued to support Officers and fulfil all of the responsibilities and functions assigned to the Unit to the highest professional standard. I am extremely grateful to them for their dedication and commitment throughout the year and look forward to continuing our work in 2022.

Dr. Laurie O’Keeffe
Director of Enforcement



Report of Director of Food and Fisheries Support Unit

Sarah Buckley

The Food and Fisheries Support Unit supports the SFPA by providing regulatory technical support through advice, training, coordination, liaison and information on processes and procedures in the areas of food safety and fisheries control.

The unit supports the SFPA in achieving excellence in both fisheries and food safety official controls through driving uniformity and high standards.

The unit leads in preparing, consulting and training of processes and procedures for food safety and fisheries controls regulations. The revocation of the Irish Control Plan, derogation to weigh after transport, had a significant impact on existing fisheries control processes and procedures. This led to the engagement with stakeholders to provide information on compliance with the weighing on landing regulations in the forum of meetings and guidance documents. The unit delivered on drafting, publishing and training of new processes and procedures to staff to ensure alignment with the weighing on landing regulations. The unit developed the associated processes and procedures of the submitted revised control plan in 2021.

The SFPA is obliged to apply charges of fees for food safety official controls and unplanned controls related to non-compliances for approved Food Business Operators under Official Controls Regulation (EU) 625/2017. This has led to the Unit rolling out the communication to stakeholders and drafting of current processes and procedures to ensure alignment with the implementation of the regulation. These fees will be applied from 1st October 2021.

The Unit successfully delivered and coordinated food safety and fisheries control training to personnel; the majority of sessions were delivered on a remote basis. In 2021, FFSU trialled Fish Bites a series covering a specific food safety or fisheries control topic to SFPA colleagues that they wish to know more about on a quarterly basis. The Unit delivered an extensive fisheries control and food safety training programme to ten new Sea-Fisheries Protection Officers (SFPO) during 2021 to provide the foundations they will require to act as SFPOs. The Unit also coordinated a large range of external food safety training to SFPOs. Also a dedicated sea-going training of 48 SFPOs was coordinated by the Unit to enable deployment on sea-going patrol vessels both nationally and as part of multinational inspection teams.

The Unit worked as effectively while remote working and this was done in a seamless way with minimum impact to the delivery of the coordination of the food incidents, food complaints and enforcements served by Food and Fisheries Support Unit. The Unit coordinated the handling of 17 food incidents and 7 food complaints with the objective of reducing the risk to public health by the rapid elimination and removal of risks associated with the production of seafood. FFSU also provided technical advice and assisted SFPOs with 14 enforcements served on specific pieces of food legislation.

Surveying of shellfish production areas continued to determine representative sampling points within each area. The annual review of classified bivalve mollusc production areas in 2021 resulted in data over a three-year period consisting of almost 4,900 microbiological results obtained from 146 areas being reviewed. Monitoring of shellfish production throughout 2021 consisted of the submission of samples from production areas for verification of analysis.

Stakeholder engagement continued with the unit contributing to national and international forums, such as NWW Control Expert Group and EU Expert Group providing expertise in the areas of shellfish monitoring, food safety and fisheries control. The Unit represented SFPA at quarterly meetings with the Competent Authority of Food Safety, FSAI, updating them on the implementation of the Service Contract. The Unit liaised with other Business Units to prepare the required reports in advance of the meetings. Contributions to forums such as Cross Agency Food Safety Working Groups, REM NWW WG and engagement with stakeholders involved providing subject matter expertise and promoting compliance through attendance and contributions to public and industry attended events.

Despite the challenges that 2021 presented, the Unit team delivered their services to a very high quality and in a very professional manner. I would like to sincerely thank all the members of the team for their valuable contribution and commitment to the Unit's delivery of its mandate.

Sarah Buckley
Director of Food and Fisheries Support Unit

Report of Director of Port Operations

Adrienne Patterson

The role of Director of Port Operations within the Sea-Fisheries Protection Authority affords me the opportunity to reflect on the challenges that our staff in the port offices faced and overcame throughout 2021.

Their ability to adapt to change, to rise to challenges and their commitment to ensuring the fair and effective implementation of sea-fisheries and food safety legislation saw positive progress in what can only be described as one of the most demanding years within the lifetime of the Sea-Fisheries Protection Authority.

Notwithstanding the challenges of previous years, 2021 proved to be a year of extraordinary events. The continuation of the COVID-19 pandemic constraints were compounded by additional operational tasking associated with the UK's departure from the EU, and in April Ireland's Control Plan was revoked by the European Commission.

The additional work associated with the implementation of supplementary measures for UK vessels landing into Ireland, as well as enhanced measures for trade to and from the UK was embraced by respective port teams, who rose to the challenge to have a seamless transition. In early 2021, a further five ports were designated by the Minister to facilitate landings from UK vessels, and this resulted in a new port office being opened in Greencastle, Co. Donegal. Additional tasking associated with imports from, and exports to the UK were overcome with dedication and commitment from the SFPA workforce who worked tirelessly in the early days of 2021 to support the industry through these major changes.

Without a doubt the greatest challenge operationally was the revoking of the Control Plan; a derogation to weigh fish after transport. This impacted all sectors of the fishing industry, from the small inshore day vessel to the larger offshore vessels. The repercussions of this for the Sea-Fisheries Protection Authority were enormous and resulted in a complete change in practise overnight in how our work was undertaken. Relationships with the industry were damaged, Ireland's reputation was damaged, however, with perseverance a revised Control Plan was submitted to the European Commission in September and adopted on an interim basis until April 2022.

Throughout 2021, operational staff continued to undertake duties to the highest professional standards and to ensure that effective and efficient controls at landing sites, in food business premises, at shellfish harvesting sites and administrative checks were implemented. New technologies continued to be rolled out to assist operational staff; VALID (automatic cross-checking system for fishing activity) moved to its second phase which allowed for greater oversight into real time activities of fishing vessels. The electronic inspection platform, IE-Inspect, was enhanced to facilitate easier user interface, and was successfully launched in Q3.

No doubt, 2022 will bring with it its own set of challenges and, as Benjamin Franklin once said, "Energy and persistence conquer all things."

Adrienne Patterson
Director of Port Operations

Corporate Governance Report

The 2016 Code of Practice for the Governance of State Bodies sets out the minimum standards to which State Bodies such as the SFPA must operate and the Authority has adopted the Code to the extent that it applies to the SFPA.

The Code was last updated in September 2020. The Sea-Fisheries and Maritime Jurisdiction Act 2006 also sets out governance requirements for the SFPA, which supersede the provisions of the Code. The SFPA provided confirmation to its Parent Department, the Department of Agriculture, Food and the Marine (DAFM), that it was complying with the Code insofar as it applies to the SFPA.

The Authority signed a new Oversight and Performance Agreement with DAFM in the latter half of 2021 which describes the implementation of the Code by the SFPA under the Governance of DAFM. In 2021, the SFPA and DAFM held quarterly formal meetings where the SFPA provided detailed briefings on deliverables set out in that and the previous agreement and information on any other relevant corporate governance matters.

Developed collaboratively in consultation with a wide range of stakeholders, the strategy reflects the extent of the SFPA's remit across the sea-fisheries and the seafood production industry as well as the evolving regulatory environment in which it operates. It also sets out the SFPA's plans to complete the organisational change programme that is already underway.

The strategy continues the SFPA's commitment to work as collaboratively as possible with key stakeholders. Information technology and data analytics are also earmarked as areas for further development and expansion which are critical to the development and rollout of regulatory elements.

Development of Statement of Strategy 2021 to 2023

The Sea-Fisheries Protection Authority (SFPA) strategy 2021 to 2023 sets out its key objectives along with the extensive programme of work the regulatory body will undertake over the next three years.



Authority Meetings

There were 8 formal Authority meetings held in 2021, with the Authority Members in place at the time attending them.

Freedom of Information

The SFPA is subject to the Freedom of Information Act 2014 (the FOI Act) and has a guide for members of the public on how to access records under FOI which is available on our website at sfpa.ie. In 2021, the SFPA received thirteen FOI requests.

Access to Information from the Environment

The European Communities (Access to Information on the Environment) Regulations 2007 to 2018 give legal rights to those seeking to access information on the environment from public authorities such as the SFPA. In 2021, the SFPA received two AIE requests.

Subject Access Requests under GDPR

The Sea-Fisheries Protection Authority has provided information on its website on how data subjects can access their personal information held by the SFPA. In 2021, the SFPA received no Subject Access Requests.

Protected Disclosures

The SFPA has developed detailed Guidance Documents for SFPA staff and for workers from outside of the SFPA who may wish to make a protected disclosure to a Member of the Authority under Statutory Instrument 339 of 2014.

Guidance for external workers is published on the SFPA's website. The SFPA received no Protected Disclosures in 2021.

A report commissioned by the Authority into a 2018 Protected Disclosure was delivered to the Authority during the year and the Authority has undertaken to implement the recommendations in the report.

Section 49 Complaints

The SFPA has appointed a complaints officer from outside of the Authority to consider and report independently on complaints made under Section 49 of the 2006 Sea-Fisheries and Maritime Jurisdiction Act. A complaint may be submitted to the Complaints Officer and details on how to make a complaint are published on the SFPA website. Complaints under this procedure may only relate to the enforcement of sea-fisheries or food safety law and must be made to the Complaints Officer at any stage within 28 days of the event. Complaints may be made on behalf of an individual by their producer organisation or other recognised representative organisation. The 2006 Act states that complaints will not be considered if:

- a. it relates to any matter the subject of proceedings before a court or other tribunal;
- b. it is the subject of a complaint to the Ombudsman or an appeal to the Information Commissioner, or;
- c. it is not made to a Complaints Officer within 28 days after the subject matter of the complaint arose.

In 2021 the Complaints Officer considered 3 complaints. One complaint was not considered as it was the subject of proceedings before a court and a second complaint was not considered as it was deemed to have occurred outside the 28 days since the event occurred. The third complaint was considered by the Section 49 Officer and was upheld in part. The Authority have accepted the report.

Standards for the provision of information by bodies under the aegis of Government Departments

A Dáil Procedure was put in place in 2016 setting out standards for the provision of information by bodies under the aegis of Government Departments. The main requirements were:

1. Provide and maintain a dedicated email address for Oireachtas members and notify/publicise this to members.
2. Comply with the target deadlines and standards and terms of acknowledgements and substantive responses to queries, as follows:
 - a. Response time for acknowledgement two working days;
 - b. Acknowledgement should include contact details for the official dealing with the query;
 - c. Response time for substantive reply - 10 days.
3. Establish a suitable mechanism/escalation path, internally within the body and externally within the Department.
4. Designate a person at senior management level with responsibility for ensuring the timely provision of information to the Houses of the Oireachtas and their members.
5. Put in place a formal feedback process to obtain feedback from Oireachtas members i.e., by way of periodic surveys.
6. Report annually (in their annual report) on compliance standards.

In 2021, the SFPA did not receive any requests for the provision of information directly from Members of the Oireachtas, however, forty-four Parliamentary Queries were redirected from the Department of Agriculture Food and the Marine to the SFPA, and these were responded to directly to the Member of Oireachtas concerned within the 10-day deadline from receipt to issue of a substantive response. This was a 54% increase over the number received in 2020.

Promoting Diversity and Inclusion

The Irish Human Rights and Equality Commission Act 2014 places a positive duty on public sector bodies to have regard to the need to eliminate discrimination, promote equality and protect human rights in our daily work. This is referred to as "The Public Sector Duty".

In 2021, the SFPA finalised a new SFPA Diversity, Equality & Inclusion Policy. The SFPA is committed to the public service core values of equality, respect and fairness. The new policy reaffirms the organisation's commitment to the development and implementation of improved measures to promote and support the employment of persons with disabilities and our commitment to working together to maintain a workplace environment that reflects the spirit of equal opportunities, free from prohibited or inappropriate conduct and one where SFPA staff will be treated equally and respected for their individuality and diversity.

The SFPA aims to ensure that no individual or group is directly or indirectly discriminated against for any reason with regard to employment or accessing its services.

Gender Balance in the Board membership

The SFPA does not have a Board in the traditional sense but comprises of an executive Authority of between one and three members. During the year, the Authority comprised between 1 and 3 members with one member resigning, one member being appointed and one member retiring. As of 31 December 2021, the Authority had one male member, with the Position of Authority Chair and one Authority member position vacant. Recruitment was underway to fill the vacant positions. The Authority therefore does not meet the Government target of a minimum of 40% representation of each gender in the membership of State Boards.

Audit and Risk Committee Report

This report of the Audit and Risk Committee of the Sea-Fisheries Protection Authority (SFPA) provides a summary of its key activities and outputs for the financial year ended 31st December 2021.

Membership of the Audit and Risk Committee

Mr. Peter G. Cowap – Chair

Mr Sean England – Deputy Chair

Mr. Pat Farrell

Mr. Brendan O’Shea

Mr. Rav Vithaldas

The composition of the Audit & Risk Committee remained unchanged through the Financial Year 2021 from 2020.

Committee Meetings

The Audit and Risk Committee’s Terms of Reference require the Committee to meet on at least four occasions each Financial Year. Due to COVID-19 restrictions, the Committee met virtually on six occasions in 2021, namely: February 15th, April 19th, June 14th, September 6th, November 8th (including with the C&AG) and December 13th. The Committee also additionally met with the Director of ICT on March 3rd to review critical undertakings, and on May 20th the Committee met for a facilitated session to enable input into the Authority’s Strategy 2021 to 2023.

In addition, the Committee conducted a further review of its Terms of Reference and undertook a self-assessment evaluation of its own performance on December 13th, 2021.

In addition, Authority Members Susan Steele (Chair), Andrew Kinneen, and new Authority Member Timothy Donovan, the Director of Finance, Ms. Louise Murphy, (and interim replacement, Ms Sharon Nagle) and, as requested, the Director of Trade Support, Internal Audit (professional services provided by Deloitte and Ashby), Chief Scientific Officer and Brexit Lead, the Director of Corporate Affairs, the Director of Transformation, and the Director of HR, were invited to attend meetings. Additional Executives and Officers of the Authority were invited to meet and report to the Committee on specific matters e.g., Director of Port Operations and Chief Risk Officer.

The Committee were provided with and wish to acknowledge the Secretariat support provided by the Authority throughout 2021.

Roles and Responsibilities of the Audit and Risk Committee

The Audit and Risk Committee assists the Authority in fulfilling its overseeing responsibilities and sources of assurance relating to:

- The integrity of the Financial System including the financial reporting process;
- The Risk Management process;
- The System of Internal Control;
- The relationship with the Comptroller and Auditor General (C&AG);
- The Sea-Fisheries Protection Authority’s process and internal controls for monitoring compliance of implementation of Official Controls in the areas of sea-fisheries, seafood safety, Health and Safety and other relevant laws and regulations;
- The Sea-Fisheries Protection Authority Code of Conduct and, as appropriate, the Authority’s conduct of anti-Fraud and Protected Disclosure Programmes and related Investigation processes;
- Performance of the Authority’s Technical and Corporate Internal Audit function and associated Independent Auditors.

The Audit and Risk Committee is responsible for advising the Authority on whether an appropriate regime of internal control is in operation but not for the formulation or implementation of such a regime.

The salient work and areas focused on by the Audit and Risk Committee during 2021 included:

1. Reviewing the Authority’s continuing preparedness and operational resilience, including business continuity and disaster recovery to the COVID-19 Global Pandemic;
2. Reviewing the Authority’s ongoing preparedness for Brexit and in particular, the potential Legal, Technical, Operational and Regulatory implications for Trade Compliance;

3. Receiving periodic updates on progress with a number of legal, compliance and enforcement issues including the introduction of 'Penalty Points' and the implementation of fees under Official Controls Regulations;
4. Reviewing critical aspects of the Authority's Organisational Capability and associated Transformation Programme and their potential ramifications for Governance, Risk Management, Internal Control Environment and Compliance;
5. Briefings, as appropriate, on the progress and status of the Authority's response to the EU DG-Mare Audit and Commission Administrative Inquiry, culminating in the revocation of Ireland's existing Control Plan and subsequent approval by the European Commission of an interim Control Plan;
6. Updates on the Internal Audit Plan for 2021, including Internal Audits and Assurance work focused on internal controls and targeted audits e.g., HR (Recruitment and Induction Processes) and Data Quality (Fisheries Data);
7. Reviewing the implementation of the Authority's Technical Internal Audit Plan, including selected inspections e.g. Transport Inspection Audit;
8. Reviewing the Annual Statement of Internal Control for 2020 and associated Report and Financial Statement and other major activities pertaining to the Finance Unit, including the SAP Implementation Project and the Unit's Procurement Programme;
9. Reviewing the Authority's Programme for Senior Management Assurance Statements via selected presentations;
10. Engaging with the Comptroller and Auditor General, both on the completion of the 2020 Audit and reviewing with them their Audit Planning approach for FY 2021, cognisant of the continuing impact that COVID-19 presents to the Authority's operational activities.

Risk Management

As an integral core component of the Audit and Risk Committee mandate, the Committee reviews the effectiveness of the Risk Management process on an ongoing basis.

This work includes continuous review of the SFPA's Risk Policy and Risk Appetite, together with progressing enhancements in the management and operational embedding of the Authority's Risk Register, in conjunction with the Chief Risk Officer.

The Committee is satisfied that the spectrum of risks currently identified in the SFPA's Risk Register represent an accurate picture of the Authority's primary risks.

Priorities for 2022

1. Ensure adherence to the SFPA Internal Audit Plan and Technical Audit Programme for 2022 and assess outcomes;
2. Ongoing review of the SFPA Risk Register, including assessing the continuing impact of COVID-19, post-Brexit-related risks and the Organisational Transformation Programme, augmented by the identification of additional thematic deep-dives as part of the Committee's Work Programme;
3. Engage with the Comptroller and Auditor General in delivering audit satisfaction;
4. Review emerging outcomes of the EU Commission's approval of an interim Control Plan in order to understand and assess their potential impact on the Authority's operational resilience and compliance with the EU OC Regime;
5. Review of the Annual Statement of Internal Control for the Authority and associated Report and Financial Statements for 2021;
6. Continue to provide oversight of the Authority's management of outstanding audit findings.

Conclusion

The Members of the Audit and Risk Committee would like to acknowledge the engagement and assistance during the year of the staff of the Sea-Fisheries Protection Authority.

The Committee's endeavours are greatly assisted by the sector-specific briefings facilitated by the Authority which form an integral component of the Committee's meeting agendas.

The Audit and Risk Committee is satisfied that in general there are, aside from those matters that are contingent to the Authority's preparedness following the EU Commission's approval of the Control Plan referenced above, adequate systems of internal control, risk management and sources of assurance.

Mr. Peter G. Cowap
Chair - SFPA Audit & Risk Committee



Support

Support the organisation to achieve excellence through its staff. Our effectiveness in achieving our vision depends on the skills, capability and professionalism of our staff and our structures.

EMFF/EMFAF Programme

Ireland's European Maritime and Fisheries Fund (EMFF) Programme is the fund for the European Union's maritime and fisheries policies for 2014-2020. It is one of the five European Structural and Investment (ESI) Funds which complement each other and seek to promote a growth and job-based recovery in Europe.

Ireland's EMFF Programme is co-funded by the Government of Ireland and the European Union. Each country is allocated a share of the Total Fund budget, and then draws up an operational programme, saying how it intends to spend the funding. Ireland's Fisheries Operational Programme priorities are:

- Promoting environmentally sustainable, resource efficient, innovative, competitive and knowledge-based fisheries;
- Fostering environmentally sustainable, resource efficient, innovative, competitive and knowledge-based aquaculture;
- Implementation of the Common Fisheries Policy (CFP);
- Increasing employment and territorial cohesion;
- Fostering marketing and processing;
- Implementation of the Integrated Maritime Policy (IMP);
- Technical assistance.

The fund is a key part of a reformed and reforming Common Fisheries Policy (CFP) and facilitates projects to enhance monitoring control and enforcement efforts and provides better regulation through initiatives such as:

- Implementing new technologies
- Providing advanced training
- Promoting compliance

As a regulator in the seafood sector in Ireland, the SFPA continues to make a key contribution across the essential areas to support Ireland's EMFF Programme.

In 2020, the COVID-19 outbreak introduced unexpected changes to planned Ireland's EMFF Programme work, these changes continued into 2021 with all projects and programmes supported remotely. A significant number of IT projects and initiatives which commenced in 2020 were successfully implemented in 2021 with training and handovers completed virtually.

In 2021, approximately €3.4m was allocated across a range of qualifying projects. In 2021, the budget for IT development and quality assurance services provided by DAFM Information Management Technology team was managed by the SFPA.



**European Maritime
& Fisheries Fund**

Compliance Promotion

Compliance Promotion projects and initiatives continued in 2021. Since 2016, the objective of this project is to raise awareness of the Common Fisheries Policy (CFP) amongst stakeholders within the Irish Fishing Community. In 2021, the SFPA implemented the Confidential Line campaign to improve compliance by encouraging those working within the sea-fisheries industry as well as the public to report suspicious or illegal activity to the SFPA.

Technical Assistance

In providing support to the Control Authorities in delivering all SFPA Ireland's EMFF Programme-related projects under Ireland's EMFF Programme operational programme, the Technical Assistance initiative ensures the successful execution and management across all projects including oversight, administration, financial management and control for the overall projects. This stream has been in place for the duration of Ireland's EMFF Programme operational programme (2014-2020).

Training and Exchange of Staff

Training and Exchange of staff is a multi-annual project, initiated in 2015 and will continue for Ireland's EMFF Programme duration. It includes the development of training and exchange programmes between Member States, in the monitoring, control and surveillance of fisheries activities and promotes and supports risk analysis systems which will lead to a more effective sea inspection and air surveillance regime and aligned shore-based regime. COVID-19 restrictions continued to impact a number of planned training initiatives, however funding provided continued support in the facilitation of training for new SFPOs in 2021.

National Infringements Register

SFPA is responsible for the enforcement of sea-fisheries and seafood safety legislation outlined in the SFMJ Act 2006 and the FSAI Act 2009 in conjunction with any related European legislation. EU Regulation 1224/2009 establishes a community control regulatory system, with implementing regulation EU Regulation 404/2011 for ensuring compliance with the rules of the Common Fisheries Policy. In 2021, development of the Case Management System to support the enforcement function within the SFPA commenced, providing improvements in the capture and reporting of infringements, and better visibility on case files statuses. This project will complete in 2022.



Quality Management Systems

A number of audit findings identified gaps requiring improvements to the SFPA's framework for the production, ongoing management and communication of policies, processes and SOPs (including FINs and National Control Programmes). Supported through Ireland's EMFF Programme, the objective of the Quality Management System (QMS) project is to introduce a formalised system for operational processes and procedures. The QMS also sets out to coordinate and direct the organisation's activities to meet its regulatory requirements, ensuring improved efficiency on a continuous basis. The project, which commenced in 2020, implemented the organisation's quality policy and established a process and procedure for document control. Work will continue in 2022.

VALID

The VALID project introduced by the Commission sets out the guidelines for validation. Member States are required to develop automated systems and supporting databases for the purpose of validation of data in accordance with the regulation, including cross-checking, analyses and verifications. Phase 1, which completed in 2020, focused on the introduction of an automated cross-checking system for the Irish Control Authorities. In 2021, Phase 2 focused on building a workflow solution to support the assignment and action of cross-checks across the SFPA. This included the development of workflows, dashboards and reports. Phase 2 was implemented in June 2021 and training rolled out to all SFPOs and the FMC in Q3 2021.



ieInspect

Supported by Ireland's EMFF Programme, enhancements to the existing ieInspect application were completed in 2021 which supported the need to remove paper-based inspections conducted under Annex XXVII of Commission Implementing Regulation EU 404/2011. This included an upgrade to support new standard message format, UNCEFACT to support inspections for vessels from all Member States and a number of identified enhancements to support the capture of information during an inspection and reduce the time required to complete an inspection electronically.

Remote Electronic Monitoring

Under the proposal for a new EU regulation (COM/2018/368 final) which suggests the mandated use of REM by Member States as a tool to promote compliance with the landing obligation, under the Common Fisheries Policy, the SFPA have identified the requirement to understand the electronic monitoring solutions that currently exist to support control activities and which monitor compliance with the Landing Obligation. Through Ireland's EMFF Programme, work in 2021 focused on:

- Assessment of options to integrate REM data into control activities to support Ireland in meeting the legislative requirements as outlined in national and EU legislation;
- Identification of potential technical REM solutions to independently verify catch weights and vessel activity, which would support the SFPA's capability to measure compliance with the Landing Obligation;
- Pilot studies to determine the extent to which verification of fishing net pingers is available to support at sea and land-based inspections.

Work across these initiatives will continue in 2022.

Organisational Capability Review

The Organisational Capability Review published in April 2020 made 46 recommendations which, when implemented, will improve the effectiveness and efficiency of the SFPA.

