



AN t-ÚDARÁS UM  
CHOSAINT  
IASCAIGH MHARA

SEA-FISHERIES  
PROTECTION  
AUTHORITY

Annual Report

2018

BIA MARA SÁBHÁILTE INBHUNAITHE  
SAFE SUSTAINABLE SEAFOOD



# 2018 AT A GLANCE



**22,902** LANDINGS  
**316,852** TONNES  
**€343** MILLION



**1,962** SHELLFISH SAMPLES  
**1,198** OFFICIAL CONTROL  
SAMPLES  
**410** PHYTOPLANKTON  
SAMPLES



**571** LABELLING  
ASSESSMENTS  
**25** FOOD SAFETY  
INCIDENTS



**168** CONSIGNMENTS  
**46** COUNTRIES  
**95,117** TONNES



**1,922**  
FISHING VESSEL  
INSPECTIONS



**270** FORESHORE  
LICENCES REVIEWED  
**42** INSHORE PATROLS



**701**  
THIRD COUNTRY  
IMPORTS



**2,122**  
FOOD SAFETY  
INSPECTIONS



**9**  
MULTI AGENCY  
CHECKPOINTS





## Our Vision

Seas full of fish, coasts full of jobs.

## Our Mission

The Sea Fisheries Protection Authority is committed to the effective and fair regulation of the sea fishing and seafood sectors that fall within our 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.

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## Chair's Statement

### Susan Steele

I am pleased to present the Sea-Fisheries Protection Authority's Annual Report for 2018. It details the significant programme of work that we undertook across all areas of our remit during what was another important year for the organisation.



When our seabed area is taken into account, Ireland is one of the largest EU countries with sovereign or exclusive rights over one of the greatest sea to land ratios (over 10:1) of any EU member state. Good regulation safeguards the development and exploitation of these shared resources. As the independent state agency responsible for the regulation of sea-fisheries and the seafood production sector, the SFP Authority is dedicated to promoting compliance, verifying it and, where necessary, enforcing sea-fisheries and seafood safety laws.

This year saw the start of a three-year strategic plan that sets out how we will fulfil our mandate to 2020. The plan takes account of the environment in which we operate, the challenges and significant growth opportunities facing the sea-fisheries and seafood sectors, as well as substantive legislative change. It also recognises how our organisation has to adapt so that we can deliver effectively and efficiently on a remit that comprises all fishing vessels operating within Ireland's 200-mile limit, over 2,000 Irish registered fishing vessels and all seafood produced in Ireland's SFP Authority supervised establishments.

Four primary pillars – Support, Advise, Validate and Enforce – underpin our corporate strategy, helping us to meet the challenges of a constantly changing regulatory environment. They directed our work programme for the year as we continue to develop and support a culture of regulatory compliance across the sea-fisheries and seafood sectors. This report sets out the implementation of our new Strategy in the various sections contained in the Report under the four primary pillars. The Sea Fisheries Protection Authority is adhering to the relevant aspects of the Public Spending Code.

During 2018, over 1,900 sea-fisheries inspections were undertaken by SFPA Sea Fisheries Protection Officers. Infringements detected included under-recording of catches and exceeding quota. However, the low level of non-compliance that was found illustrates the considerable efforts being made by most fishermen to work within the regulations. It also demonstrates the comprehensive and robust inspection system that is in place to detect and, where necessary, to enforce compliance.

We are supported in our sea-fisheries inspections by the Naval Service and the Air Corps and we greatly appreciate their valuable assistance. The protection of fish stocks is critical to safeguarding an industry that is the main source of employment for many coastal communities around the country and a vital contributor to the rural economy.

We continue to review the methods we employ to detect and deter non-compliance by the small minority who would consider flaunting the rules and thereby damaging the future of sustainable fishing for legitimate fisherman and their communities. Catch comparisons and satellite surveillance are being used alongside a risk based system for the inspection of fishing vessels that is ensuring that the available resources of both the SFPA and the Naval Services are used in an efficient and effective way, primarily targeting vessels and fisheries that have been identified as posing a higher risk of non-compliance.

Irish products can increasingly be found in markets in Europe and across the world. This is evidence of Ireland's growing reputation for producing superior fish and shellfish. Robust confidence in the quality and safety of Irish seafood is vital to maintaining this reputation, and the SFPA plays an important role through a robust authorisation, monitoring and inspection regime.

The SFPA operates a comprehensive monitoring and classification programme covering Ireland's shellfish production areas. SFPA officers submit over 1,600 classification monitoring samples annually for analysis from almost 150 sample locations. Moreover, the health certificates and catch certificates we provide confirm that fish offered for sale have been caught legally, and validate the provenance and safety of Ireland's seafood produce.

Our work in the area of seafood safety also includes approving food business operations, verifying labelling claims, hygiene and fish quality. We also have a key function in responding to food incidents and complaints as to the nature, substance, quality or safety of a seafood product.

The SFPA continues in its statutory capacity to play an important contribution in collating and providing data to various bodies and committees. Throughout the year, SFPA personnel also participated and provided the SFPA's expertise into the regulatory framework at national and EU level. Here in Ireland, we hosted the inaugural Fisheries Control Conference in conjunction with the Irish Naval Service, which looked at a risk based approach to inspections. Representatives of the key control agencies including the EFCA attended the event. We were delighted to host a workshop entitled "How to be an effective risk-based regulator" for maritime regulatory managers led by Professor Malcolm K. Sparrow of Harvard University.

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When our seabed area is taken into account, Ireland is one of the largest EU countries with sovereign or exclusive rights over one of the greatest sea to land ratios (over 10:1) of any EU member state.

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The significant work programme that was undertaken during 2018 would not have been achievable without the commitment and professionalism of the staff of the SFPA. I would like to acknowledge and thank all SFPA staff in our port offices around the coast and at our Head Office in Clonakilty for their hard work throughout the year. I also thank the members of the Sea-Fisheries Protection Consultative Committee for their continued support and valuable guidance.

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.



**Susan Steele**

AUTHORITY CHAIR

## Protecting Critically Endangered species

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The world's most comprehensive inventory of the global conservation status of biological species is considered to be 'The International Union for Conservation of Nature (IUCN) Red List of Threatened Species'.

This lists Porbeagle shark as 'Critically Endangered' in Northeast Atlantic waters, which includes Irish coastal waters. Only the categories of 'Extinct in the Wild' and 'Extinct' rate higher.

The total allowable catch for Porbeagle shark is zero, with a linked obligation to immediately release accidental catches because due to their high survival rates, discarding accidental catches is beneficial for the conservation of the species. Furthermore, EU Regulations forbid union fishing vessels to fish for, to retain on board, to tranship or to land Porbeagle (*Lamna nasus*) in all waters'.

During a routine inspection of a fishing vessel in 2017, a Sea Fisheries Protection Officer found a number of Porbeagle carcasses on board. The officer believed this constituted an offence under the rules of the Common Fisheries Policy and prepared a file for the DPP.

The case was heard in 2018, at which the Master of the Fishing Vessel entered a guilty plea, and a fine was imposed.

This prosecution sends a strong message to all that the SFPA are committed to the protection of endangered species such as Porbeagle and will strictly enforce conservation rules, as even limited fishing activity could result in a serious risk to their conservation.



## Report of Director of Operations: Seamus Gallagher

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"Coming together is a beginning. Keeping together is progress. Working together is success."

As Director of the Sea Fisheries Protection Authority Operational teams it is once again an honour to reflect upon the success of the past year's endeavours in our fishery and food safety control efforts, supported by all colleagues, whether based in our Port Offices around the coast or from within our Head Office in Clonakilty.

The level of effort afforded by our teams in their inspectorate roles truly represents our commitment to support all fisheries business operators working to maintain and promote Ireland's reputation as an 'open for business' seafood nation.

Aligned with supporting business effort, SFPA have, in 2018, undertaken significant steps to progress a number of noteworthy projects in IT and technology under EMFF Funding, which have in turn supported our respective teams in their work.

2019 will see the continuance of the maximal use of available EU funding to progress and automate our reporting and statistical analysis functions and to thereby have accurate reporting data on our control effort tasking readily to hand. This technology will also allow SFPA to benchmark our enforcement efforts with those of colleague Member States similarly tasked in this work.

The increase in newly recruited Sea Fisheries Protection Officers, and newly qualified specialist operators in both project management and risk analysis coupled with the addition of further administrative staff support will now afford SFPA the opportunity to establish and progress expertise in many areas which to date would have previously been less well resourced.

As our teams grow in number so does our capacity to undertake more detailed and in-depth analysis of how better to progress key aspects of our work which can only further improve all our respective control endeavours.

In seeking to acknowledge and thank all our staff members in their varied and full roles.

I would like to acknowledge the work as a whole undertaken in 2018, to express my sincere thanks to you all in your endeavours and to your personal progress within our very positive organisation to seek to attain your best both for yourself and the SFPA as a whole.

As the quote from Henry Ford sets out above, we are most certainly approaching, if not indeed attaining his definition of success, so it's now for us, the 2019 team, to meet the challenges and to carry our goals forward in order to be able to reflect upon our successes this time again next year.

**Seamus Gallagher**  
Director of Operations



## Report of Director of Corporate Affairs: Conor O'Shea

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The Corporate Affairs Unit is responsible for providing services and support to SFPA Management and Staff on matters such as Corporate Governance, Corporate Reporting, Data Protection, Freedom of Information, Supporting the Delivery of EMFF projects and Strategy Implementation.

In 2018 the unit was joined by new Administrative Staff and this coincided with the introduction of the new Data Protection Rules from May 2018 the EU GDPR and Law Enforcement Directive and the 2018 Data Protection Act. The SFPA's functions require it to collect and report on personal data relating to fishing activity and the changes as a result of the Legislation have a direct impact on the day to day operations of the Organisation. The SFPA appointed a Data Protection Officer and also has placed a significant amount of information on its public website regarding GDPR.

2018 was also a busy year in relation to the delivery of EMFF projects with the most significant project taking place being the upgrade of fishing vessel monitoring systems by way of a procurement competition. This was overseen by the SFPA's Project Management Office.

In 2018 the results of a GAP analysis on the implementation of the 2016 Code of Practice for the Governance of State Bodies in the SFPA continued. The SFPA held quarterly meetings with its parent Department updating them on the implementation of the Code, GDPR implementation and also delivery of its new Strategy Statement 2018 to 2020 as part of its responsibilities in its Oversight and Performance Agreement with DAFM.

The members of the Unit carried out their duties in a very professional manner and the welcome addition of new staff helped the Unit deliver on its core objectives for 2018.

**Conor O'Shea**  
Director of Corporate Affairs



# 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 2018.

In addition to the normal engagement with industry and connected trade stakeholders, the Authority attended the Seafood Expo North America, contributed to hosting and participating in a series of international seafood inward trade delegations to Ireland and liaised 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 China, South Korea, Japan, Taiwan, Vietnam, USA, Canada and GCC states.

### Key engagements during 2018 included:

- Hosting a multi-disciplinary fisheries delegation from the Republic of Kenya in giving bilateral effect to the Memorandum of Understanding between the Authority and the Ministry of Agriculture, Livestock and Fisheries State Department for Fisheries and the Blue Economy of the Republic of Kenya.
- Speaking on behalf of Irish Government at the Sustainable Blue Economy Conference in Kenya and developing diplomatic and technical ties with Kenyan counterparts.
- Attendance at International Illegal, Unreported and Unregulated Fishing Forum, examining links between IUU fishing, enforcement and sanctions, traceability, civil rights and slavery at sea humanity issues.
- Regulatory participation in inward systems recognition comparability exercise conducted in Ireland by the US Food and Drug Administration in connection with trade of fishery products between Ireland and the US.
- Continuing the ongoing development of technical relations with Chinese import control agencies by hosting ongoing Chinese border control intern programme.
- Preparation of organisation including clarification of technical requirements, contingency planning, communication and liaison with other key stakeholders on fisheries regulatory preparedness for UK exit from EU.

The many diverse aspects of the Authority's work in seafood trade regulation, market access, certification and safety and sea-fisheries conservation were demonstrated throughout the course of these engagements. Implementation and enforcement by the Authority of EU hygiene package 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 the year to provide assurance on seafood safety and quality standards that are expected in international food markets and explicitly provided for in EU regulations. The trade compliance work of the Authority continued to underpin the Government strategic export growth initiatives of Food Harvest 2020 and FoodWise 2025.

Exports of Irish seafood to international destinations outside the EU encompassed the processing of 7,168 health certificates for 95,117 tonnes of produce in 2018. The main export markets certified by volume of produce were Nigeria, China and Cameroon.

Official controls in the area of Illegal, Unreported and Unregulated (IUU) fishing were conducted. This included the verification of 701 catch certificates relating to the import of 3,334 tonnes of produce from 22 countries and the validation of 65 catch certificates for the export of 10,795 tonnes of produce to 11 countries. A total of 36 direct landings of fishery products by non-EU fishing vessels into Ireland resulted in the import of 42,807 tonnes.

**Bernard O'Donovan**  
Director of Trade and Audit

## Report of Director of Food and Fisheries Support: Paul Duane

The Food and Fisheries Support Unit assists in building a framework of regulatory technical support through the provision of guidelines, processes and procedures, enabling and contributing to the Sea Fisheries Protection Authority performing the functions stated in the Sea Fisheries Maritime Jurisdiction Act 2006.

It provides support to activities that enable the strategic objectives of the organisation to be achieved.

Alignment between the regulatory activities of the SFPA with its regulatory obligations continued throughout 2018 with the ongoing development of a standardised procedures and processes.

The training of personnel and the provision of technical information and advice continued both internally in the SFPA and also with our various external stakeholders in areas of shellfish monitoring, food safety, and fisheries control and compliance. Co-ordinating the training of SFPO's to enable deployment on sea going patrol vessels went on during 2018. This permitted the deployment of the SFPA's patrol vessels and Officers to form part of multinational inspection teams on-board both Irish Naval Service vessels and patrol vessels of other Member states and organisations.

The annual review of classified bivalve mollusc production areas in 2018 resulted in more than 4,900 microbiological results being reviewed across over 70 individual areas. A programme for conducting sanitary surveys nationally commenced in 2018 with the appointment of a national co-ordinator to liaise with the various parties and co-ordinate completion of the survey programme.

Communications with other state agencies and various international forums continued to ensure alignment in the application of regulations with other control agencies, and that best practice is adopted. Members of the unit participated in various industry led and public forums contributing to the awareness of regulatory requirements and promoting compliance.

The introduction the Official Controls Regulation (EU) 2017/625 towards the end in 2019 will require adjustment to the performance of official controls and the unit will play a necessary part in ensuring the introduction of new practices to ensure alignment with the regulation.

The implementation of the Landing Obligation in both pelagic and demersal fisheries will require continued information dissemination to stakeholders and adjustment to how the Sea Fisheries Protection Authority conducts activities to ensure effective control and compliance and alignment with other regulatory requirements. The Food and Fisheries Support Unit will also continue to investigate alternative methods of ensuring compliance with the Landing Obligation regulations.

**Paul Duane**

Director of Food and Fisheries Support



## Report of Director of Finance: Louise Murphy

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The Finance Unit of the Sea-Fisheries Protection Authority provides strategic and operational financial support and advice to the business units of the SFPA so that they can achieve the statutory goals and functions of the organisation.

The Finance Unit received and managed a budget of over €10 million in 2018. Funding was made available under subhead C.8 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 2018, project income received in respect of the expenditure incurred under the Programme was €1,192,725.

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 statement in this Annual Report.

In 2018, the SFPA completed its Corporate Procurement Plan for 2018-2020. The plan identifies practical and strategic measures which can be implemented to improve procurement outcomes. The plan also identifies approaches to achieving value for money; ensuring that procurement is carried out in a co-ordinated and strategic manner; streamlining existing procurement processes; and identifying opportunities for savings. The SFPA has detailed policies and procedures in place to ensure compliance with current procurement rules and guidelines.

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, three corporate internal audits were undertaken during 2018. Audits included: a review of the system of internal financial control, an IT general controls review (specific to the financial system) and a health and safety management 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.

There will be significant changes in 2019 as a result of Brexit and the Finance Unit will continue to provide financial support and advice to the business units of the SFPA so they can appropriately prepare for Brexit related requirements.

The members of the Finance Unit carried out their duties in a very professional manner and I would like to thank them all sincerely for their contribution and commitment.

**Louise Murphy**  
Director of Finance



## Report of Director of Human Resources: Yvonne Grant

2018 was a busy and exciting year for the Human Resources Unit.

Much of the year was focused on the recruitment and onboarding of additional resources and in total 28 posts were filled during the year. A new Sea Fisheries Protection Officer panel was formed in Q3, from which a group of thirteen were appointed. This group underwent an intensive twelve week training programme encompassing Food Safety Training, Fisheries Control, Legal and enforcement training as well as practical training before being assigned to their home Ports.

### Some key highlights of the year included:

- The Performance Management and Development System (PMDS) process took place in the latter quarter of 2018. Staff received training on the PMDS process and all personnel completed a performance review with their manager.
- A Training Plan for 2019 has been drafted as an outcome of these performance reviews.

- All new recruits attend a comprehensive induction programme, and performance is monitored through probation reviews held at 3, 6, and 9 months.
- An IR Procedural Agreement was concluded between SFPA and the representative union FORSA in July 2018, to assist in maintaining good relations and develop a healthy and cooperative and consultative approach. A Joint Council between FORSA and SFPA has now been formed with Joint Council Meetings taking place on alternate months.
- A new Employee Assistance provider has been engaged and a Wellness Programme was launched in October.

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



# Support

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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.



# Corporate Governance

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.

In addition 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, DAFM that it was complying with the Code insofar as it applies to the SFPA.

The Authority signed an Oversight and Performance Agreement with the Department of Agriculture Food and the Marine in 2017, which describes the implementation of the Code by the SFPA under the Governance of the DAFM. In 2018 the SFPA and DAFM held quarterly formal meetings where the SFPA provided detailed briefings on deliverables set out in that agreement and information on any other relevant corporate governance matters.

## Authority Meetings

There were four Authority Governance meetings held in 2018, with all Authority Members attending all of them. In addition to the four Authority Governance meetings the Authority met formally on eight other occasions in 2018.

## Freedom of Information and Access to Information on the Environment

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 from the SFPA which is available on our website at [www.sfpa.ie](http://www.sfpa.ie).

Under the Access to Information on the Environment (AIE) Regulation, information relating to the environment held by, or for, a public authority must be made available on request, subject to certain exceptions. The Access to Information on the Environment Regulations operates in parallel with the FOI Act. While the two legislative codes are broadly similar (with respect to environmental information), the AIE Regulations and the FOI Acts differ in that a wider range of public authorities are covered by the AIE Regulations than by the FOI legislation. There are also material differences in the grounds under which access to information can be refused under the two legislative codes. Guidance on how to make an AIE request is also available at [www.sfpa.ie](http://www.sfpa.ie).