The timeline for the implementation of the recommendations, from the Review is ambitious one. Nevertheless, the implementation of the report, which forms part of the Programme for Government, will ensure that the SFPA will have the agility and capacity to deliver on our statutory mandate in a constantly changing operating environment.

In line with the Review recommendations, a number of key organisational changes have since been made. These include:

- The appointment by the Department of Agriculture, Food and the Marine of an independent Advisory Board to support the Authority and to oversee the implementation of the recommendations;
- The appointment of a Director of Transformation, Internal Communications Manager and Quality Management System lead;
- The strengthening of the SFPA's organisational capability through the restructuring of the Data Management Unit, which will support the SFPA's operational functions.

Significant progress was made in the implementation of the recommendations in the Review over the course of 2021. Of the 46 recommendations 17 have been completed, 25 are in progress and 4 have yet to commence. A new strategy was launched in 2021 and the approach to risk management and business planning has been formalised. A portfolio management approach and organisation-wide PMO has been implemented to increase cohesion and reinforce team-based working.

A number of the Review recommendations relate to inadequacies in the SFPA's data management and data analytics capability, IT capability and industrial relations capability. There is no documented data strategy within the SFPA, and data analytics is underdeveloped as a core competency. There is no documented IT Strategy to support the Corporate Strategy. There are a number of issues affecting the industrial relations environment in the SFPA.

Among the actions that are scheduled for finalisation in Quarter 2 2022 that will address and mitigate the inadequacies referred to above are:

- The completion of a data strategy and the development of the SFPA's data analytics capabilities;
- The establishment of a strategy for IT that is aligned to the Corporate Strategy.

An agreed protocol on how management and staff engage is a key recommendation from the Review. Severely strained industrial relations are impacting on the ability to move this recommendation forward. It is hoped that progress will be made to address this issue in 2022.

“““

*Individually, we are one drop.
Together, we are an ocean.*

The implementation of the recommendations from the Organisational Review cannot be achieved without a collective effort. I would like to thank colleagues across the organisation for their engagement and support over the course of 2021.

Together we are stronger.

Olive Loughnane
Director of Transformation

Human Resources Update

All recruitment was carried out by SFPA HR with the support of a recruitment services provider, in line with the Code of Practice for Appointment to Positions in the Public Service and within our allocated pay budget.

38 posts

WERE FILLED DURING 2021,
INCLUDING 10 NEW SEA-FISHERIES
PROTECTION OFFICERS

During 2021, 38 posts were filled. This figure included 10 new Sea-Fisheries Protection Officers (SFPOs) who undergo an extensive training programme in advance of being issued with a warrant including training in fisheries control, food safety and legal training.

Overall in 2021, headcount increased to 167 employees. This represents a 60% increase in headcount over the past four years

SFPA Staffing by Grade December 2021

Principal Officer	4
Assistant Principal	11
Senior Port Officers	9
Sea-Fisheries Protection Officers	84
Higher Executive Officer	22
Executive Officer	17
Clerical Officers	20
Total	167

Training in 2021

The HR team delivered on our Training Plan for 2021. Training which HR organised included:

Table 1: HR Organised Training Delivered in 2021

New recruit SFPO Training
Performance Review Training
Excel Training (All levels)
Conflict Resolution and Avoidance Training
Developing Self Awareness
Language Training
Managers Development Training
Interview Panel Training
Interview Preparation Training
Mental Health First Aider Training
Communications Training
Pre-Retirement Planning Training
Specialised IT Training
Further Study Applications

Training carried out by the Food and Fisheries Support Unit and Health and Training are listed separately.

Overview of Energy Usage in 2021

The Sea-Fisheries Protection Authority consumed a total of 884,562 kWh of energy in 2021, the breakdown in percentages is as illustrated in fig 1. This was a decrease in energy consumption of 20% compared to 2020. This decrease was due mainly to a reduction in business travel as a result of the pandemic.

Electricity accounted for the bulk of energy consumption within the SFPA at 37%. Road vehicles accounted for 35% of the total energy usage and air travel accounted for just 1%. Road diesel consumption in total, by both grey fleet and SFPA utility vehicles, has decreased by 12% on last year due to the effects of the COVID-19 travel restrictions. The SFPA moved to a private mileage model in Q4 2019 and a small number of utility vehicles were retained in each Port. Business travel kilometres by 'grey fleet' has decreased 14% since 2020. No public transport was used in 2021 due to COVID-19 travel restrictions.

There were no RIB Patrols during the Spring / Summer Season in 2021 which positively affected petrol use. Air travel showed an overall reduction of 82% in terms of kilometres travelled on the previous year. This was as a direct result of the restrictions on overseas travel imposed during the pandemic and air travel did not begin again until Q3 2021.

Electricity consumption, accounting for 37% of total energy usage, represented an increase of 7% year on year from 2020. New premises were acquired in Dinish Island and also Greencastle.

A newly constructed utility and storage facility on Dinish Island was completed during 2020 which provides storage, a lab area, changing facilities and a drying area for SFPA staff usage.

Overall headcount between the end of 2020 and the end of 2021 increased from 148 to 167 staff.

Heating decreased by 11% on 2021. Issues with the AHU unit serving general areas in Clonakilty has also impacted Thermal efficiency on site.

Actions Undertaken to be More Energy Efficient

The Sea-Fisheries Protection Authority is part of the SEAI network for medium sized organisations and the public sector network. The organisation's energy performance for the year was reported directly to the SEAI in order to track progress towards the 33% energy reduction target for the Public Sector by 2020.

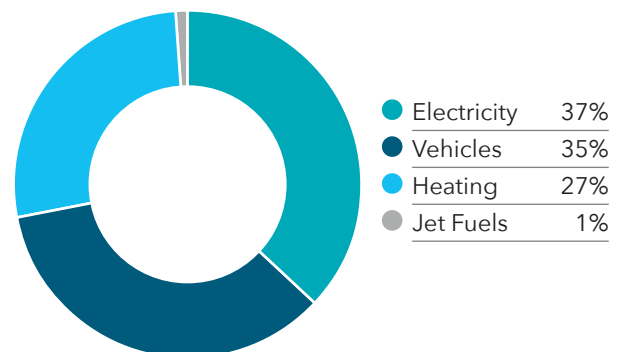
The SFPA is part of the SEAI Public Sector Partnership Programme.

Energy Audits were conducted in all 7 SFPA locations and an SFPA Energy Strategy 2020 - 2030 has been developed with the aim of achieving the target of 50% energy reduction by 2030 as directed in the government's climate action plan.

Actions Planned for 2022

- The SFPA will look at a programme of change over to LED lighting in all office locations;
- The SFPA will explore installation of EV Points in all Port locations in conjunction with DAFM;
- A new Port Office in Greencastle will be fitted out in 2022 and energy efficiency has been optimised in the plans;
- An overall reduction in travel should be seen following the adoption of online delivery of training and conducting online meetings;
- A Health, Safety and Facilities Manager joined the SFPA in May 2021, driving a culture of energy awareness and managing facilities projects as part of our Energy Strategy;
- SFPA will continue to work with the OPW's state-wide staff energy awareness campaign, Optimising Power at Work to improve energy management practices in 2022.

Figure 1: 2021 Energy Consumption: kWh



Health and Safety Report

SFPA Health and Safety Goal: The stated aim of the SFPA is that the safety, health, and welfare of all employees remains a 'paramount objective'. This is achieved through work practices that are safe, that are consistent with safe working practices and are in accordance with legislation and public health guidelines. We work to always achieve this objective.

2021, however, was a testing year and presented additional challenges in working within this global COVID-19 pandemic, between lock downs and Government restrictions, preparing to return to the offices to public health advice changing in November to encourage work-from-home due to the number of confirmed COVID-19 cases reaching an all-time high. To combat this and to continue to deliver on all outputs in line with the stated aim, it was necessary to devise and implement specific policies, procedures, and work practices across all areas of the organisation.

The current pandemic has highlighted that the spread of infection is significantly assisted through the lack of ventilation and space between personnel and workspaces over extended periods. While there has been significant expenditure on the installation of Perspex screens between workstations, this is not a 'long term' fix. All staff must still follow Public Health and National Guidance. It is only by working together and all doing our part that we can try and stop the spread of this virus. In May 2021, the organisation welcomed Florence O'Sullivan as new Health & Safety and Facilities Manager who took over the duties from Barry O'Halloran. Health & Safety visits to all ports nationally then took place during May, June & July 2021.

In general, our Safety, Health and Welfare programme in the SFPA remains proactive. It is designed to deliver on everyone's expectation to work in a safe environment, where tasks and outputs are systematically and continuously evaluated to list and identify any potential hazards. It is then designed to devise, develop, and implement work practices and procedures that work towards achieving this expectation. This is a cyclical process. Our working environment and work outputs are subject to change and, consequently, it is necessary that our programme remains dynamic, that it is owned by all personnel, that it is concise and that it seeks to provide certainty. Throughout 2021, the SFPA Safety Committee, Port Managers, Lead Workers Representatives, Fire Wardens, First Aid Responders and COVID-19 leads all strove to achieve these aims.

SFPA Health and Safety outcomes 2021

Manual Handling Training - the pandemic period over the past 19 months had a significant impact on the roll out of this training nationally. Given where we are, and with the loss of our in-house capability, we engaged the services of an external service provider to assist in delivery. In accordance with current practice, this training is delivered via a 'blended' approach requiring attendance and completion of a Webinar session (which includes a brief assessment at the end) to be followed up by attendance at a Practical in-person session which will be delivered once public restrictions allow. The following is the pertinent information in relation to this training;

- a) This is compulsory training which must be completed by all employees.
- b) Several Manual Handling courses will take place with social distance in place.

The new Health & Safety and Facilities Manager, Florence O'Sullivan, is a Qualified Manual Handling Trainer, and this allowed him to commence Manual Handling training for the SFPA. In September, taking note of all government and public health guidance in relation to working in the COVID-19 pandemic, Practical Manual Handling courses took place with emphasis on the Theory & Practical assessments to some of those who required this training.

Some staff had waited to complete the Practical assessments from 2020 and these were completed in some cases, however with new current COVID-19 guidelines this training had to stop until further notice and safe to do so.

Some courses that took place were as follows:

- SFPA Clonakilty - A number of full training courses that included Theory and Practical sessions;
- SFPA Killybegs - Practical Session completed.

Throughout 2021, the SFPA successfully completed several objectives as follows:



1. Health and Safety Training - completed:

Table 2: Health and Safety Training 2021

Description	No. of Attendees
General: Throughout 2021, the SFPA delivered different Health and Safety related training courses / events for personnel through attendance on a mixture of (1) In-House, (2) Online, (3) Private and (4) Public courses, as outlined below;	
Online Safe Boarding Procedures	10
H&S Induction Training Courses	35
Online Lone Working Training courses (Started 1 Dec 2021)	171
Manual Handling Training Courses (Physical attendance)	25
2 x Life Jacket Awareness Training Courses (Practical Training)	10
1 x COVID-19 Lead Worker Representative Training course	11
4 x PHECC FAR Training courses	0
2 x PHECC FAR (Refresher) training courses	11
1 x Fire Warden Training course	0
2 x Safety Rep Training courses (2 new staff required in 2022)	0
Accident Investigation Training	12

2. H&S & COVID-19 related Initiatives:

- a. Completion of SFPA Response Plan.
- b. Completion of Port Office Occupancy Assessments.
- c. Completion of COVID-19 specific Risk Assessments.
- d. Completion of COVID-19 Lead Training and Risk Assessments prior to returning to the office.
- e. Completion of New Lone Working Programme for all SFPA staff. Roll out commenced in December 2021.
- f. All Port offices had personnel trained up on COVID-19 lead Protocols.
- g. Fed into COVID-19 Operational Guidelines for inspections at FBO premises.
- h. Updated H&S Induction programme.
- i. SFPA H&S Audit Programme: This internal H&S audit programme – of all SFPA locations – was seriously impacted by the pandemic and associated public health guidelines. It was last completed fully in 2019. This resumed in 2021 and progress on addressing the issues identified continues to be tracked by H&S.
- j. Review of all stocks of PPC and Sanitisers. This took place weekly by the COVID-19 Leads and all offices were cleaned as per guidelines in line with good H&S protocols.



3. Safety Statement, SOP and Guidance Document issuance and reviews:

- a. Ongoing review of our Safety Statement with two amendments to the document incorporating.
 - i. Revised SFFA Organogram
 - ii. SFFA Mental Health First Aiders (MHFAs)
 - iii. Revised Panel of Safety Reps, First Aid Responders and Fire Wardens.
 - iv. Introduction of SFFA Lead Worker Representatives
 - v. New Section 6.5 in relation to COVID-19
- b. In continuance of our ongoing programme, a revision of all SFFA SOPs (10 in number) and SFFA Guidance Documents (4 in number) was completed.

4. Personal Protective Clothing and Equipment (PPCE):

- a. Completed the schedule of COVID-19 specific PPCE and finalised distribution to all SFFA locations;
- b. Ongoing provision of general PPCE through the CH Marine contract.

5. Workplace Accidents / Incidents:

As stated, we work in a relatively hazardous and changing environment and although our goal, in so far as is practicable, must be to achieve an accident / incident free year, this environment is going to make this goal that much more difficult to achieve.

Consequently, it is likely that Accidents, Incidents or Near Miss events will occur. However, the reporting of these is key in helping to identify any discrepancies in our protocols, procedures and then to inform and develop the necessary revisions. It is also essential in helping to ensure that we provide and use items of PPCE that are to best practice standards.

2021 was a relatively successful year, i.e., as per the following statistics;

- Only 1 Road Traffic Accident and Incident reported during the period since the last report for 2020.





Advise

SFPA viewed as the authoritative source of information on the protection and regulation of sea-fisheries and seafood production.

Promoting Compliance

Promotion of compliance is any activity that encourages voluntary compliance. Voluntary compliance can only be achieved through communication.

Control Plan

In April 2021, the European Commission revoked Ireland's Control Plan. The consequence of this decision by the European Commission to revoke, with immediate effect, Ireland's Control Plan, was the removing of the derogation for the fishing industry to weigh fishery products following transport away from the place of landing. All fishery products, therefore, were required to be weighed at the place of landing before those products were transported, held in storage or sold. Sample weighing for certain fishery products landed in standardised boxes continued to be permitted. A series of industry meetings were undertaken to advise the industry on actions required by them to be compliant with the new regime for weighing on landing.

Development of a New Control Plan

The Sea-Fisheries Protection Authority (SFPA) announced an online consultation on the 4th of June 2021, to gather feedback and opinion on a draft revised Control Plan for a derogation to weigh fish after transport in Ireland. Submissions were invited on the content, scope and implementation of the draft plan and those received before the deadline of 18th of June 2021 would be used to inform the final document to be submitted to the EU Commission for its approval.

The SFPA received 21 written submissions to the consultation. The submissions were received from a wide variety of groups including Producer Organisations, Seafood Industry representatives and Seafood Companies. Submissions were also received from individuals working in the Seafood Sector.



The majority of submissions related to the non-inclusion of Pelagic landings by fishing vessels greater than 10 metres in the draft Control Plan, with the SFPA being asked to revise the Plan by including these Pelagic landings. Submissions were also received highlighting practical difficulties for fishers in having to weigh fish at landing.

The SFPA took the submissions into account whilst developing a new Control Plan and that Plan was submitted to the European Commission for their consideration. The Commission subsequently approved an Interim Control Plan for the period 1st of January to 30th of April 2022.

Memorandum of Understanding between SFPA and DAFM

A Memorandum of Understanding (MOU) between SFPA and DAFM Divisions in Clonakilty regarding the provision of data and services was signed in April 2018.

The MOU specifies the timelines of delivery, level of detail and data quality required, and seeks to ensure that such requests for data are only sought where necessary, having regard to the resources necessary to service ad-hoc requests.

During 2021, a total of 300 queries were received and processed compared with 259 in 2020. Sixty-seven percent were data related queries as described in Table 3 below.

Table 3: DAFM Queries

Section	Number
Brexit	1
Data	203
Corporate	2
Fisheries and Food Support	10
Howth	8
IT	1
Legal	14
Operations	44
SMT	1
Trade	13
Other	3
Total	300

300 Queries

WERE RECEIVED AND PROCESSED IN 2021

DAFM Situational Reports

In March 2020, the SFPA commenced providing the Department of Agriculture, Food and the Marine with Daily Situation Report on Fishing Activity and Food Business Activity as part of COVID-19 Daily briefings. This continued until the end of June 2020 when they were reduced to twice weekly and thereafter to once per week which continued in 2021.



Fisheries Information Notices 2021

The SFPA issues Fishery Information Notices (FINs) on fisheries legislation in order to provide interpretation of some of the more complex elements of the legislation.

The contents of FINs are provided as a guide only and are intended to enhance access to information for the fishing industry.

The purpose of the FIN is to provide the information in a manageable form and in doing so it is limited to the essential elements of information. They should always be read along with the governing legislation.

Eleven Fisheries Information Notices were published in 2021 as follows:

1. FIN 01-2021 Landing and PNO requirements of Irish FV
2. FIN 02-2021 Landing Obligation Compliance
3. FIN 03-2021 Weighing of Fishery Products
4. FIN 04-2021 Transport of Fishery Products
5. FIN 05-2021 Lobster
6. FIN 06-2021 Marking and Identification of Fishing Gear
7. FIN 07-2021 General Requirements for Systems used to Weigh Fishery Products
8. FIN 08-2021 Non-Commercial Pot Fishing
9. FIN 09-2021 Traceability of Fishery Products
10. FIN 10-2021 Access and Technical Measures for Irish FV in UK waters
11. FIN 11-2021 Acoustic Deterrent Devices

Attendance at European Meetings

DG MARE - EU Commission

The objectives of DG MARE are as follows:

- protect the maritime environment while maintaining Europe's competitiveness;
- implement the new Common Fisheries Policy;
- use the potential of Europe's seas to create sustainable jobs that preserve natural resources;
- establish rules for the management and governance of the world's oceans together with global partners.

The SFPA participates in technical meetings organised by DG MARE in the area of Control and Enforcement.

European Expert Group on Fisheries Control

To ensure that the Common Fisheries Policy benefits from the best scientific, technical and economic advice the Commission established an Expert Working Group on Fisheries Control.

The Role of the Expert Group is to:

1. Review the technical aspects of monitoring and inspection in the field of fisheries;
2. Assist the Commission in the preparation of legislative proposals and policy initiatives;
3. Coordinate with Member States facilitating the exchange of views.

The meetings with control experts of Member States are devoted to the control and enforcement of the Common Fisheries Policy rules. The expert group serves also to develop cooperation with and between Member States, to develop recommendations and ensure their effective implementation and application.

The meetings also cover control issues under the Regional Fisheries Management Organisation's and third countries agreement. Due to COVID-19 restrictions two meetings of the Control Expert Group took place in 2021.

European Fisheries Control Agency

The European Fisheries Control Agency (EFCA) is a European Union agency. The agency's mission is to promote the highest common standards for control, inspection and surveillance under the CFP. Its primary role is to organise coordination and cooperation between national control and inspection activities so that the rules of the CFP are respected and applied effectively.

The added Value of the work of the agency lies in its contribution to a European-wide level playing field for the fishing industry so that European obligations are observed by everyone and everyone in the sector is treated equally, wherever they might be operating. Secondly, it contributes towards sustainable fisheries by enhancing compliance with existing conservation and management measures to the benefit of present and future generations.



EFCA Administrative Board

The SFPA represents Ireland on the EFCA's Administrative Board. The Administrative Board is made up of one representative of each Member State and six representatives of the European Commission. Roles of the Administrative Board include:

- Adopt the multi-annual work programme of the Agency which establishes its overall objectives, mandate, tasks, performance indicators and the priorities for each action of the Agency over a five-year period;
- Appoint the Executive Director;
- Adopt the general report of the Agency for the previous year;
- Adopt the Final Budget of the Agency.

The Administrative Board met on three occasions in 2021.

EFCA Regional Steering Groups

In 2021, the SFPA attended Regional Steering Groups hosted by the EFCA. The EU Fisheries Control regulation (1224 of 2009) allows for the European Commission, in concert with Member States, to adopt specific control and inspection programmes (SCIPs) for specific fisheries or sea basins. These SCIPs are implemented through Joint Deployment Plans (JDPs).

Ireland is involved in three SCIPs namely Western Waters, North Sea and NEAFC. In order to coordinate these SCIPs, EFCA produces a Joint Deployment Plan (JDP) for each SCIP. The JDPs establish that the deployment of pooled national means is coordinated by EFCA in cooperation with the Member States and frequently with the presence of national coordinators at EFCA premises. A Regional Steering Group (RSG) composed of Commission, Member States and EFCA representatives is in charge of ensuring the proper implementation of the plan. The RSGs normally meet 2/3 times during the year at EFCA offices in Vigo however in 2021 all meetings were held virtually.

The North East Atlantic Fisheries Commission

The North East Atlantic Fisheries Commission (NEAFC) is the Regional Fisheries Management Organisation (RFMO) for the North East Atlantic. The area covered by the NEAFC Convention stretches from the southern tip of Greenland, east to the Barents Sea, and south to Portugal.

Recommendations adopted by NEAFC are legally binding. The SFPA participates in NEAFC technical PECMAC meetings as part of the EU delegation at NEAFC meetings.



PECMAC- Permanent Committee on Monitoring and Compliance

This Committee is comprised of representatives from all the Contracting Parties of NEAFC. It is responsible for advising the NEAFC Commission on issues relating to fishing controls and the enforcement of the NEAFC Scheme. PECMAC normally meets 2/3 times annually at NEAFC office in London. In 2021, these meetings were held in virtual mode.

EU Live Bivalve Mollusc Working Group meeting

The SFPA attends and represents Ireland at the EU Working group Meeting on Bivalve Mollusc chaired by the Commission.

At this forum, proposed changes to legislation in the area of Live Bivalve Mollusc food hygiene requirements and official controls are discussed with Member States. Any issues identified by a Member State(s) with enforcing the relevant legislation are also highlighted at the meetings and discussed. Proposals are also put forward to the Commission. The SFPA has played a significant role in preparing submissions in consultation with relevant stakeholders and presenting at these meetings. The SFPA has built good working relationships with Competent Authorities in other Member States at these meetings.

During 2021 there was one meeting held virtually which the SFPA attended. Issues discussed included revision of Community Guidelines in the area of shellfish controls and standards (microbiological, phytoplankton and biotoxins) and proposed changes to legislation.

EU Expert Group on Food Hygiene and Control of Food of Animal Origin

Food Hygiene requirements and official controls on all products of Animal Origin including Live Bivalve Molluscs and Fishery Products are discussed at these meetings.

Proposed legislative changes across the whole food chain are presented at these meetings and views put forward by Member States. Any issues identified by a Member State are also highlighted and discussed at this forum.

During 2021, there was one meeting held virtually which the SFPA attended. Issues discussed were European Food Safety Authority (EFSA) opinions on shucking of scallops to manage the biotoxin risk, management of Norovirus and proposed changes to legislation.

Standing Committee on Plants, Animals, Food And Feed Section: Biological Safety of the food Chain

The Standing Committee on Plants, Animals, Food and Feed (PAFF) is composed of representatives of all EU countries and presided by a European Commission representative.

Draft Regulations are presented by the Commission at these meetings for voting and views exchanged.

As part of the consultation process and in collaboration with DAFM, SFPA gives expert opinions on the various proposals and issues discussed at these meetings.

Sea-Fisheries Protection Consultative Committee

The SFPA facilitated four meetings of the main SFPA Consultative Committee in 2021. Firstly, in February where information was provided on the SFPA Review Implementation, BREXIT related matters and the implementation of Fees for Official Controls in respect of Food Safety.

Following that meeting, the SFPA facilitated a workshop for the Consultative Committee on the development of the new Strategy. In May, a meeting was convened to discuss the revocation of the Control Plan. The Committee were briefed on the Draft SFPA Strategy 2021 to 2023 at a July meeting. A meeting held in December provided updates on a broad range of items including the SFPA Strategy Implementation, BREXIT, SFPA Review Implementation - Industry Survey on 'Appropriate Communication Channels for Interacting with Fishermen', the Landing Obligation, with presentations on the Implementation of Fees on Food Safety Official Controls and ieCatch v3.

Separately, the SFPA and the Committee set up a joint working group to enhance and develop the working relationship between both parties and that group met on four occasions. The SFPA and the Consultative Committee agreed on an updated version of "The Code of Conduct for the Inspection of Fishing Vessels".



Committee Members

The members of the Consultative Committee in 2021 were:

Gillian Mills (Chair)*	Inshore Ireland
Catherine McManus (Deputy-Chair)	Marine Harvest
Ann-Marie Mulloy-Gautier	Connemara Seafoods Limited
Eamon Dixon	Erris Inshore Fishermens Association
John Power	Inshore Fishermens Rep. Wexford Lobster Co-Op.
Ebbie Sheehan	Irish Fishermans Organisation
Lorcán Ó'Cinnéide*	Irish Fish Importers & Exporters Association
John Ward	Irish Fish Producers Organisation
David Kirwan	Irish South & East Fish Producers Organisation
Anthony Sheehy	Irish South & West Fish Producers Organisation
Norah Parke	Killybegs Fishermens Organisation
Sean O'Donoghue	Killybegs Fishermens Organisation
John Harrington	Kush Seafoods Limited
Brendan Byrne**	Irish Fish Processors and Exporters Association

*Resigned from the Committee in 2021

**Appointed to the Committee by the Minister in 2021

The functions of the Consultative Committee are laid down in the 2006 Sea-Fisheries and Maritime Jurisdiction Act as follows:

- to inform the Authority of concerns and views of the sea- fisheries and seafood sectors regarding the functions of the Authority;
- to seek to keep the sea-fisheries and seafood sectors generally informed of the applicable sea-fisheries law and food safety law, as well as of the standards, guidelines, practices and procedures operated by the Authority in relation to the enforcement of that law;
- to advise the Authority on keeping the burden on the sea-fisheries and seafood sectors generally of compliance with that law to the minimum possible consistent with the essential purposes and the effective enforcement of that law;
- to advise the Authority of its views on the fairness and consistency of the operations of the Authority;
- to seek the delivery of a high standard of service by the Authority.

Brexit Article

01 January 2021 saw the end of the Transition period for the departure of the UK from EU. All interactions between Ireland and UK became an interaction with a 'Third Country'. Impact arose for SFPA roles in freight trade, direct landings and at-sea fishery access. As predicted, Brexit brought substantial permanent changes to the nature and extent of the work done by SFPA in both fishery control and food safety controls. 2021 saw the impact of most, but not all, of those changes with some SPS-export controls awaiting UK implementation.

1. Import Freight Consignments

For freight trade imports to Ireland, SFPA has a role in implementing one EU regulatory regimen intended to manage risks of entry to the EU of fishery product from Illegal Unregulated Unreported fishing. Wild-caught fishery products need to be accompanied by a Catch Certificate from the Fishery Competent Authority of the Flag State of the vessel catching the fish, attesting to the legitimate entitlement of that vessel to catch such fish. All consignments of fishery products entering the EU at an Irish Border Control Post (BCP) are notified to SFPA for appraisal and authorisation from an IUU perspective. Without SFPA IUU sign-off, DAFM do not release these products for free-circulation following their food safety (SPS) controls. SFPA controls assess the presence and accuracy of Catch Certificates, ensuring alignment with other documentary submissions, on for example, quantity and species. More enhanced checks such as requesting physical inspection by DAFM or contact with the Flag State authorities may take place on a risk basis. Significant exemptions include farmed, freshwater or molluscan fish where SFPA role is verifying that absence of catch certificate is justified.

Against a backdrop of reduced Third Country imports during COVID-19 impacted 2020, 2021 data show 4-fold increase in the number of import controls undertaken by SFPA since Brexit (from approximately 800 to over 3,000). This was, predictably, mostly driven by pre-existing trade from UK coming to be classified as Third Country entry. There also arises a moderate 'displacement' effect where Third Country imports intended for the EU market, which might previously have arrived in UK for EU-entry, now arrive to an Irish BCP, following which they have free access to the EU common market.



SFPA Impact

IUU controls of UK imports have been serviced from a regionalised model, rotating amongst SFPA ports. Initially 24/7 but from Q2, that was reduced to day & evening cover, but impacts continue on delivery of local work. This is relatively reactive work, difficult to predict and needing turnaround within tight timeframes. Necessity for office-base detracts from regional work away from base when a port is covering this task.

2. Export Freight Consignments

Amongst the small group of food certifications required by UK for import to its territory since 01 Jan 2021 has been a requirement for Catch Certificates for wild-caught fish. In the case of fish imported to UK which has been caught by an Irish vessel, SFPA is the relevant authority to validate and issue a Catch Certificate. That is the case for all Irish-caught fish, regardless of the country from which they are exported to UK. Moreover, that is the case for all Irish vessel-caught fish being exported from UK to, for example, the EU, following landing by an Irish vessel to UK port, and also Irish-caught fish traded from NI to GB.

Ireland's trade to UK has driven an almost 8-fold increase in the number of catch certificates issued for export freight consignments by SFPA in 2021 (approximately 200 to almost 800). There has also been an increased trend towards other Third Countries, somewhat driven by Irish exporters diversifying away from the increasing bureaucracy requirements of UK trade.

SFPA Impact

Catch Cert applications are serviced by local SFPA ports either on the basis of the home-port of the exporter, or the vessel. Complex (multi-landing) consignments require extensive SFPA follow-up. Whilst Catch Certification should be almost a foregone conclusion for a consignment intentionally selected by an operator for regulatory scrutiny, that is not always the case.

Brexit Article (continued)

Export Health (SPS) Certification

2021 also saw several build-ups to an additional and substantial requirement from UK, to require export health certification & notification, for both imports to, and transits through GB. March, September, November 2021, and January 2022 deadlines were all real until they were each postponed by UK. All of this involved substantial preparatory work, and all faded to nothing due to fluctuating UK policy. These impacts continue to affect SFPA, and Irish exporters.

3. Import Direct landings

Background & Overview

Direct Landings' relate to fish landed to an EU port by a fishing vessel flagged a Third Country, when that vessel has caught these as wild fish, and are a form of food import to the EU, subject to various EU import requirements for operators, and control obligations for port state authorities.

SFPA is involved in implementing three different regulatory regimens for such landings to Irish ports;

- SPS food Safety requirements: EU 2017/625 as implemented by 2019/625 and 2019/2126;
- IUU port state requirements: EU regs 1005/2008 as implemented by 1010/2009;
- NEAFC Port state requirements: nominally EU reg. 1236/2010.

In the case of fresh fishery products, and also for NI-registered vessels, there are relatively little SPS impacts, although products other than fresh fishery products including frozen fish or live bivalve molluscs are amongst the small subset which invoke various, generally prohibitive, SPS obligations.

For IUU and NEAFC controls, the requirements apply to subtly different groups of fish but overlap substantially, and may generally be regarded to include;

- Restriction to only land in certain designated ports, not just any ports;
- Advance submissions, regardless of size of vessel or landing;
 - o IUU Pre-notification of intended arrival
 - o IUU pre-landing declaration
 - o IUU Catch Certificate from Flag State
 - o NEAFC Ports State Control Form
- Await authorisation from Competent Authority of port before discharge, as opposed to more normal discharge regardless of action of authority.

Before 2021, Ireland had occasional, individually large landings from EEA-flag fishing vessels. Whilst Third Country from the perspective of IUU and NEAFC, these were exempt from any SPS connotations as EEA imports. Two Irish ports were designated for both IUU and NEAFC purposes, Killybegs and Castletownbere., with landings only happening in Killybegs. Landings by other EU MS vessels had been an ongoing event. Landings from UK vessels had been in the order of 700 per year, with reducing trend. Substantial numbers of these were from operators working under 'flags of convenience', with economic interest and home-port largely in Ireland or Spain.

Classification of UK landings as Third Country (TC) has resulted in a dramatic increase in number of Direct Landings by Third Country Vessels to Irish ports (nominally 20-fold from approximately 30 to over 600). These are not new landings to Ireland, just newly classified as TC. Landed volume is still driven by the small number of large landings of non-UK TC country vessels. Those non-UK landings continue to be dominated by Blue Whiting, but UK landings bring mixed demersal (Monk & Meg) along with higher value pelagic (Mackerel). There have also been recurrent landings of Irish-based NI-registered Prawn freezers and Irish-based small NI inshore vessel (Crabs & Lobsters).

Third Country Landing Ports

At the beginning of 2021 Ireland had two ports designated in accordance with both IUU and NEAFC Castletownbere & Killybegs, for landings of third country vessels of fresh fishery products at any time. As non-BCPs these could not accept frozen fish under EU food law, however both EEA and NI vessels could land frozen fish, arising from their SPS equivalence with the EU.

From 01 February 2021, the Minister for Agriculture, Food and the Marine decided through SI 37 of 2021 to designate further Irish ports from both IUU and NEAFC perspectives, largely to facilitate landings by Irish-resident operators with NI-registered fishing vessel. Those designations had various limitations to balance control burden and industry facilitation, notably applying only to NI-registered vessels and also limiting times, vessel size, fish species. From 01 October until 31 December 2021, the Minister for Agriculture, Food and the Marine further designated two further ports on restricted basis, Quigley's Point and Moville, to facilitate landings by NI vessels exploiting a wild oyster fishery in Lough Foyle. As Live BMs are exempt from EU IUU requirements, and NI vessels are exempt from SPS requirements, these were NEAFC-only designations.

SFPA Impact

Extensive work had been done to extend FMC role in initial reception of various documentary requirements and these have functioned well. Existing SFPA systems in Castletownbere and Killybegs have adapted well to the upsurge in Third Country vessel requirements. There is significant activity by NI registered operators in North Donegal and this has placed a significant control burden on SFPA and accordingly, the development of a Greencastle port office has been prioritised. An impact-limiting factor has been the acceptance of authorisation, subject to documentary control, and with direct regard to an EU -level physical inspection target of 5%. Ongoing dissatisfaction with the availability of port designation continues, with likelihood of additional port designation for SFPA to provide a credible control service for EU-entry. The higher-level issue remains in the implementation of a regimen designed for large international vessels never designed for small coastal vessels landing to their home port.

4. Export Direct landings

UK departure from EU means that Irish vessels landing to UK ports are Third Country direct landings to UK, thereby a form of export from EU and import to UK. This generally brings the same three connotations as would apply reciprocally in EU law, with Ireland as the Flag State;

- SPS
- IUU
- NEAFC

In the case of Irish flag vessels, Ireland has flag state roles, including assessment, validation and provision of Catch Certificate for these vessels and processing of NEAFC PSC notification from a flag state. SPS connotation are generally low to non-existent for direct landings of fresh fishery products, however UK implementation of SPS controls will effectively prohibit wild-scallop landings by Irish vessel to GB ports.

Classification of landings to UK ports as Third Country landings has driven an approximately 20-fold increase from approximately 20 to over 400. The bulk of those were to NI ports with some to England. Along with several Irish vessels operated from a Northern Ireland home-port base, 2021 saw a trend in Irish vessel pelagic landings towards NI port landings. This was not believed to be a Brexit-associated trend, instead arising from the revocation Irish Art. 61.1 Control Plan and absence for facility for post-transport weighing in Ireland. Also, in the absence of implementation of SPS controls by UK, there were continued scallop landings by a small number of Irish vessels to English ports.

SFPA Impact

Somewhat generally, the impact for SFPA has been relatively low. This is substantially influenced by the Northern Ireland protocol which, from an SPS and IUU perspective, regards an Irish vessel landing to NI port as an EU vessel landing to an EU port. Therefore, SFPA flag state role to provide Catch Cert has not been required. Similar IUU exemption applies to scallop landings (molluscs). However, from a NEAFC perspective, all of these 31 landings are regarded as landing by a foreign vessel to a UK port, requiring PSC flag state processing by Irish FMC. Nevertheless, a substantial logistical liability rests with SFPA for provision of Catch Certs, when requested by an Irish vessel at-sea, to UK authorities 4 hours before landing.



Brexit Article (continued)

5. At-Sea Fishery Control & Fishing Access

The late-agreed EU-UK Trade and Cooperation Agreement (TCA) established the principle of reciprocal access, thereby allowing EU vessels to fish in UK EFZ and UK vessels to fish in EU-EFZ. Primacy is accorded to the coastal entity and a prevailing principle is that of the flag state only authorising access to third-party waters when supported by relevant catch opportunity. Both aspects of this reciprocation are generally covered by the EU Sustainable Management of External Fishery Fleet (SMEFF) EU regulation, which implements a principle of a Commission lead for the interface of EU with Third Countries.

12-200 NM Zone

In the latter days and hours of 2020, the TCA provisions were implemented to result in UK authorisation of several thousand EU vessels, including several hundred Irish vessels, to fish in EU waters. Reciprocal authorisation was provided for several hundred UK vessels to fish in EU waters. Ongoing additions, subtractions and expiry and re-issues of licenses have ensued, with substantial administrative overheads.

6-12 NM Zone

The TCA identified small parts of the respective 6-12 zones where reciprocal access might be possible, if pre-Brexit track record can be met. In terms of Irish 6-12 previously fished by UK vessels, and mainland-GB 6-12 previously fished by UK vessels, these were not within the TCA-agreed areas.

The TCA does however include potential for 6-11 Crown Dependency Islands, notably Isle of Man, but Irish vessels do not meet the necessary track record despite attempts to demonstrate. Specific issues arose with UK claim of a 12NM zone around Rockall and alleged non-compliance arising from Irish vessel presence in that zone.

0-6 NM Zone

The IE/NI voisionage arrangement, enabling reciprocal access to 0-6 waters, was clarified in early 2021, to be implicitly provided for in the TCA. However, within that structure, its actuation would need to be supported by the coastal state authorisation, through EU competency under the SMEFF regulation. SFPA published a prohibition on NI vessels accessing Irish 0-6 in mid-January 2021. In early July 2021, reciprocal authorisations for several hundred vessels were issued by UK and EU with consequent rescinding of SFPA notice

SFPA Impact

SFPA Data Unit and FMC have had several instances of data requests, looking to verify extent of Irish vessel activity in a particular UK zone, in order to support authorisation requests through EU Commission to UK. These are generally relatively problematic because data are reported according to ICES Statistical Rectangle, and not according to those zones. Jan-July absence of 0-6 access involved significant communication effort from organisation, and for smaller vessels presented remarkable change, albeit at a low-impact time of year.

6. Displacement & trends for other EU vessels

A no-deal Brexit, or any version of Brexit without reciprocal access would have left many EU vessels, previously reliant on UK EFZ, needing to find new fishing grounds. Risk of increased commercial pressure on finite biological resource would have been possible. The risk would have seemed to abate with the TCA providing for reciprocal access.

However, as a surrogate for activity displacement, there are some indicators of a trend evident in landing data. In the case of EU vessels previously fishing northern EU waters, previously landing to UK ports for transport to EU markets; a combination of the increased regulatory bureaucracy for their direct landing to UK ports, and subsequent regulatory bureaucracy for export from UK to EU, has driven such landings from other EU MS vessels to Irish ports. In particular, a group of Belgian beam-trawlers appear to have relocated their operation towards an Irish landing model, dramatically increasing landings from that EU MS to Ireland, bringing commensurate trend of displacing their activity towards Irish EFZ. Conversely, data are consistent with a less marked move south from Spanish/French vessels previously landing to Irish or UK ports, now wishing to avoid the logistical risk of the landbridge route to EU-market for their fish after landing.

7. Brexit Funding Initiatives & Eligibility Assessment

Ireland achieved access to funds within an EU Brexit Adjustment Reserve (BAR). Irish government policy has been to allocate some of those funds to compensate Irish fishers for the impact of Brexit. A seafood taskforce report was published until early 2022, recommending over a dozen different funding schemes for various Irish fleet sectors. In advance of that, on the basis of interim recommendations of the taskforce, a Brexit Tie-up scheme was implemented in late 2021, with the stated intention of mitigating the impacts of Brexit on Irish fishers through quota reductions or fishing ground access under the TCA. Eligible vessels could choose to forego fishing and 'tie-up' and not fish for one calendar month, either October November or December and receive a state grant, according to vessel size.

Substantial SFPFA workload was involved in;

- Informing the wording of the scheme, both eligibility criteria for scheme entry, and compliance criteria for tie-up, to ensure necessary clarity and rigour;
- Assessing every one of the applicant vessels activity records against eligibility criteria;
- Dealing one-to-one with almost every applicant failing eligibility criteria;
- Verifying compliance with the tie-up criteria for all such vessels.

SFPFA impact

Quantitative metrics are 245 primary applications, 12 formal re-checks and 11 squid applications. However, these data do little justice to the immense workload for SFPFA within this scheme. Eligibility criteria (minimal days at sea or quantity landed) were designed to ensure that only hitherto active vessels could avail of the scheme, as opposed to dormant vessels being paid to remain dormant. In the case of smaller vessels not required to have log-sheets, eligibility criteria were built around Sales Notes indicating purchase of fish from those vessels in sufficient quantities. Numerous examples arose of claimed sales by vessels, not supported by entry of Sales Note by purchasers, with subsequent iterative dialogue involving purchasers moving from non-compliance towards compliance with late Sales Notes, and entire new time-pressured reapplication and reassessment.

“”

Ireland achieved access to funds within an EU Brexit Adjustment Reserve (BAR). Irish government policy has been to allocate some of those funds to compensate Irish fishers for the impact of Brexit.



Validate

*Ensure high quality data, analysis
and risk assessment.*

Sea-Fisheries Statistics

2021 was a year where the sharp drop in fisheries activity due to COVID-19 stabilised but the effects of Brexit came into play. There were 47,229 Landings¹ and 314,574 Tonnes landed in 2021. The value was estimated at €435,929,409.

There were 1,119 vessels active² in 2021, a slight increase over 2020. These landings include landings by Irish vessels both at home and abroad and landings of non-Irish vessels into Ireland. The data is derived from Data from Declarations submitted by fishers in Fishing Logbooks, Sales Notes submitted by registered fish buyers for under 10 metre in length fishing vessels, Norwegian landing Data and UK landing Data.

Table 4: Landings by Weight

Data from Declarations, Sales Notes for u10m, NOR Data and UK Data.

Fishing Vessel Nationality	Country where landing took place	Tonnes	Value €
Belgium	Ireland	2,770	15,741,595
Denmark	Ireland	22,432	13,423,309
France	Ireland	11,929	47,629,650
Germany	Ireland	384	1,204,686
Ireland	Belgium	330	1,103,625
Ireland	Denmark	1,034	232,809
Ireland	Faroe Islands	483	482,900
Ireland	France	2,801	6,600,634
Ireland	Ireland	179,537	242,273,716
Ireland	Netherlands	1,680	6,893,715
Ireland	Norway	7,570	6,819,343
Ireland	Spain	1,452	3,950,485
Ireland	United Kingdom	8,888	14,866,641
Norway	Ireland	26,726	6,975,851
Spain	Ireland	10,617	41,766,897
United Kingdom	Ireland	35,940	25,963,554
Total		314,574	435,929,409

¹ A combination of landing declarations and sales note landing date per vessel. In the case of sales notes only one trip per vessel, per day is possible, there is no restriction on trip count where the vessel submits a logsheet.

² A count of vessels submitting sales notes.

Note: Variances in totals may appear due to rounding.

Table 5: Top 10 Irish Ports by Value

Data from Declarations, Sales Notes for u10m, NOR Data and UK Data.

Rank	Tonnes	Landing Port	Landing Year	Landing Country	Value €
1	31,589	Castletownbere	2021	Ireland	106,847,950
2	197,357	Killybegs	2021	Ireland	103,709,279
3	10,076	Dingle	2021	Ireland	39,682,907
4	11,188	Dunmore East	2021	Ireland	16,526,081
5	2,362	Ros A Mhil	2021	Ireland	13,181,181
6	4,141	Kilmore Quay	2021	Ireland	12,392,761
7	3,046	Howth	2021	Ireland	10,454,794
8	1,554	Clogherhead	2021	Ireland	9,598,665
9	3,461	Greencastle	2021	Ireland	8,940,482
10	2,125	Union Hall	2021	Ireland	7,584,650

Table 6: Top 20 Species landed into Ireland, ranked by weight

Data from Declarations, Sales Notes for u10m, NOR Data and UK Data.

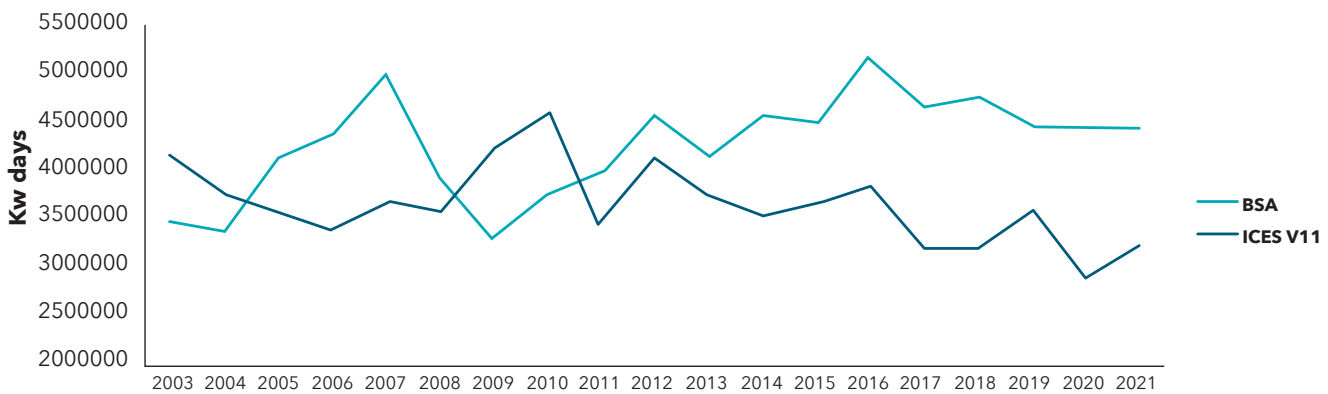
Rank	Species Code	Species Description	Tonnes	Value €
1	WHB	Blue whiting(=Poutassou)	103,843	35,698,253
2	MAC	Atlantic Mackerel	58,285	50,684,369
3	JAX	Horse Mackerel	21,125	16,451,513
4	HKE	European hake	15,488	55,630,128
5	SPR	European sprat	14,184	3,090,997
6	BOR	Boarfish	13,621	2,705,451
7	ANF	Anglerfish	12,006	51,845,359
8	LEZ	Megrims nei	6,998	17,763,970
9	NEP	Norway lobster	6,889	55,737,484
10	CRE	Edible crab	5,881	15,737,364
11	HAD	Haddock	5,810	11,019,915
12	WHE	Whelk	5,070	7,622,967
13	WHG	Whiting	3,216	5,113,711
14	HER	Atlantic Herring	1,849	631,806
15	SCE	Great Atlantic scallop	1,725	6,179,596
16	WIT	Witch flounder	1,084	1,742,849
17	LIN	Ling	959	1,675,688
18	SQI	Northern shortfin squid	933	2,047,421
19	SOL	Common sole	882	12,373,302
20	ANE	European anchovy	723	167,774
Total			280,571	353,919,916

Note: Variances in totals may appear due to rounding.

Patterns over 2020 and 2021 COVID-19 and Brexit

Demersal Effort 2003-2021

Figure 2

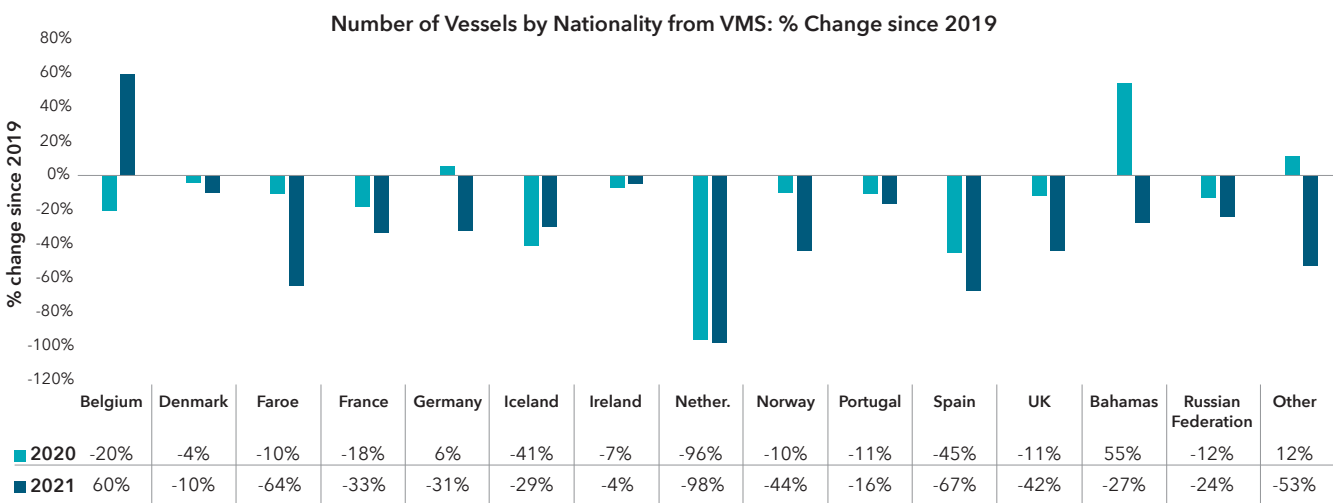


Demersal effort in the Biological Sensitive Area (BSA) shows something of a downward trend over the last few years but declared effort dropped 20% in 2020 relative to the previous year. In 2021 however there was an increase of 12% bringing effort uptake close to 2018 levels. In contrast, effort in ICES VII has shown little change in the 2019-2021 period.