In 2018 the SFPA received ten FOI requests and no requests for information under the Access to Information on the Environment Regulations.

## 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. SFPA continued to provide training to Staff in particular as part of new staff Induction training on Protected Disclosures and other Corporate Governance related matters. In 2018 one protected disclosures was received which was still under consideration at years end.

## Section 49 Complaints

The SFPA has 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 written complaint may be submitted to the Complaints Officer by post.

Complaints under this procedure may only relate to the enforcement of sea fisheries or food safety law. Complainants may make a complaint to the Section 49 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.

In 2018 four Section 49 complaints were received by the SFPA's Section 49 Complaints Officer. The outcomes of the complaints were not concluded by years end. In 2018 the SFPA received the report from a 2017 Section 49 complaint and had regard to that in the form of issuing a specific direction to ensure harmonised approach to those official controls.

## 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:
  - Response time for acknowledgement – two working days.
  - Acknowledgement should include contact details for the official dealing with the query.
  - Response time for substantive reply – 10 days (previously 14 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 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 2018 the SFPA did not receive any requests for the provision of information directly from Members of the Oireachtas, however, seven 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.

## Introduction of GDPR

On the 25th of May 2018 a new European Regulation; The General Data Protection Regulation (GDPR) came into force as did National Legislation, the 2018 Data Protection Act, in respect of same. As the SFPA has a law Enforcement functions a separate EU Directive, the Law Enforcement Directive, also came into force in 2018 was applicable. The SFPA undertook a significant amount of work prior to the introduction of GDPR in May 2018 and this work continued throughout the year.

- Senior Management Briefing on GDPR and its main provisions.
- Introductory training for all managers and staff in Head Office Units.
- GDPR briefing for SFPA Audit and Risk Committee.
- Inventory of personal data held across the organisation completed.
- Data Sharing inventory completed.
- Data sharing agreements with MI & BIM being reviewed.
- SFPA Data Protection Officer appointed and notified to Data Protection Commission.
- New Data Retention and Disposal Policy Published.
- Subject Access Request procedure updated on website on 24 May 2018.
- SFPA GDPR Fair Processing Notice (FPN) Published on website and SFPA Staff informed.
- Commenced Mailshot of SFPA's Fair Processing Notice to all SFPA customers.
- SFPA Data Breach Response Plan updated in respect of GDPR obligations.
- Examination and Review of Data Protection Bill published on 25 May 2018.
- New Section of SFPA Public Website created for GDPR.





## EMFF 2018

The European Maritime Fisheries Fund (EMFF) is the fund for the EU'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.

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 money. Ireland's Fisheries Operational Programme priorities are:

1. Promoting environmentally sustainable, resource efficient, innovative, competitive and knowledge based fisheries.
2. Fostering environmentally sustainable, resource efficient, innovative, competitive and knowledge based aquaculture.
3. Implementation of the Common Fisheries Policy (CFP).
4. Increasing employment and territorial cohesion.
5. Fostering marketing and processing.
6. Implementation of the Integrated Maritime Policy (IMP).
7. 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 provide better regulation through initiatives such as:

- Implementing new technologies.
- providing advanced training.
- promoting compliance.

As the national regulator of the seafood sector in Ireland, the SFPA has a key contribution to make in these essential areas. In 2018, approximately €1.14m was allocated across a range of qualifying projects, many of which are multi-annual projects that were progressed or initiated during the year as described below.



## Compliance Promotion

Commenced in 2016, the objective of this project is to raise awareness of the Common Fisheries Policy (CFP) amongst stakeholders within the Irish Fishing Community. In 2018, initiatives and projects that supported this theme have included the development of new SFPA website and the development of user friendly guides to support and inform key regulatory requirements.

## ERS Enhancements

This multi-annual project provides replacement equipment for fishing vessel electronic logbooks and inspection devices for SFPA Sea-Fisheries Protection Officers. When completed this project will provide the following benefits:

- Enhanced data monitoring of fishing vessels in real-time to support control activities.
- Improve the capture of ERS information from fishing vessels.
- Provide ERS data to the Control Authorities for analysis and also exchange to other Member States as required.

In 2018 the project focused on the rollout and installation of replacement fishing vessel electronic logbooks, with a 60% completion rate by the December 2018. This installation is due to be completed in 2019.

## Technical Assistance

To provide support to the Control Authorities in delivering all SFPA EMFF related projects under Ireland's EMFF 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 will continue for the duration of the EMFF operational programme (2014-2020).

## Audit Assessment

Running over 2014 – 2020; the purpose of this project is to improve the effectiveness and efficiency of the Control and Inspection service. The Audit Assessment project provides an independent assessment of the management and control framework established by the SFPA to ensure successful implementation of the rules of the CFP. During 2018, the SFPA conducted four (4) audit assessments covering the following areas supported by this funding:

- Official Controls on Obligation of Weighing of Fish.
- Official Controls on Compliance with fishing opportunities.

## How to be an effective risk-based regulator

A workshop entitled 'How to be an effective risk-based regulator' was hosted by the SFPA and is an invitation-only workshop for senior managers of sea-fisheries and maritime regulatory agencies on the strategic management of regulatory and enforcement agencies. Led by Professor Malcolm K. Sparrow, Harvard University, one of the world's foremost experts, the three day event took place in the National Marine Centre, Clonakilty, Co. Cork. The attendees at Workshop included representatives from FSAI, Revenue, An Garda Síochána, EPA, NSAI Air Corps, Naval Service, DOD, DAFM and International representatives from DG Mare and EFCA, HMRC, Fisheries Control Authorities in Scotland, Spain, Cyprus and Iceland.

## Training and Exchange of Staff

Training and Exchange of staff is a multi-annual project, initiated in 2015 and running until 2020. 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. In 2018, a number of training initiatives were run throughout the year as part of this project including a Fishing Gear Technology training course SFPO's, which examined the selectivity of trawl gear and provided an understanding of trawl gears used in different fisheries in Ireland explaining their respective catching mechanism.

EMFF funding also facilitated regulator training for new SFPO's and staff in 2018 providing participants with an understanding of the legal system, legislation and its integration within the Irish system.

## Engine Power Measurement

The Marine Survey Office (MSO) is responsible for the implementation of maritime legislation and is the competent authority for the interpretation and approval of technical matters concerning the design or modifications of Irish registered vessels. Supported by EMFF funding and in conjunction with the MSO, the objective of the Engine Power Measurement project was to establish a national capacity to test the engine power of Irish registered sea fishing boats and included the development of a robust process for engine power verification on board fishing vessels, providing the ability to identify non-compliant vessels where they exist and to recognize and exclude compliant vessels. The project, which was completed in 2018, was developed in accordance with the Common Fisheries Policy (CFP), which requires that the engine power of fishing vessels is controlled.

## Sales Notes External Portal

Sales notes are submitted to record the first sale of fish and are required for all Irish and non-Irish vessels landing into Irish ports. They are submitted by the buyer through an external portal and can also be uploaded in bulk by co-operatives and operators. In 2018, the Sales Notes project, funded through EMFF, and implemented by DAFM Information Management and Technology section (IMT), supported the requirement to redevelop the external portal to ensure compliance with the Landing Obligation and implement the exchange of Sales Notes to a new international standard. This project provided grant aid support to the impacted co-operatives and operators to upgrade their existing systems to adapt to the changes to the Sales Notes messages.

## Vessel Monitoring Systems

To date, the SFPA have provided the fishing vessel equipment element of the vessel monitoring system (VMS) which has been in place in Ireland since 2012. Under EMFF funding, this project will replace the existing VMS units on all Irish fishing vessels greater than 12metres in length overall which will allow for the continued monitoring of activity on all Irish vessels subject to EU and other regulations. This is a multi-year project, with Phase 1 completed in 2018 which included the purchase and delivery of new VMS units. Phase 2 which will commence in 2019 will include the rollout and installation of these devices across 300 vessels.

## IFIS Redevelopment Work

As a result of EMFF funding, a number of initiatives and projects have been delivered by the Department's IMT team over 2018 to enhance the capabilities of the SFPA. With support from the SFPA to deliver these projects it has included modifications and enhancements to existing systems and improved technologies to support effective control and enforcement measures. Projects implemented in 2018 include:

- The implementation of a standardized format for the exchange of data throughout the EU to services such as Fishing Activity and Sales Notes.
- Enhancements to vessel tracker, providing a single view of vessel position and fishing trip information to support for sea fisheries control activities

## Gear Technology

This training course, provided by Seafish UK is aimed at fishery managers, legislators, researchers, NGO's and any groups or individuals that have an interest in the catching sector and would like to extend their knowledge of the gear used by the fishing industry around the British Isles.

It is a practical and highly informative course which examines the selectivity of various trawl gear, using a wide range of model trawl gears demonstrated in the 21m x 8m x 3m flume tank, supported by presentations, underwater video footage and discussion to provide the participants with an accurate picture of the trawl gear used by Irish and UK fishermen.

Each trawl was demonstrated in the flume tank with an explanation of the different parts of the rig (trawl doors, ground gear net design etc.) and how they affect the overall performance of the trawl in relation to its target species, selectivity, seabed impact and efficiency.

The operation of various selectivity devices such as separator panels, grids, square mesh panels, including square mesh cod ends etc. were all included and their operation was easily appreciated in the flume tank.



Figure 1: Trawl doors on display in the flume tank; the doors function is to hold the net open in the water.



Figure 2: Standard demersal trawl net



Figure 3: Multi Rig beam trawl nets

# Audit and Risk Committee Report

This report of the Audit and Risk Committee of the Sea-Fisheries Protection Authority (SFPA) is a synopsis of its key functions and outputs for the financial year ended 31st December 2018.

## Membership of the Audit and Risk Committee

Mr. Peter Cowap – Chair (Interim)

Mr. Pat Farrell

Mr. Brendan O'Shea

Mr. Rav Vithaldas

Mr. Donal O'Rourke and Mr. Tom Ryan resigned as Members of the Audit & Risk Committee on 25th June, 2018, having each served for 10 years. Peter Cowap and Rav Vithaldas were appointed to the Committee on 4th September, 2018. Ms Muireann O'Neill elected not to seek re-appointment and resigned as Chairperson of the Committee on 22nd October, 2018, having completed her term in office. Peter Cowap was appointed Interim Chairperson on 12th November, 2018. The Committee wish to formally acknowledge the individual and collective attentiveness, dedication and service of the three prior Members of the Committee.

## Committee Meetings

The Audit and Risk Committee's Terms of Reference require the Committee to meet on at least four occasions each financial year. The Committee met on six occasions in 2018, namely, 3rd April, 25th June, 23rd July, 4th September, 12th November and 12th December, 2018.

In addition, Authority Member Micheál O'Mahony, the Director of Finance, Ms. Louise Murphy and, as requested, the Director of Trade Support, Internal Audit and IUU, Mr. Bernard O'Donovan, were invited to attend meetings. Additional Members and Officers of the Authority were invited to meet and report to the Committee on specific matters e.g. Health & Safety, HR. The External Internal Auditor attended meetings as required in order to provide an update on the Internal Audit Plan and progress thereto, throughout 2018.

## Roles and Responsibilities of the Audit and Risk Committee

The Audit and Risk Committee assists the Authority in fulfilling its overseeing responsibilities 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.
- 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 work and areas focused on by the Audit and Risk Committee during 2018 comprised:

1. Technical internal audits in relation to Food Safety and Fisheries Controls were carried out as requested by the Audit and Risk Committee. Audits included review of the effectiveness of Official Controls related to: Weighing of Fish, Compliance with Fishing Opportunities and Data Cross-Checks.
2. Follow-up work was undertaken on the status of the Authority's preparedness for the General Data Protection Regulation (GDPR).
3. Meetings were held with the Authority members throughout the year.

## Risk Management

One of the key roles of the Audit and Risk Committee is to review the effectiveness of the Risk Management process.

1. An additional two new Members with expertise in Governance, Risk Management and Compliance ('GRC') joined the Audit and Risk Committee in 2018.
2. A review of the Terms of Reference of the Audit and Risk Committee was undertaken to ensure the efficiency and effectiveness of the role of the Committee, including GRC and the adequacy of the Committee's sources of assurance.
3. Ongoing review of the SFPA risk register, SFPA approach to risk and SFPA Risk Appetite statement.
4. A review of the Authority's Health & Safety Programme was performed in 2018.
5. The Technical and Corporate Internal Audit Plan for 2019 was considered and progressed.
6. Constructive engagement with the Comptroller and Auditor General as External Auditors continued.

## Priorities for 2019

1. Ensure adherence to the SFPA Internal Audit Plan for 2019 and assess outcomes.
2. Ongoing review of the SFPA Risk Register, including focusing on the potential impact of BREXIT.
3. Engage with the Comptroller and Auditor General in delivering audit satisfaction.
4. Review outcomes of EU EC Audit Reports in order to understand and assess their potential impact on the Authority's compliance with the EU OC Regime.
5. Review of the Annual Statement of Internal Control for the Authority.

## Conclusion

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

**Mr. Peter G. Cowap**  
Chair (Interim)

# Health and Safety Report

The working environment for SFPA personnel can be challenging and subject to changing conditions and practices brought about by legislative changes or environmental conditions.

This demands that we maintain a strong commitment to continuously evaluate all of our Safety, Health and Welfare practices, procedures, processes and systems with the overall objective being to provide a Safe and Healthy working environment for all SFPA personnel. In this we strive to set standards that are regarded as 'best practice' and that these can stand the rigours of external evaluation.

Throughout 2018, we continued to work with all personnel to implement a "proactive" health, safety and welfare management programme across all SFPA locations. This was aided and achieved through the development of a sense of 'ownership' of our programme which in turn was achieved through regular national and local safety committee meetings. Our internal programme of H&S audits served to further bolster this drive.

The aim for 2019 is to continue our progress and to further develop all existing health and safety programmes and policies and develop new initiatives all with the sole aim of providing a 'best in class' work environment for SFPA personnel.

## SFPA Health and Safety outcomes 2018

Throughout 2018 the SFPA successfully completed a number of objectives; as follows;

### New H&S Initiatives:

- Lone Working Training DVD completed. This training initiative will be rolled out to all SFPA personnel commencing Q1 2019.
- SFPA Employee Handbook – A5 Ring Binder handbook providing a synopsis of H&S initiatives, rules and procedures for SFPA personnel. This handbook will be distributed commencing Q1 2019.

## Safety Statement, SOP and Guidance Document issuance and reviews:

- Complete review / revision / updating of SFPA Safety Statement completed In June 2018.
- Ongoing review of this document with Three (3) amendments to the new document incorporating, changes to the Organisational Structure – SFPA Organogram and new panels of Safety Reps, Fire Wardens, and First Aid Responders.
- In continuance of our ongoing programme, a revision of all SFPA SOPs (10 in number) and SFPA Guidance Documents (4 in number) was completed.
- In addition to the copies distributed via email, all electronic versions, held on our Intranet and in our Health and Safety database, were also updated.

## Workplace Accidents / Incidents

In order to aid in identifying any discrepancies in our protocols, procedures and schedule of PPCE and as a means of continuous improvement, the SFPA continues to encourage a culture where all accidents / incidents are recorded and reported.

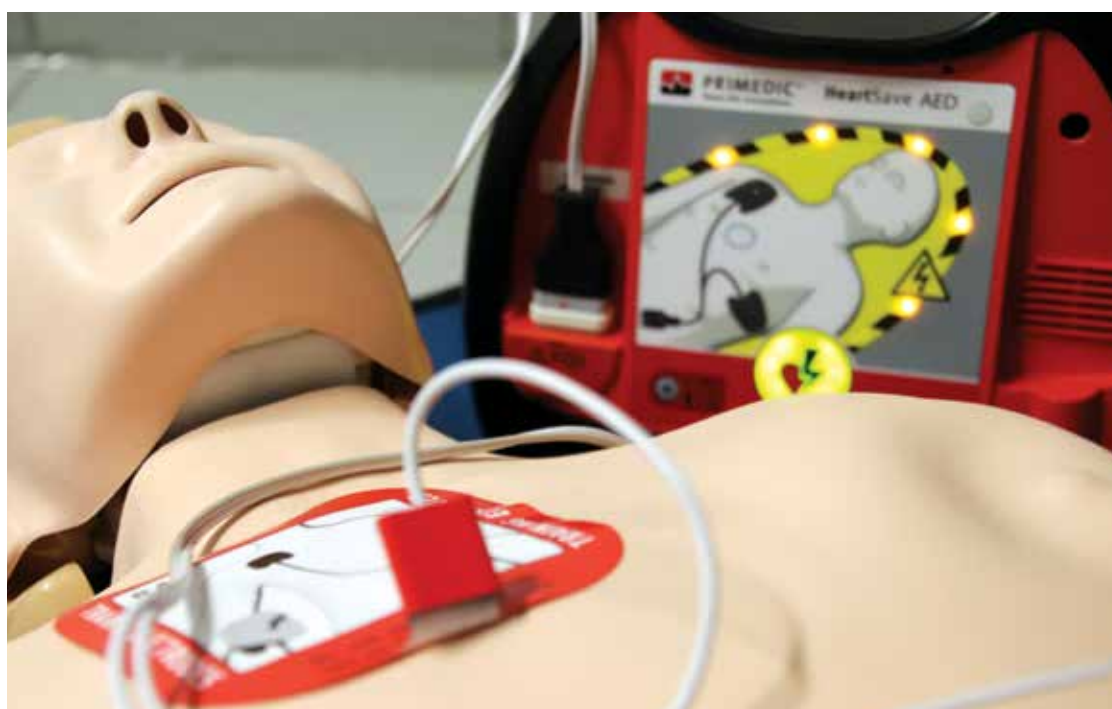
Some SFPA personnel work in a challenging environment and while our ultimate goal, in so far as it is reasonably practicable, should be to achieve an accident / incident free year it must be accepted that this is a difficult goal and will not always be achievable. The relevant statistics, excluding Road Traffic Incidents (RTAs) for 2018 were 1 fall and two minor incidents none of which were reportable incidents.

## Health and Safety Training

Throughout 2018, the SFPA delivered 50 different Health and Safety related training courses / events for personnel through attendance on a mixture of (1) In-House, (2) On-Line, (3) Private and (4) Public courses, as outlined below;

**Table 1: Health and Safety Training 2018**

Description	No. of Attendees
2 x Safety Representative Training Courses	4
4 x H&S Induction Training Courses	24
4 x Safe Boarding Procedures (On-Line + DVD)	18
1 x First Aid Responder Training Course	2
8 x Occupational Driver Training Courses	33
1 x RIB Trailer Towing Training Course	2
15 x TETRA Radio Training Course	78
1 x IOSH Managing Safely Training Course	6
1 x DSE / Workstation Risk Assessor Training Course	2
1 x Pregnant Employee Risk Assessor Training Course	1
7 x Manual Handling Training Courses	38
3 x Accident / Incident Investigation & Reporting Training Course	20
1 x Fire Warden Training Courses	8
1 x H&S Internal Audit Training	4



# HR Update

In 2018 the SFPA filled a total of 28 posts.

Three Higher Executive Officer (HEO) posts were filled; two permanent positions HEO Brexit Data Analyst and HEO IT and one contract post EMFF Finance Assistant.

Five permanent Executive Officer (EO) posts were filled during the year EO Legal Case Management, EO Payroll, EO Brexit Coordination Administrator, EO Finance Assistant and EO Corporate Affairs.

Six Clerical Officer positions were filled during the year, 4 in Head Office Clonakilty and 2 in Port Offices.

In addition 13 Sea Fisheries Protection Officers posts were filled, as well as one Senior Port Officer post in Dunmore East.

Following Promotion Competitions the backfilling of posts vacated by existing staff as a result of promotion are included in these numbers. Planning also started for the filling of posts as a result of Brexit implications. Regular reports on SFPA recruitment were submitted to DAFM throughout 2018.

Training which took place during 2018 included the following:

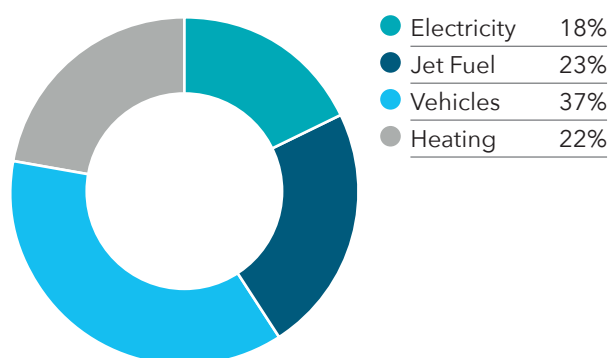
**Table 2: Training 2018**

Training Programmes	
Interview Panel Training	PMDS Managers Training
Competency Based Interview Training	PMDS Staff Training
Corporate Governance	Excel Intermediate
GDPR	Excel Advanced
Chartered Director Programme	Business Planning for Management
MS Outlook	Freedom of Information
Minute Taking	Audit and Risk Committee Training

## Energy Usage Report

The Sea Fisheries Protection Authority consumed a total of 1,587,588 kWh of energy in 2018, the breakdown in percentages is as illustrated in figure 5. This was an increase in energy consumption of 1% compared to 2017. Heating oil consumption increased due to inclement weather in late February and early March. The SFPA shares the Clonakilty location with BIM and apportions utility costs based on total floor area.

**Figure 4: Energy Consumption: Kwh**



Transport fuels again this year accounted for the bulk of energy consumption within the SFPA at 60%. Road vehicles accounted for 37% of the total energy usage and air travel accounted for 23%. Road diesel consumption has increased by 6% on last year possibly due to the large proportion of fleet cars over five years old, which are less fuel efficient.

Petrol costs increased with the increase in rib Patrols during the Spring / Summer Season in 2018. Air travel increased overall by 10% on the previous year. There was a reduction in the short haul and long haul flights but an increase in medium haul flights cancelled the reductions in the short and long haul flights. The reason for the increase in medium haul flights is in part due to the additional travel to the EU for meetings on Brexit.

Electricity consumption accounting for 18% of total energy usage decreased by 7% year on year from 2017. In the Clonakilty location a major contributing factor at 15% is due to PIR and lighting control issues throughout the building.





*Ireland's third National Energy Efficiency Action Plan reaffirmed Ireland's commitment to delivering a 20% reduction in energy demand across the whole of the economy by 2020, along with a 33% reduction in public sector energy use.*

### **Actions Undertaken in 2018 to be More Energy Efficient**

In 2017 the Sea Fisheries Protection Authority signed up to 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.

In 2018 the SFPA conducted Occupational Driver training for all staff. During this training staff are informed of energy saving driving techniques.

In November 2018 the SFPA awarded a contract to Energy Services Ltd to carry out Energy Audits in all 7 Port locations including the SFPA HQ in Clonakilty in 2018 - 2019 and the provision of an Energy Management Plan for the SFPA to assist in meeting the 33% energy reduction.

### **Actions Planned for 2019**

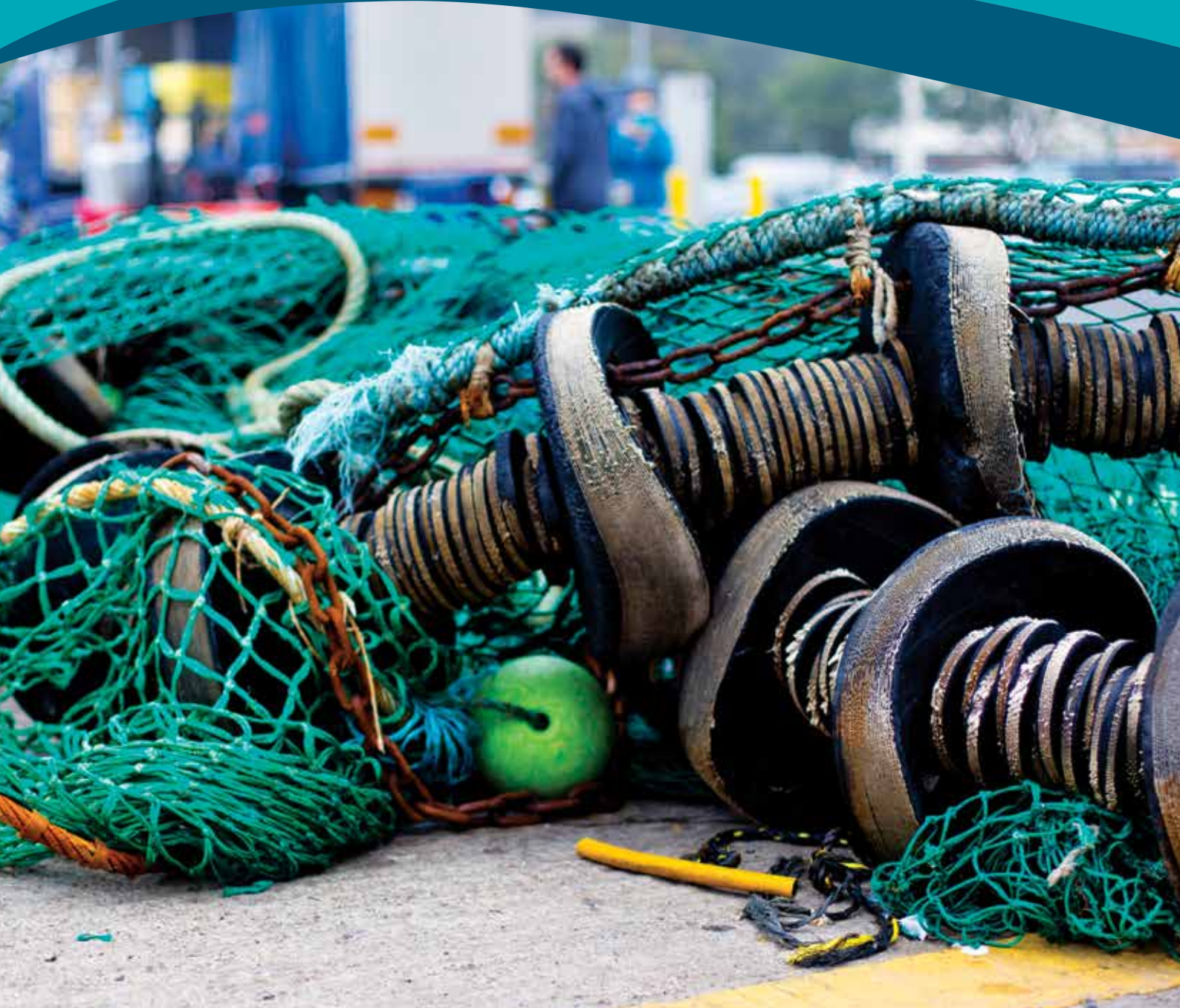
- Attendance at the third Annual Public Sector Energy Efficiency Conference.
- Completion of the Energy Audits at all 7 locations within the SFPA by the appointed contractor.
- From the completion of the energy audits a list of energy saving opportunities will be identified.
- Completion on an Energy Management Plan for the SFPA by the appointed contractor.
- Provision of a training plan in the energy saving initiatives outlined in the Energy Management Plan.

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 2019.

# Advise

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





## Promoting Compliance

### Fisheries Control Conference

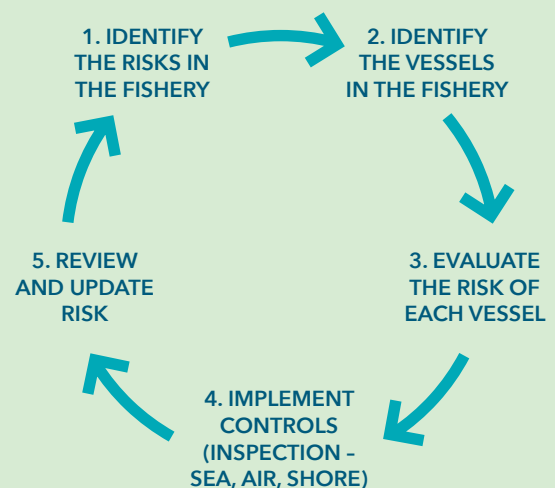
The inaugural Fisheries Control Conference, hosted by the SFPA in conjunction with the Irish Naval Service, took place at the National Maritime College of Ireland, Cork, on Monday the 8th October. The title of the EMFF funded Conference was "Risk Based Approach to Inspections" – the following key control agencies were in attendance: the Naval Service; the Air Corps; European Control Fisheries Agency (EFCA) as well as the SFPA.



*Pictured at the inaugural Fisheries Control Conference which was hosted by the SFPA at the National Maritime College of Ireland, Cork, in conjunction with the Irish Naval Service, on Monday the 8th October are, from left to right: Adrienne Patterson, Director of Port Operations, SFPA; Captain Brian FitzGerald, Naval Service; Cristina Morgado, European Fisheries Control Agency; Dr Susan Steele, Chair, SFPA; and Lt Cdr Anthony Geraghty, Naval Service.*

**Figure 5: Principles of Risk Assessment for Fisheries Control**

- Legal Obligation to conduct controls within a risk framework.
- Fisheries are defined.
- Vessels are risk analysed within the defined fishery.
- Risks are scored.
- Risk rating applied to the defined fishery.
- Tool to identify how best to use limited inspection resources.
- Tool to identify inspection priorities.
- Tool that offers transparency in identifying priorities.
- Tool to promote compliance within the industry.



## 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 time lines 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.

A total of 240 queries were received and processed in 2018 as detailed in table 3.

**Table 3: DAFM Queries 2018**

Category	Number
Authority	11
Corporate	3
Data	95
Dunmore East	4
EMFF	5
Finance	1
Food Safety	38
Howth	6
HR	3
Legal	11
Operations	29
Ros an Mhil	1
SMT	6
Trade	27
FSAI Bilateral Meetings	4
FSAI Cross Agency Residues Management Group	1
<b>Total</b>	<b>240</b>



## Sea-Fisheries Protection Consultative Committee

The Sea-Fisheries Protection Consultative Committee held 3 meetings in 2018. A broad range of items were discussed including Engine Power Tender, EMFF Monitoring Committee, Compliance Promotion Events, Tuna and the International Council for the Conservation of Atlantic Tuna (ICCAT), Electronic Logbooks and Date Entry Devices, new SFPA Website, Risk Profiling, the management of personal data by SFPA, Code of Conduct for the Inspection of fishing vessels and Brown Crab matters.

### Committee Members

The current members of the Consultative Committee are:

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

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

- (a) to inform the Authority of concerns and views of the sea- fisheries and seafood sectors regarding the functions of the Authority,
- (b) 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,
- (c) 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,
- (d) to advise the Authority of its views on the fairness and consistency of the operations of the Authority,
- (e) to seek the delivery of a high standard of service by the Authority.

## Histamine Advice and Information Campaign

Some fish, notably 'scomboid' species such as mackerel and tuna are vulnerable to histamine production in their flesh if subject to poor temperature controls and poor handling practices. Once histamine is formed it is very stable and is not destroyed by cooking or freezing and if sufficient bacteria are present contamination can increase rapidly without visible spoilage of the fish. Consumption of high levels of histamine can give rise to symptoms including nausea, vomiting, diarrhoea, oral burning sensation or peppery taste in the mouth; hives, redness or itching anywhere on the body but typically around the face and neck and hypotension.

Having dealt with six histamine incidents in 2017 with a significant number of cases in some incidents we decided to proactively work with food businesses during the high risk summer season to try ameliorate this risk.

Fisheries Officers visited and/or made contact with relevant food business operators to advise them on the need for adhering to temperature and shelf life controls on histidine rich species. Business owners were also advised to be selective in choosing suppliers for these species as a failure by a supplier to maintain the required low temperatures during transport and storage could result in contaminated product. In house sampling plans, shelf life studies, labelling and traceability were also discussed and businesses were provided with a copy of the SFFA Histamine Information Leaflet.

In 2018 there was just one histamine incident reported to SFFA.



## Visit by Kenyan Delegation

In September 2018 a Kenyan fisheries delegation visited the SFPA to discuss mutual cooperation under the terms of the Memorandum of Understanding (MoU). The delegation (pictured) included Ms Elizabeth Mueni and Ms Lucy Obungu, Deputy Directors from the Kenya Fisheries Service, Professor James Njiru and Dr Joseph Kamau, Director and Assistant Director from the KMFRI, Lt Col B Mwakale from the Kenyan Navy, and Kenneth Gitonga, Commercial Attaché from Embassy of Ireland, Kenya.

In 2017 the SFPA signed a Memorandum of Understanding (MOU) with the Kenyan Authorities. The objective of the MOU is to set down the principles, and means of identifying and implementing, the areas of cooperation between the Parties. The cooperation will draw on the respective strengths of the Parties to build a viable and sustainable relationship in fisheries, aquaculture and development of the blue economy.



Kenyan Fisheries Delegation visit to SFPA

## SeaFest and Our Ocean Wealth Summit 2018



*Mr. Micheal O'Mahony, Authority Member SFPA, delivered a presentation at the 'Our Ocean Wealth' summit titled "Brexit Regulatory Impacts Fishery Product Trade".*

The SFPA participated at SeaFest, Ireland's national maritime festival, which took place in Galway on Friday 29th June to Sunday 1st July 2018. SeaFest is a fun, free summer festival for all ages and the programme of events includes a seafood fair, seafood cookery demonstrations with celebrity chefs and seafaring family fun. There were tours of ocean going vessels, leisure craft and boats, exhibits on marine life and lots more fun and educational activities. SeaFest is a key part of Harnessing our Ocean Wealth: An Integrated Marine plan for Ireland (HOOW) and its goal of increasing participation and engagement with the sea. SeaFest also hosted the annual Our Ocean Wealth Summit and other business and research events.

## Skipper Expo

The SFPA attended the Skipper Expo International in Galway. This was the 11th year the SFPA exhibited at the show. Now in its 14th year, the Skipper Expo Int. is Ireland's flagship fisheries show that attracts large numbers of exhibitors and visitors from all over the world. Attending this event gives the SFPA the opportunity to meet and discuss matters of mutual concern with fishermen and industry.

## World Oceans Day 2018

The SFPA hosted a free screening of Ireland's Deep Atlantic, Ken O'Sullivan's widely acclaimed nature documentary on marine life, for primary school students in the Park Cinema, Clonakilty on 8th June 2018 to mark World Oceans Day. Sea-Fisheries Protection Officers and Managers from the SFPA were present on the day to help with students' questions on the documentary.

## Environment Ireland 2018

The SFPA participated at the Environment Ireland Conference, Ireland's major environmental policy and management conference. The event was organised in association with the Environmental Protection Agency (EPA) and the Department of Communications, Climate Action and Environment.

## I WISH event, City Hall Cork

The SFPA participated at the I WISH event- I WISH is an initiative to inspire, encourage and motivate young female students to pursue careers in STEM. I WISH (Inspiring Women in Stem) featured a conference and interactive exhibitions.

## Other Events/Meetings in 2018

During 2018 the SFPA attended an Industry working group on shellfish exports, including Norovirus considerations. Meetings with industry on certification of Crab exports to China and Hong Kong were also held.

Throughout the year the SFPA participated in the National Inshore Fisheries Forum, Molluscan Shellfish Safety Committee, Sea Fisheries Liaison Group and Quota Management Meetings.

The SFPA also participated in Sea Fisheries Control and Seafood Safety related meetings hosted by groups such as DG MARE, DG SANTE, EFCA, DAFM and FSAI. During 2018 the SFPA also attended the North Western Waters Control and Enforcement Group.

SFPA engages at national, regional and port level with fishery operators in the catching and processing, and aquaculture sectors and provides informed and expert advice to operators, particularly when specific non-compliances arise.

## BREXIT

SFPA worked as part of multilateral (DAFM, BIM and MI) marine Brexit group for development of implementation plans for a hard Brexit.

SFPA Contributed to production of qualitative and quantitative scenario planning and overview papers to inform the overall DAFM response and preparedness building.

SFPA joined an FSAI led Brexit working group to assess preparedness for Brexit readiness in the areas of seafood safety, food fraud and authenticity.

## Fisheries Information Notices

The SFPA published 1 Fisheries Information Notice in 2018 on the Porcupine Bank Restrictions and Closure period.

## 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 of 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.

The meetings also cover control issues under the Regional Fisheries Management Organisation's and third countries agreement.

In 2018 the SFPA attended 4 meetings of the Control Expert Group. The Commission Chair sought through the meetings to be advised on Member States continuing efforts in areas such as;

- Implementation of the Specific Control and Inspection Programmes and specifically the associated inspection benchmarks ( x 3 ).
- European eel fisheries recovery programme.
- Digital tools for monitoring and control of small scale fisheries.
- Weighing sampling plans.
- EMFF Project Funding.



## SFPA Expert Advice

In addition, SFPA also provided expert advices to the DAFM and European Fora as follows:

- Advice to DAFM regarding Ireland's ongoing interaction with DG Sante on infringement proceedings around Scallops.
- Advice to DAFM on the important comitology procedures around incoming food Official Control Regulation 625/2017.
- Ongoing servicing of the EU Live Bivalve Mollusc working group and one meeting of the EU Fishery product safety Working Group.
- Advice to DAFM on the 2018-published fishery control regulation proposal, also the Demersal Landing Obligation 100% implementation.
- Advices to DAFM in relation to quota balancing and sprat.
- Further advice to DAFM on Functional Unit 16 one area per trip.



*Figure 6: Scallop Specific EU regulations apply to Live Bivalve Molluscs including scallops to ensure compliance with Food Safety standards. All commercially harvested scallops must comply with these regulations in order that they can be placed on the market for human consumption.*

# Validate

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Ensure high quality data, analysis  
and risk assessment.





## Fisheries Statistics

There were 22,902 landings into Irish ports in 2018; 88% of which were from Irish vessels. With total tonnage of 184,375 and value of €217.576m Irish vessels also accounted for 58% of the quantity of fish landed and 64% of its value.