Vessels in Irish Waters

The following graph shows the change in vessels activity in the Irish EEZ since 2019 based on VMS data. The activity for most nationalities in 2020 and 2021 was lower than it was in 2019 (Denmark, Faroe, France, Spain, UK). This is likely due to the impact of COVID-19. There has been a notable change in vessels from Belgium, a decrease in 2020 but a large increase in 2021.

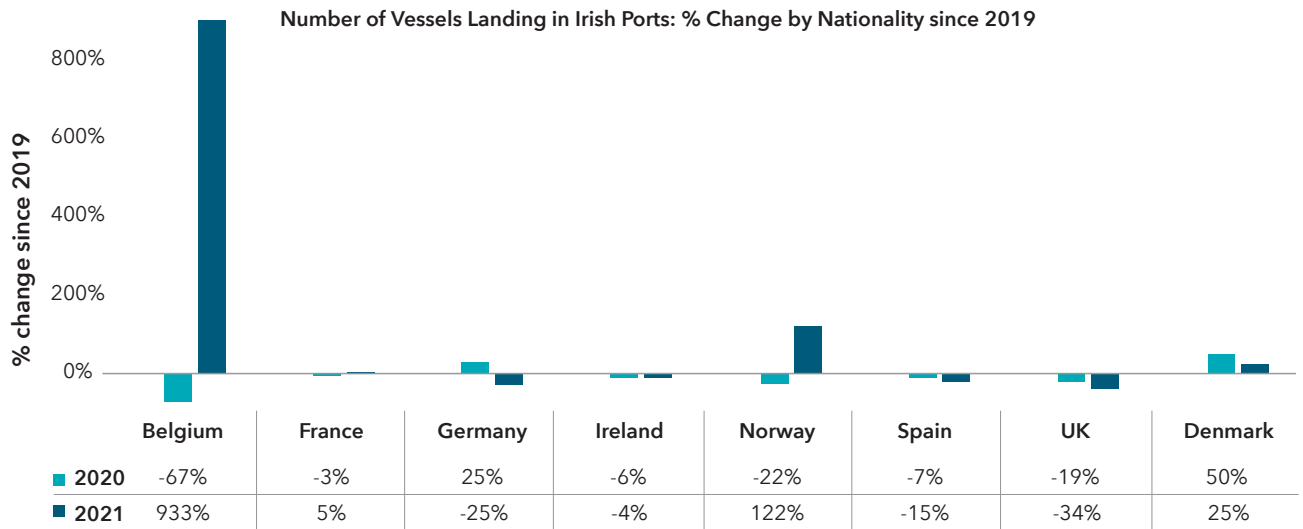
Figure 3



Vessels Landing in Irish Ports

The following graph shows the percentage change in the number of vessels landing in Irish ports since 2019. There has again been a notable change in vessels from Belgium, showing a large increase in 2021. There has also been an increase in vessels from Norway and Denmark in 2021. The activity in 2021 for nationalities of Ireland, Spain and UK is just slightly lower than it was in 2019.

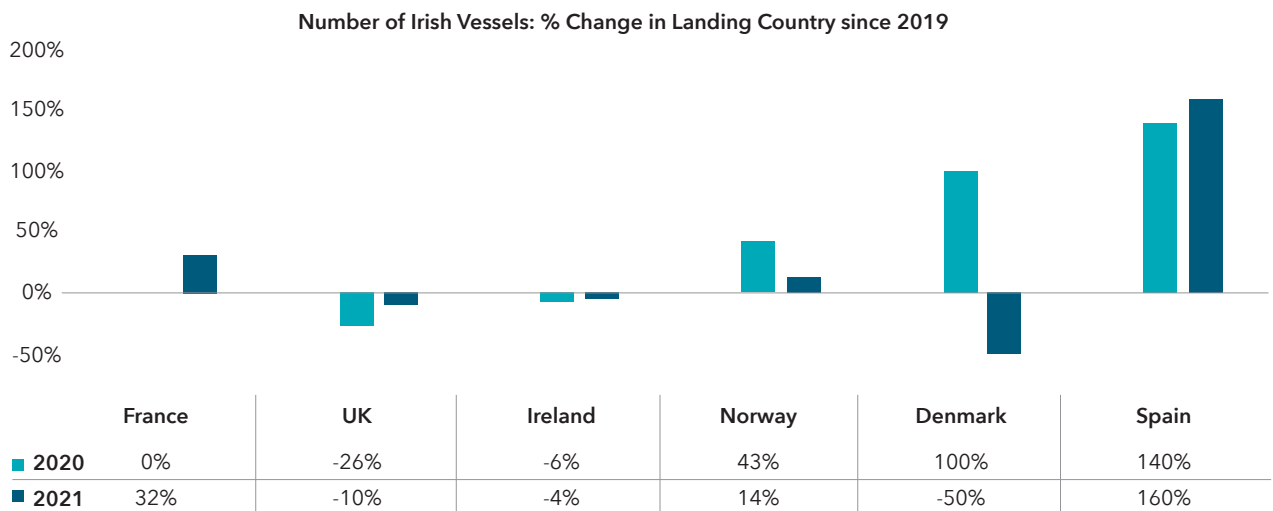
Figure 4



Irish Vessels by Landing Country

The following graph shows the change in the number of Irish vessels in Landing Countries since 2019. The number of vessels landing in Spain, France and Norway has increased in 2021 (and in 2020). There has been a decrease in vessels landing in the UK. There was an increase in Irish vessels landing in Denmark in 2020 but this was reversed in 2021. The number of Irish vessels landing in Ireland has also decreased slightly.

Figure 5





Sales Notes

The data below sets out each Sales Note recorded from 2020 and 2021 for Irish vessels. Sales Notes are legally required for first sales of fisheries products.

The total number of sales notes, number of vessels with sales notes and number of buyers show an increase on 2020 but the number of species have decreased (slightly). The number of vessels is a good estimate of the number of vessels active in 2021.

Table 7: Number of Sales Notes

Year	Total Number of Sales Notes
2020	41,555
2021	50,164

Table 8: Number of Vessels where Sales Notes were submitted

Year	Total Number of Vessels
2020	1,073
2021	1,119

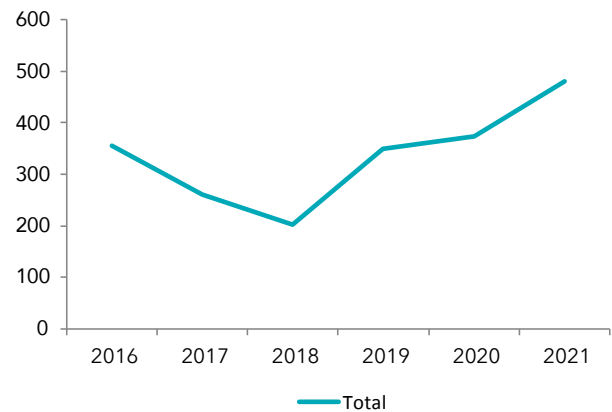
Table 9: Total Number of Registered Fish Buyers

Year	Total Number of Buyers
2020	87
2021	93

Table 10: Number of Species recorded on Sales Notes

Year	Total Number of Species
2020	132
2021	122

Figure 6: Discards (tonnes) 2016-2021



Discards 2016-2021, the recording of discards is notably up in 2021, note it is very unlikely this represents an increase in fish discarded.

Sea-Fisheries Control

SFPA Fishing Vessel Inspections

Sea-Fisheries Protection Officers of the SFPA undertook a Total of 1,345 fishing vessel inspections in 2021. 69% of these inspections were of Irish registered vessels with French registered vessels accounting for 9%, vessels registered to Spain accounting for a further 7% and UK registered vessels accounting for 8% of these inspections. The remaining 7% pertain to vessels from 4 different countries as detailed in Table 11.



Table 11: SFPA Fishing Vessel Inspections 2021

Vessel Nationality	Inspection Count
Belgium	42
Denmark	24
France	123
Germany	3
Ireland	932
Norway	21
Spain	89
United Kingdom	111
Total	1,345

Non-Landing Administrative Controls

In addition to the physical fishing vessel inspections described above, Sea-Fisheries Protection Officers carried out an additional 1,372 Non-Landing Administrative Controls as follows:

Table 12: SFPA Non Landing Administrative Controls

Vessel Nationality	Inspection Count
Belgium	13
Denmark	3
France	23
Ireland	1,121
Norway	2
Spain	39
United Kingdom	171
Total	1,372



Inspections by Vessel Length 2021

Table 13: SFPAs Inspections by vessel length

Nationality	over 18			10-18m			under 10			Total		
	Landing count	Inspection Count	% Inspected	Landing count	Inspection Count	% Inspected	Landing count	Inspection Count	% Inspected	Landing count	Inspection Count	% Inspected
Belgium	223	55	25%	-	-	-	-	-	-	223	55	25%
Denmark	30	29	97%	-	-	-	-	-	-	30	29	97%
France	624	146	23%	-	-	-	-	-	-	624	146	23%
Germany	8	3	38%	-	-	-	-	-	-	8	3	38%
Ireland	4,243	922	22%	13,883	416	3%	27,102	712	3%	45,228	2,050	5%
Norway	25	23	92%	-	-	-	-	1	-	25	24	96%
Spain	597	128	21%	-	-	-	-	-	-	597	128	21%
United Kingdom	265	198	75%	219	53	24%	137	31	23%	621	282	45%
Total	6,015	1,504	25%	14,102	469	3%	27,239	744	3%	47,356	2,717	6%

Table 13 describes these inspections by vessel length with the >18metre sector receiving the greater number of inspections. This reflects the fact that even though this sector is the smallest numerically, it lands the bulk of the catch into Irish Ports, particularly of pelagic species.

An 'Inspection' means any check which is carried out by officials regarding compliance with rules of the Common Fisheries Policy and is noted in an inspection report as per Article 4(4) of Council Regulation (EC) No 1224/2009. These checks can entail verification checks on some or all of the following vessel information (registration, licence, authorisations, logbook, VMS, vessel risk rating and risk assessment of the trip). These checks can be undertaken remotely, prior to the vessel entering port, or relate to catches onboard (box count, weighing on landing, species verification, size, quality), gear (mesh size, attachments, square mesh panel, twine thickness) and post landing cross-checks (transport, sales notes, labelling, traceability).

Multi-Agency Checkpoints

Multi-Agency checkpoints are undertaken by SFPAs in conjunction with An Garda Síochána and, on occasion, with other agencies including the Health and Safety Authority and the Revenue Commissioners. Due to COVID-19 restrictions the SFPAs did not participate in any Multi-Agency Checkpoints in 2021.



Pictured Above: SFPA participating in a MACP.

VALID

In 2021, the Sea-Fisheries Protection Authority continued with the rollout of its automatic cross-checking system, VALID. This afforded operational staff greater oversight of real time non-compliances onboard fishing vessels. During 2021 there was a 75% compliance rate demonstrated across the automatic system.

The system allows the Sea-Fisheries Protection Authority to pin-point areas where promotion of compliance will assist the industry in becoming compliant, for example, the timely input of landing declarations and issues surrounding Sales Notes which equate for 70% of all cross-checks fails. These will be key focus areas for 2022.

Naval Service Fishing Vessel Inspections

The Irish Naval Service patrols 220 million maritime acres of sea, an area over 12 times the landmass of Ireland, which represents 15% of the EU's fishing waters.

The Irish Naval Service carried out 284 inspections of fishing vessels at sea in 2021. Of the Fishing Vessels inspected, 33% were Irish vessels, 33% were Spanish vessels, and a further 20% were French vessels while 6% were UK vessels. The remaining 8% of vessels inspected were from 5 other nations as described in Table 14. Two Thirds of inspections at sea undertaken by the Naval Service were of vessels over 24 metres in length. The vast majority of these inspections (88%) were of non- Irish vessels, this reflects a particular focus by the Naval Service on vessels which fish in Irish Waters but do not land in Irish Ports.

Table 14: Naval Service Inspections by Nationality and Vessel Length

Nationality	Under 10m	10m - 12m	12m - 15m	15m - 24m	Over 24m	Totals
Irish	16	17	9	30	22	94
Spanish	0	0	0	11	83	94
French	0	0	0	15	41	56
UK	0	0	0	3	13	16
Belgian	0	0	0	0	8	8
Netherlands	0	0	0	0	6	6
Russian	0	0	0	0	2	2
Norwegian	0	0	0	0	7	7
Faroes	0	0	0	0	1	1
Total						284

Table 15: Naval Service Inspections by ICES Area

ICES Zone	Boardings
6 A	1
6 B	0
7 A	28
7 B	11
7 C	28
7 D	0
7 E	0
7 F	0
7 G	50
7 H	0
7 J	145
7 K	21
8 A	0
8 D	0
12 (NEAFC)	0
Total - end of Dec	284

51% of the inspections undertaken by the Naval Service took place in Area 7J which is the sea area off the South West Coast of Ireland. A further 9% took place on the East and South East Coast of Ireland, ICES Area 7A and 17% took place on the South Coast of Ireland, ICES Area 7G. See further details in Table 15.

Air Corps

In 2021, the Irish Air Corps CASA Maritime Patrol Aircraft undertook 155 Patrols during which 840 fishing vessels were observed and monitored.

Aquaculture and Foreshore Licence Reviews

Prior to the commencement of any works or activity on State-owned foreshore¹, a licence or lease must be obtained from the Minister for Agriculture, Food and the Marine².

Activities that require licences include works undertaken on the foreshore which encompass:

1. any function in relation to a designated fishery harbour centre;
2. any function in respect of:
 - (i) an activity which is wholly or primarily for the use, development or support of aquaculture, or
 - (ii) an activity which is wholly or primarily for the use, development or support of sea-fishing including the processing and sale of sea-fish and manufacture of products derived from sea-fish.

When an application is made to the Minister it is circulated to a number of public authorities, including the SFPA for observations and comment. The SFPA in assessing such applications have regard to their possible impact on commercial fisheries and to food safety concerns. In 2021, 115 such applications were received compared with 79 applications in 2020.

Table 16: Foreshore Licence Application Reviewed

Port	Requests received
Clonakilty	12
Castletownbere	12
Dingle	27
Dunmore East	7
Greencastle	5
Howth	18
Ros a Mhil	17
Killybegs	17
Total	115

¹ Foreshore is the land and seabed between the high water of ordinary or medium tides (shown HWM on Ordnance Survey Maps) and the twelve-mile limit (twelve nautical miles is approximately 22.24 kilometres).

² In the case of works not related to Aquaculture or Fisheries applications must be made to the Minister for Housing, Planning, Community and Local Government.

Marine Licencing Vetting Committee

The SFFPA participates in the Marine Licence Vetting Committee (MLVC) which is an ad-hoc multi-disciplinary committee convened, as required, for the purposes of undertaking a technical assessment of an application under the Foreshore Act 1933, as amended. It is not established on a statutory basis and members undertake to participate voluntarily in each instance, as representatives of their individual organisations. The MLVC provides technical/scientific advice on applications for Foreshore Leases and Licences. The MLVC also recommends appropriate conditions for the activities in the event of approval. In 2021, the committee issued reports on 30 applications compared with 24 in 2020, as described in Table 17 below.

Table 17: MLVC Applications

Nature of Development	Number
Port maintenance	9
Flood defence & pipelines	2
Marine leisure/commercial development	2
Marine site investigations and equipment deployment	7
Coastal protection and beach nourishment	4
Cable Laying	2
Dumping at Sea	4
Total	30



Seafood Safety

The Food Safety Authority of Ireland (FSAI) is the National Competent Authority for the enforcement of all food legislation in Ireland and carries out this function through a series of Service Contracts with official agencies.

The Sea-Fisheries Protection Authority is the Official Agency charged with responsibility for the enforcement of food law in the Seafood Sector up to the point of retail. Included under this remit is the assessment of food safety controls across the marine and aquaculture sectors.

Number of Food Businesses

The SFPA was responsible for the enforcement of food safety legislation across a range of 2,711 food business operations compared with 2,695 in 2020.

Fishing vessels accounted for the just over three quarters of these operations (76%) with shellfish production areas and processing plants accounting for a further 7% and 4% respectively and the remaining 13% comprising a variety of businesses as detailed in Table 18.

Table 18: Food Business by Type

Business Type	Number of Establishments
Auction Hall	1
Cold store (animal origin no exposure)	4
Cold store (Fishery)	1
Dispatch Centre	14
Factory Vessel	1
Fishing Vessel	2,081
Food Broker	1
Food Stall: Fish	4
Freezer Vessel	59
Fresh Fishery Products Plant	67
Ice Plant	11
Importers	55
Processing Plant	103
Production Area	189
Purification Plant	24
Sales via distance communications e.g. online	1
Shellfish Farmer	32
Transporter	9
Wholesaler/Distributor	53
Other	1
Total	2,711

Food Safety Inspections in 2021

A Total of 2,221 food safety inspections were carried out by SFPOs in 2021, an increase from 1,908 in 2020. In addition to approving food business operators, the SFPA's work in the area of seafood safety includes verifying seafood traceability, labelling claims, hygiene, seafood safety management systems and fish quality. The SFPA has a key role in responding to food incidents and complaints as to the nature, substance, quality or safety of a seafood product. Two thirds (68%) of all inspections consisted of official control checks, such as those required to provide certification for a consignment of food being exported to a third country. All inspections are detailed by type in Table 19 below.

Table 19: Food Safety Inspections 2021

	Registered	Approved	Other	Total
Approval	9	24	14	47
Full Hygiene	11	104	4	119
Routine Inspection	17	311	43	371
Follow-Up	0	34	3	37
Meeting / Consultation	0	7	2	9
Complaint / Incident	1	5	4	10
Official Control Checks	29	1,058	436	1,523
Fish Quality	43	30	1	74
Vehicle Hygiene	3	15	5	23
Vessel Hygiene Checks	7	0	1	8
Total	120	1,588	513	2,221

Inspections by Category

The breakdown of inspections by risk category, high, medium and low, with each category being sub-divided into Ready-to-Eat (RTE) and non-RTE is provided in the table below:

Table 20: Inspections by Risk Category

Inspections by Risk Type YTD	RTE	Non-RTE	Not Stated	Total
High	827	290	0	1,117
Medium	215	237	0	452
Low	49	362	0	411
Not Stated	0	0	241	241
Total	1,091	889	241	2,221

Official Control Sampling Activity

Sampling is an important official control activity undertaken by SFPOs.

In 2021, 1,115 samples were subject to separate lab analysis for one or more test parameters. See Table 21 across.



Food Samples were taken to verify compliance with microbiological criteria, biotoxin limits or criteria for residues or contaminants specified in legislation.

Water and ice samples were taken to verify compliance with microbiological criteria set in legislation.

Environmental swabs were taken in food factory environments to check for the presence of *Listeria monocytogenes*, a microorganism that can potentially cause illness if consumed in food.

Table 21: Number of Official Control samples submitted by SFPOs in each SFPA Port area in 2021

Port Area	Sum of No. of Samples
Castletownbere	138
Clonakilty	176
Dingle	101
Dunmore East	189
Howth	121
Killybegs	178
Ros A Mhil	212
Total	1,115

Note: Food safety microbiological criteria regulations sometimes require that multiple samples (e.g. 5) are taken from a given batch of food but they are analysed separately. In this table all individual samples are counted i.e. 5 samples from the same batch are counted as 5.

1,115

OFFICIAL CONTROL SAMPLES
SUBMITTED BY SFPOs

COVID-19 Checks

Since October 2020, the SFPA has a Memorandum of Understanding (MOU) with the Health and Safety Authority (HSA). The MOU establishes a co-operative framework between the HSA and the SFPA. The objective of the MOU is to outline the involvement of the SFPA in assessing and verifying compliance with the Return to Work Safely Protocol issued by the Department of Health and Business, Enterprise and Innovation in land-based seafood processing establishments approved by SFPA. The MOU sets out additional checks by the SFPA to check compliance with the Return-to-Work Protocol when attending SFPA-approved land-based seafood processing establishments. These checks continued during 2021.

Aquatic Animal By Products

In Ireland, it is the responsibility of the Department of Agriculture, Food and the Marine (DAFM) to approve or register, and implement, animal by-product official controls at animal-by-product plants. It is agreed that DAFM in conjunction with SFPA staff will approve/register animal by-product operators (Aquatic animals only) and that the SFPA will undertake to carry out ongoing official controls and sampling at set frequencies. The SFPA liaises with DAFM on relevant aspects of these inspections as necessary including non-compliances. The responsibility for enforcement action under the animal by-product legislation lies with DAFM. However, if enforcement action is required at these plants, SFPA staff may assist DAFM in terms of providing technical expertise and documentary evidence along with corrective and preventive action follow-up.

Border Control Posts

In 2021, the SFPA, in conjunction with the Department of Agriculture, Food and the Marine rolled out the annual plan for sampling fishery products and other seafood at Border Control Posts (BCP). 2021, in line with Brexit preparedness, saw the reopening of the BCP at Dublin Airport and the new BCP at Rosslare Port. During the year, 95 samples were taken between Dublin Airport, Dublin Port, Rosslare Port and Shannon Airport. Microbiological, chemical and DNA analysis were carried out on these samples. All 95 samples were compliant.

Residues in Aquaculture

In Ireland the Sea-Fisheries Protection Authority is responsible for ensuring compliance with Regulation (EU) 2017/ 625 for conducting official controls within finfish aquaculture and for the follow-up of samples that are non-compliant under the National Residues Control Plan (NRCP). If a non-compliant result were to arise from sampling under the NRCP, the SFPA will conduct a follow-up investigation, with the assistance of the Marine Institute to carry out sampling and analysis. Assistance may be required from DAFM veterinary inspectors in closing out the follow-up investigation.

In 2021, in excess of 632 tests and a total of 1,862 determinants were carried out on 120 samples of farmed finfish for a range of residues by the Marine Institute. No non-compliant results were reported in the routine 'target' national monitoring programme samples for farmed finfish in 2021.

Seafood Safety Incidents

A food incident is any event where, based on the information available, there are concerns regarding the safety or quality of food requiring follow-up by the Competent Authorities in the interest of public health.

The SFPA has responsibility for managing any food incidents which arise relating to fishery products or Live Bivalve Molluscs produced by Food Business Operators under the official control remit of the SFPA.

In some cases the food incident may lead to either a withdrawal of product from the market or recall from the final consumer.

The SFPA may be notified of a food incident by the Food Safety Authority of Ireland (FSAI), another Official Agency or a Food Business Operator. A non-compliant official control sample taken by the SFPA from a seafood establishment will also result in the opening of a food incident investigation.



During 2021, there were a total of 17 food incidents investigated by the SFPA.

As part of the management of food incidents, a risk assessment is used by the SFPA to categorise food incidents.

A **Class 1** incident poses a potential immediate or grave threat to public health e.g. potential implicated product still on the market, reports of illness (es).

A **Class 2** incident does not pose an immediate or grave threat to public health (e.g. product past its shelf life).

A **Class 3** incident is one which has been investigated by the SFPA incident investigation team and requires no further action by the SFPA (e.g. the establishment where the implicated product was produced is not under SFPA supervision).

During investigation and close out of a food incident, there is extensive liaison between the SFPA, FSAI and relevant Food Business Operator.

Food Complaints

During 2021, the SFPA received a total of 7 complaints. A complaint may be received from a Food Business Operator, a consumer, another Official Agency or from an anonymous complainant. Of those complaints received 3 related to food and 4 related to a food business.

All complaints received by the SFPA are followed up and investigated. Corrective action put in place by the Food Business Operator to prevent re-occurrence is verified by the SFPA during official controls.

Seafood Safety Collaboration

Collaborating with colleagues on a cross agency and multi-agency basis is essential to ensure best practice in food safety regulation. Table 22 lists all such meetings which took in 2021.

Table 22: Food Safety Cross-Agency Related Meetings during 2021

Event	Number of Meetings	No. of Staff
FSAI/SFPA Bilateral	4	6
SFPA/FSAI/Marine Institute Trilateral	2	2
Molluscan Shellfish Safety Committee Meeting	4	4
Consultative Committee	3	1
OAPI Database Management Group	1	4
FSAI Cross Agency Distance Selling Working Group	1	1
OCR Regulation 625/2017 Steering Committee Meeting	1	1
SEA TRACES Project	2	2
Loughs Agency/SFPA/FSAI Shellfish Meeting	2	2
Cross Agency Food Fraud Meeting	1	1
Shellfish Classification	1	1
SFPA CLUE Meeting (Investigation & Intelligence Software)	1	1
Cross Agency Approvals Meeting	1	1
FSAI Cross Agency Food Safety Management System	2	1
EU Food Hygiene Working Group Meeting	1	2
EU Live Bivalve Mollusc Working Group Meeting	1	2
Artisan Forum	1	1
Cross agency residues management group	1	1
Cross agency ABP group	2	1
ABP Consultative Forum	1	1
SFPA/FSAI/MI meeting on contaminants	1	1



Seafood Safety Training and Development

European official control legislation relating to food safety (Regulation (EU) 2017/625) requires that staff members receive appropriate training enabling them to undertake their duties competently and to perform official controls and other official activities in a consistent manner. Staff members must keep up-to-date in their area of competence and receive regular additional training as necessary.

Table 23 below details food safety courses/workshops attended in 2021. Training was primarily delivered live by trainers using on-line platforms enabling the participation of staff members based multiple locations.

Training was also provided in the format of short self-guided e-learning modules on various food safety topics. These courses are available to official agencies such as SFPA via an FSAI training platform called Safetynet. New recruits undertake a comprehensive training programme over 6 months.

This involves:

- SFPA in-house food safety training on food legislation, hazards associated with seafood and the management of risk, official control inspections on vessels, transport vehicles and in land-based establishments, official control sampling (including microbiological criteria and criteria for residues and contaminants), shellfish production, labelling of seafood, dealing with food safety incidents, shelf-life studies, cleaning and disinfection in food factories, aquatic animal by-products and residue monitoring in fin-fish aquaculture;
- FSAI Safetynet e-learning modules on flavourings, food additives, food labelling, food contact materials, microbiological criteria and official control regulations;
- Practical training in official control tasks in vessels, on transport vehicles, shellfish production sites and in land-based establishments;
- An accredited course on Designing Food Safety Management Systems resulting in a QQI Level 6 Certificate.

Existing staff members also receive regular additional training based on their needs.

Table 23: Food Safety Training & Development

Training Type	Subject Matter	No. of Events	Number of days over which each event took place	No. of Participants
Accredited Training	Designing Food Safety Management Systems (HACCP Prerequisites, TACCP, VACCP)	1	4	12
BTSF	Contaminants - Course 1: EU regulations and guidelines	2	5	3
BTSF	Contaminants - Course 2: Official controls plans and systems	1	5	1
BTSF	Audit systems and internal auditing	1	5	1
BTSF	Auditing general hygiene requirements and control procedures based on the HACCP principles developed by food business operators	2	5	3
BTSF	Prevention, Control and Eradication of Transmissible Spongiform Encephalopathies and Animal By-Products	1	7	1
BTSF	Preparedness and Management of Food-borne Outbreaks	1	3	1
BTSF	Phase II - BTSF on Audit systems and internal auditing	1	5	1
FSAI Safety Net e-learning course	Flavourings Seminar 31.10.12	1	N/A	10
FSAI Safety Net e-learning course	Food Flavourings Database	1	N/A	10
FSAI Safety Net e-learning course	Food Information for Prepacked Foods	1	N/A	10
FSAI Safety Net e-learning course	Nutrition Information under FIC (Food Information to Consumers) Regulation	1	N/A	10
FSAI Safety Net e-learning course	Introduction to Food Contact Materials	1	N/A	11
FSAI Safety Net e-learning course	Regulation 2073/2005 Module 1: Identifying Relevant Microbiological Criteria	1	N/A	10

Table 23: Food Safety Training & Development (continued)

Training Type	Subject Matter	No. of Events	Number of days over which each event took place	No. of Participants
FSAI Safety Net e-learning course	Regulation 2073/2005 Module 2: Sampling and Testing	1	N/A	10
FSAI Safety Net e-learning course	Official Control Regulation (EU) 2017/625: Your Role in Ireland's Official Food Control System	1	N/A	10
FSAI Safety Net e-learning course	Overview of Regulation 2017/625	1	N/A	10
FSAI Safety Net e-learning course	Food Additives eLearning modules 2021	1	N/A	10
FSAI Training / Seminar	Ice & Water: Assessing Regulatory Requirements	4	1	20
FSAI Training / Seminar	FSAI Central Intelligence Hub (CIH) Intelligence Management System training	1	1	6
Internal	Fish Bites Training Series - Food Incidents	1	1	31
Internal	Fish Bites Training Series - Approval of Food Establishments	1	1	13
Internal - New recruit training	Criteria for Residues Contaminants	1	1	13
Internal - New recruit training	Food Safety Incidents	1	1	17
Internal - New recruit training	Food Safety Inspections	1	1	19
Internal - New recruit training	Food Safety Intro and Legislation	1	1	15
Internal - New recruit training	Food Safety Resources	1	1	15
Internal - New recruit training	Hygiene Package Legislation	1	1	14
Internal - New recruit training	Inspecting Land Based Establishments	1	1	17
Internal - New recruit training	Introduction to Microbiology	1	1	14
Internal - New recruit training	Labelling Part 1	1	1	12
Internal - New recruit training	Labelling Part 2	1	1	14
Internal - New recruit training	Microbiological Criteria	1	1	14
Internal - New recruit training	Training on use of OAPI Database for recording official controls	1	1	12
Internal - New recruit training	Registrations and Approvals	1	1	13
Internal - New recruit training	Seafood-Borne Illnesses	1	1	13
Internal - New recruit training	Shelf Life Studies	1	1	18
Other	Seafood Traceability and Consumers online workshop as part of Seatracers Project	1	1	3



SFPA Role in Food Fraud

Food Fraud may be described as an intentional action for the purpose of deceiving purchasers about the characteristics of food to gain an advantage, usually economic, in violation of applicable rules. Since late 2019, the Official Control Regulation (OCR) EU No. 2017/625 has obliged SFPA to ensure Food Fraud risks are incorporated into risk assessment and official controls.

Through the four criteria: intention, deception, economic gain, and rule violation, Food Fraud is a standalone harm, requiring specific attention within regulatory controls to manage risk of customers being misled. Additionally, these four criteria mean that Food Fraud is a broad concept straddling much of SFPA work in food safety and fishery control. Fraudulently marketed food is not necessarily unsafe but some Food Frauds involve deception around the safety characteristics. Somewhat less intuitively, fishery non-compliances designed to circumvent wild-fishing limitations, as opposed to customer deception, including catch-area misdeclarations, or total catch declarations including discard logging, all represent forms of Food Fraud. At an international level, significant risks have been identified in catching of fish on the 'High Seas' outside of any legitimate management regimen (IUU Fishing), with such catches allocated a fraudulent legitimacy through 'laundered' association with regulated fisheries and approved food producers.

SFPA has therefore actively engaged with the Food Fraud agenda. This has included active participation in FSAI-chaired Food Fraud Taskforce, contributing alongside various other national regulatory agencies through that to the EU Food Fraud Network under DG Sante of EU Commission, in association with Europol.

SFPA's food establishment official control procedures explicitly incorporates assessment of Food Fraud risk management. Prior to 2019, SFPA official controls had included the verification of compliance with the labelling requirements, including obligations to provide information to consumers set out in EU Food Information to Consumers (FIC) regulation EC No 1169/2009 and the specific labelling provisions of the EU regulation 1379/2013 on the Common Market Organisation (CMO) for fishery and aquaculture products, supplementing such requirements in EU fishery Control Regulation EC No 1224/2009. This has included labelling checks to ensure that all necessary information is declared, and all information declared, both compulsory and voluntary is correct. Typical focuses have included species (both common and scientific), production method, (wild/farmed) origin (in

the case of wild this includes catch area), and defrosting declarations. Such work led to the prosecution of one Irish operator in 2018 for mis-declaring salmon origin.

In addition to documentary checks, SFPA official controls have included risk-based verification of fish species using DNA-analysis. Highest risk of species misdeclaration arises in skin-off fillets. SFPA controls also support a low risk of such non-compliance in SFPA-controlled establishments.



A significant Fish Fraud matter has emerged with EU fish processing whereby poor-quality or end-of-shelf-life tuna may be processed with additives to improve aesthetic appearance of freshness and fraudulently sold as a fresh high-quality product. SFPA has ensured official controls incorporate both general vigilance to 'over-red' tuna and conducted risk-based official controls for one of the 'up-marketing' additives carbon monoxide. No high-risk scenarios for this fraud risk have been detected in SFPA-controlled establishments.

SFPA verification of presence and accuracy of Catch Certificates from relevant flag states for wild-caught marine fish entering EU and an Irish Border Control Post are forms of anti-fraud control for imported fishery products.

Mindful of legal obligations within 2017/625, and following participation in a DG-Sante fact-finding mission to Ireland in 2020 to examine the incorporation of Food Fraud into official controls, SFPA has continued to work with FSAI lead in the necessary ongoing development of this aspect of our work. In 2021, SFPA engaged with FSAI initiatives to implement a computerised database and intelligence system, designed to analyse connectivity and patterns that might indicate Food Fraud risks. Considerable further work will be necessary to establish inter-agency data-sharing protocols with necessary privacy protection. SFPA will continue to consider necessary internal structures to maximise benefits through development of Food Fraud official control, along with broader fishery control and food safety control.

Sea-Fisheries Control Training

Table 24: Fisheries Official Control Training 2021

Date	Title	Internal / External	Attendees	No. of staff days
Q2	Landing Obligation Information Training	Internal - FFSU	55	110 hours
Q2	Training with Naval Service on Inspecting Fishing Gear	Internal - FFSU	4	4 half days
Q2	Training for Approval Process of Weighing Systems and Inspection checklist	Internal - FFSU	58	116 hrs
Q2	Industry Webinar lead by NSAI Inspection & Compliance	External	Unknown	Unknown
Q3	Pelagic SOP Refresher Training	Internal - FFSU	15	30 hrs
Q4	New Recruit Fisheries Control Training commenced Nov for a 4-week period (also included refresher training for existing SFPAs personnel)	Various	14	12 days x 14
Q4	Weigh Permit - Pre-approval Inspection Training	Internal FFSU	44	88 hours

Table 25: Seagoing Training for Sea Patrols and SFPAs RIB Patrols (From End May - End October 2021)

Date	Title	Internal / External	Attendees	No. of staff days
Q2 & Q3	National Powerboat Certificate (NPC)	External	16	2 days x 16
Q2 & Q3	Whole Body Vibration (WBV)	External	43	½ day x 43
Q2 & Q3	Global Maritime Distress & Safety System (GMDSS)	External	14	2 days x 14
Q2 & Q3	RIB Capsize	External	33	1 day x 33
Q2 & Q3	1 Day Fire Fighting (SFPAs RIB only - Non STCW)	External	7	1 day x 7
Q2 & Q3	Personal Survival Techniques (PST)	External	10	1 day x 10
Q2 & Q3	Fire Prevention & Fire Fighting (FPFF) (1 day refresher STCW)	External	1	1 day x 1
Q2 & Q3	Elementary First Aid (EFA)	External	18	1 day x 18
Q2 & Q3	Fire Prevention & Fire Fighting (FPFF) (3 day - STCW)	External	11	3 days x 11
Q2 & Q3	Personal Safety & Social Responsibilities (PSSR) STCW	External	10	1 day x 10
Q2 & Q3	RIB Trailer Towing	External	11	½ day x 11
Q2 & Q3	RIB Familiarisation	Internal	11	1 day x 11

Shellfish Safety Monitoring

Classification Sampling Programme

A total of 1,531 (93% of target) microbiological samples were taken by Sea-Fishery Protection Officers during 2021 as part of the Microbiological Monitoring of Bivalve Mollusc Production Areas.

A further 53 microbiological samples were taken in a number of areas seeking preliminary classification.

In 2021, SFPA detected a total of 52 out of range results (3.4% of all classification monitoring samples taken), from the national classification monitoring programme, a decrease from the 61 out of range results detected during 2020 yet slightly over on the previous 10-year average of 51 per year or approximately 3.2% of samples taken.

The months of April, May, July, August, September and October produced higher than average numbers of out of range results in 2021.

Out of range results can be due to unusual weather events or local incidents giving rise to a spike in contamination at a particular time. All out of range results are followed up by SFPA.



2021 Annual Classification Review

Due to COVID-19 restrictions, the annual review of Classified Live Bivalve Mollusc production areas in Ireland was conducted online via video conference from SFPA HQ in Clonakilty on 23 June 2021. The review was undertaken by a subgroup of the Molluscan Shellfish Safety Committee (MSSC) comprising; the SFPA (who chair the group), the FSAI, the MI, BIM and the ISA. The classification monitoring dataset analysed to underpin the review was for the period Jan 2018 - Jan 2021 with 4,836 results from 146 sample locations being analysed.

National Shellfish Monitoring Programme (Biotoxins)

Ireland introduced enhanced official controls to the National Shellfish Monitoring Programme (Biotoxins) in 2014 in order to improve the robustness of the monitoring programme and, thereby, to support industry in achieving their legal obligation to ensure that only safe food is placed on the market described as follows:

1. Monthly biotoxin verification samples taken by SFPOs and accompanied by an SFPA Official Sample Advice Note for all mussel production areas and production areas where the oysters are on a weekly sampling frequency, or;
2. Quarterly biotoxin verification samples taken by SFPOs and accompanied by an SFPA Official Sample Advice Note for all production areas on a monthly biotoxin sampling frequency, i.e., all oyster, clam, cockle and scallop production areas that are NOT on a weekly sampling frequency;
3. Production areas that have been on a closed biotoxin status following a closure due to a toxic event will NOT be placed on an open biotoxin status unless the second opening biotoxin sample is taken under the supervision of the SFPA and accompanied by an SFPA Official Sample Advice Note.

Approximately 250 to 300 biotoxin verification samples are submitted by Sea-Fishery Protection Officers each year as part of Ireland's Enhanced official controls under this monitoring programme.

A further 350 to 450 phytoplankton samples are submitted by Sea-Fishery Protection Officers each year as part of the weekly national phytoplankton monitoring programme which provides early warning of potential harmful algae blooms in shellfish growing areas.

Shellfish Waters Directive Monitoring Programme

During November each year, the SFPAs have an ongoing agreement to assist the MI in facilitating the taking of shellfish samples to allow for the analysis of trace metals and organohalogenes.

In November 2021, of the 58 target Shellfish Waters Directive (SWD) Monitoring Programme sites, a total of 48 were sampled by Sea Fishery Protection Officers for subsequent chemical analysis of trace metals and organohalogenes by the Marine Institute. This is the end of the previous programme which was the second cycle (2016 -2021) agreed in 2015 and was implemented at MI with support for some elements of phytoplankton and chemical substance monitoring outsourced to Complete Laboratory Solutions Ltd. (CLS).

The next proposed monitoring and resourcing plan for the Water Framework Directive (WFD) is currently being discussed with the Environmental Protection Agency (EPA) and the Department of Housing, Local Government and Heritage (DHLGH).



Commission Delegated Regulation (EU) 2021/1374 amending Annex III of Regulation (EC) No. 853/2004

The Commission Delegated Regulation (EU) 2021/1374, dated 12 April 2021, has several amendments to Reg (EC) 853/2004 which include:

- The description and capturing of the actions of an Intermediary Operator;
- The incorporation of "intermediary operator" into the legislation which is defined as: *"a food business operator, including traders other than the first supplier, with or without premise, who carried out its activities between production areas, relaying areas or any establishments"*;
- The requirement for Intermediary Operators to be registered or approved by the Competent Authority, depending on their activities, along with hygiene and documentary requirements;
- The requirement to for Intermediary Operators to handle wash and store LBMs at ambient temperature in order to be registered (with or without a premises);
- The necessity for an Intermediary Operator to be approved if they have a cold store or conduct the activities of splitting or grouping batches of LBMs. Intermediary Operators must be approved to condition LBMs.

A new registration document is required to be filled in by the Intermediary Operator with all the relevant required information which includes additional specific information set down in this revision. Delegated Regulation (EU) 2021/1374 points towards a common design for EU Shellfish Registration Document:

- The details of the original harvester/gatherer, the date of original harvesting and the location from where the LBMs were originally harvested must be included in the new shellfish registration document;
- The location and classification where the intermediary operator either conditions or re-immerses* the LBMs must be recorded;
- It captures the actions of re-immersion* of LBMs for storage (required to keep the LBMs alive before transport);
- It permits re-immersion* of LBMs in a natural site, as long as it's classified and the classification is the same as the classification of the production area from where the LBMs were initially harvested from. Re-immersion is permitted for storing purposes.



- It maintains the requirement that conditioning is only permissible for A class LBMs and only in A class water;
- It captures the actions of Intermediary Operators splitting or grouping LBMs from different batches into new batches;
- Other minor amendments include the removal of analysis of LBMs for the presence of pectenotoxins as part of the biotoxin monitoring requirement;
- Echinoderms (Urchins) have been replaced by Holothuroidea (sea cucumbers) at Chapter IX, but live echinoderms are included in the general applications at point 1.

** Re-immersion -Annex III Section VII Chp VIII para 2 - Live bivalve molluscs must not be re-immersed in, or sprayed with, water after they have been packaged for retail sale and left the dispatch centre.*

Sanitary Surveys

Sanitary surveys continued in 2021 in conjunction with a Third Party Service Provider. With regard to existing shellfish production areas, the desktop and shoreline studies were completed for Ballylongford and Blacksod Bay whilst surveys were fully completed with the identification of sampling points for Sligo Harbour, Drumcliff and Gweedore Bay. Work was also commenced on the, as of yet, unclassified area of Srúwaddacon Bay.

Preliminary Classifications

In December 2021, the Authority provided approval to award a preliminary B classification for the production of clams at Drumcliff Bay. This was in accordance with the SFPA's Code of Practice for the Classification and Microbiological monitoring of Bivalve Mollusc Production areas in Ireland.

Note: To award a preliminary classification, the results of at least 12 samples (E. coli) must be taken on a random basis in order to avoid bias to results and at a frequency of no closer than fortnightly. The criteria for the classification of bivalve mollusc harvesting areas are given under Commission Implementing Regulation (EU) 2019/627 Title V Art 53, Regulation (EC) 853/2004 and Regulation (EC) 2073/2005.

International Trade

Illegal Unreported Unregulated Fishing

Illegal, unreported and unregulated (IUU) fishing depletes fish stocks, destroys marine habitats and distorts competition. It is detrimental to the livelihoods of honest fishers and undermines coastal communities, particularly in developing nations. Ireland, as a member of the EU, is working to combat the exploitation that enables illegal operators to profit from their activities.

The trading of fish and fishery products into or out of the European Union is subject to specific additional controls, under a legislative framework, to oppose IUU fishing activity. This provides that all imports of fish into Ireland from third countries (countries outside of the EU) must be notified in advance to the SFPA in order for the necessary checks to be undertaken. Fish caught by Irish vessels, which is being landed or exported to non-EU countries with the intention of trading it back into the EU, must also obtain a catch certificate at time of export. Without this catch certificate, it will not be possible for such fish to be re-imported into the EU.

315%

INCREASE OF IMPORTS
INTO IRELAND

Import Controls

In 2021, official controls in the deterrence of Illegal, Unreported and Unregulated (IUU) fishing continued to be conducted. This included the verification of 3,083 catch certificates relating to the import of 15,187 tonnes of produce from all third countries, including the UK. This represented respective increases over 2020 data of 315% and 186% in the amount of import certificates and import tonnage verified, reflecting the requirement introduced for UK anti-IUU certification and significant recoveries in import trade volumes. The main countries from which import consignments originated were UK, Iceland, China, Ecuador and Vietnam. Imports from UK accounted for 66% and 35% in the respective overall amounts of certificates issued and tonnage imported from all third countries.

Table 26: Imports to Border Inspection Posts Ireland

Exporter Country	Number	Weight (Kg)
UK (excl. NI)	2,036	5,350,000
China	101	2,055,364
Ecuador	81	1,353,147
Vietnam	75	918,643
India	69	845,201
Seychelles	28	796,245
Ghana	21	655,739
South Africa	23	516,584
Thailand	36	377,054
Iceland	434	363,725
Peru	21	348,872
Morocco	20	311,360
USA	21	305,642
Canada	16	233,922
Hong Kong	10	172,417
Mauritius	5	116,576
Bangladesh	9	91,738
Norway	4	90,475
Philippines	5	75,274
Myanmar	3	71,761
Russia	2	46,192
Sri Lanka	57	29,621
Uruguay	1	23,767
Argentina	1	22,008
Guatemala	1	13,955
New Zealand	2	2,000
Maldives	1	4
Total	3,083	15,187,286

Direct Landings

Direct Landings relate to catches of wild fish landed to an EU port by Third Country (i.e. non-EU) fishing vessels. Such landings are subject to various EU import requirements for operators, as well as control obligations for port state authorities. The new classification of UK landings as “Third Country landings” has resulted in a dramatic increase in the number of recorded Direct Landings by Third Country Vessels to Irish ports albeit, in practical terms, there has not been a significant change. Non-UK Third Country vessels still account for significant volumes of fish landed however, with a small number of large landings. Non-UK landings are typically dominated by Blue Whiting whereas UK landings include mixed demersal (Monkfish & Megrin) along with pelagic (Mackerel).

A total of 637 direct landings of fishery products by Third Country fishing vessels into Ireland resulted in the import of 65,143 tonnes of produce. This represented respective increases over 2020 data of 1,955% and 32%. Landings by UK-registered vessels accounted for 96% of the overall total number of landings by Third Country fishing vessels into Ireland.

Table 27: Top 5 species by weight YTD 000kgs

	2021	2020	2019
Blue Whiting	58,224	49,260	30,152
Atlantic mackerel	2,800	-	-
Monkfish	1,546	-	-
Megrin	1,095	-	-
Hake	457	-	-

Table 28: Top 5 species by number of landings

	2021	2020	2019
Edible crab	240	-	-
Monkfish	214	-	-
Megrin	157	-	-
European Lobster	151	-	-
Hake	145	31	25

Table 29: Top 5 validating authorities YTD by landings

	2021	2020	2019
Great Britain	611	-	-
Norway	26	20	20
Faroese	-	10	2
Iceland	-	1	3



Export Controls

In 2021, 793 catch certificates were issued for the export of 22,487 tonnes of Irish seafood produce to third countries, including the UK. The main species exported were Atlantic Mackerel, Blue Whiting, Atlantic Herring and Atlantic Horse Mackerel. This represented respective increases over 2020 data of 744% and 95% in the amount of export catch certificates and related export tonnage catch certified. Exports to UK accounted for 71% of the total number of certificates issued.

Table 30: Number of Catch Certificates Issued by Country

Country	Number of Certificates
Cote d'Ivoire	1
China	131
Norway	14
India	24
Japan	6
Ukraine	31
Denmark	1
France	1
Gabon	1
Ghana	4
Ireland	1
Liberia	1
Lithuania	1
Netherlands	1
Nigeria	5
Portugal	1
Serbia (via Netherlands)	1
Sierra Leone	1
Spain	2
Togo	1
United Kingdom	564
Total	793

The majority of catch certificates, 171, were issued for Atlantic Mackerel followed by 153 catch certificates for Haddock. The Control Authorities of other Member States are in charge of providing certification for products exported to a Third Country but they also may request certification for fish landings that took place from an Irish vessel in that State, where the product concerned is to be exported to a Third Country and there is the possibility of

it being re-imported in the future. In such instances, the certification process provides assurance to the requesting Member State that the fish in question was caught, and declared, in accordance with legal requirements

Table 31: Species Export Weights and Numbers

Species	Weight Tonnes	Recorded Species Export Numbers
Atlantic Horse Mackerel	1,639	20
Atlantic Mackerel	13,287	171
European Sprat	10	1
Norway Lobster	148	28
Edible Crab	315	101
European Green Crab	29	6
Haddock	630	153
Lemon Sole	22	12
Monkfish	226	89
Ray	2	2
Blue whiting	3,161	11
European Pilchard	20	1
Hake	106	43
Ling	6	3
Atlantic cod	9	5
European Crab Meat	6	1
European Lobster	3	3
Lobster	23	21
Megrim	1	0
Sprat	354	18
Thornback Ray	163	11
Greater Forkbeard	1	1
Whiting	508	72
Lophius Spp	2	1
Albacore Tuna	82	4
Brown Crab	12	1
Atlantic Herring	1,720	15
Other*	1	2
Total	22,486	796

* Other species include Plaice, Shagreen Ray, Blonde Ray, Crayfish and Sole

Note: Variances in totals may appear due to rounding.

*Please note that all of the weights in this section refer to the product as exported and may not reflect the species live weight

Health Certificates

A total of 4,455 consignments of seafood, totalling 121,395 Tonnes and 25 species, were certified for export, from 48 Food Businesses to 42 countries outside the EU, in 2021.

This compares with a total of 4,048 consignments of seafood, totalling 91,824 Tonnes and 25 species, which were certified for export, from 50 Food Businesses to 37 countries outside of the EU in 2020. In 2019, a total of 7,076 consignments of seafood, totalling 83,727 Tonnes and 27 species, were certified for export from 58 Food Businesses to 44 countries outside the EU.*

Table 32: Consignments certified

Countries	Tonnes	Consignments
Nigeria	46,070	72
Egypt	13,987	86
China	12,641	689
Cameroon	10,692	4
Japan	5,281	101
Ghana	5,057	68
Benin	4,608	48
Congo	4,359	39
Liberia	3,514	19
Ukraine	3,293	68
United States	2,969	31
Vietnam	2,122	102
Taiwan, Province Of China	1,124	84
Ivory Coast	1,123	8
Korea, Republic Of	1,039	92
Hong Kong	691	1,621
Jamaica	467	25
Togo	311	6
Belarus	265	11
United Arab Emirates	245	435
Lithuania	204	6
Gabon	150	5
Singapore	110	389
Niger	109	1
Thailand	105	25
Central African Republic	100	2
Norway	100	4
Canada	97	271
New Zealand	93	6
Others	469	137
Total	121,395	4,455

Top Three Importing Nations

Three countries account for 59.9% of Irish Seafood exported to third countries outside the EU in 2021: Nigeria 38%, Egypt 11.5% and China 10.4%

Exports to these three destinations Nigeria, Egypt and China were primarily pelagic species, as set out in the tables below.