France and the UK accounted for 5% and 4% of these landings. French landings accounted for 5% of the tonnage landed into Ireland and 13% of its value with UK registered vessels landing 17% of this tonnage for 11% of its value. The 558 landings from Spanish registered vessels represented 2% of all landings for 3% of the volume and 9% of its value. The remaining landings were from vessels registered to Norway, Denmark, Germany, Belgium and the Faroe Islands as detailed in Table 4.

**Table 4: Landings into Ireland 2018**

Nationality	Number of landings	Tonnes	€000's
Ireland	20,173	184,375	217,576
France	1,073	14,440	43,153
UK	1,019	53,751	11% of the value. 37,426
Spain	558	9,976	30,451
Norway	32	36,250	5,225
Denmark	27	12,774	6,967
Germany	10	253	729
Belgium	8	106	407
Faroe Islands	2	4,927	701
<b>Totals</b>	<b>22,902</b>	<b>316,852</b>	<b>€342,635</b>



## Landings into Ireland by Species Class

Almost four fifths (77%) of the fish landed into Ireland were pelagic species including Mackerel, Horse Mackerel, Herring and Blue Whiting, these fish accounted for 28% of the first sale value of all landings reflecting the lower prices attained for many pelagic species. Demersal species accounted for 16% of the tonnage, and 41% of the value landed, with shellfish species accounting for 7% of the tonnage and 41% of the value, reflecting the high value of many shellfish species. The 656 tonnes of deepwater species landed represented less than 1% of all landings in terms of both quantity and value.

Note: Shellfish includes Nephrops (Prawns), Lobster, Scallop, Crab, Whelk, Shrimp, Razor Clams, Clams, Cockles, Octopus and Squid.

Figure 7: Landings by Species Class

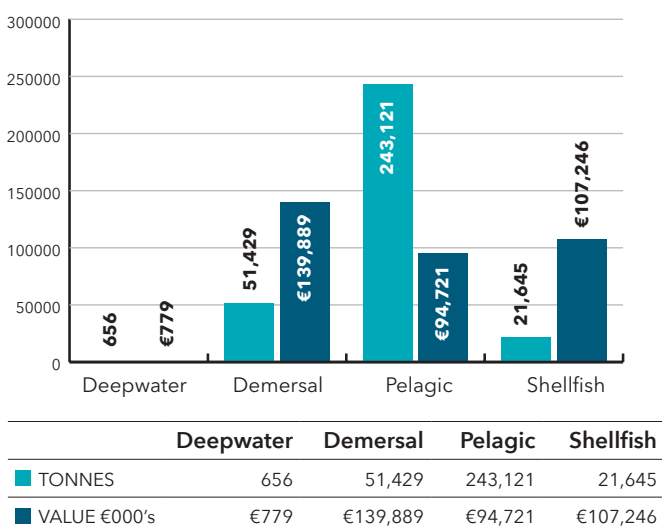
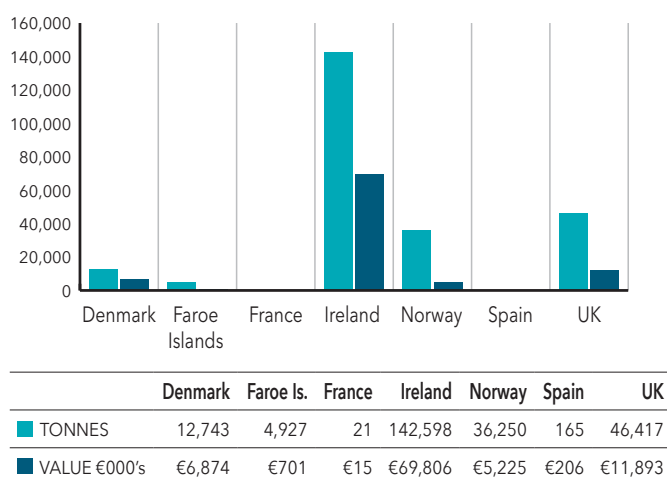


Figure 8: Monkfish are a highly valued demersal species.

## Pelagic Landings in Ireland

Landings of pelagic species into Ireland are illustrated in Figure 10. Just over half; 56% of the pelagic species landed were from Irish registered vessels, attaining 74% of the value of these landings. The UK and Norway landed 19% and 15% of this tonnage respectively worth 13% and 6% of its value. The remaining tonnage was landed by vessels from Denmark, the Faroe Islands, France and Spain as detailed in Figure 9 below.

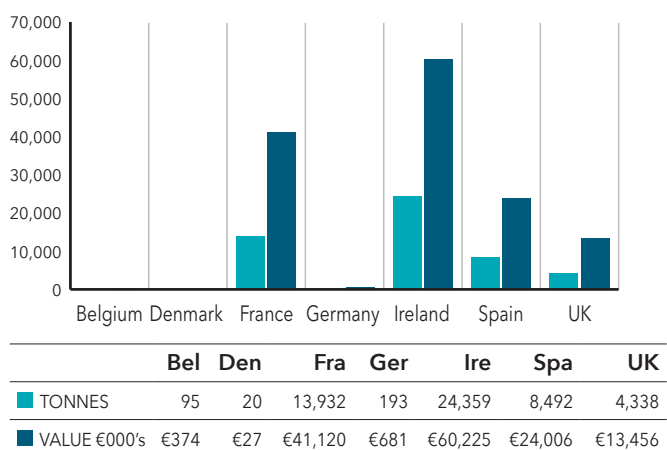
Figure 9: Pelagic landings in Ireland



## Demersal Landings in Ireland 2018

Irish registered vessels landed just under half; 47% of all demersal species landed at Irish ports in 2018, accounting for 43% of the value of this segment. French and Spanish registered vessels landed 27% and 17% of these fish for 29% and 17% of the total first sale value. The UK portion of these landings came to 8% of the tonnage for 10% of its value, with vessels from Belgium, Denmark and Germany accounting for the remainder as detailed in Figure 10.

Figure 10: Demersal Landings in Ireland 2018

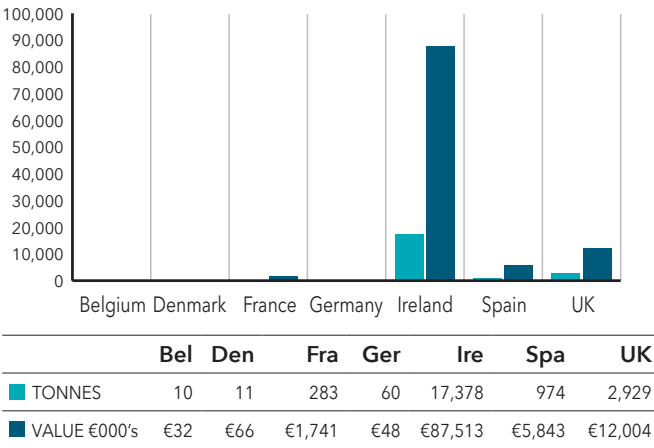




### Shellfish Landings in Ireland 2018

The 17,378 tonnes of shellfish landed by Irish vessels accounted for 80% of the landings of these species, and 82% of their value. UK vessels accounted for 14% of the rest for 11% of its value. The remaining 6% of this catch was shared by Spanish, French, German, Danish and Belgian vessels as described in Figure 11.

Figure 11: Shellfish Landings in Ireland 2018



### Deepwater species landed in Ireland

Deepwater species account for a fraction of 1% of the catch landed in Ireland with vessels from Spain and France landing the bulk of them as described in Figure 13.

Figure 13: Deepwater landings in Ireland 2018



Figure 12: Nephrops, also known as Dublin Bay Prawns, are an extremely valuable fishery for Irish fishermen. Increasing numbers of vessels operators are adding value to their catch by freezing and packing on board.

# Irish Vessels Landing Abroad

In 2018 Irish vessels made a total of 536 landings abroad totalling 29,520 tonnes with a total value of just under €30.3 million. This is 14% of all fish landed by Irish vessels in 2018 and 12% of its value as detailed in Table 5.

The greatest quantity was landed into the Faroe Islands, comprising of nearly 30% of the catch for just 4% of its value; Landings into the UK represented 17% of this fish for 27% of its value.

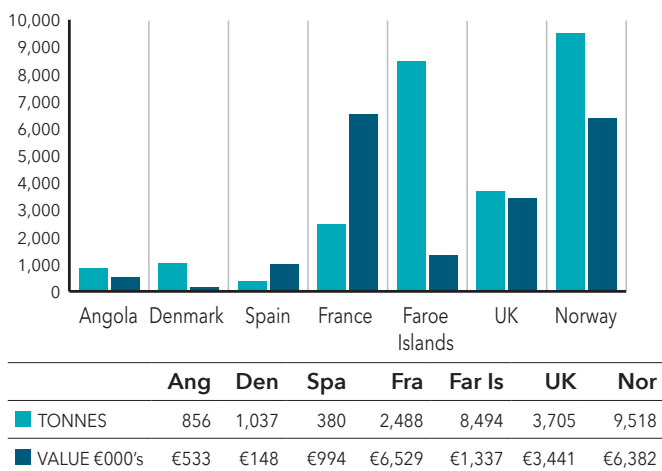
**Table 5: Irish Vessels Landing abroad 2018**

Nationality	Number of landings	Tonnes	€000's
Angola	5	856	€533
Denmark	3	1,061	€208
Spain	48	1,089	€2,824
France	61	2,488	€6,529
Faroe Islands	6	8,495	€1,340
UK	336	4,973	€8,245
Netherlands	58	1,029	€4,117
Norway	19	9,529	€6,398
<b>Totals</b>	<b>536</b>	<b>29,520</b>	<b>€30,192</b>

## Pelagic Species landed abroad

Norway (36%), Faroe Islands (32%), UK (14%) and France (9%) account for over 90% of this fish and 67% of its value as detailed in Figure 14.

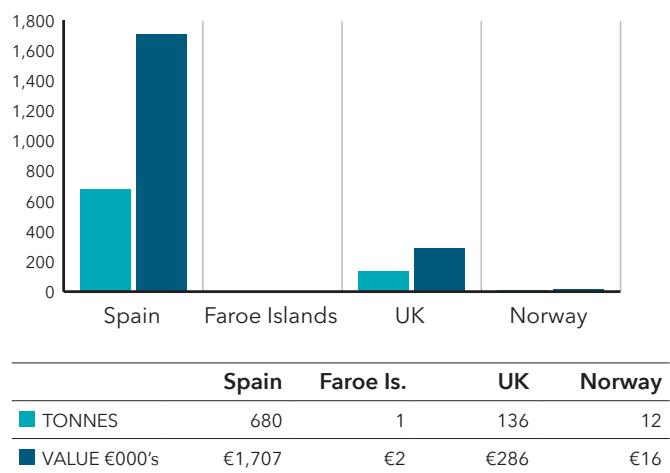
**Figure 14: Pelagic species landed abroad**



## Demersal Species landed abroad

Landings into Spain and the UK accounted for almost all of these landings with the 680 tonnes landed to Spain accounting for 82% of the fish and 85% of its value; the 136 tonnes landed in UK ports represented 16% of this fish for 14% of its value.

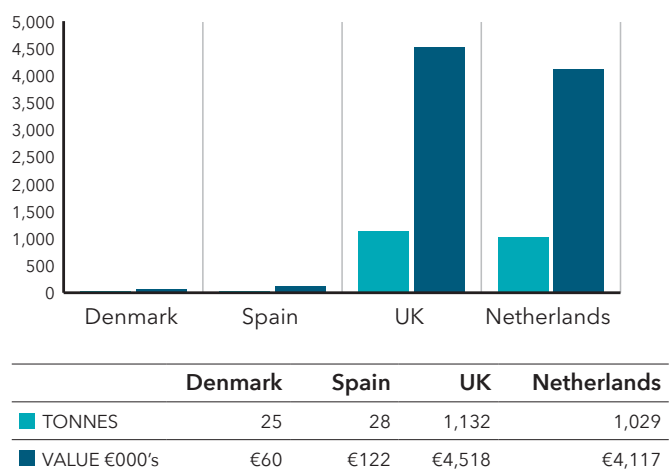
**Figure 15: Demersal Species landed abroad**



## Shellfish Landings abroad

The landings of shellfish into the Netherlands and UK accounted for 98% of the quantity and value of these landings in 2018 as detailed in Figure 16.

**Figure 16: Shellfish Species landed abroad**



# Fisheries Control

## Fishing Vessel Inspections

Sea Fisheries Protection Officers of the SFPa undertook a total of 1,922 fishing vessel inspections in 2018. 83% of these were of Irish registered vessels, with French registered vessels accounting for 5%; Vessels registered to the UK and Spain accounted for a further 4% of these inspections each, with the remaining 4% of inspections pertaining to vessels from 9 different countries as detailed in Table 6.

Table 6: SFPa Vessel Inspections 2018

Nationality	SFPa
Ireland	1,600
France	96
UK	80
Spain	75
Norway	33
Denmark	27
Germany	3
Belgium	2
Faroe Islands	2
Bahamas	1
Mauritania	1
Netherlands	1
Panama	1
Total	1,922

## Inshore Patrols



Figure 17: In 2018 a total of 42 inshore patrols were undertaken; 35 in the southern region and 7 in the northern region.

## Inspection Rates

The rates of inspection v landings for vessels under and over 18 metres in length are detailed in Table 7. Vessels over 18m in length have significantly higher rates of inspection rates reflecting the fact that it is the larger vessels that land most of the catch and thus are subjected to a higher level of monitoring and control. It should be noted that these inspection rates reflect only those inspections undertaken by officers of the SFPA.

**Table 7: Inspection Rates**

2018	Landings	Inspections	Inspection Rate
IRISH - U18's	13,347	715	5%
IRISH - Over 18's	5,000	885	18%
NON IRISH - U18's	267	4	1%
NON IRISH - Over 18's	1500	318	21%
<b>Totals</b>	<b>20,114</b>	<b>1,922</b>	<b>10%</b>

## Multi Agency Checkpoints 2018

During 2018 a total of 9 Multi Agency Checkpoints were undertaken by the SFPA operated by An Garda Síochána at various locations nationwide to undertake inspections and verification checks of vehicles carrying fishery products with respect to fisheries control and food safety legislation.



Figure 18: Carrying out temperature checks at a checkpoint.

**Table 8: Naval Service Fishing Vessel Inspections 2018 by Nationality**

Country	No. of Inspections
ESP	161
IRL	399
DEU	4
FRA	99
NLD	8
GBR	68
BEL	8
LTU	0
DNK	1
NOR	2
RUS	5
ISL	3
FRO	2
LVA	0
PRT	1
JAP	0
<b>Total</b>	<b>761</b>

**Table 9: Naval Service Inspections by Vessel Length**

2018	No. of Inspections
Under 10m	77
>10-12m	87
>12-15m	31
Over 15m	548

**Table 10: Naval Service Inspections by ICES Area**

Area	No. of Inspections
6A	49
7A	5
7B	246
7C	122
7D	459
7G	73
7H	63
7J	15
7K	10



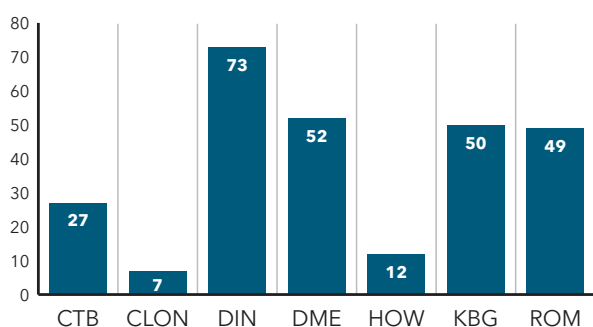
## Foreshore Licence Applications

Prior to the commencement of any works or activity on State-owned foreshore<sup>1</sup> a licence or lease must be obtained from the Minister for Agriculture, Food and the Marine<sup>2</sup>. Activities that require licences include works undertaken on the foreshore which encompass:

- any function in relation to a designated fishery harbour centre;
- 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 assess such application in respect of their possible impact on commercial fisheries and with regard to food safety concerns. In 2018, 270 such applications were received.

**Figure 19: Foreshore Applications Reviewed 2018**



Key: CTB: Castletownbere; CLON: Clonakilty; DIN: An Daingean; DME: Dunmore East; HOW: Howth; KBG: Killybegs; ROM: Ros an Mhíl.

## Marine Licensing Vetting Committee

The Marine Licensing Vetting Committee (MLVC) is a non-statutory body comprised of technical, scientific and engineering specialists, under the aegis of the Department of Agriculture, Food and the Marine. In 2018 the committee issued reports on 33 applications as described in Table 11 below.

**Table 11: Marine Licensing Vetting Committee Reports**

Nature of Development	Number
Port maintenance/dredging	1
Flood defence & pipeline	7
Marine leisure/commercial development	7
Marine site investigations and instrument deployment	16
Coastal protection and beach nourishment	2

## Quota Balancing for pelagic stocks

From the 1st of January 2018, any landings of relevant pelagic stocks in excess of catch limits were subject to quota balancing in accordance with the Minister for Agriculture Food and the Marine's Policy on a Quota Balancing Scheme for Pelagic Stocks.

Quota Balancing means that where a vessel exceeds its catch limit for a particular stock during a fishery management period, a balancing adjustment is made from a future catch limit for that vessel.

The Quota Balancing system was introduced on a phased basis to assist with the full implementation of the Landing Obligation requirements. The Quota Balancing system is a management, conservation and rational exploitation measure that will aid the Minister for Agriculture Food and the Marine in matching catch limit to actual catch to support the Landing Obligation requirements.

The SFPA's role in Quota Balancing is to provide the DAFM with landing data (as submitted by the Master of the Vessel) and SFPA approved pairing arrangements (2 or 3 vessel fishing configuration), where relevant, so that DAFM may implement quota balancing. Quota Balancing by DAFM is independent of any action being considered or taken by the control authorities.

The SFPA worked closely with DAFM regarding the implementation of Quota Balancing for pelagic vessels to monitor landings against allocated quota at vessel level and adjust future quota allocations to address where a vessel has exceeded its allocated quota.

Relevant pelagic stocks included in the pilot phase in 2018 are Mackerel (excluding vessels <18m LOA), Horse Mackerel, Herring (excluding Celtic Sea Herring Open Fishery Vessels <20m LOA), Blue Whiting and Albacore Tuna.

<sup>1</sup> 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).

<sup>2</sup> 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.

# Food 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 management of food safety controls across the marine and aquaculture sectors as described below.

## Number of Food Businesses

The SFPA is responsible for the enforcement of food safety legislation across a range of 2,543 food businesses as described in Table 12. This food safety work is undertaken under the terms of a service contract with the Food Safety Authority of Ireland which is the national competent authority for food safety in Ireland. The service contract is available on [www.fsai.ie](http://www.fsai.ie).