Table 33: Exports to Nigeria

Species	Tonnes
Blue Whiting	38,037
Mackerel	7,781
Herring	200
Horse Mackerel	52
Total	46,070

Table 34: Exports to Egypt

Species	Tonnes
Horse Mackerel	7,868
Mackerel	6,119
Total	13,987

Table 35: Exports to China

Species	Tonnes
Mackerel	9,653
Blue Whiting	1,350
Whelk	581
Horse Mackerel	478
Pacific Oysters	222
Razor Clams	117
Crab	108
Prawns	81
Herring	25
Whiting	23
Lobster	3
Total	12,641



Exports by Species Class

In 2021, the vast majority (94.3%) of seafood exported consisted of pelagic species including Blue Whiting, Mackerel and Horse Mackerel. Shellfish exports made up 3.1 % of exports and mostly included Whelk, Pacific Oysters, Razor Clams and Crab exports. Round fish comprised 2.6% of exports, mostly Salmon.

Table 36: Exports by Class

Species Class	Tonnes	Percentage
Pelagic	114,514	94.3%
Shellfish	3,734	3.1%
Roundfish	3,147	2.6%
Total	121,395	100%

Table 37: Pelagic Species

Pelagic	Tonnes
Blue Whiting	49,455
Mackerel	47,620
Horse Mackerel	16,925
Herring	396
Sprat	118
Total	114,514

Table 38: Shellfish Species

Shellfish	Tonnes
Whelk	2,019
Pacific Oysters	678
Razor Clams	549
Crab	338
Prawns	87
Mussels	36
Lobster	22
Others	5
Total	3,734

Table 39: Round Fish Species

Roundfish	Tonnes
Salmon	3,098
Others	49
Total	3,147

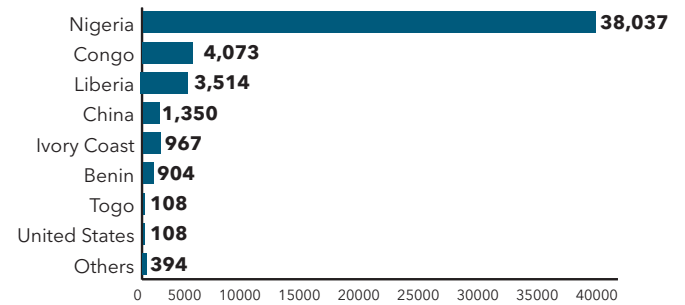
Exports of Blue Whiting

Exports of Blue Whiting to third countries totalled 49,455 Tonnes in 2021, of which, 77% went to Nigeria. All Blue Whiting was exported frozen.

Table 40: Exports of Blue Whiting by Country and Weight

Country	Tonnes
Nigeria	38,037
Congo	4,073
Liberia	3,514
China	1,350
Ivory Coast	967
Benin	904
Togo	108
United States	108
Others	394
Total	49,455

Figure 7: Blue Whiting Exports



Exports of Mackerel

A total of 47,620 Tonnes of Mackerel was exported to various third countries in 2021. Almost all of this was frozen Mackerel (99%), with small amounts of smoked and canned Mackerel being exported.

Table 41: Exports of Mackerel by Country and Weight

Country	Tonnes
Cameroon	10,475
China	9,653
Nigeria	7,781
Egypt	6,120
Japan	3,959
Ghana	3,709
Ukraine	3,194
Taiwan, Province of China	1,082
Others	1,647
Total	47,620

Figure 8: Mackerel Exports

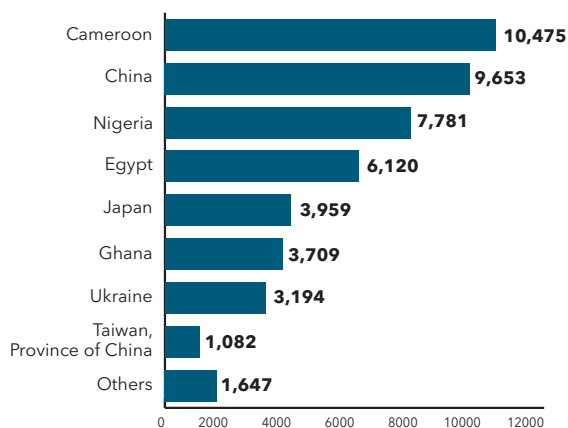


Table 42: Mackerel Presentation

Presentation	Tonnes
Whole Frozen	29,519
Frozen	17,933
Smoked	105
Canned	63
Total	47,620

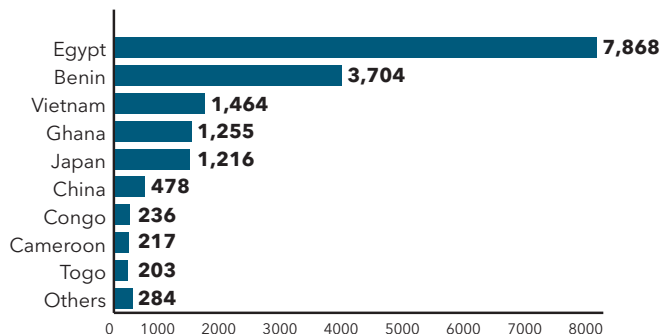
Exports of Horse Mackerel

A total of 16,925 Tonnes of Horse Mackerel was exported to third countries in 2021, with 68% of this exported to Egypt and Benin. All Horse Mackerel was exported frozen.

Table 43: Exports of Horse Mackerel by Country and Weight

Country	Tonnes
Egypt	7,868
Benin	3,704
Vietnam	1,464
Ghana	1,255
Japan	1,216
China	478
Congo	236
Cameroon	217
Togo	203
Others	284
Total	16,925

Figure 9: Horse Mackerel Exports



Exports of Salmon

In 2021, a total of 3,098 Tonnes of Salmon was exported to various third countries, as set out in the table below. A small proportion of this was gutted or smoked salmon, with the rest being frozen.

Table 44: Exports of Salmon by Country and Weight

Country	Tonnes
United States	2,832
United Arab Emirates	91
Belarus	72
Chile	67
Hong Kong	24
Others	12
Total	3,098

Figure 10: Salmon Exports

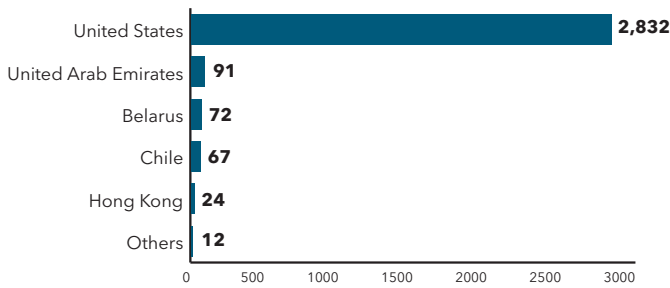


Table 45: Salmon Presentation

Presentation	Tonnes
Frozen	2,971
Gutted	110
Smoked	17
Total	3,098

Exports of Whelk

Whelk is regarded as a particular delicacy in some East Asian countries which is where the majority of this product was exported. In 2021, 50% of this Whelk was exported to Korea. The majority of consignments of Whelk were exported frozen.

Table 46: Exports of Whelk by Country and Weight

Country	Tonnes
Korea, Republic of	1,018
China	581
Vietnam	243
Australia	69
Hong Kong	45
Others	63
Total	2,019

Figure 11: Whelk Exports

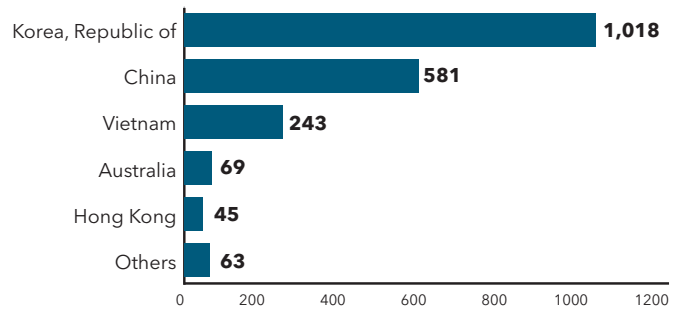


Table 47: Whelk Presentation

Presentation	Tonnes
Frozen	2,015
Live	4
Total	2,019

Exports of Pacific Oysters

A total of 678 Tonnes of live Oysters were certified for export by the SFPA in 2021. Cultivated Irish Oysters were exported live to countries, primarily in the Far East, as set out in the table below.

Table 48: Exports of Pacific Oysters by Country and Weight

Country	Tonnes
Hong Kong	310
China	222
Singapore	80
Malaysia	34
Others	32
Total	678

Figure 12: Pacific Oysters Exports

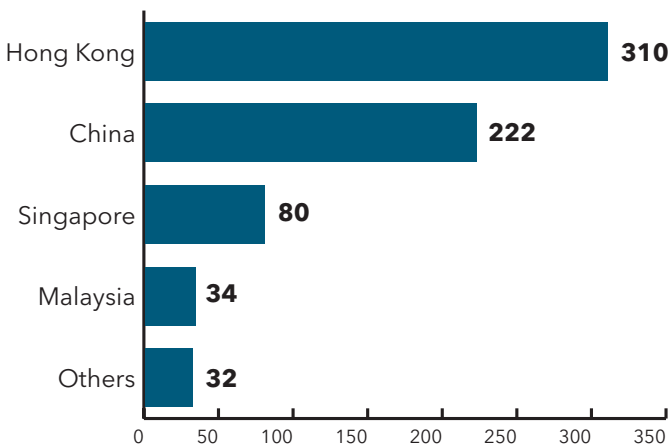


Table 49: Presentation Type Pacific Oysters

Country	Tonnes
Live	677
Frozen	1
Total	678

Exports of Razor Clams

Most Razor Clams exported to third countries are flown out live within hours of landing, a smaller proportion (15%) was exported frozen. The Asian market, New Zealand and Canada are the primary destinations for this product.

Table 50: Exports of Razor Clams by Country and Weight

Country	Tonnes
Hong Kong	292
China	117
New Zealand	68
Canada	45
Others	27
Total	549

Figure 13: Razor Clams Exports

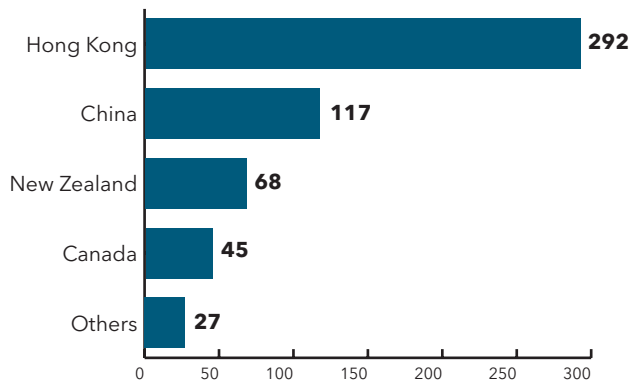


Table 51: Presentation Type Razor Clams

Country	Tonnes
Live	464
Frozen	85
Total	549

Exports of Herring

A total of 396 Tonnes of Herring was exported to third countries in 2021. The majority (89%) of this Herring was exported frozen, with the remainder comprising salted Herring.

Table 52: Exports of Herring by Country and Weight

Country	Tonnes
Nigeria	200
Central African Republic	100
Israel	42
United Kingdom	29
China	25
Total	396

Figure 14: Herring Exports

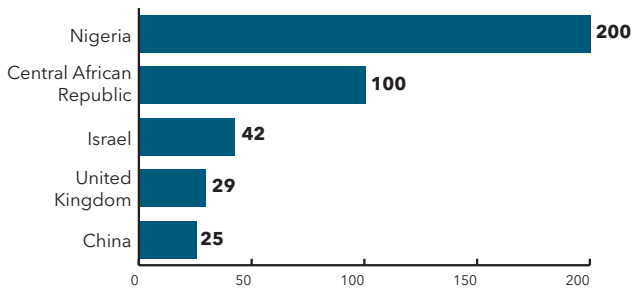


Table 53: Presentation Type Herring

Presentation	Tonnes
Frozen	354
Salted	42
Total	396

Exports of Crab

A total of 338 Tonnes of Crab was exported in 2021. The majority of this was exported to countries in the Asian market. 76% of the exports were of frozen Crab, while the majority of the remainder was exported as live produce.

Table 54: Exports of Crab by Country and Weight

Country	Tonnes
China	108
Vietnam	94
Canada	40
Japan	37
Others	59
Total	338

Figure 15: Crab Exports

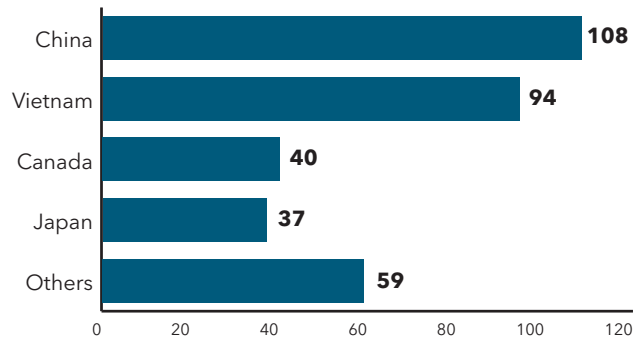


Table 55: Presentation Type Crab

Presentation	Tonnes
Frozen	256
Live	79
Other	3
Total	338



Enforce

Consistent superior delivery of control activities with an integrated risk-based framework to achieve increased compliance rates.

Sea-Fisheries Control and Seafood Safety Enforcement

During 2021, a total of 66 separate case files were initiated in the Irish Jurisdiction by the SFPA and the Naval Service by way of direct enforcement. Arising from these 66 case files, a total of 95 separate infringements were investigated.



Cases opened in 2021 by Nationality

Table 56: Cases Opened in 2021 by Nationality

Nationality	No. of Cases
Belgium	1
Denmark	1
Spain	11
France	2
United Kingdom	3
Ireland	32
Norway	2
Premises/Food Business	14
Total	66

Note:

A single inspection may find one or several suspected infringements. All suspected infringements are assessed but may form part of one case file.

In some cases, one infringement may progress through the courts, while another may not proceed.

Cases Closed in 2021

(These figures include cases opened in previous years that were closed in 2021)

Table 57: Cases Closed in 2021

Reason case was closed	Number of Infringements
Closed on conviction	16
DPP direction - not proceeding	13
Probation Act applied	1
Transferred to another jurisdiction	1
Closed: Fixed Penalty Notice paid	5
Mutual Assistance completed	3
Not proceeding: Insufficient evidence	11
Total	50

Court fines

Table 58: Total Court fines during 2021 by category

Sum of Fines	Sum of Gear Forfeitures	Sum of Catch Forfeitures	Sum of Bonds
€67,166.65	€53,500	€50,197.87	€58,067.67

Types of Infringements detected

Table 59: Total Court fines during 2021 by category:

Infringement Category	No. of Infringements
3rd Country	1
Closed area	2
Electronic Recording System (ERS)	13
Failure to facilitate	4
First sale	14
Food Safety	1
Gear, marking, maintenance and selectivity	11
Infringement details pending	4
Landing declaration	1
Licence	1
Logbook	13
Prohibited Species	1
Quota	7
Restricted area	5
Seafood Safety	6
Static Gear	2
Towed Gear	2
Weighing	7
Total	95

Table 60: Criminal Cases and Infringements

Current Criminal Case Status	Detection Authority					
	Naval Services		SFPA		Total	
	Case numbers	Infringement Numbers	Case numbers	Infringement Numbers	Case numbers	Infringement Numbers
Closed on conviction	1	1	3	3	4	4
Closed: Other	0	4	7	10	7	14
DPP direction not proceeding		-	4	5	4	5
DPP direction on indictment	10	15	6	10	16	25
DPP direction on summary disposal	-	-	2	3	2	3
Files with DPP awaiting direction	2	4	2	5	4	9
Fixed Penalty Notice Issued	-	-	1	1	-	-
Food Safety- File sent to Legal Advisors	-	-	1	1	-	-
File being prepared	16	19	11	14	27	33
File sent to Determination Panel- Serious Infringement	12	15	6	6	18	21
Vessel detained	10	23	6	8	16	31

Points for Serious Infringements

All EU Member States are obliged to establish a points system to be applied to the licence holders of fishing vessels when a serious infringement of the rules of the Common Fisheries Policy is detected. The points system is intended to operate as a more immediate and harmonised sanction in that, regardless of where in the EU a serious infringement is committed, the licence holder will receive the same number of points. Under Annex XXX of EU Regulation 404/2011 each serious infringement has a designated number of points to be allocated.

The points system was introduced in August 2020 by Statutory Instrument (SI 318 of 2020) in Ireland as a parallel process to criminal prosecution. The last quarter of 2020 saw the set-up stage of this points system, so there were no cases during 2020. As part of the set-up stage, a Determination Panel, consisting of three independent legal professionals, was nominated by the Attorney General and appointed by the SFPA. The SFPA send their serious infringement case files to the Determination Panel and the Licence holder. The Determination Panel have 70 days in which to make a determination on whether a serious infringement has occurred for which points should be applied. Licence holders have the opportunity to request an oral hearing at either the Determination Panel stage or the appeal stage. Written submissions are also accepted. A licence holder may take any proposal by the Determination Panel to assign points, to the Appeals Officer. This person is an independent legal professional nominated by the Attorney General and appointed by the Minister for Agriculture, Food and the Marine.

Points to Irish licences are applied by the Licencing Authority in Ireland and where foreign vessels are found to have committed a serious infringement, the Flag Member State competent authority is notified.

Points cases opened in 2021

2021 saw 21 case files opened and sent to the Determination Panel. Of those cases, 14 were Irish vessels and 7 were foreign vessels. 15 vessels were inspected by the Navy and 6 were inspected by the SFPA. Serious infringements were found to have occurred in 13 cases and no serious infringement was found in 1 case. 5 cases are currently awaiting determination.

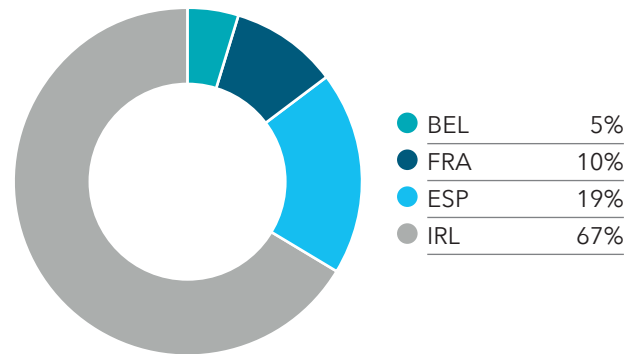
Points have been applied to Irish vessels in 8 cases and Member State competent authorities have been notified in 5 cases.

Oral hearings were requested for Determination Panel proceedings in 7 cases and an appeal hearing was requested in 1 case. Written appeals have been submitted and completed in 4 cases and 1 case is awaiting appeal. Of the appeals cases that have been completed, all decisions have been upheld by the Appeals officer.

Table 61: Points Cases

Cases opened	21
Irish vessels	14
Foreign vessels	7
Navy	15
SFPA	6
Serious infringements found	13
Serious infringement not found	1
Awaiting determination	5
Points applied to Irish vessels	8
Member States notified re foreign vessels	5
Oral Hearings requested for Determination Panel	7
Oral hearing requested for Appeal	1
Appeals completed	4
Awaiting appeal	1

Figure 16: Serious Infringement case files by nationality



Breakdown of suspected Serious Infringements reported

Table 62: Serious Infringements

Serious Infringement Description (As per Annex XXX of EU 404/2011)	Numbers
Not fulfilling of obligations to record and report catch or catch-related data, including data to be transmitted by satellite vessel monitoring system	10
Use of prohibited or non-compliant gear according to Union legislation	2
Fishing in a closed area or during a closed season, without or after attainment of a quota or beyond a closed depth	6
Obstruction of work of officials in the exercise of their duties in inspecting for compliance with the applicable conservation and management measures or the work of observers in the exercise of their duties of observing compliance with the applicable Union rules	3
No Serious Infringement was found to have occurred in one case	-
Total	21

Food Safety Enforcement Notices Served

Key functions of the SFPA are to:

- (I) Secure efficient and effective enforcement of sea-fisheries law and seafood safety law
- (II) Promote compliance with and deter contraventions of sea-fisheries law and food safety law

During 2021 a total of 14 Enforcement Notices were served by SFPA inspectorate as follows:

- 7 Compliance Notices under S.I. 22/2020- European Union (Food and Feed Hygiene) Regulations 2020;
- 6 Fixed Payment Notices under S.I. 22/2020;
- 1 Improvement Notice under the Food Safety Authority of Ireland Act 1998.

Non-compliances found were in the following areas: Traceability, Labelling, Inadequacies in the Food Safety Management System, Hygiene Conditions, Structural Inadequacies, Drinking Water and Product Sampling.

Compliance notices are served under the European Communities (Food and Feed Hygiene) regulations 2020 and may require the person on whom it is served to take such action as specified in the notice.

A Fixed Penalty Notice (€250 penalty) is served if an offence has been committed under the European Communities (Food and Feed Hygiene) Regulations 2020.

The Food Business Operator has 28 days to pay the fine and a prosecution will not be instigated within that time period.


An Improvement Notice is issued, following consultation with a 'Designated' officer, when an Authorised Officer is of the opinion that a premises or practice is of such a nature that if it persists, it will or is likely to pose a risk to public health.

Table 63: List of Acronyms

Acronym	Description
ABP	Animal By Product
AIE	Access to Information on the Environment
AHU	Air Handling Unit
AP	Assistant Principal
BIM	Bord Iascaigh Mhara
BTSF	Better Training for Safer Food
C&AG	Comptroller and Auditor General
CFP	Common Fisheries Policy
COVID-19	Coronavirus Disease 19
CPSA	Commission for Public Service Appointments
DAFM	Department of Agriculture, Food & the Marine
DED	Data Entry Device
DEP	Departure Message
DG MARE	Directorate General for Maritime Affairs and Fisheries
DG SANTE	Directorate-General for Health and Food Safety
DPER	Department of Public Expenditure and Reform
DPP	Director of Public Prosecutions
eDOCS	Electronic Documents
EEA	European Economic Area
EEZ	Exclusive Economic Zone
EFCA	European Fisheries Control Agency
EFZ	Exclusive Fishing Zone
EMFAF	European Maritime Fisheries and Aquaculture Fund
EMFF	European Maritime and Fisheries Fund
EO	Executive Officer
ERS	Electronic Reporting System
EU	European Union
EV	Electric Vehicle
FBO	Food Business Operator
FFSU	Food & Fisheries Support Unit
FIC	Food Information to Consumers
FIN	Fisheries Information Notice
FMC	Fish Monitoring Centre
FOI	Freedom of Information
FSAI	Food Safety Authority of Ireland
FV	Fishing Vessel
FY	Financial Year
GB	Great Britain
GDPR	General Data Protection Regulation
HACCP	Hazard Analysis and Critical Control Point
H & S	Health & Safety
HEO	Higher Executive Officer
HQ	Head Quarters
HR	Human Resources
HSA	Health & Safety Authority

Acronym	Description
HWM	High Water Mark
ICES	International Council for the Exploration of the Sea
ICT	Information and Communications Technology
IR	Industrial Relations
ISA	Irish Shellfish Association
IT	Information Technology
IUU	Illegal, Unreported and Unregulated fishing
Kg	Kilogram
kWh	Kilowatt-hour
MI	Marine Institute
MLVC	Marine Licensing Vetting Committee
MOU	Memorandum of Understanding
MS	Member State
NEAFC	North East Atlantic Fisheries Commission
NSAI	National Standards Authority of Ireland
NWW	North Western Waters
OAPI	Official Agency Premises and Inspections Database
OC/OCR	Official Controls / Official Control Regulations
OGCIO	Office of the Government Chief Information Officer
OPW	Office of Public Works
PHECC FAR	Pre-Hospital Emergency Care Council- First Aid Responder
PMO	Project Management Office
PNO	Prior Notification of Arrival
PPC	Personal Protective Clothing
PSC	Port State Control
QQI	Quality and Qualifications Ireland
REM	Remote Electronic Monitoring
SCIP	Specific Control & Inspection Programmes
SEAI	Sustainable Energy Authority of Ireland
SFPA	Sea-Fisheries Protection Authority
SFPO	Sea-Fisheries Protection Officer
SI	Statutory Instrument
SMT	Senior Management Team
SOP	Standard Operating Procedure
SPS	Sanitary and Phytosanitary
STCW	Standards of Training, Certification and Watch Keeping
TACCP	Threat Assessment and Critical Control Point
UAE	United Arab Emirates
UK	United Kingdom
UNCEFACT	United Nations Centre for Trade Facilitation and Electronic Business
USA	United States of America
VACCP	Vulnerability Assessment and Critical Control Point
VMS	Vessel Monitoring System
WRC	Workplace Relations Commission
YTD	Year to Date

Report and Financial Statements



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General Information

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Comptroller and Auditor General

Report for Presentation to the Houses of the Oireachtas

Sea-Fisheries Protection Authority

Opinion on the Financial Statements

I have audited the financial statements of the Sea-Fisheries Protection Authority for the year ended 31 December 2021 as required under the provisions of section 65 of the Sea-Fisheries and Maritime Jurisdiction Act 2006. The financial statements comprise

- the statement of income and expenditure and retained revenue reserves
- the statement of comprehensive income
- the statement of financial position
- the statement of cash flows, and
- the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Sea-Fisheries Protection Authority at 31 December 2021 and of its income and expenditure for 2021 in accordance with Financial Reporting Standard (FRS) 102 – *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

Basis of opinion

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Sea-Fisheries Protection Authority and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on information other than the financial statements, and on other matters

The Sea-Fisheries Protection Authority has presented certain other information together with the financial statements. This comprises the annual report, the governance statement and Authority members' report, and the statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

EU Commission audit

The statement on internal control includes a disclosure about an EU Commission audit undertaken in 2018. The audit and a subsequent administrative inquiry resulted in the Commission identifying significant shortcomings in the weighing and reporting of pelagic fish landings and a lack of controls or enforcement over catches of bluefin tuna. In April 2021, the Commission revoked an existing derogation allowing the weighing of catches at Irish processing facilities. The statement on internal control states that an interim control plan for the period to 31 December 2022 has been agreed with the Commission.