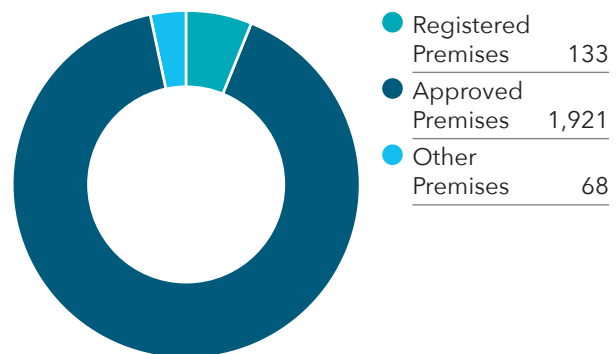
**Table 12: Food businesses by type**

Business Type	No. of establishments
Auction Hall	1
Cold store (animal origin no exposure)	4
Cold Store (Fishery)	11
Dispatch Centres	15
Factory Vessel	1
Fishing Vessel	1,912
Food Broker	1
Food Stall: Fish	7
Freezer Vessel	64
Fresh Fishery Products Plant	72
Ice Plant	11
Importers	64
Processing Plant	124
Production Area	185
Purification Plants	20
Shellfish Farmer	35
Transporter	8
Wholesaler/ Distributor	8
<b>Total</b>	<b>2,543</b>

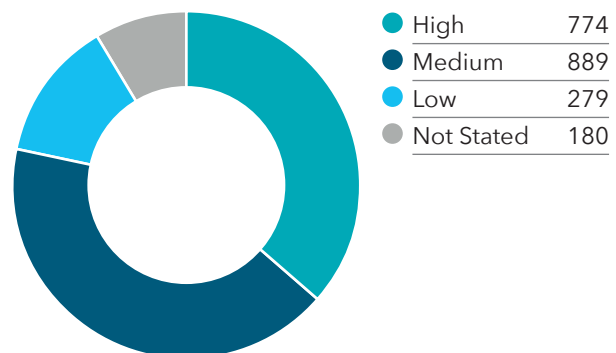
## Food Safety Inspections

A total of 2,122 food safety inspections were carried out by SFPO's in 2018 as described in Figure 20 and 21 below. Just over 90% of these inspections were undertaken in approved premises as described in Figure 20. When categorised by risk type it shows that high and medium risk premises were the focus of almost 80% of these inspections 36% and 42% respectively as detailed in Figure 21.

**Figure 20: Inspections by premises type**



**Figure 21: Inspections by risk category**



### Inspection Types

Two thirds 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 13 below.

Table 13: Types of inspection undertaken

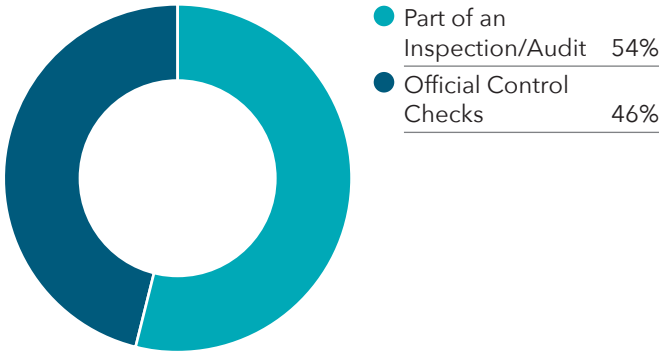
Inspection Type	Number
Approval	64
Full Hygiene	128
Routine Inspection	355
Follow-Up	40
Complaint	7
Official Control Checks	1,398
Fish Quality	74
Vehicle Hygiene	41
Vessel Hygiene Checks	15
Total	2,122



### Labelling activity

A total of 571 labelling assessments were undertaken in 2018; 54% of these were carried out as part of an inspection or audit; whilst 261 (46%) were undertaken as part of official controls including consignment certification, as described in figure 22.

Figure 22: Labelling inspections



### Sampling Activity

As described in Table 14 a total of 1,198 seafood samples were taken by SFPO's in 2018. Most of these were taken for microbiological analysis with 24% being taken in respect of standards for residues and contaminants and a total of 39 (3%) taken for genetic analysis.

Table 14: Sampling Activity

Sample	Number
Fish, Fishery Products & Live Bivalve Molluscs (microbiology)	589
Water/ice (microbiology)	166
Environmental swabs (microbiology)	112
Contaminants/ Residues	292
Speciation using genetic analysis	39



Figure 23: DNA analyses are an accurate tool for identifying species in processed seafood

# Shellfish Safety Monitoring

## Classification Sampling Programme

A total of 1,613 (96% of target) microbiological samples were taken by Sea Fishery Protection Officers during 2018 as part of the Microbiological Monitoring of Bivalve Mollusc Production Areas.

A further 21 microbiological samples were taken in a number of areas seeking Classification or a Classification review.

In 2018, SFPA detected a total of 42 out of range results (2.6% of all classification monitoring samples taken), from the national classification monitoring programme, a decrease over the total for 2017 which was 50, and a reduction on the 10 year average of 51 per year or approximately 3.2% of samples taken. 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.



## Annual Classification Review

The annual review of Classified Live Bivalve Mollusc production areas in Ireland was conducted at SFPA Head Office in Clonakilty on 26 June 2018. The review was undertaken by a sub group of the Molluscan Shellfish Safety Committee 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 2015- Jan 2018 with 4,956 results from 147 sample locations being analysed.

## National Biotoxin Shellfish Monitoring Programme

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 so 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.

A total of 270 biotoxin verification samples were submitted by Sea Fishery Protection Officers during 2018 as part of Ireland's Enhanced official controls under this monitoring programme.

A further 410 phytoplankton samples were submitted by Sea Fishery Protection Officers during 2018 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 SFPA 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 2018, 58 sites were sampled by Sea Fishery Protection Officers for subsequent Chemical Analysis of trace metals and organohalogenes by the Marine Institute.



## EFSA Norovirus Survey

October 2018 was the conclusion of the EU Norovirus survey of Oyster production areas and dispatch centres.

**Table 15: Irish Production Areas Sampled per Port**

Port Office Region	Sampling Sites
Killybegs	7
Ros an Mhil	7
An Daingean	4
Clonakilty	2
Dunmore East	2

The objective of the survey (which ran from November 2016 to October 2018) was to estimate the prevalence of norovirus-contaminated oysters at production areas and at dispatch level throughout Europe. The results of which will assist the establishment of Norovirus limits, and where to apply these limits either at dispatch centre level or at production area.

Ireland is recognised as one of the largest producers of Oysters (*C.gigas* and *O.Edulis*) in Europe (approximately 9,500 tonnes in 2016), and was tasked with conducting sampling at 22 out of the 56 active production areas in the country, and one dispatch centre. The selection of the 22 Irish production areas was conducted using a prescribed EFSA selection tool which ensured complete randomness in selection.

Member states were also tasked with providing the total quantities of Oysters dispatched per month from all approved dispatch centres



## Norovirus guidance document for Oyster producers

In December 2018, on completion of the EU Norovirus survey, the SFPA, in conjunction with the FSAI, the MI and BIM produced a norovirus guidance document for oyster producers.

Ireland is the only EU member state that has produced norovirus guidance to assist shellfish producers reduce the risk of norovirus contaminated oysters being placed on the thus reducing the risk of consumer of illness associated with the norovirus contaminated oysters.

Whilst this guidance document is advisory rather than mandatory, adoption is recommended for shellfish producers or Food Business Operators placing oysters on the market for human consumption. Proactively addressing Norovirus in a food safety management system limits the potential for it becoming a food safety issue in the first instance, and also assists the food business operator in the event of any incidents or cases. It can also greatly assist shellfish producers return to normal operations in the wake of a confirmed incident.

Information and guidance are provided as to the food safety risks presented by norovirus in oysters and the general requirements of food law applying to this issue. The document also outlines a series of recommended risk management options designed to reduce the potential of norovirus contaminated oysters being either harvested or placed on the market. These risk management options include regulatory obligations, and recommended best practice and are designed for both primary producers and approved dispatch centres.

Whilst some of these management measures are advisory, shellfish gatherers are encouraged to consider them in the context of their own operations and local circumstances.

The document is available on our website at [www.sfpa.ie](http://www.sfpa.ie)

# Food Incidents

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

The SFPA may receive information which opens a food incident from a number of sources such as the Food Safety Authority of Ireland (FSAI), a Sea Fisheries Protection Officer during official controls, results from laboratory analysis, another Official Agency, a food manufacturer or a consumer complaint.

The SFPA has a comprehensive food incident management system in place for food incidents relating to seafood. All reported food illnesses are followed up as a matter of urgency by the SFPA. Investigations involve documentary checks, review of the Food Business Operator traceability systems and checks on operational hygiene along the seafood supply chain. Management of food incidents involves extensive co-ordination and follow up regionally, liaison with the relevant Food Business Operator, the FSAI and where necessary other Official Agencies. As part of official control follow up, the SFPA verifies that unsafe food on the market is recalled successfully by the food business operator.

## An Ounce of Prevention

One of the most important functions of the SFPA's food safety brief is to protect public health and strive where possible to prevent harm to consumers.

In a global marketplace, building good relationships with our counterparts in trading nations is central to achieving this objective.

During the course of 2019 the French control authorities advised the SFPA of a number of closures of wild scallop fishing areas due to excess levels of lipophilic bitoxins.

The SFPA were then in a position to advise our fishers accordingly and subsequently inform them when it was safe to fish those waters again.

The effectiveness of this type of intervention to protect consumers is greatly enhanced by the dual role the SFPA carries which enables swift and direct communications with the active fishing sector at sea.

## Incidents by Category

During 2018, there were a total of 25 food incidents investigated by the SFPA as detailed in Table 16.

The majority of these were categorised as Food Complaints as they related to noncompliance with defined food standards or complaints with respect to a food product. Food business incidents include such matters as operating without approval, or operating outside the parameters of the applicable food safety management system. Food poisoning incidents concern reported incidents of illness where seafood may have been implicated, though this was not substantiated in any of the cases investigated.

Table 16: Food Incidents 2018 by Category

Category	Number of Incidents
Food	14
Food Business	6
Food Poisoning	5
Total	25

## Training and Development

Table 17 describes food safety training and development courses undertaken in 2018. A total of 29, training courses or seminars with 233 attendees were completed by SFPOs in 2018. The training included workshops, seminars, traditional training courses and online training courses.

Table 17: Food Safety Training and Development 2018

Subject Matter	No. of Events	Participants
BTSF Labelling Training	1	1
BTSF Aquatic Animals Training	1	2
BTSF Live Bivalve Mollusc Training	1	2
SFPA Food Safety Update Meetings for staff	6	53
safe food conference on Listeria monocytogenes	1	5
Conducting food standards auditing (QQI Level 6 Training)	3	10
safe food conference - Our food is our future: Belfast summit on global food integrity	1	5
FSAI Regulation 625/2017 staff training	1	30
FSAI Cross agency training on regulation 625/2017 for Lab staff	1	2
SFPA in house training of new recruits SFPOs	1	13
Designing Food Safety Management Systems (QQI level 6 training incorporating HACCP for new recruit SFPOs)	1	13
Teagasc Seafood Workshop	1	2
FSAI Intelligence led investigation training	1	3
BTSF Food hygiene and control on fishery products and live bivalve molluscs	1	1
FSAI safetynet Course- Flavourings	1	13
FSAI safetynet Course-Food Additives: The Basics	1	11
FSAI safetynet Course-Food Additives: Labelling	1	2
FSAI safetynet Course- Nutrition Information under FIC	1	13
FSAI safetynet Course- Food Information for Prepacked Foods	1	13
FSAI safetynet Course-Food Contact Materials	1	13
FSAI safetynet Course-Microbiological Criteria Regulation 2073/2005 Module 1: Identifying Relevant Microbiological Criteria	1	13
FSAI safetynet Course-Regulation 2073/2005 Module 2: Sampling and Testing	1	13
<b>Total</b>	<b>29</b>	<b>233</b>

## Collaboration

Co-operation and collaboration with other agencies, Government Departments and colleagues nationally and internationally is an essential element of effective food safety control systems. In 2018 Officers of the SFPA participated in a total of 32 such meetings as detailed in Table 18.

**Table 18: Food Safety related Meetings**

Event	No. of Meetings
FSAI Liaison Meeting (i.e. FSAI Meetings with SFPA Liaison person based in FSAI)	8
FSAI Other (please specify):	
FSAI Crisis Simulation Preparation Meeting	5
FSAI Meeting re supervisory arrangements	1
FSAI SFPA OAPI Meetings	2
FSAI Official Control Regulation Steering Committee Meeting	2
FSAI/MI/SFPA Cross Agency Meeting re SANTE F GFA Audit	2
FSAI/SFPA/MI/BIM Cross Agency Norovirus controls meeting	1
MSSC	4
Trilateral (FSAI/SFPA/MI)	2
FSAI Bilateral	4
ABP meeting DAFM & SFPA	1
Annual LBM Classification Review	2
Codex Irish Committee Meeting	1
Commission LBM working Group	1
Cross agency Animal By-Product meeting	1
Cross agency Residues Management group meeting	1
Cross Border Marine Meeting FSAI, SFPA & FSA NI	1
Distance Selling Working Group	1
SFPA Food and Fisheries Support Unit	3
Inshore Management Group Meeting Classification protocols	2
Irish Water Data Sharing meeting (Shore line surveys)	1
Lough Agency/ FSAI	1
Business Analysts Overview of Food Support Processes	4
Meeting re. Norovirus with SFPA Staff	1
Meeting re Irish Water Waste Waters disinfection programme Shellfish waters	1
Meeting re SFPA website content	1
Sanitary Survey programme meeting	1
Scallop Specific Meetings	4
SeaTraces Meeting	1
SFPA BIM meeting re review of BIM vessel guidance document	2
Shellfish Regional Information meetings (Bantry and Kilmore Quay)	3
Technical Audit Review Group Meeting	1
<b>Totals</b>	<b>32</b>



## Compliance Activity

A total of 12 enforcement actions were taken by the SFPA in 2018 comprising 10 compliance notices, 1 Improvement, 1 prohibition order and 2 prosecutions.

Compliance notices are served under the European Communities (Food and Feed Hygiene) regulations 2009, whilst improvement notices and prohibition orders are served under the Food Safety of Ireland Act 1998.

Compliance notices were served in respect of offences such as operating a food business without the required approval (3), harvesting shellfish from unclassified areas (3), inadequate temperature controls (2) incomplete traceability (1) and misleading consumer information as to the characteristics and nature of seafood being offered for sale (1).

The improvement notice was served in respect of oysters cultivated in a 'Class A' area. Oysters harvested from Class A waters may be sold direct for human consumption without further treatment. An official sample taken by an Officer of the SFPA returned results that were in excess of the limits required for such a classification, thus the notice was served instructing that oysters not be harvested unless they were to be subjected to depuration at an approved purification centre.

The prohibition order was served in respect of an imported consignment of seafood. On inspection, the importer was unable to provide evidence to verify that the product complied with the necessary health standards. The prohibition notice was served in respect of the batch in question and the food business operator was instructed to recall all consignments that had been despatched.

The two prosecutions related to illegal trade in shellfish including the forging of traceability documents and misrepresentation of salmon from Scotland as salmon from Ireland/Faro.



## 'Food Hygiene Regulations do work' says Judge

Following a joint SFPA and Garda Síochána investigation into illegal trade in shellfish, a Food Business Operator (FBO) was fined €2,500 and ordered to pay €500 towards costs having been found guilty of five offences under food hygiene regulations.

In sentencing the FBO, the Judge commented that: 'The gathering, sale and distribution of shellfish requires the tightest of control, as the general public are at severe risk of falling ill if the regulatory process is not followed'.

The investigation concerned the illegal harvesting and export of shellfish from unclassified waters. Shellfish waters are classified according to the quality of the water therein, and this classification determines the levels of treatment required to ensure the safety to the shellfish harvested; furthermore active production areas are continuously monitored for biotoxin contamination to protect public health.

Harvesting illegal product from unclassified areas and selling it for human consumption presents a significant risk to consumers and that is exactly what was happening in this case. The detailed investigation undertaken discovered evidence of multiple consignments being exported with forged food safety related documentation; evidence of transport abroad and payments evidence was also discovered and presented in court.

Recognising the seriousness of the risks presented by this activity, the judge stated 'This case shows that the food hygiene regulations do work and that the regulator completed their jobs properly in this case and that this was an important case to bring considering the potential consequences of failures in the proper regulation of this industry'.

The Judge referred to the importance of completing the Shellfish Registration Documents accurately recognising that 'any casualness in completing these documents can have catastrophic consequences'. He added that 'this was not merely a bureaucratic paper filling'.

# Illegal Unreported Unregulated Fishing

Illegal, unreported and unregulated (IUU) fishing depletes fish stocks, destroys marine habitats, distorts competition, puts honest fishers at an unfair disadvantage, and weakens coastal communities, particularly in developing countries.

Ireland, as part of the EU is working to close the loopholes that allow illegal operators to profit from their activities.

Fish and fishery products that are traded into or out of the European Union are subject to specific additional controls under legislation to combat IUU fishing activity.

This requires that all imports of fish into Ireland from third countries (countries outside the EU) must be notified in advance to the SFPA to allow 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.

## Import Controls

In 2018 there were 701 imports totalling 3,334 tonnes of fishery products into Ireland which represented a 10% reduction by number and 19% by weight from the previous year.

**Table 19: Third Country Imports**

Exporter Country	Number	Quantity Kgs
China	34	640,810
Ecuador	22	444,013
Philippines	24	341,365
South Africa	14	287,033
India	19	280,710
Thailand	21	274,891
Mauritius	11	251,064
Iceland	511	226,991
Vietnam	14	134,338
Hong Kong	8	106,914
Argentina	3	61,974
Chile	3	59,600
Ghana	1	53,129
Norway	2	41,887
Canada	2	24,828
Russia	1	23,002
Myanmar	1	21,373
Bangladesh	2	16,855
Taiwan	3	15,984
USA	3	14,214
Papua New Guinea	1	13,187
Korea	1	110
<b>Total</b>	<b>701</b>	<b>3,334,270</b>

**Table 20: Top 10 imported species by weight**

Species	Weight '000kgs
Skipjack tuna	1,068
Atlantic Cod	508
Whiteleg shrimp	463
Cape Hope squid	169
Argentine red shrimp	128
Alaska Pollock (=Walleye poll.)	105
Oyster Sauce	104
European plaice	100
Shallow-water Cape hake	94
Anchovy	70

## Export Controls

In 2018 65 consignments consisting of 10,795 tonnes of fishery product were issued with Catch Certificates.

**Table 21: Catch Certificates issued by Country**

Country	No of Catch Certificates Issued
Norway	19
China	10
Albania	8
Lithuania	6
Ukraine	6
Thailand	6
Tunisia	4
Belarus	3
Honduras	1
India	1
Indonesia	1
<b>Grand Total</b>	<b>65</b>

The vast majority of catch certificates, 31, were issued for Mackerel.

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 from an Irish vessel that took place in that State, where the product concerned is to be exported to a Third Country, with 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.