Seamus McCarthy

Comptroller and Auditor General

14th July 2022

Comptroller and Auditor General

Appendix to the Report

Responsibilities of the Sea-Fisheries Protection Authority members

The governance statement and Authority members' report sets out the Authority members' responsibilities for

- the preparation of annual financial statements in the form prescribed under section 65 of the Sea-Fisheries and Maritime Jurisdiction Act 2006
- ensuring that the financial statements give a true and fair view in accordance with FRS102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- implementing such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 65 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 to audit the financial statements of the Sea-Fisheries Protection Authority and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.
- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on

the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Sea-Fisheries Protection Authority's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Sea-Fisheries Protection Authority to cease to continue as a going concern.

- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

Reporting on other matters

My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

Governance Statement and Authority Members' Report

Governance

The Sea-Fisheries Protection Authority was established under the Sea-Fisheries and Maritime Jurisdiction Act 2006. The functions of the Authority are set out in section 43 of this Act. The Authority is responsible for ensuring good governance of the organisation. The regular day-to-day management, control and direction of the Sea-Fisheries Protection Authority is the responsibility of the Chairperson, who is an Authority member and two other Authority members. The Authority members are also members of the Senior Management Team. The Senior Management Team must follow the broad strategic direction set by the Authority and must have a clear understanding of the key activities and decisions related to the entity, and of any significant risks likely to arise. Under the provisions of Section 68 of the Sea-Fisheries and Maritime Jurisdiction Act 2006, the Chairperson is accountable to the Public Accounts Committee and the Joint Committee on Agriculture, Food and the Marine.

Authority's Responsibilities

The work and responsibilities of the Authority are provided for in:

- the Sea-Fisheries and Maritime Jurisdiction Act 2006,
- other relevant legislation including; Health & Safety Law, Employment Law, Data Protection Law, Freedom of Information Law, Sea-Fisheries Law and Food Safety Law,
- the public Financial Procedures published by the Department of Public Expenditure and Reform,
- the Code of Practice for the Governance of State Bodies 2016,
- the Oversight and Performance Delivery Agreement with the Department of Agriculture, Food and the Marine 2017-2020,
- the Service Contract with the Food Safety Authority of Ireland, and
- the Service Level Agreement with the Department of Defence.

Matters specifically reserved for Authority decision are set out in the Corporate Governance Policies and Procedures.

Section 65 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 requires the Authority to keep, in such form as may be approved by the Minister for the Department of Agriculture, Food and the Marine with the consent of the Minister for Public Expenditure and Reform, all proper and usual accounts of money received and expended by it.

In preparing these financial statements, the Authority is required to:

- select suitable accounting policies and apply them consistently,
- make judgements and estimates that are reasonable and prudent,
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that it will continue in operation, and
- state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Authority is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, its financial position and enables it to ensure that the financial statements comply with Section 65 of the Sea-Fisheries and Maritime Jurisdiction Act 2006. The maintenance and integrity of the corporate and financial information on the Sea-Fisheries Protection Authority's website is the responsibility of the Authority.

The Authority is responsible for approving the annual plan and budget. An evaluation of the performance of the Sea-Fisheries Protection Authority by reference to the annual plan and budget was carried out on 08 February 2021.

The Authority is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Authority considers that the financial statements of the Sea-Fisheries Protection Authority give a true and fair view of the financial performance and the financial position of the Sea-Fisheries Protection Authority at 31 December 2021.

Governance Statement and Authority Members' Report (continued)

Authority Structure

The Sea-Fisheries Protection Authority does not have a Board but currently comprises a one-member Executive Authority. The one member of the Authority is the Chairperson. A second and third Authority member post is being filled through the Public Appointments Service. The table below details the Authority members.

Authority Member	Role	Date Appointed from/to
Mr. Paschal Hayes	Authority Chairperson	14 January 2022
Dr. Susan Steele	Authority Chairperson	04 March 2013 to 31 August 2021
Mr. Andrew Kinneen	Authority Member	01 January 2007 to 31 December 2021
Mr. Timothy Donovan	Authority Member	28 June 2021 to 11 February 2022

* Andrew Kinneen was a permanent member of the Authority in line with Section 47; subsection 2(a) of the Sea-Fisheries and Maritime Jurisdiction Act 2006. Andrew retired from the Sea Fisheries Protection Authority 31 December 2021.

Schedule of Attendance

A schedule of attendance at Authority Meetings is set out below. Authority Meetings were held on 30 March 2021, 30 April 2021, 12 October 2021 and 09 November 2021.

Authority Meetings

Number of Meetings	4
Susan Steele	2
Andrew Kinneen	4
Timothy Donovan	2

Audit and Risk Committee

The Authority has established an Audit and Risk Committee which comprises five independent non-executive members. The role of the Audit and Risk Committee (ARC) is to support the Authority in relation to its responsibilities relating to risk, control, and governance and associated assurance. The ARC is independent from the financial management of the organisation. In particular, the Committee ensures that the internal control systems including audit activities are monitored actively and independently. The ARC reports to the Authority formally in writing annually.

During 2021, the members of the Audit and Risk Committee were: Peter Cowap, Chairperson, Seán Angland, Pat Farrell, Brendan O'Shea and Rav Vithaldas. There were six meetings of the ARC in 2021.

Schedule of Attendance, Fees and Expenses

A schedule of attendance at the Audit and Risk Committee meetings for 2021 is set out below including the fees and expenses received by each ARC member:

Audit & Risk Committee	Fees 2021 €	Expenses 2021 €
Number of Meetings	6	
Peter Cowap, Chair	6	2,414
Seán Angland	6	-
Pat Farrell	6	1,697
Brendan O'Shea	5	1,414
Rav Vithaldas	6	1,697
	7,222	-

Governance Statement and Authority Members' Report (continued)

Review of the Organisational Capability of the Sea-Fisheries Protection Authority

Government policy as expressed in their strategy "Civil Service Renewal Plan" provides for the implementation of a programme of organisational reviews, the purpose being:

'To embed a culture of regular and objective assessments of the capacity and capability of each Department to achieve its objectives and take the necessary action to close any gaps'. In 2019, the Authority commissioned a Review of the Organisational Capability of the Sea-Fisheries Protection Authority. The principal objective of the review is to contribute to the ongoing and future development of the Sea-Fisheries Protection Authority so that it is recognised as an agency of excellence and role model for other agencies. The areas covered by the Review are to review the organisational capability of the Sea-Fisheries Protection Authority to deliver on its mission of commitment "the effective and fair regulation of the sea fishing and seafood sectors that fall within its mandate. This means all fishing vessels operating within Ireland's 200 mile limit, Irish fishing vessels wherever they operate, and all seafood produced in Ireland wherever it is marketed."

The Organisational Review has been completed by external service providers to assist the Authority in the delivery of effective and efficient performance of the statutory responsibilities of the organisation. A Steering and Oversight Group comprised of three senior and expert persons all independent of Sea-Fisheries Protection Authority was put in place to oversee the Review. The Review report was issued on 03 April 2020. The Review made 46 recommendations that, when implemented, will address issues identified to improve the effectiveness of the organisation. An independent advisory board has been appointed by the Department of Agriculture, Food and the Marine to support the Authority and to oversee the implementation of the Review recommendations. During 2021, progress was made on 42 of the 46 recommendations in the Report. A Director of Transformation was appointed to the Sea-Fisheries Protection Authority in January 2021, to implement the review recommendations. The full Review report is available on the Sea-Fisheries Protection Authority website.

Disclosures Required by Code of Practice for the Governance of State Bodies (2016)

The Authority is responsible for ensuring that the Sea-Fisheries Protection Authority has complied with corporate governance requirements, including those of the Code of Practice for the Governance of State

Bodies ("the Code"), as published by the Department of Public Expenditure and Reform in August 2016. The following disclosures are required by the Code:

Employee Short-Term Benefits Breakdown

Employees' short-term benefits in excess of €60,000 are categorised into the following bands:

Range	To	Number of employees	2021	2020
€ 60,000 -	€ 69,999		9	3
€ 70,000 -	€ 79,999		14	22
€ 80,000 -	€ 89,999		36	27
€ 90,000 -	€ 99,999		7	8
€ 100,000 -	€ 109,999		2	3
€ 110,000 -	€ 119,999		1	0

Note: For the purposes of this disclosure, short-term employee benefits in relation to services rendered during the reporting period include salary, allowances, overtime and other payments made to the employee, but exclude employer's PRSI.

Consultancy Costs

Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions.

	2021	2020
	€	€
Financial/accounting advice	-	-
Human resources	16,504	16,730
Legal advice	465,622	140,283
Public relations	65,028	47,102
Business improvement projects	-	-
Strategy implementation ¹	-	95,288
EMFF project / consultancy costs ²	3,338,976	1,004,820
Support for the EU Audit response ³	-	74,609
Other	-	-
Total consultancy costs	3,886,130	1,378,832
Consultancy costs charged to the Statement of Income and Expenditure and Retained Revenue Reserves	3,886,130	1,378,832
Total	3,886,130	1,378,832

¹ In 2020, Strategy implementation consultancy costs includes the cost of the external service providers engaged to undertake the Review of the Organisational Capability of the Sea-Fisheries Protection Authority.

² The European Maritime and Fisheries Fund (EMFF) Project/Consultancy costs include the cost of external consultants to provide project management support across EMFF related projects.

³ The EU Commission carried out an audit of Ireland's systems of fishery control related to the control of pelagic landings and controls/enforcement over catches of BlueFin Tuna in 2018. External service providers were engaged in 2019 and 2020 to assist the Sea-Fisheries Protection Authority with the review and analysis of significant volumes of historic data and in the preparation of formatted data in response to the Administrative Inquiry.

Governance Statement and Authority Members' Report (continued)

Legal Costs and Settlements

The table below provides a breakdown of amounts recognised as expenditure in the reporting period in relation to legal costs, settlements and conciliation and arbitration proceedings. This does not include expenditure in relation to general legal advice received by the Sea-Fisheries Protection Authority which is disclosed in Consultancy costs above.

	2021 €	2020 €
Legal fees - legal proceedings	344,664	73,582
Settlements	466	4,160
Total	345,130	77,742

Included in these legal costs is an amount of €Nil in relation to on-going matters involving the Sea-Fisheries Protection Authority.

Travel and Subsistence Expenditure

Travel and subsistence expenditure is categorised as follows:

	2021 €	2020 €
Domestic		
Authority ⁴	1,635	3,820
Employees ⁵	479,100	517,766
Audit & Risk Committee	-	862
Consultative Committee	-	1,783
International		
Authority ⁴	566	872
Employees ⁵	5,537	22,294
Total	486,838	547,397

Hospitality Expenditure

The Statement of Income and Expenditure and Retained Revenue Reserves includes the following hospitality expenditure:

	2021 €	2020 €
Staff hospitality	-	-
External stakeholder hospitality	-	-
Total	-	-

Statement of Compliance

The Authority has adopted the Code of Practice for the Governance of State Bodies (2016) and has put procedures in place to ensure compliance with its corporate governance responsibilities including those laid down in the Code, as they apply to the Authority. Where other relevant legislation including the Sea-Fisheries and Maritime Jurisdiction Act 2006 specifies corporate governance obligations, these supersede the provisions of the Code.

On behalf of the Authority



Mr. Paschal Hayes

Chairperson of the Authority

13th July 2022

⁴ Includes travel and subsistence of €1,870 paid directly to Authority members relating to 2021 (2020: €4,417). A balance of €381 (2020: €275) relates to expenditure paid by the Sea-Fisheries Protection Authority on behalf of the Authority members. During 2021 €Nil of the total amount of travel and subsistence costs for the Authority members was reimbursed to the Sea-Fisheries Protection Authority by EU agencies.

⁵ During 2021 €4,976 (2020: €15,250) of the total amount of travel and subsistence costs for Employees was reimbursed to the Sea-Fisheries Protection Authority by EU agencies.

Statement on Internal Control

Scope of Responsibility

On behalf of the Sea-Fisheries Protection Authority I acknowledge the Authority's responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a tolerable level rather than eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded and that material errors or irregularities are either prevented or would be detected in a timely manner.

The system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform, has been in place in the Authority for the year ended 31 December 2021 and up to the date of approval of the financial statements except for the internal control issues outlined below.

Capacity to Handle Risk

The Authority has established an Audit and Risk Committee (ARC) comprising five independent non-executive members with financial, audit, governance and technical expertise, one of whom is the Chair. The ARC met six (6) times in 2021.

The Authority has outsourced its internal audit function to a professional services firm. Internal audit operates in accordance with the Authority's internal audit charter and the Code of Practice for the Governance of State Bodies (2016). The programme of work performed by internal audit is agreed in advance with the ARC. The programme is reviewed annually and revised as and when required. The current internal audit work programme takes account of areas of potential risk identified by the organisation having regard to its strategic objectives and risk management framework. All internal audit reports are considered by the Authority and ARC. These reports highlight deficiencies or weaknesses, if any, in the system of internal control and the recommended corrective actions to be taken where necessary.

The Authority has developed a risk management policy which sets out its risk appetite, the risk management processes in place and details the roles and responsibilities of staff in relation to risk. This policy has been issued to all staff who are expected to work within the Authority's risk management policies, to alert management on emerging risks and control weaknesses and assume responsibility for risks and controls within their own area of work.

Risk and Control Framework

The Authority has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

The Sea-Fisheries Protection Authority Risk Management Policy complies with the Code of Practice for the Governance of State Bodies 2016. The Sea-Fisheries Protection Authority has appointed a Chief Risk Officer. Unit based risk registers have been developed by each business unit which identify the key risks facing the Authority and are subject to on-going review. Risks are identified, assessed and measured according to their significance. Any risks deemed to be fundamental risks or of a certain score will be included as part of the overall risk register for consideration and discussion by the Authority. The register is reviewed and updated by the Authority on a quarterly basis and subsequently presented to the ARC. The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level.

The risk register details the controls and actions needed to mitigate risks and responsibility for operation of controls assigned to specific business units/managers. The Authority has taken steps to ensure an appropriate control environment containing the following elements is in place:

- procedures for all key business processes have been documented,
- clearly defined management responsibilities and powers,
- there is a comprehensive budgeting system with an annual budget which is reviewed, approved and kept under review by the members of the Authority,
- regular reviews by the Authority of periodic and annual financial reports which indicate financial performance against forecasts,
- financial and operational responsibilities have been assigned at management level with corresponding accountability,
- there are systems aimed at ensuring the security of information and communication technology systems,
- there are systems in place to safeguard the assets, and
- regular internal audit reviews on financial, operational and compliance controls and procedures.

Statement on Internal Control (continued)

Ongoing Monitoring and Review

Formal procedures have been established for monitoring control processes and control deficiencies are communicated to those responsible for taking corrective action and to management and the Authority members, where relevant, in a timely manner. I confirm that the following ongoing monitoring systems are in place:

- key risks and controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies,
- reporting arrangements have been established at all levels where responsibility for financial management has been assigned, and
- there are regular reviews by Authority members and senior management of periodic and annual performance and financial reports which indicate performance against budgets/forecasts.

Procurement

I confirm that the Sea-Fisheries Protection Authority has procedures in place to ensure compliance with current procurement rules and guidelines as set out by the Office of Government Procurement.

Impact of COVID-19

The outbreak of COVID-19 evolved since March 2020 and the situation is unprecedented and rapidly changing. The Sea-Fisheries Protection Authority has dealt with the challenges in maintaining effective internal controls by:

- Implementing business continuity plans ensuring minimal disruption to operations,
- Identifying and reporting new risks as a result of COVID-19 and the management actions being taken to address and mitigate those risks and reporting them to the Audit and Risk Committee as part of the risk register,
- Putting supports in place to assist with remote and virtual working,
- Executing internal and external communication response strategies for COVID-19,
- Establishment of a Return to Work Safely Committee,
- Implementation of the Sea-Fisheries Protection Authority COVID-19 Response Plan, and
- Revision of the Sea-Fisheries Protection Authority operational Standard Operating Procedures to ensure the Sea-Fisheries Protection Authority statutory responsibilities continue to be met while ensuring the Sea-Fisheries Protection Authority follows Government guidance on COVID-19 best practice.

The Authority's response to the impact of COVID-19 has been considered as part of the review of effectiveness of the system of internal control for 2021.

BREXIT

Due to its Regulatory Role the Sea-Fisheries Protection Authority is one of the key Marine agencies post Brexit following the UK's departure from the EU. Significant resources have been put in place to implement the monitoring of landings from UK fishing vessels including providing services in 2021 to newly designated third country landing ports. The Sea-Fisheries Protection Authority has also put in place support measures for the import of seafood products from the UK. Planning is underway to support Industry for the introduction of a requirement for Health Certification of fishery products to the UK later in 2022.

The Sea-Fisheries Protection Authority will be required to support additional activity in the following areas as a result of Brexit: Import Consignments, Import Direct Landings, Export Consignments and Export Direct Landings. The Minister for Agriculture, Food and the Marine, designated additional Ports for third country landings in early 2021 in order to facilitate Northern Ireland registered vessels landing into Ireland. Greencastle, Howth, Burtonport, Ros an Mhil and Rathmullan have been added to the list of designated Ports.

Review of Effectiveness

The Authority's review of the effectiveness of the system of internal control is informed by:

- the senior managers within the Sea-Fisheries Protection Authority who have responsibility for the Sea-Fisheries Protection Authority procedures and practices that uphold the internal control and assurance framework,
- the work of the Internal Auditor,
- the Audit and Risk Committee which oversees the work of the internal auditor,
- the work of External Auditors, including the Comptroller and Auditor General and European Commission,
- oversight of management activity through the risk management system and compliance functions including health & safety and procurement, and
- the Sea-Fisheries Protection Authority response to the impact of COVID-19.

The Statement on Internal Control has been reviewed by the Audit and Risk Committee and the Authority members to ensure it accurately reflects the control system in operation during the reporting period. I confirm that the Authority members conducted an annual review of the effectiveness of the internal controls for 2021, in February 2022.

Statement on Internal Control (continued)

Internal Control Issues - Details of Weaknesses in 2021

1. EU Audit

The EU Commission carried out an audit of Ireland's systems of fishery control related to the control of pelagic landings and controls/enforcement over catches of BlueFin Tuna in 2018. Following this audit, in July 2019, the EU Commission wrote formally to the Minister for Agriculture, Food and the Marine to initiate an Administrative Inquiry to examine in detail the systems of fishery control in place in Ireland. The Sea-Fisheries Protection Authority, in its capacity as the competent authority for sea-fisheries control, was given the task of coordinating Ireland's response to the Administrative Inquiry and with relevant liaison with the Commission. A comprehensive response to the Administrative Inquiry was provided to the Commission in late 2019 and a further analysis on two specific areas was completed by the end of February 2020 and provided to the Commission.

In December 2020, the Commission responded to the Minister for Agriculture, Food and the Marine indicating there are a number of significant action points now to be considered by Ireland. The next phase in the process will be engagement between Ireland and Commission to discuss the issues raised; this will involve a team from the Department of Agriculture, Food and the Marine who will be assisted by the Sea-Fisheries Protection Authority.

In April 2021 the Commission revoked Ireland's Control Plan in respect of the weighing of fish. A revised Control Plan was submitted to the Commission during 2021 and following consultation with the Commission they have agreed to an interim control plan for the period 1st of January to 31st December 2022.

2. Organisational Capability Review

An Organisational Capability Review report of the SFPA was issued on 3rd April 2020. The Review made 46 recommendations that, when implemented, will address issues identified to improve the effectiveness of the SFPA. In line with the Report recommendations a number of key organisational changes have since been made. These include:

- The appointment of a Director of Transformation, Internal Communications Manager and Quality Management System lead.
- The strengthening of the SFPA's organisational capability through the restructuring of the Data Management Unit, which will support the SFPA's operational functions.

A number of the review recommendations relate to inadequacies in the SFPA's data management and data analytics capability, IT capability and industrial relations capability. There is no documented data strategy within the SFPA and data analytics is underdeveloped as a core competency. There is no documented IT Strategy to support the Corporate Strategy. There are a number of issues affecting the industrial relations environment in the SFPA.

Of the 46 recommendations 17 have been completed, 25 are in progress and 4 have yet to commence. Among the actions that are scheduled for finalisation in Quarter 2 2022 that will address and mitigate the inadequacies referred to above are:

- The completion of a data strategy and the development of the SFPA's data analytics capabilities.
- The establishment of a strategy for IT that is aligned to the Corporate Strategy.

An agreed protocol on how management and staff engage is a key recommendation from the Review. Severely strained industrial relations are impacting on the ability to move this recommendation forward. It is hoped that progress will be made to address this issue in 2022.

No other weaknesses in internal control were identified in relation to 2021 that require disclosure in the financial statements.

On behalf of the Authority



Paschal Hayes

Chairperson of the Authority

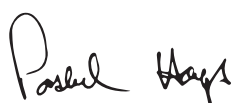
13th July 2022

Statement of Income and Expenditure and Retained Revenue Reserves

For the Year Ended 31 December 2021

	Note	2021 €	2020 €
INCOME			
Oireachtas Grants	2	14,606,000	13,197,000
EMFF Project Income	3/10	3,422,694	1,217,279
Net Deferred Funding for Pensions	14 c	3,337,000	2,788,000
Less: Pension contributions refundable to the Department of Agriculture, Food and the Marine and the Department of Public Expenditure and Reform	14 a	(539,000)	(486,000)
Fee Income		25,126	3,660
		20,851,820	16,719,939
EXPENDITURE			
Employee Benefits	4	10,366,925	9,181,844
Retirement Benefit Costs	14 a	3,296,000	2,877,000
Accommodation and Establishment	5	425,281	378,235
Support Services	6	621,961	560,399
General Administration	7	5,691,683	2,498,503
Audit Fee		26,200	26,600
Depreciation	9	537,830	1,060,589
		20,965,880	16,583,170
Surplus/(deficit) for year		(114,060)	136,769
Transfer from Capital Account	13	231,190	624,025
		117,130	760,794
Salary overpayments	8/10	-	(861,494)
Operating Profit for year		117,130	(100,700)
Balance brought forward at 1 January		164,675	265,375
Balance carried forward at 31 December		281,805	164,675

All income and expenditure for the year ended 31 December 2021 and the previous year relate to continuing operations. The Statement of Cash Flows and Notes 1 to 20 form part of these financial statements.



Paschal Hayes

Chairperson of the Authority
13th July 2022

Statement of Comprehensive Income

For the Year Ended 31 December 2021

	Note	2021 €	2020 €
Operating Profit for year		117,130	(100,700)
Experience losses on retirement benefit scheme		(1,043,000)	(505,000)
Changes in assumptions underlying the present value of retirement benefit scheme liabilities		(4,179,000)	(5,226,000)
Actuarial losses on retirement benefit liabilities	14	(5,222,000)	(5,731,000)
Adjustment to deferred retirement benefit funding	14	5,222,000	5,731,000
Total comprehensive income for the year		117,130	(100,700)

The Statement of Cash Flows and Notes 1 to 20 form part of these financial statements.