# International Trade

## Health Certificates 2018

A total of 7,168 consignments of seafood, totalling 95,117 tonnes and 25 species were exported from 62 FBOs to 46 countries outside of the EU in 2018.

(Please note all the weights in this section refer to the product as exported and may not reflect the species live weight).

**Table 22: Consignments certified in 2018**

Countries	Tonnes	Consignments
Nigeria	33,143	104
China	13,825	2,633
Cameroon	12,193	33
Ghana	8,041	70
Egypt	5,555	39
Ukraine	4,808	92
Congo	3,826	23
Japan	2,596	89
Vietnam	2,592	36
Liberia	1,397	19
Korea, Republic of	1,258	137
Hong Kong	841	2,163
Benin	809	17
Taiwan	630	96
United Arab Emirates	611	359
Jamaica	372	15
Togo	329	4
South Africa	217	18
Gabon	208	5
Georgia	200	4
Singapore	200	402
Israel	184	9
Thailand	172	101
Jordan	125	3
Moldova, Republic of	125	2
Belarus	125	5
Guinea	100	3
Haiti	100	2
Ivory Coast	100	3
Canada	96	382
Malaysia	78	220
Other	261	80
<b>Grand Total</b>	<b>95,117</b>	<b>7,168</b>

## Top Three Importing Nations

Three countries accounted for 62.2% of the quantity of Irish seafood exported to countries outside the EU in 2018: Nigeria 34.9%; China 14.5%; Cameroon 12.8%.

Exports to Nigeria and Cameroon were primarily pelagic species, while exports to China included a variety of Irish Seafood produce.

**Table 23: Exports to Nigeria**

Species	Tonnes
Blue Whiting	25,933
Horse Mackerel	3,575
Mackerel	2,299
Herring	1,336
<b>Total</b>	<b>33,143</b>

**Table 24: Exports to China**

Species	Tonnes
Mackerel	6,878
Horse Mackerel	2,710
Crab	1,809
Whelk	1,425
Pacific Oysters	516
Razor Clams	153
Blue Whiting	125
Prawns	123
Lobster	42
Herring	25
Others	19
<b>Total</b>	<b>13,825</b>

**Table 25: Exports to Cameroon**

Species	Tonnes
Horse Mackerel	11,816
Blue Whiting	302
Herring	75
<b>Total</b>	<b>12,193</b>



## Exports by Species Class

In 2018 of the total volume of seafood certified for export by the SFPA 87,530 tonnes were pelagic species representing 92% of exports. This included blue whiting, mackerel and horse mackerel. Shellfish made up almost all of the remainder with a total of 6,834 tonnes exported, 753 tonnes of roundfish were also exported to countries outside the EU.

Table 26: Exports by Class

Species Class	Tonnes	Percentage
Pelagic	87,530	92
Shellfish	6,834	7.2
Roundfish	753	0.8
<b>Total</b>	<b>95,117</b>	<b>100</b>

Table 27: Exports of Pelagic Species

Pelagic	Tonnes
Blue Whiting	31,806
Mackerel	26,526
Horse Mackerel	26,195
Herring	2,972
Sprat	31
<b>Total</b>	<b>87,530</b>

Table 28: Exports of Shellfish Species

Shellfish	Tonnes
Whelk	2,925
Brown Crab	2,091
Pacific Oysters	964
Razor Clams	572
Prawns	171
Lobster	52
Mussels	33
Velvet Crab	18
Common Otter Clam	7
Other	1
<b>Total</b>	<b>6,834</b>

Table 29: Exports of roundfish species

Roundfish	Tonnes
Salmon	752
Other	1
<b>Total</b>	<b>753</b>

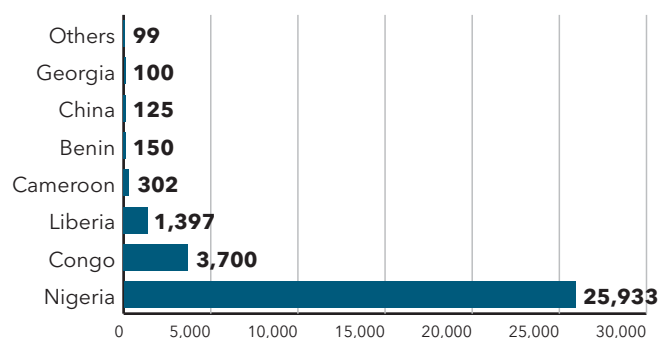
## Top Exports by Species

The tables and charts below give a detailed breakdown of the top 8 species exported in the country to which the product was exported, the quantities to each country and as applicable, the presentation of the seafood at time of export.

Table 30: Exports of Blue Whiting

Country	Tonnes
Nigeria	25,933
Congo	3,700
Liberia	1,397
Cameroon	302
Benin	150
China	125
Georgia	100
Others	99
<b>Total</b>	<b>31,806</b>

Figure 24 : Blue Whiting Exports (Tonnes)



All of the blue whiting was exported frozen

Table 31: Exports of Mackerel

Country	Tonnes
China	6,878
Ghana	6,766
Ukraine	4,762
Nigeria	2,299
Japan	1,976
Egypt	1,621
Vietnam	667
Taiwan, Province of China	538
Jamaica	257
Moldova, Republic of	125
Georgia	100
Singapore	100
Others	437
<b>Total</b>	<b>26,526</b>

Figure 25 : Mackerel Exports (Tonnes)

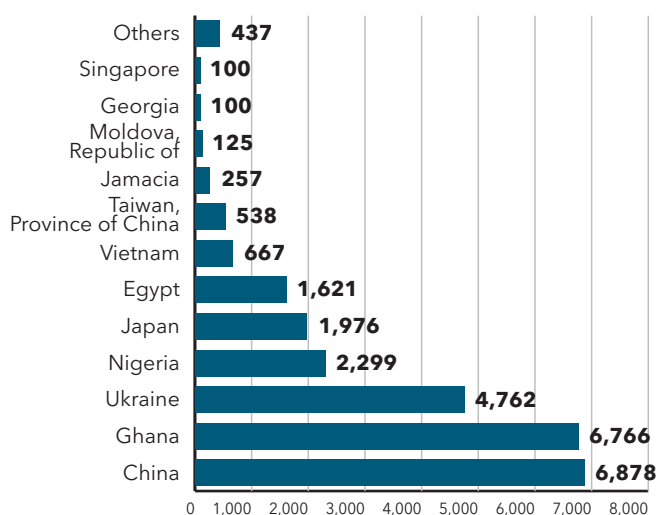


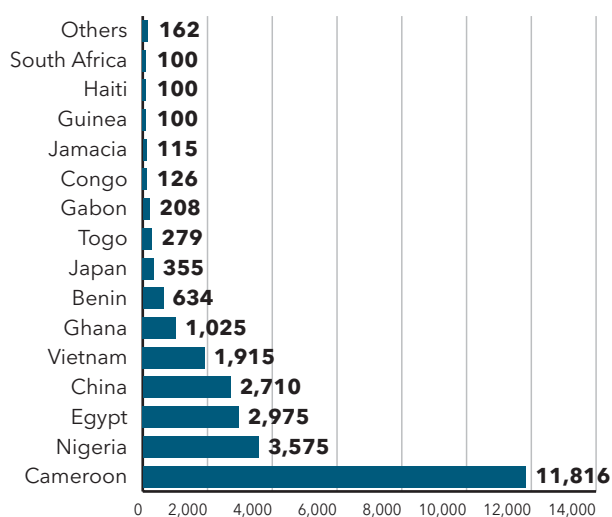
Table 32: Mackerel Exports Presentation

Presentation	Tonnes
Frozen	26,465
Smoked	54
Canned	7
<b>Total</b>	<b>26,526</b>

Table 33: Exports of Horse Mackerel

Country	Tonnes
Cameroon	11,816
Nigeria	3,575
Egypt	2,975
China	2,710
Vietnam	1,915
Ghana	1,025
Benin	634
Japan	355
Togo	279
Gabon	208
Congo	126
Jamaica	115
Guinea	100
Haiti	100
South Africa	100
Others	162
<b>Total</b>	<b>26,195</b>

Figure 26: Horse Mackerel Exports (Tonnes)



All horse mackerel was exported frozen

Table 34: Exports of Herring

Country	Tonnes
Nigeria	1,336
Egypt	952
Ghana	250
Israel	118
South Africa	116
Cameroon	75
Others	125
<b>Total</b>	<b>2,972</b>

Figure 27: Herring Exports (Tonnes)

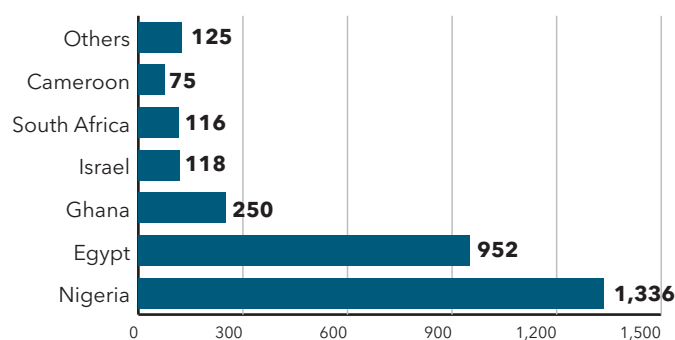


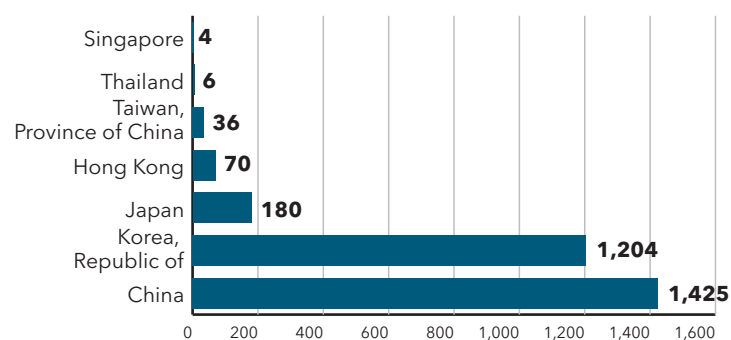
Table 35: Herring Exports Presentation

Presentation	Tonnes
Frozen	2,862
Salted	110
<b>Total</b>	<b>2,972</b>

Table 36: Exports of Whelk

Country	Tonnes
China	1,425
Korea, Republic of	1,204
Japan	180
Hong Kong	70
Taiwan, Province of China	36
Thailand	6
Singapore	4
<b>Total</b>	<b>2,925</b>

Figure 28: Whelk Exports (Tonnes)



All of the whelk was exported frozen.

Table 37: Exports of Brown Crab

Country	Tonnes
China	1,809
Hong Kong	111
Japan	58
Korea, Republic of	53
Taiwan, Province of China	48
Singapore	4
Malaysia	3
Canada	2
Vietnam	2
Others	1
<b>Total</b>	<b>2,091</b>

Figure 29: Brown Crab Exports (Tonnes)

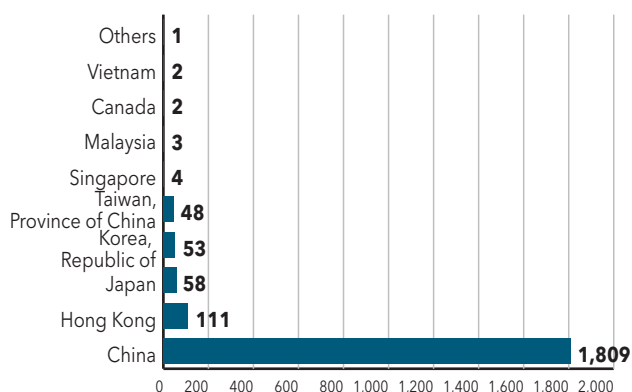


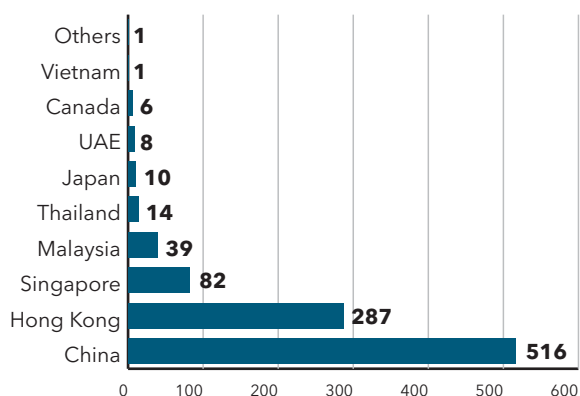
Table 38: Exports of Brown Crab, Presentation

Country	Tonnes
Frozen	1,404
Pasteurised	30
Live	657
<b>Total</b>	<b>2,091</b>

Table 39: Exports of Pacific Oysters

Country	Tonnes
China	516
Hong Kong	287
Singapore	82
Malaysia	39
Thailand	14
Japan	10
United Arab Emirates	8
Canada	6
Vietnam	1
Others	1
<b>Total</b>	<b>964</b>

Figure 30: Pacific Oysters Exports (Tonnes)



All of these oysters were exported as live product



Table 40: Exports of Salmon

Country	Tonnes
United Arab Emirates	598
Belarus	100
Hong Kong	22
Ukraine	20
Lebanon	6
Canada	4
Thailand	1
Others	1
<b>Total</b>	<b>752</b>

Figure 31: Salmon Exports (Tonnes)

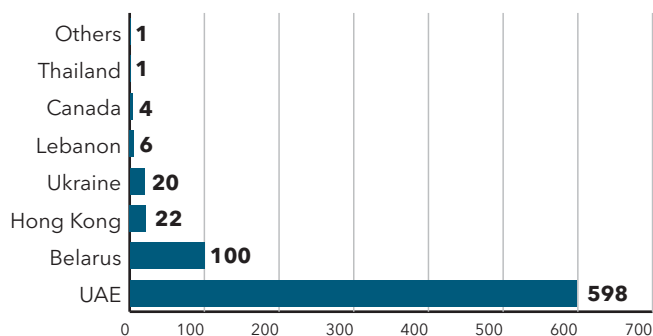


Table 41: Salmon Exports, Presentation

Presentation	Tonnes
Fresh or Frozen	748
Smoked	4
<b>Total</b>	<b>752</b>

Table 42: Exports of Razor Clams

Country	Tonnes
Hong Kong	330
China	153
Canada	57
Malaysia	9
Singapore	9
Japan	9
Taiwan, Province of China	5
<b>Total</b>	<b>572</b>

Figure 32: Razor Clams Exports (Tonnes)

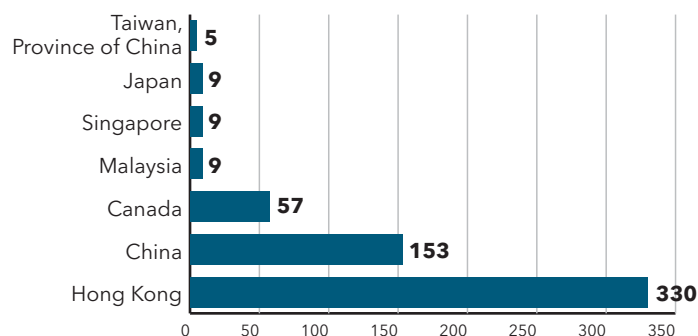


Table 43: Exports of Razor Clams, Presentation

Presentation	Tonnes
Live	545
Frozen	27
<b>Total</b>	<b>572</b>

# Technical Internal Audits

The SFPA is legislatively mandated to carry out internal audits within the organisation. A risk assessment and 5 year internal audit road map was established in 2017 with the following internal audits carried out in 2018:

## Official Controls on taking of samples

This internal audit was limited to the Official Controls on compliance with sampling (which includes the official controls associated with Food Business Operators Food Safety Management System incorporating HACCPs). This audit examined planned arrangement and Control Plans, in relation to sampling, to determine that they are suitable to achieve the objectives set-out in the relevant food safety legislation. This assessment was for the suitability of Official Controls, with regards to frequency, methods and other relevant aspects of the planned arrangements.

## Official Control on obligation of weighing of fish

This audit reviewed the procedures, policies and guidance notes that are applicable to official controls to verify compliance with Article 60 and 61 of EU Regulation 1224/2009, and Articles 69-89 of Regulation 404/2011 which provides further information on the 1224/2009 Articles.

## Official Control on compliance with Fisheries Opportunities

The focus of this audit review was data cross-check and validation of data acquired and used by the SFPA. The legislation that was in scope of this audit was the official controls to verify Article 109 of EU Regulation 1224/2009 and article 88, 89, 106, 143 and 145 of Regulation 404/2011 which provides further information on the EU Regulation 1224/2009 Articles.







# Enforce

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





# Food Safety Enforcement

## Closure of FU 16 Prawn Fishery: High Court Review

Prawn fisheries are amongst the most important in the Irish EFZ, in terms of both volume and value. Fisheries science recognizes different prawn stocks, and EU legislation allocates Total Allowable Catches (TACs) to defined geographical areas known as Functional Units (FU's). One of the more significant prawn grounds for Irish vessel is FU16 generally referred to as the Porcupine Prawn fishery. Catches from this area are generally larger and more valuable, and quotas available to individual fishing vessels are generally relatively restrictive.

During the first half of 2017 our ongoing monitoring of fishing vessel activity detected a pattern of fishing which represented a risk of noncompliance with regard to catch area declaration for prawns caught in FU16.

Fishing trips were occurring with relatively large amounts of time in FU16 where small quantities of catch were declared, whilst a short amount of time in waters outside of the FU16 area resulted in large declarations. This pattern was noted to varying extents in over 40 fishing vessels.

In addition to targeting physical inspections of catch at sea and on landing, our actions included raising concerns with Minister for Agriculture, Food and the Marine (The Minister) and offering advice on potential management options to help address the risk. We also brought these concerns to the attention of industry representatives.

An initial agreement was reached to cease allocating quota to the fishery from mid-2017, with a view to reopening later in the year to catch residual TAC which appeared to be available when outtake was calculated according to fishermen's declared catch area.

Later in 2017, we reassessed the data in respect of these catches and formed the view that overall outtake from 2017 would be more accurately assessed by reallocating catches from fishing trips on the basis of time spent in FU16 and in areas outside of the area. This reallocation indicated that Ireland's TAC for FU16 had already been caught and significantly exceeded.

On the basis of this reassessment of outtake, we made a submission to the Minister and the EU Commission DG-Mare. This resulted in a closure of the fishery for the remainder of 2017.

Some affected fishermen initiated a judicial review in the High Court, against our recalculation and the consequent fishery closure. This action involved an initial interlocutory injunction to seek a 'stay' our submission where submissions were heard by the High Court in December 2017.

The High Court published its judgment on the injunction in January 2018 refusing to grant the injunction sought by fishermen. The Judicial Review proceedings took place in the High Court in May 2018 with judgement published in October 2018 and the court finding in favour of our approach of reassessing the outtake when fishermen declarations appear unreliable.