Paschal Hayes

Chairperson of the Authority

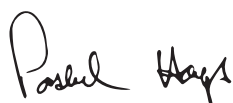
13th July 2022

Statement of Financial Position

As at 31 December 2021

	Note	2021 €	2020 €
Fixed Assets			
Property, Plant and Equipment	9	1,034,123	1,265,313
Current Assets			
Cash and Cash Equivalents		1,843,209	1,547,863
Receivables	8/10	150,628	140,548
		1,993,837	1,688,411
Less Current Liabilities			
Payables	11	1,279,182	1,102,886
Forfeiture Funds	12	432,850	420,850
		1,712,032	1,523,736
Net Current Assets		281,805	164,675
Total Assets less Current Liabilities before Retirement Benefits		1,315,928	1,429,988
Retirement Benefit Obligations	14 b	(71,488,800)	(62,929,000)
Deferred Retirement Benefit Funding Asset	14 e	71,488,800	62,929,000
Net Assets		1,315,928	1,429,988
Financed By:			
Retained Revenue Reserves		281,805	164,675
Capital Account	13	1,034,123	1,265,313
		1,315,928	1,429,988

The Statement of Cash Flows and Notes 1 to 20 form part of these financial statements.



Paschal Hayes


Chairperson of the Authority

13th July 2022

Statement of Cash Flows

For the Year Ended 31 December 2021

	Note	2021 €	2020 €
Net Cash Flows from Operating Activities			
Operating Profit for year		117,130	(100,700)
Transfer from Capital Account	13	(231,190)	(624,025)
Depreciation	9	537,830	1,060,589
Decrease/(Increase) in Receivables	10	(10,080)	826,990
(Decrease)/Increase in Payables	11	176,296	(487,507)
(Decrease)/Increase in Forfeiture Funds	12	12,000	(72,483)
Net Cash Inflow from Operating Activities		601,986	602,864
Cash Flows from Investing Activities			
Payments to Acquire Fixed Assets	9	(306,640)	(436,564)
Net Cash Outflow from Investing Activities		(306,640)	(436,564)
Increase/(Decrease) in Cash and Cash Equivalents		295,346	166,300
Cash and Cash Equivalents at the beginning of the Year		1,547,863	1,381,563
Cash and Cash Equivalents at the end of the Year		1,843,209	1,547,863



Paschal Hayes

Chairperson of the Authority

13th July 2022

Notes to the Financial Statements

For the Year Ended 31 December 2021

1. Accounting Policies

The basis of accounting and significant accounting policies adopted by the Sea-Fisheries Protection Authority are set out below. They have all been applied consistently throughout the year and for the preceding year.

a) General Information

The Sea-Fisheries Protection Authority was established on the 1st January 2007, under the Sea-Fisheries and Maritime Jurisdiction Act 2006. The Sea Fisheries Protection Authority is committed to the effective and fair regulation of the sea-fishing and seafood sectors that fall within its mandate. This means all fishing vessels operating within Ireland's 200-mile limit, Irish fishing vessels wherever they operate, and all seafood produced in Ireland wherever it is marketed.

b) Statement of Compliance

The financial statements of the Sea-Fisheries Protection Authority for the year ended 31 December 2021 have been prepared in accordance with FRS 102, the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council (FRC).

c) Basis of Preparation

The financial statements are prepared on the going concern basis, under the historical cost convention and comply with the financial reporting standards of the FRC, except as indicated below.

The financial statements are in the form approved by the Minister for Agriculture, Food and the Marine with the concurrence of the Minister for Public Expenditure and Reform.

The financial statements are prepared in Euro which is the functional currency of the Authority.

d) Oireachtas Grants

Income arising from Oireachtas Grants is accounted for on a cash receipts basis.

e) Fee Income

Fee income from fish processors is accounted for on a cash receipts basis. This fee income is generated from set charges for the approval of fishery establishments and fixed penalty notices.

f) The European Maritime and Fisheries Fund (EMFF) Project Income

Income received in relation to EMFF / EU projects is recognised on an accruals basis whereby the income is recognised in the accounting period in which the related expenditure is charged. Income received in advance is treated as deferred income and included within Payables on the Statement of Financial Position. Expenditure incurred where the related income has not been received is treated as accrued income and shown as a Receivable on the Statement of Financial Position.

g) Property, Plant and Equipment

Property, plant and equipment are stated at their historical cost less accumulated depreciation. Depreciation is charged to the Statement of Income and Expenditure and Retained Revenue Reserves on a straight line basis, at the rates set out below, so as to write off the assets, adjusted for residual value, over their expected useful lives as follows:-

Vehicles	20% per annum
IT, office equipment and software	33.33% per annum
Furniture, fixtures and fittings	20% per annum
Leasehold	10% per annum
Vessels and water separator	20% per annum
IT special projects	33.33% per annum

The residual value and useful lives of fixed assets are considered annually for indicators that these may have changed. Where such indicators are present, a review will be carried out of the residual value, depreciation method and useful lives, and these will be amended if necessary. Changes in depreciation rates arising from this review are accounted for prospectively over the remaining useful lives of the assets.

h) Cash and Cash Equivalents

Cash consists of cash on hand and demand deposits.

i) Foreign Currencies

Transactions denominated in foreign currencies are translated into euro and recorded at the rate of exchange ruling at the dates of transactions.

Notes to the Financial Statements

For the Year Ended 31 December 2021

j) Employee Benefits

Short-term Benefits

Short term benefits such as holiday pay are recognised as an expense in the year, and benefits that are accrued at year-end are included in the Payables figure on the Statement of Financial Position.

Retirement Benefits

Pension scheme liabilities are measured on an actuarial basis using the projected unit method. Pension costs reflect pension benefits earned by employees in the period and are shown net of staff pension contributions which are refundable to the Department of Agriculture, Food and the Marine in accordance with the funding arrangements. An amount corresponding to the pension charge is recognised as income to the extent that it is recoverable from the Department of Agriculture, Food and the Marine and offset by grants received in the year to discharge pension payments. Actuarial gains or losses arising from changes in actuarial assumptions and from experience surpluses and deficits are recognised in the Statement of Comprehensive Income for the year in which they occur and a corresponding adjustment is recognised in the amount recoverable from the Department of Agriculture, Food and the Marine.

Pension liabilities represent the present value of future pension payments earned by the staff to date. Deferred pension funding represents the corresponding asset to be recovered in future periods from the Department of Agriculture, Food and the Marine.

The Sea Fisheries Protection Authority also operates the Single Public Services Scheme (Single Scheme) which is a defined benefit scheme for pensionable public servants appointed on or after 1 January 2013. Single Scheme members' contributions are paid over to the Department of Public Expenditure and Reform.

The Sea-Fisheries and Maritime Jurisdiction Act, 2006, provides that the Minister for Agriculture, Food and the Marine, with the consent of the Minister for Public Expenditure and Reform, shall make and carry out a superannuation scheme in respect of the Authority members. Pension contributions in respect of Authority members are deducted and paid over to the Department of Agriculture, Food and the Marine. The financial statements recognise the pension costs and liabilities in respect of the Authority members.

k) Forfeiture Account

Following the detention of a vessel on fisheries charges, a Court may order that a bond is to be provided by the vessel owners to cover potential liabilities and confiscation of catch and gear. The Authority hold such Court bonds made payable to the Authority until such time as directed by the Court to refund the bond to the vessel owner or to submit the bond to the Court.

l) Capital Account

The Capital Account represents the unamortised value of income used by the Authority to acquire fixed assets.

m) Contingencies

Contingent liabilities arising as a result of past events, are not recognised unless (i) it is not probable that there will be an outflow of resources or that the amount cannot be reliably measured at the reporting date or (ii) when the existence will be confirmed by the occurrence or non-occurrence of uncertain future events not wholly within the Authority's control. Contingent liabilities are disclosed in the financial statements unless the probability of an outflow is remote.

Contingent assets are not recognised. Contingent assets are disclosed in the financial statements when an inflow of economic benefits is probable.

Notes to the Financial Statements

For the Year Ended 31 December 2021

n) Critical Accounting Judgements and Estimates

The preparation of these financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities at year end and expenses during the year.

Judgements and estimates are continually evaluated and are based on historical experiences and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The Authority makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal actual results. The estimates and assumptions that have a significant effect on the carrying amounts of assets and liabilities within the financial statements are discussed below:

Going concern

There is no material uncertainty regarding the Authority's ability to meet its liabilities as they fall due, and to continue as a going concern. On this basis, the Authority considers it appropriate to prepare financial statements on a going concern basis. Accordingly, these financial statements do not include any adjustments to the carrying amounts and classification of assets and liabilities that may arise if the Authority was unable to continue as a going concern.

Depreciation and Residual Values

The Authority members have reviewed the asset lives and associated residual values of all fixed asset classes, and in particular, the useful economic life and residual values of fixtures and fittings and have concluded that asset lives and residual values are appropriate.

Impairment of Property, Plant and Equipment

Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less cost to sell and value in use. For the purpose of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows (cash generating units). Non-financial assets that suffered impairment are reviewed for possible reversal of the impairment at each reporting date.

Retirement Benefit Obligation

The assumptions underlying the actuarial valuations for which the amounts recognised in the financial statements are determined (including discount rates, rates of increase in future compensation levels, mortality rates and healthcare cost trend rates) are updated annually based on current economic conditions, and for any relevant changes to the terms and conditions of the pension and post-retirement plans.

The assumptions can be affected by:

- (i) the discount rate, changes in the rate of return on high-quality corporate bonds;
- (ii) future compensation levels, future labour market conditions; and
- (iii) healthcare cost trend rates, the rate of medical cost inflation in relevant regions.

Notes to the Financial Statements

For the Year Ended 31 December 2021

2. Oireachtas Grants

Funding was made available under subhead D.6 of Vote 30 Department of Agriculture, Food and the Marine in the year. The funds are used for pay, general administration and capital costs.

	2021 €	2020 €
Oireachtas Grants received	14,606,000	13,197,000

3. EMFF Project Income

The European Maritime and Fisheries Fund (EMFF) is one of the five European Structural and Investment Funds which complement each other to deliver more jobs and growth in the EU. Funding was made available under the Operational Programme of the Department of Agriculture, Food and the Marine and supported by EMFF in the year. EMFF project receipts in 2021 were €3,436,181 (2020: €1,207,353 with €13,487 receivable at year end):

EMFF project expenditure breakdown	2021 €	2020 €
Union Priority 3 - Fostering the implementation of the CFP (Note 10)	3,422,694	1,217,279

4. Remuneration

(a) Aggregate Employee Benefits and related expenses

The number of staff employed by the Authority at 31 December 2021 was 165 (2020: 145). The average number of employees in the Authority during the year was 156. Aggregate employee benefits and related costs were as follows:

	2021 €	2020 €
Staff short-term benefits	9,302,559	8,363,940
Lump sum benefits	138,591	-
Employer's contribution to social welfare	968,993	845,738
EMFF employer's pension contributions	-	14,524
Social welfare costs recovered	(43,218)	(42,358)
	10,366,925	9,181,844

Additional superannuation contributions of €352,039 (2020: €329,397) have been deducted from staff and €352,039 (2020: €361,415) paid over to the Department of Agriculture, Food and the Marine in 2021.

(b) Staff Short-Term Benefits

	2021 €	2020 €
Basic pay	7,946,754	7,049,254
Allowances	1,283,576	1,218,765
Overtime	72,229	95,921
	9,302,559	8,363,940

Notes to the Financial Statements

For the Year Ended 31 December 2021

4. Remuneration (continued)

(c) Authority Personnel

Key Management Personnel in the Sea-Fisheries Protection Authority consists of the two members of the Authority. The Chairperson of the Authority resigned in September 2021. The total value of employee benefits for key management personnel is set out below:

	2021 €	2020 €
Salary	225,953	211,112

This does not include the value of retirement benefits earned in the period. The key management personnel are members of the Sea-Fisheries Protection Authority Superannuation Scheme for Authority members and their entitlements in that regard do not extend beyond the terms of the model public service pension scheme.

(d) Chief Executive's Remuneration

The role of Chief Executive is performed by a full time Chairperson of the Authority in accordance with the relevant legislation establishing the Sea-Fisheries Protection Authority. The Chairperson of the Authority resigned in September 2021.

	2021 €	2020 €
Basic pay	76,133	108,828

The Chairperson is a member of the Sea-Fisheries Protection Authority Superannuation Scheme for Authority members and the entitlements in that regard do not extend beyond the terms of the model public service pension scheme. The value of retirement benefits earned in the period is not included above.

5. Accommodation and Establishment

	2021 €	2020 €
Rent	170,636	157,752
Lighting and heating	88,930	60,953
Maintenance - premises	144,476	149,744
Office expenses	21,239	9,786
	425,281	378,235

6. Support Services

	2021 €	2020 €
IT consumables and services	251,210	195,289
Staff development, training and support	166,547	129,076
Maintenance - vehicles	6,857	10,864
Official control analysis	109,501	98,378
Safety and control equipment	87,846	126,792
	621,961	560,399

Notes to the Financial Statements

For the Year Ended 31 December 2021

7. General Administration

	2021 €	2020 €
Stationery and office supplies	58,476	110,062
Telephone	104,260	111,681
Insurance	9,420	7,528
Room hire	8,798	2,014
Travel and subsistence	529,107	534,590
Legal and professional	4,564,556	1,447,791
Accountancy	86,683	74,721
Recruitment	186,207	97,859
Public relations and marketing	138,261	107,096
Settlement with Revenue Commissioners	-	(1,999)
Subscriptions	1,394	2,450
Other operating costs	4,521	4,710
	5,691,683	2,498,503

8. Salary Overpayments

In 2013, following instruction from the Department of Public Expenditure and Reform, certain allowances were not included in the application of pay adjustments under the Financial Emergency Measures in the Public Interest Act 2013 and the Haddington Road Agreement. They were initially considered as not being fixed periodic allowances as these payments were reliant on the type or amount of work performed in accordance with variable operational requirements. In 2017, the Department of Public Expenditure and Reform provided further clarification in respect of the application of pay adjustments to such allowances. The Authority was subsequently advised that where such allowances form part of the pension provision for staff, then the Haddington Road pay adjustments applied to them. In April 2021, the Department of Public Expenditure and Reform advised that its position is that there is no requirement for recoupment of overpayments of these allowances and the matter should be closed. A provision for the recovery of retrospective salary overpayments amounting to €861,494 recognised in the financial statements for 2017 has therefore been reversed. This is shown on the Statement of Income and Expenditure and Retained Reserves for the year ended 31 December 2020.

Notes to the Financial Statements

For the Year Ended 31 December 2021

9. Property, Plant and Equipment

	Vehicles €	IT, office equipment & software €	Furniture, fixtures & fittings €	Leasehold improvements €	IT special projects €	Vessels & water separator €	Total €
Cost							
Balance at 01/01/21	242,517	2,390,159	461,899	1,187,346	2,444,555	433,729	7,160,205
Acquisitions	-	197,507	70,990	38,143	-	-	306,640
Disposals	-	-	-	-	-	-	-
Balance as at 31/12/21	242,517	2,587,666	532,889	1,225,489	2,444,555	433,729	7,466,845
Depreciation							
Balance at 01/01/21	172,886	2,090,410	369,568	772,959	2,098,310	390,759	5,894,892
Charge in year	17,650	167,184	37,752	87,356	214,179	27,415	551,536
*Adjustment	-	(13,706)	-	-	-	-	(13,706)
Disposals	-	-	-	-	-	-	-
Balance as at 31/12/21	190,536	2,243,888	407,320	860,315	2,312,489	418,174	6,432,722
Net book value as at 31/12/21	51,981	343,778	125,569	365,174	132,066	15,555	1,034,123
Net book value as at 01/01/21	69,631	299,749	92,331	414,387	346,245	42,970	1,265,313

* Depreciation adjustment to correct historical balance

10. Receivables

	2021 €	2020 €
Other debtors and accrued income	36,127	60,958
Prepayments	114,501	79,590
	150,628	140,548

Other debtors and accrued income include €NIL (2020: €13,487) of accrued income relating to the European Maritime and Fisheries Fund (EMFF) projects (Note 3).

Notes to the Financial Statements

For the Year Ended 31 December 2021

11. Payables

	2021 €	2020 €
Amounts falling due within one year:		
Trade payables	41,283	41,121
Accruals	859,591	682,447
PAYE/PRSI/USC/LPT	322,946	284,577
VAT	11,274	12,960
Professional services withholding tax	40,882	55,075
Other payroll accruals	3,206	26,706
	1,279,182	1,102,886

Tax and social insurance are subject to the terms of the relevant legislation.

12. Forfeiture Funds

	2021 €	2020 €
Forfeiture funds held at 1 January (gross of bank charges)	420,850	493,333
Add Receipts	12,000	396
Less Payments	-	(72,879)
Forfeiture funds held at 31 December	432,850	420,850

13. Capital Account

	2021 €	2020 €
Balance at 1 January	1,265,313	1,889,338
Transfer from Statement of Income and Expenditure and Retained Revenue Reserves		
- Income used to purchase fixed assets	306,640	436,564
- Income amortised in year in line with depreciation of asset	(537,830)	(1,060,589)
	(231,190)	(624,025)
Balance as at 31 December	1,034,123	1,265,313

Notes to the Financial Statements

For the Year Ended 31 December 2021

14. Retirement Benefit Costs

(a) Analysis of Total retirement benefit costs charged to expenditure

	2021 €	2020 €
Current service cost	3,192,000	2,587,000
Interest on retirement benefit scheme liabilities	643,000	776,000
Employee contributions refundable to the Department of Agriculture, Food and the Marine and the Department of Public Expenditure and Reform	(539,000)	(486,000)
	3,296,000	2,877,000

(b) Movement in net retirement benefit liability during the financial year

	2021 €	2020 €
Net retirement benefit liability at 1 January	62,929,000	54,410,000
Current service cost	3,192,000	2,587,000
Interest on retirement benefit scheme liabilities	643,000	776,000
Benefits paid in year	(498,000)	(575,000)
Actuarial losses	5,222,000	5,731,000
Net retirement benefit liability at 31 December	71,488,000	62,929,000

(c) Deferred funding for retirement benefits

The Sea-Fisheries Protection Authority recognises these amounts as an asset corresponding to the unfunded deferred liability for pensions on the basis of the set of assumptions described below and a number of past events. These events include the statutory basis for the model public sector defined benefit superannuation scheme, and the policy and practice in relation to funding public service pensions including contributions by employees and the annual estimates process.

The Authority has no evidence that this funding policy will not continue to meet such retirement benefit liabilities in accordance with current practice.

Notes to the Financial Statements

For the Year Ended 31 December 2021

14. Retirement Benefit Costs (continued)

(c) Deferred funding for retirement benefits

The net deferred funding for pensions recognised in the Statement of Income and Expenditure and Retained Revenue Reserves is as follows:-

	2021 €	2020 €
Funding recoverable in respect of current year retirement benefit costs	3,835,000	3,363,000
State grant applied to pay retirement benefits	(498,000)	(575,000)
	3,337,000	2,788,000

(d) Retirement benefit contributions deducted by the Authority from staff salaries are refundable to the Department of Agriculture, Food and the Marine and the Department of Public Expenditure and Reform.

(e) History of defined benefit obligations

	2021 €	2020 €	2019 €	2018 €	2017 €
Defined benefit obligations	71,488,000	62,929,000	54,410,000	42,920,000	34,069,000
Experience (gains)/losses on scheme liabilities	1,043,000	505,000	515,000	(353,000)	242,000
Percentage of the present value of scheme liabilities	1.4%	0.8%	0.9%	-0.8%	0.7%

(f) General description of the Scheme

The Sea-Fisheries Protection Authority was established under the Sea-Fisheries and Maritime Jurisdiction Act 2006. Sections 59 and 60 of the Act provide that the Sea-Fisheries Protection Authority shall make schemes for the granting of superannuation benefits to and in respect of members of the Authority and members of staff, subject to Ministerial approval. Two such approved schemes - the Sea-Fisheries Protection Authority (Employees) Superannuation Scheme 2016 and the Sea-Fisheries Protection Authority Superannuation Scheme 2016 are being operated by the Sea-Fisheries Protection Authority. The former scheme provides retirement benefits (lump sum and pension) to staff members, death gratuity benefits in respect of death in service and provides pension benefits for the surviving spouses and dependent children of deceased members. The latter scheme provides these benefits for members of the Executive Authority.

Notes to the Financial Statements

For the Year Ended 31 December 2021

14. Retirement Benefit Costs (continued)

Both schemes are defined benefit superannuation schemes and adopt the rules set out in the Schedule to the Rules for Pre-existing Public Service Pension Scheme Members Regulations 2014 i.e. current "model" public sector scheme regulations. Pensions for those employees paying Class A PRSI are integrated with the State Pension. Normal retirement age is a member's 65th birthday, and pre 2004 members have an entitlement to retire without actuarial reduction from the age of 60. Staff superannuation contributions are paid to the Department of Agriculture, Food and the Marine.

Retirement benefits in payment (and deferment) normally increase in line with general public sector salary inflation.

The Single Public Service Pension Scheme (Single Scheme) is the defined benefit pension scheme for pensionable public servants appointed for the first time on or after 1 January 2013 in accordance with the Public Service Pension (Single Scheme and Other Provisions) Act 2012. The scheme provides for a pension and retirement lump sum based on career-average pensionable remuneration, and spouses and childrens pensions. The minimum pension age is 66 years (rising in line with State pension age changes). It includes an actuarially-reduced early retirement facility from age 55. Pensions in payment increase in line with the consumer price index. Staff superannuation contributions are paid to the Department of Public Expenditure and Reform.

For the purposes of reporting in accordance with FRS102, the Sea-Fisheries Protection Authority has been advised by a qualified independent actuary who has prepared a full valuation in order to assess the scheme liabilities at 31 December 2021.

The main actuarial assumptions used were:

Valuation Method	2021	2020
Discount rate	1.50%	1.00%
Salary increases	3.70%	2.95%
Pension increases - Superannuation scheme	3.20%	2.45%
Pension increased - Single scheme	2.20%	1.45%
Inflation rate	2.20%	1.45%

The average remaining life expectancy according to the mortality tables used to determine pension liabilities is as follows:

	2021	2020
Male aged 65	21.9	21.8
Female aged 65	24.3	24.2
Male aged 45	24.2	24.1
Female aged 45	26.3	26.2

15. Authority Members' Expenses

Authority members' expenses reimbursed were as follows:

	2021	2020
Dr. Susan Steele	-	2,868
Mr. Andrew Kinneen	-	1,549
Mr. Timothy Donovan	1,870	-
	1,870	4,417

Notes to the Financial Statements

For the Year Ended 31 December 2021

16. Property Costs

	Location	Status	Annual Rent	Lease Expiry
Headquarters	Clonakilty, Co. Cork	OPW Owned ⁶	N/A	N/A
Castletownbere port office	Co. Cork	Lease in negotiation ⁷	19,500	2042
Howth port office	Co. Dublin	Lease in negotiation ⁷	26,000	2042
Clogherhead office	Co. Louth	Leased	3,690	2022
Dunmore East port office	Co. Waterford	Lease in negotiation ⁷	14,000	2042
Dingle port office	Co. Kerry	Lease in negotiation ⁷	10,000	2042
Dingle storage	Co. Kerry	Lease in negotiation ⁷	5,200	2022
Ros a Mhil port office	Co. Galway	Leased	17,050	2023
Killybegs port office	Co. Donegal	Lease in negotiation ⁷	44,000	2042
Killybegs storage	Co. Donegal	License in negotiation ⁷	7,000	2028
Greencastle office	Co. Donegal	Lease in negotiation ⁷	11,070	2025
			157,510	

⁶ The premises located in Clonakilty are Office of Public Works buildings which the Authority occupies. No rent is payable on these buildings.

⁷ Expiry dates for leases and licenses in negotiation are based on dates agreed during pre-lease negotiations or draft lease/license agreements as appropriate.

Lease Commitments

Total future minimum lease payments in respect of these leases are as follows:

	As at 31 Dec 2021 €	As at 31 Dec 2020 €
Under 1 year	157,750	155,753
Between 2 - 5 years	522,463	547,653
Over 5 years	1,828,250	1,948,750
	2,508,463	2,652,156

Lease payments recognised as an expense in 2021 were €170,636 (2020: €157,752).

17. Authority Members' Interest / Related Party Transactions

The Authority follows procedures in accordance with guidelines issued by the Standards in Public Office Commission of the Ethics in Public Office Act 1995 in relation to the disclosure of interests by Authority Members. There were no transactions declared in the year in relation to the Authority's activities in which the Members of the Authority had any material interest.

18. Contingent Liabilities

The Sea-Fisheries Protection Authority was involved in a number of legal proceedings relating to its statutory role at the year end. An accurate quantification of the settlement of costs or timing of such settlement cannot be made at the reporting date.

19. Events after the end of the Financial Year

The Authority member Mr Timothy Donovan resigned from his position on the 11th February 2022. The Authority is not aware of any other events occurring after 31 December 2021 which affect these financial statements.

20. Approval of Financial Statements

The Financial Statements were approved by the Authority on the 13th July 2022.



AN t-ÚDARÁS UM
CHOSAINT
IASCAIGH MHARA

SEA-FISHERIES
PROTECTION
AUTHORITY

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