Overall this was an important stance taken by SFPA showing our willingness to deploy all regulatory tools available to us to protect fishing stocks. The FU 16 prawn fishery reopened in 2018, with the Minister opting for the SFPA-recommended strategy of FU16 quota allocated to be fished only during trips dedicated to that area and not involving fishing in other areas, hence managing the potential for FU16 catches to be miss-declared as having come from parts of the trip outside the area.

At the time of writing individual prosecution cases have not yet come before Irish courts, and the appeal against the Judicial Review judgement has not been heard.



Figure 33: Image of Irish EEZ showing FU 16 area



Figure 34: Nephrops also known as Dublin Bay Prawns

# Fisheries Control Enforcement

In 2018 61 sea-fisheries case files were initiated, including 10 detentions. There were 4 sea-fisheries and 3 food safety case files that ended in successful prosecutions during 2018. There were High Court Judgments in favour of the Department and the SPPA with regard to an injunction and judicial review taken by individuals regarding FU16 prawn fishing that took place in 2017.

There was a substantial review of unclosed case files and progress towards a protocol with the DPP.

**Table 44: Fisheries Enforcement 2018**

Case	No. of Suspected Offences	Suspected Offence	Suspected Offence(s)
1	1	Fishing inside area 12NM by Nationality	
2	1	Logbook not completed correctly or up to date	
3	1	Over recording of catch	
4	1	Over recording of catch	
5	1	Over recording of catch	
6	1	Over recording of catch	
7	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
8	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
9	1	Fishing in excess of FMN	
10	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
11	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
12	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
13	1	Logbook not completed correctly or up to date	
14	1	Logbook not completed correctly or up to date	

Case	No. of Suspected Offences	Suspected Offence	Suspected Offence(s)
15	4	Two logbook infringements, not completed correctly or up to date	Two infringements regarding fishing in excess of FMN
16	1	Under recording Monkfish	
17	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
18	1	Fishing inside area 12NM by Nationality	
19	1	Fishing in excess of HER Authorisation	
20	1	Fishing in excess of FMN	
21	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
22	1	Retention of Prohibited species	
23	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
24	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
25	1	Logbook not completed correctly or up to date	
26	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
27	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
28	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
29	1	Logbook not completed correctly or up to date	
30	1	Logbook not completed correctly or up to date	
31	2	Logbook not completed correctly or up to date	Fishing in excess of FMN

Case	No. of Suspected Offences	Suspected Offence	Suspected Offence(s)
32	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
33	1	Logbook not completed correctly or up to date	
34	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
35	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
36	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
37	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
38	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
39	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
40	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
41	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
42	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
43	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
44	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
45	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
46	2	Logbook not completed correctly or up to date	Fishing in excess of FMN
47	2	Inspection failure to stop and manoeuvre	ICAAT unauthorised fishing

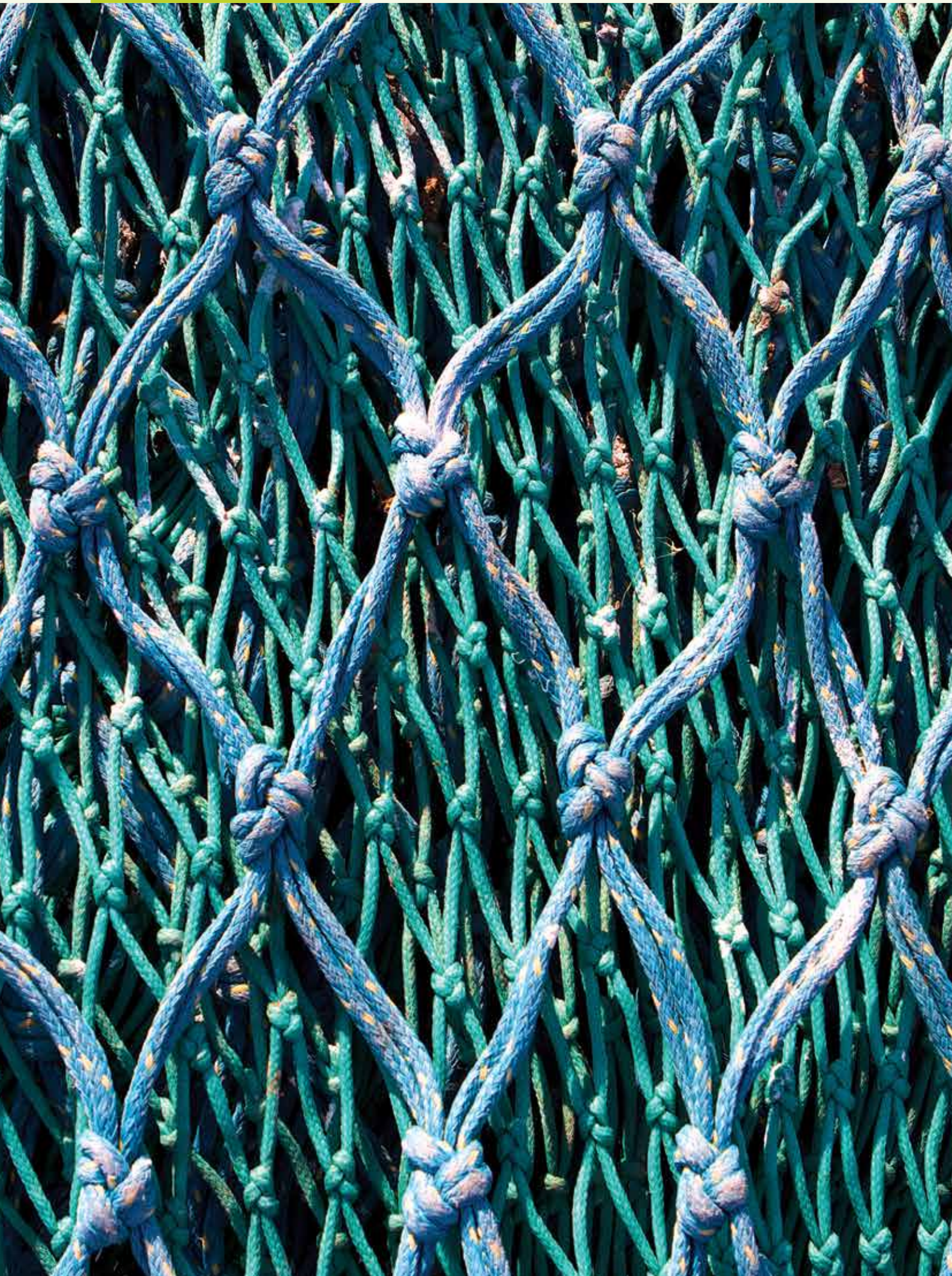
Case	No. of Suspected Offences	Suspected Offence	Suspected Offence(s)
48	1	Fishing inside area 12NM by Nationality	
49	2	More than maximum of Crab within a 24hr period	More than maximum of Lobster within a 24hr period
50	1	Illegal removal of shark fin	
51	1	Inspection boarding ladder defective	
52	1	Logbook not completed correctly or up to date	
53	1	ICAAT unauthorised fishing	
54	1	Unlicensed fishing	
55	4	Landing and/or selling Lobster under the Non-Commercial pot fishing SI	Retaining & Landing V-Notched Lobster Having more than 6 pots Landing more than 1 Lobster within 24hr period
56	1	Technical Logbook issue	
57	1	Technical Logbook issue	
58	1	Logbook not completed correctly or up to date	
59	1	Logbook not completed correctly or up to date	
60	3	Logbook not completed correctly or up to date	Failure to maintain AIS in operation Fishing in excess of FMN
61	3	Logbook not completed correctly or up to date	Failure to maintain AIS in operation Fishing in excess of FMN

Table 45: List of Acronyms

Acronym	Description
A&RC	Audit & Risk Committee
AIE	Access to Information on the Environment
BIM	Bord Iascaigh Mhara
C&AG	Comptroller and Audit General
CFP	Common Fisheries Policy
DAFM	Department of Agriculture, Food & Marine
DG MARE	Directorate General for Maritime Affairs and Fisheries
DOD	Department of Defence
DPP	Director of Public Prosecutions
DSE	Display Screen Equipment
EFCA	European Fisheries Control Agency
EFSA	European Food Safety Authority
EMFF	European Maritime and Fisheries Fund
EO	Executive Officer
EPA	Environmental Protection Agency
ERS	Electronic Reporting System
ESI	European Structural Investment
EU	European Union
FBO	Food Business Operator
FMN	Fisheries Management Notice
FOI	Freedom of Information
FPN	Fair Processing Notice
FSAI	Food Safety Authority of Ireland
GDPR	General Data Protection Regulation
GRC	Governance, Risk Management & Compliance
H & S	Health & Safety
HACCP	Hazard Analysis & Critical Control Point
HEO	Higher Executive Officer
HMRC	HM Revenue & Customs
HOOW	Harnessing our Ocean Wealth
HR	Human Resources
HWM	High Water Mark
ICATT	International Council for the Conservation of Atlantic Tuna
ICES	International Council for the Exploration of the Sea
IFIS	Integrated Fisheries Information System
IMP	Integrated Maritime Policy
IMT	Information Management Technology
IOSH	Institute of Occupational Safety and Health

Acronym	Description
IR	International Relations
ISA	Irish Shellfish Association
IT	Information Technology
IUU	Illegal, Unreported and Unregulated fishing
I WISH	Inspiring Women in Stem
KWH	Kilowatts
LBM	Live Bivalve Mollusc
LOA	Length Overall
MEP	Member of the European Parliament
MI	Marine Institute
MLVC	Marine Licensing Vetting Committee
MOU	Memorandum of Understanding
MS	Member State
MSO	Marine Survey Office
NGO	Non-Governmental Organisation
NM	Nautical Mile
NSAI	National Standards Authority of Ireland
OPW	Office of Public Works
PIR	Passive Infrared Sensor
PMDS	Performance Management Development System
PPCE	Personal Protective Clothing and Equipment
RIB	Rigid Inflatable Boat
RTA	Road Traffic Accident's
SEAI	Sustainable Energy Authority of Ireland
SFPA	Sea-Fisheries Protection Authority
SFPO	Sea-Fisheries Protection Officer
SOP	Standard Operating Procedures
VDU	Video Display Unit
VMS	Vessel Monitoring System







# Report and Financial Statements



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## General Information

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<b>Auditors:</b>	Comptroller and Auditor General 3A Mayor Street Upper Dublin 1

# 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 2018 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 2018 and of its income and expenditure for 2018 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 in regard to an EU Commission audit undertaken in 2018. The audit identified significant findings in respect of the reliability of the weighing and underreporting of pelagic fish landings and the lack of controls/enforcement over catches of bluefin tuna fish. The Authority in consultation with other relevant State bodies proposed new control initiatives to address the findings identified which are currently under review by the Commission.



**Seamus McCarthy**

Comptroller and Auditor General  
30 June 2019



# 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 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.

### 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.

I also 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.

# 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 accountable to the Minister for the Department of Agriculture, Food and the Marine and 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, and
- the Service Contract with the Food Safety Authority of Ireland.

Matters specifically reserved for Authority decision are set out in the Corporate Governance Policies and Procedures. Standing items considered by the Authority include:

- declaration of interests,
- reports from committees,
- financial reports/management accounts,
- performance reports, and
- reserved matters.

Section 65 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 requires the Authority of the Sea-Fisheries Protection 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 of the Sea-Fisheries Protection 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 26 March 2019.

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 2018.

## Authority Structure

The Sea-Fisheries Protection Authority does not have a Board but comprises a three member Executive Authority. One of the members of the Authority is the Chairperson. The table below details the appointment period for the current Authority members.

# Governance Statement and Authority Members' Report (continued)

Authority Member	Role	Date Appointed from/to
Dr. Susan Steele	Authority Chairperson	4th March 2013 to 28th February 2025
Mr. Andrew Kinneen	Authority Member	1st January 2007*
Mr. Micheál O'Mahony	Authority Member	1st January 2008 to 31st December 2019

\* Andrew Kinneen is a permanent member of the Authority in line with Section 47, subsection 2(a) of the Sea-Fisheries and Maritime Jurisdiction Act 2006.

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 2018, the members of the Audit and Risk Committee were: Muireann O'Neill, Chairperson, Peter Cowap, Interim Chairperson, Pat Farrell, Donal O'Rourke, Brendan O'Shea, Tom Ryan and Rav Vithaldas. There were seven meetings of the ARC in 2018.

Donal O'Rourke and Tom Ryan resigned as members of the Audit and Risk Committee on 25th June 2018, having each served for ten years. Peter Cowap and Rav Vithaldas were appointed to the Audit and Risk Committee on 4th September 2018. Muireann O'Neill resigned as Chairperson of the Audit and Risk Committee on 22nd October 2018, having completed her term in office. Peter Cowap was appointed Interim Chairperson on 12th November 2018. Sean Angland was appointed to the Audit and Risk Committee on 29th April 2019.

The Authority undertook a self-assessment evaluation of its own performance and that of its Audit and Risk Committee on 26 March 2019.

## Schedule of Attendance, Fees and Expenses

A schedule of attendance at Authority Governance meetings is set out below. Authority Governance meetings were held on 13th February, 2nd October, 7th November and 20th December 2018.

Authority Governance Meetings	
Number of Meetings	4
Susan Steele	4
Andrew Kinneen	4
Micheál O'Mahony	4

A schedule of attendance at the Audit and Risk Committee meetings for 2018 is set out below including the fees and expenses received by each ARC member:

Audit & Risk Committee		Fees 2018 €	Expenses 2018 €
Number of Meetings	7		
Muireann O'Neill, Chair	5	-	710
Peter Cowap, Interim Chair	3	1,088	93
Pat Farrell	6	1,631	2,935
Donal O'Rourke	0	-	-
Brendan O'Shea	7	1,914	365
Tom Ryan	2	533	207
Rav Vithaldas	3	848	80
		<b>6,014</b>	<b>4,390</b>

## 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 From	To	Number of employees 2018 2017	
€ 60,000	- € 69,999	13	11
€ 70,000	- € 79,999	29	24
€ 80,000	- € 89,999	17	21
€ 90,000	- € 99,999	6	6
€ 100,000	- € 109,999	2	-

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 on behalf of the employee, but exclude employer's PRSI.

# Governance Statement and Authority Members' Report (continued)

## Consultancy Costs

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

	2018 €	2017 €
Financial/accounting advice	104,592	33,434
Human resources	16,011	2,768
Legal advice	109,020	83,242
Public relations	83,115	100,304
Business improvement projects	118,726	95,640
Strategy implementation	46,362	90,773
EMFF project / consultancy costs	221,146	166,385
Other	-	11,764
<b>Total consultancy costs</b>	<b>698,972</b>	<b>584,310</b>
Consultancy costs capitalised	-	-
Consultancy costs charged to the Statement of Income and Expenditure and Retained Revenue Reserves	698,972	584,310
<b>Total</b>	<b>698,972</b>	<b>584,310</b>

## 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.

	2018 €	2017 €
Legal fees - legal proceedings	147,045	90,247
Conciliation and arbitration payments	-	-
Settlements	3,308	846
<b>Total</b>	<b>150,353</b>	<b>91,093</b>

Included in these legal costs is an amount of €75,463 (2017: €67,374) in relation to on-going matters involving the Sea-Fisheries Protection Authority.

## Travel and Subsistence Expenditure

Travel and subsistence expenditure is categorised as follows:

	2018 €	2017 €
<b>Domestic</b>		
Authority*	17,914	24,044
Employees	464,034	342,382
Audit & Risk Committee	6,886	1,638
Consultative Committee	9,538	8,074
<b>International</b>		
Authority*	6,869	9,528
Employees	117,589	102,363
<b>Total</b>	<b>622,830</b>	<b>488,029</b>

\* includes travel and subsistence of €23,403 paid directly to Authority members in 2018 (2017: €28,120). A balance of €11,270 (2017: €13,408) relates to expenditure paid by the Sea-Fisheries Protection Authority on behalf of the Authority members of which €9,890 (2017: €7,956) was reimbursed to the Sea-Fisheries Protection Authority by EU agencies.

## Hospitality Expenditure

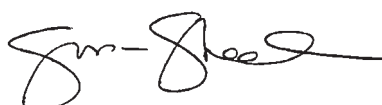
The Statement of Income and Expenditure and Retained Revenue Reserves includes the following hospitality expenditure:

	2018 €	2017 €
Staff hospitality	-	2,133
External stakeholder hospitality	-	3,653
<b>Total</b>	<b>-</b>	<b>5,786</b>

## 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



**Dr. Susan Steele**

Chairperson of the Authority  
20th June 2019



# 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 2018 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 seven times in 2018.

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.

A risk register is in place which identifies the key risks facing the Authority. Risks have been identified, evaluated and graded according to their significance. The register is reviewed and updated by the ARC and the Authority on a quarterly basis. 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:

- a Chief Risk Officer has been appointed to oversee the implementation of the risk management framework,
- 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

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. Matters arising regarding controls over procurement are highlighted under internal control issues below.

## Review of Effectiveness

I confirm that the Authority has procedures to monitor the effectiveness of its risk management and control procedures. The Authority's monitoring and review of the effectiveness of the system of internal control is informed by the work of the internal and external auditors, the Audit and Risk Committee which oversees their work and the senior management within the Authority responsible for the development and maintenance of the internal control framework.

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 2018, in May 2019.

## Internal Control Issues

In early 2018 the DG-Mare of the EU Commission performed an audit of Ireland's system of controls over two broad areas, weighing of pelagic landings (Mackerel, Horse Mackerel, Herring and Blue Whiting) and catches of Bluefin Tuna.

The audit examined work done primarily by SFPA, with input from several other state agencies and departments, to discharge Ireland's obligations within EU law to have systems of official control to deter and detect non-compliance by fishermen or processors in these areas.

A draft audit report was received from DG-Mare in September 2018 profiling the work done by Irish authorities including all of the systems and initiatives put in place by SFPA. The draft report identified significant issues in respect of the reliability of the weighing and underreporting of pelagic landings and controls/enforcement over catches of Bluefin Tuna where DG-Mare regarded Ireland's approach as inadequate, and made various recommendations.

SFPA contributed substantially to the late 2018 Irish response to the draft Audit report proposing a comprehensive series of new control initiatives designed to address DG-Mare recommendations where appropriate, and identifying some areas where DG-Mare expectation could not reasonably be pursued. Various other government agencies contributed to this rapid response, essentially proposing rapid and comprehensive actions to address shortcomings identified at this draft report stage.

The final report was received in early 2019, and SFPA attended a bilateral meeting between DG-Mare and Ireland in Q1 2019. That meeting was informed by a comprehensive update coordinated by SFPA on the late 2018 proposal and the various actions already implemented and in train. DG-Mare have not yet responded to Ireland's response.

## Statement on Internal Control (continued)

Details of breaches	Mitigating actions
<i>The Sea-Fisheries Protection Authority made a submission to the Revenue in 2018 in relation to tax compliance on the BLK treatment of state vehicles provided to Appointed (Warranted) Officers. Details of the underpayment of tax identified on foot of an opinion received from the Revenue will be set out in an unprompted voluntary disclosure which will be submitted to the Revenue in 2019. A provision has been made in the financial statements for the total estimated underpayment of tax which relates to 2018. The provision amounts to €225,000. A further settlement will also be due in respect of 2019.</i>	<i>The Sea-Fisheries Protection Authority is amending its fleet policy to address areas of non-compliance identified in the Revenue opinion. The Sea-Fisheries Protection Authority remains committed to compliance with taxation laws.</i>
<i>During 2018, expenditure of €28,386 was incurred in relation to a service contract, which had been put in place under an OGP framework. This was due to the rollover of the existing contract pending finalisation of a new tender.</i>	<i>The new contract was awarded in March 2019 following completion of the tender competition and the contracts register has been updated so that the time to contract expiry is monitored and flagged.</i>

No other weaknesses in internal control were identified in relation to 2018 that require disclosure in the financial statements.

On behalf of the Authority



**Dr. Susan Steele**

Chairperson of the Authority  
20th June 2019

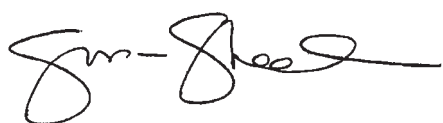
# Statement of Income and Expenditure and Retained Revenue Reserves

For the Year Ended 31 December 2018

	Note	2018 €	2017 €
<b>INCOME</b>			
Oireachtas Grants	2	10,302,000	10,731,000
EMFF project income	3/11	1,151,870	1,806,626
Net Deferred Funding for Pensions	15 c	10,734,000	1,884,000
Less: Pension contributions refundable to the Department of Agriculture, Food and the Marine and the Department of Public Expenditure and Reform	15 a	(409,000)	(368,000)
Fee income		4,849	9,249
Profit on disposal of fixed assets		50,471	61,055
Bank interest		-	23
		21,834,190	14,123,953
<b>EXPENDITURE</b>			
Employee Benefits	4	7,384,930	7,286,512
Retirement Benefit Costs	15 a	10,760,000	1,962,000
Accommodation and Establishment	5	387,364	412,137
Support Services	6	886,561	637,462
General Administration	7	2,464,867	2,142,150
Audit Fee		19,000	19,000
Depreciation	9	1,074,122	751,628
		22,976,844	13,210,889
(Deficit)/Surplus for year		(1,142,654)	913,064
Transfer from Capital Account	14	602,147	(1,147,388)
		(540,507)	(234,324)
Salary overpayments	8/10	-	151,000
<b>Operating Loss for year</b>		<b>(540,507)</b>	<b>(83,324)</b>
Balance brought forward at 1 January		973,678	1,057,002
<b>Balance carried forward at 31 December</b>		<b>433,171</b>	<b>973,678</b>

All income and expenditure for the year ended 31 December 2018 and the previous year relate to continuing operations.

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



**Dr. Susan Steele**

Chairperson of the Authority

20th June 2019



# Statement of Comprehensive Income

For the Year Ended 31 December 2018

	Note	2018 €	2017 €
Operating Loss for year		(540,507)	(83,324)
Experience gains/(losses) on retirement benefit scheme		353,000	(242,000)
Changes in assumptions underlying the present value of retirement benefit scheme liabilities		1,530,000	(1,144,000)
Actuarial gains/(losses) on retirement benefit liabilities	15	1,883,000	(1,386,000)
Adjustment to deferred retirement benefit funding	15	(1,883,000)	1,386,000
Total Comprehensive Income/(Expenditure) for the year		(540,507)	(83,324)

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



**Dr. Susan Steele**

Chairperson of the Authority


20th June 2019

# Statement of Financial Position

As at 31 December 2018

	Note	2018 €	2017 €
<b>Fixed Assets</b>			
Property, Plant and Equipment	9	2,437,578	3,039,725
<b>Current Assets</b>			
Cash and Cash Equivalents		1,473,075	3,310,213
Receivables	8/10	942,385	934,290
		2,415,460	4,244,503
<b>Less Current Liabilities</b>			
Payables	11	1,268,956	2,787,665
Forfeiture Funds	12	488,333	483,160
Provision	13	225,000	-
		1,982,289	3,270,825
<b>Net Current Assets</b>		433,171	973,678
<b>Total Assets less Current Liabilities before Retirement Benefits</b>		2,870,749	4,013,403
Retirement Benefit Obligations	15 b	(42,920,000)	(34,069,000)
Deferred Retirement Benefit Funding Asset	15 e	42,920,000	34,069,000
<b>Net assets</b>		2,870,749	4,013,403
<b>Financed By:</b>			
Retained Revenue Reserves		433,171	973,678
Capital Account	14	2,437,578	3,039,725
		<b>2,870,749</b>	<b>4,013,403</b>

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



**Dr. Susan Steele**

Chairperson of the Authority  
20th June 2019

# Statement of Cash Flows

For the Year Ended 31 December 2018

	Note	2018 €	2017 €
<b>Net Cash Flows from Operating Activities</b>			
Operating Loss for year		(540,507)	(83,324)
Transfer from Capital Account	14	(602,147)	1,147,388
Depreciation	9	1,074,122	751,628
Profit on Disposal of Fixed Assets		(50,471)	(61,055)
Increase in Receivables	10	(8,095)	(166,315)
(Decrease)/Increase in Payables	11	(1,518,709)	1,993,826
Increase in Forfeiture Funds	12	5,173	101,733
Increase in Provision	13	225,000	–
Bank Interest		–	(23)
Net Cash (Outflow)/ Inflow from Operating Activities		(1,415,634)	3,683,858
<b>Cash Flows from Investing Activities</b>			
Payment to Acquire Fixed Assets	9	(471,975)	(1,899,016)
Proceeds from Sale of Fixed Assets		50,471	61,055
Net Cash Outflow from Investing Activities		(421,504)	(1,837,961)
<b>Cash Flows from Financing Activities</b>			
Bank Interest		–	23
(Decrease)/Increase in Cash and Cash Equivalents		(1,837,138)	1,845,920
Cash and Cash Equivalents at the beginning of the Year		3,310,213	1,464,293
<b>Cash and Cash Equivalents at the end of the Year</b>		<b>1,473,075</b>	<b>3,310,213</b>



**Dr. Susan Steele**

Chairperson of the Authority

20th June 2019

# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 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 2018 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 Financial Reporting Council, 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) 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.

### 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.



# Notes to the Financial Statements

For the Year Ending 31 December 2018

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.

## 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 Ending 31 December 2018

## 2. Oireachtas Grants

Funding was made available under subhead C.8 of Vote 30 Department of Agriculture, Food and the Marine in the year.

	2018 €	2017 €
Oireachtas Grants received	10,302,000	10,731,000

## 3. EMFF Project Income

Funding was made available under the Operational Programme of the Department of Agriculture, Food and the Marine and supported by the European Maritime and Fisheries Fund (EMFF) in the year. EMFF project receipts in 2018 were €1,192,725 (2017: €1,852,354) with €86,583 (2017: €45,728) deferred for future expenditure.

EMFF project expenditure breakdown	2018 €	2017 €
Union Priority 3 – Fostering the implementation of the CFP (Note 11)	1,151,870	1,806,626

## 4. Remuneration

### (a) Aggregate Employee Benefits and related expenses

The number of staff employed by the Authority at 31 December 2018 was 121 (2017: 99). The average number of employees in the Authority during the year was 111. Aggregate employee benefits and related costs were as follows:

	2018 €	2017 €
Staff short-term benefits	6,567,266	6,263,324
Cost of agency staff	24,189	445,233
Lump sum benefits	137,650	–
Employer's contribution to social welfare	655,278	576,821
EMFF employer's pension contributions	21,087	5,259
Social welfare costs recovered	(20,540)	(4,125)
	<b>7,384,930</b>	<b>7,286,512</b>

Pension related deduction of €370,751 (2017: €349,706) has been deducted from staff and €366,604 (2017: €320,470) paid over to the Department of Agriculture, Food and the Marine in 2018.

### (b) Staff Short-Term Benefits

	2018 €	2017 €
Basic pay	5,528,872	4,948,176
Allowances	911,774	1,130,142
Overtime	126,620	185,006
	<b>6,567,266</b>	<b>6,263,324</b>

# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 4. Remuneration (continued)

### (c) Key Management Personnel

Key management personnel in the Sea-Fisheries Protection Authority consists of the three members of the Authority. The total value of employee benefits for key management personnel is set out below:

	2018 €	2017 €
Salary	309,232	290,720

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.

	2018 €	2017 €
Basic pay	105,170	96,757

The Chairperson is a member of the Sea-Fisheries Protection Authority Superannuation Scheme for Authority members and her 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

	2018 €	2017 €
Rent	180,533	187,239
Lighting and heating	81,003	59,502
Maintenance - premises	118,059	148,694
Office furnishings and fit out	7,769	16,702
	387,364	412,137

## 6. Support Services

	2018 €	2017 €
IT consumables and services	302,007	166,495
Staff development and training	298,585	208,381
Maintenance - vehicles	118,911	101,269
Official control analysis	93,739	81,281
Safety and control equipment	73,319	80,036
	886,561	637,462

# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 7. General Administration

	2018 €	2017 €
Stationery and office	115,432	149,737
Telephone	80,647	99,613
Insurance	6,792	3,546
Room hire	12,310	25,487
Travel and subsistence	641,132	489,621
IT support and development	73,812	119,857
Legal and professional	731,697	813,106
Accountancy	165,542	88,331
Recruitment	188,718	136,620
Public relations and marketing	203,123	188,418
Provision for settlement with Revenue Commissioners	225,000	-
Subscriptions	13,396	14,226
Other operating costs	7,266	13,588
	<b>2,464,867</b>	<b>2,142,150</b>

## 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 these allowances. The Authority was subsequently advised, that where these allowances form part of the pension provision for staff, then the Haddington Road pay adjustments must be applied to them. A provision for recovery of retrospective salary overpayments amounting to €881,000 is included in receivables for the year ended 31 December 2018 (2017: €881,000). Pending the outcome of conciliation by the Workplace Relations Commission, the Authority is not in a position to pursue any individual for the repayments.



# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 9. Property, Plant and Equipment

	Vehicles €	IT, office equipment & software €	Furniture, fixtures & fittings €	Leasehold €	IT special projects €	Vessels & water separator €	Total €
<b>Cost</b>							
Balance at 01/01/18	1,845,477	3,826,527	475,493	1,009,398	4,836,415	412,872	12,406,182
Acquisitions	1,919	39,582	2,946	21,330	406,198	-	471,975
Reclassification	-	(1,422,411)	-	-	1,422,411	-	-
Disposals/Write-offs <sup>1</sup>	(279,434)	-	-	-	(1,065,959)	-	(1,345,393)
Balance as at 31/12/18	1,567,962	2,443,698	478,439	1,030,728	5,599,065	412,872	11,532,764
<b>Depreciation</b>							
Balance at 01/01/18	1,256,914	2,246,641	396,586	463,838	4,771,924	230,554	9,366,457
Charge in year	240,495	112,314	27,737	95,314	545,332	52,930	1,074,122
Reclassification	-	(2,597)	-	-	2,597	-	-
Disposals/Write-offs	(279,434)	-	-	-	(1,065,959)	-	(1,345,393)
Balance as at 31/12/18	1,217,975	2,356,358	424,323	559,152	4,253,894	283,484	9,095,186
Net book value as at 31/12/18	<b>349,987</b>	<b>87,340</b>	<b>54,116</b>	<b>471,576</b>	<b>1,345,171</b>	<b>129,388</b>	<b>2,437,578</b>
Net book value as at 01/01/18	<b>588,563</b>	<b>1,579,886</b>	<b>78,907</b>	<b>545,560</b>	<b>64,491</b>	<b>182,318</b>	<b>3,039,725</b>

<sup>1</sup> IT special projects equipment with a nil net book value (Cost €1,065,959) was written off during the year as these assets were no longer in use.

## 10. Receivables

	2018 €	2017 €
Accrued income	19,336	8,060
Recoverable overpayments (Note 8)	881,000	881,000
Prepayments	42,049	45,230
	<b>942,385</b>	<b>934,290</b>

# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 11. Payables

	2018 €	2017 €
Amounts falling due within one year:		
Trade payables	38,346	494,362
Accruals	751,991	1,934,929
EMFF deferred income (Note 3)	86,583	45,728
PAYE/PRSI/USC/LPT	225,210	195,006
VAT	59,724	2,240
Professional services withholding tax	19,418	30,056
Other payroll accruals	87,684	85,344
	<b>1,268,956</b>	<b>2,787,665</b>

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

## 12. Forfeiture Funds

	2018 €	2017 €
Forfeiture funds held at 1 January (net of interest)	483,160	381,427
Add Receipts	30,173	110,185
Less Payments	(25,000)	(8,452)
Forfeiture funds held at 31 December	<b>488,333</b>	<b>483,160</b>

## 13. Provision

	2018 €	2017 €
Provision for settlement with Revenue Commissioners	225,000	-
	<b>225,000</b>	<b>-</b>

A provision for settlement with the Revenue Commissioners amounting to €225,000 (2017: €Nil) is included in the financial statements. This relates to the underpayment of tax on state vehicles provided to Appointed (Warranted) Officers.

# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 14. Capital Account

	2018 €	2017 €
Balance at 1 January	3,039,725	1,892,337
Transfer from Statement of Income and Expenditure and Retained Revenue Reserves		
– Income used to purchase fixed assets	471,975	1,899,016
– Amount released on disposal of fixed assets	–	–
– Income amortised in year in line with depreciation of asset	(1,074,122)	(751,628)
	(602,147)	1,147,388
Balance as at 31 December	<b>2,437,578</b>	<b>3,039,725</b>

## 15. Retirement Benefit Costs

### (a). Analysis of total retirement benefit costs charged to expenditure

	2018 €	2017 €
Current service cost	1,987,000	1,670,000
Past service cost	8,433,000	–
Interest on retirement benefit scheme liabilities	749,000	660,000
Employee contributions refundable to the Department of Agriculture, Food and the Marine and the Department of Public Expenditure and Reform	(409,000)	(368,000)
	<b>10,760,000</b>	<b>1,962,000</b>

In 2018, a past service cost of €8,433,000 (2017: €Nil) has arisen due to the recognition of additional pensionable earnings, purchase of notional service and transfers of service in the retirement benefit actuarial valuation.

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

	2018 €	2017 €
Net retirement benefit liability at 1 January	34,069,000	30,799,000
Current service cost	1,987,000	1,670,000
Past service cost	8,433,000	–
Interest on retirement benefit scheme liabilities	749,000	660,000
Benefits paid in year	(435,000)	(446,000)
Actuarial (gains) / losses	(1,883,000)	1,386,000
<b>Net retirement benefit liability at 31 December</b>	<b>42,920,000</b>	<b>34,069,000</b>

# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 15. Retirement Benefit Costs (continued)

### (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.

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

	2018 €	2017 €
Funding recoverable in respect of current year retirement benefit costs	2,736,000	2,330,000
Funding recoverable in respect of past service costs	8,433,000	-
State grant applied to pay retirement benefits	(435,000)	(446,000)
	<b>10,734,000</b>	<b>1,884,000</b>

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

### (e). History of defined benefit obligations

	2018 €	2017 €	2016 €	2015 €	2014 €
Defined benefit obligations	42,920,000	34,069,000	30,799,000	25,665,000	18,400,000
Experience (gains)/losses on scheme liabilities	(353,000)	242,000	(98,000)	(958,000)	(802,000)
Percentage of the present value of scheme liabilities	-0.8%	0.7%	-0.3%	-3%	-4%

# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 15. Retirement Benefit Costs (continued)

### (f). General description of the Scheme

The pension scheme is a defined benefit salary retirement benefit arrangement with benefits and contributions defined by reference to current "model" public sector scheme regulations. The scheme provides a pension (one eightieth per year of service, subject to a maximum of 40 years), a gratuity or lump sum (three eightieths per year of service) and spouse's and children's pensions. 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.

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

The valuation used for FRS 102 disclosures has been based on a full actuarial valuation in 2018 by a qualified independent actuary taking account of the requirements of the FRS in order to assess the scheme liabilities at 31 December 2018.

The main actuarial assumptions used were:

Valuation Method	2018	2017
Discount rate	2.15%	2.15%
Salary increases	3.25%	3.40%
Pension increases	2.75%	2.90%
Inflation rate	1.75%	1.90%

Assumptions made regarding future mortality in 2018 and 2017 with regard to the average life expectancy in years for a pensioner aged 65 are as follows:

	2018	2017
Male - current pensioner	21.5	21.4
Female - current pensioner	24.0	23.9
Male - future pensioner	23.9	23.8
Female - future pensioner	26.0	25.9

## 16. Authority Members' Expenses

Authority members' expenses reimbursed in 2018 were as follows:

	2018	2017
Dr. Susan Steele	14,106	12,488
Mr. Andrew Kinneen	909	6,018
Mr. Micheál O'Mahony	8,388	9,614
	<b>23,403</b>	<b>28,120</b>



# Notes to the Financial Statements

For the Year Ending 31 December 2018

## 17. Property Costs

	Location	Status	Annual Rent	Lease Expiry
Headquarters	Clonakilty, Co. Cork	OPW Owned*	N/A	N/A
Clonakilty storage	Co. Cork	Expired**	5,166	2018
Castletownbere port office	Co. Cork	Leased	30,000	2019
Howth port office	Co. Dublin	Lease in negotiation	26,000	2042
Howth storage	Co. Dublin	Leased**	3,786	2019
Clogherhead office	Co. Louth	Leased	3,690	2019
Dunmore East port office	Co. Waterford	Lease in negotiation	14,000	2042
Kilmore quay office	Co. Wexford	Expired**	4,000	2018
Dingle port office	Co. Kerry	Lease in negotiation	10,000	2042
Dingle storage	Co. Kerry	Lease in negotiation	5,200	2021
Ros a Mhil port office	Co. Galway	Leased	17,050	2023
Killybegs port office	Co. Donegal	Lease in negotiation	44,000	2042
Killybegs storage	Co. Donegal	License in negotiation	7,000	2022
Greencastle office	Co. Donegal	Leased	10,000	2020
Westport storage	Co. Mayo	Expired**	1,538	2018
Ringaskiddy office	Co. Cork	Expired**	5,904	2018

**187,334**

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

\*\*The annual rent for expired leases above reflects the rent expense incurred for 2018.

### Lease Commitments

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

	As at 31 Dec 2018 €	As at 31 Dec 2017 €
Under 1 year	170,726	170,338
Between 2 – 5 years	471,288	464,000
Over 5 years	1,786,000	1,868,788
	<b>2,428,014</b>	<b>2,503,126</b>

Lease payments recognised as an expense in 2018 were €180,533 (2017: €176,446).

## 18. 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.

## 19. 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.

## 20. Approval of Financial Statements

The Financial Statements were approved by the Authority on the 20th June 2019.





**SEA-FISHERIES  
PROTECTION  
AUTHORITY**

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