



AN t-ÚDARÁS UM  
CHOSAINT  
IASCAIGH MHARA

SEA-FISHERIES  
PROTECTION  
AUTHORITY

ANNUAL REPORT

2022



BIA MARA SÁBHÁILTE INBHUNAITHE  
SAFE SUSTAINABLE SEAFOOD



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## About the SFPA

The Sea-Fisheries Protection Authority (SFPA) was established under the provisions of the Sea-Fisheries and Maritime Jurisdiction Act 2006 ("the Act") and operates under the aegis of the Department of Agriculture, Food and the Marine.


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

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

# SFPA Offices



# 2022 AT A GLANCE



**45,031** landings  
of **267,517** tonnes

Processing of **3,670** health certificates  
for 47 Irish Export Businesses



Verification of **2,831** catch certificates  
relating to the import of **11,747**  
tonnes of produce from all third countries



**78,171** tonnes  
and **26** species  
were certified for export  
from 47 Food Businesses to 48  
countries outside the EU



**10,800**  
tonnes of  
Irish seafood  
export certified

**1,903**  
fishing vessel  
inspections  
carried out



**75,457**  
tonnes of produce  
imported from non-  
EU fishing vessels  
into Ireland



**1,571**  
Shellfish  
Samples taken


**51**  
Foreshore  
Licences  
Reviewed



**1,958** food safety  
official controls carried out

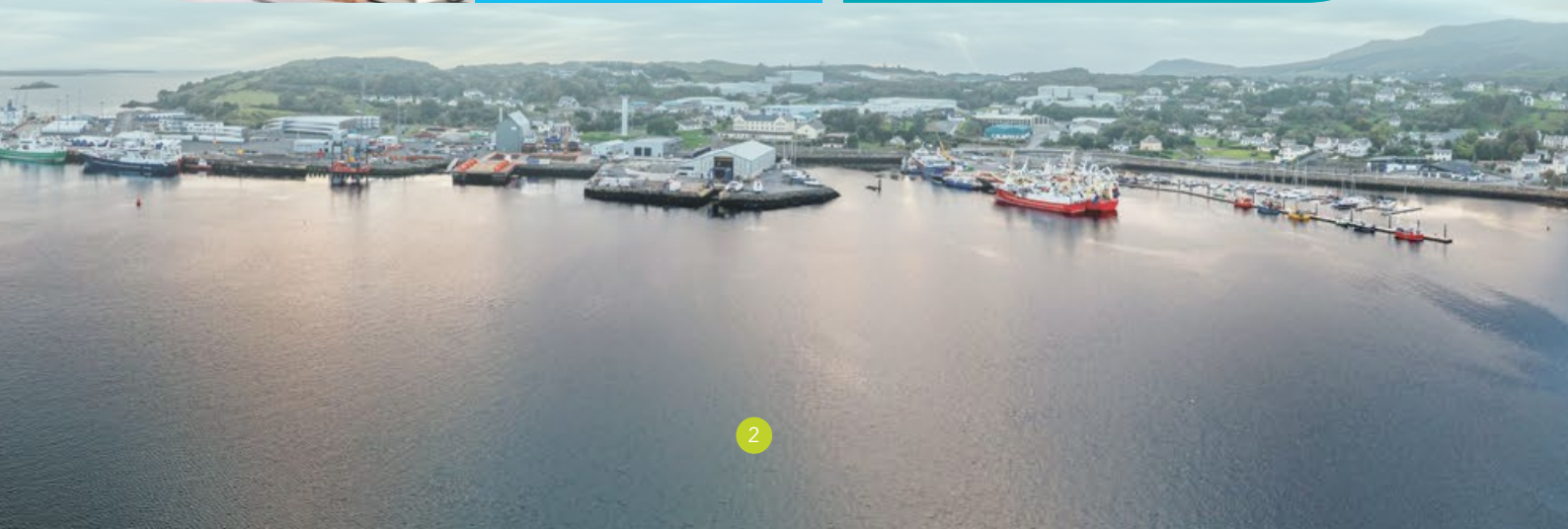
**74** Food Safety Incidents/  
Complaints investigated

**1,249** Official Control  
Samples taken



**87** Casefiles opened in 2022

**161** Infringements detected  
in 2022 across the 87 casefiles



# SFPA Statement of Strategy

The SFPA's Statement of Strategy 2021-2023 sets out the focus of work over five strategic goals and 23 strategic objectives.

## Our Goals



### GOAL 1 Effective Regulation

Deliver a quality public service and regulate in a fair, objective, and proportionate manner.



### GOAL 2 Communication and Engaging

Strengthen partnerships and re-define relationships with stakeholders.



### GOAL 3 Data Driven Delivery

Promote and enable the use of data to enhance service delivery, inform decision making, support accountability and simplify engagement with stakeholders.



### GOAL 4 Organisational Excellence

Sustain and develop strategic and operational capacity and capability to deliver organisational excellence.



### GOAL 5 Staff Development and Support

To develop and support SFPA's staff.

## Our Vision

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

## Our Mission

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

## Our Values

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



# Chairperson's Statement

**The SFPA is Ireland's competent authority tasked with protecting the sustainability of sea-fisheries in our Exclusive Economic Zone and ensuring seafood safety for consumers as well as underpinning seafood trade - our role is to regulate the seafood sector to support safe and sustainable seafood.**

This means the regulation of all fishing vessels from all nationalities operating within Ireland's 200-mile limit, the near 2,000 Irish registered fishing vessels wherever they may operate, all the seafood producers operating in the State and the certification of all Irish seafood exported abroad to Third Countries. Regulation also underpins confidence in the safety of Irish seafood products, providing vital reassurance to retailers, hospitality businesses and consumers at home and abroad. Retaining Ireland's growing reputation for producing superior seafood is essential. Additionally, sustainable management of fisheries can help to maintain the health of marine ecosystems, which in turn supports the livelihoods of many coastal communities that depend on fisheries. Overall, sustaining fisheries is critical to ensuring that we can continue to enjoy fish as a healthy food source, support the livelihoods of Fishers, and protect the health and well-being of our oceans and coastal communities.

*I am pleased to submit our Annual Report for 2022 which details the extensive work programme the SFPA undertook across the year in fulfilment of our commitment to our statutory remit.*

2022 was a year of significant change within the SFPA with the appointment of a new Authority and new senior management members across the organisation. With renewed leadership and the substantial implementation of the 2020 Organisational Capability Review, the SFPA demonstrated its capacity as an effective, fair regulator and promoter of compliance with sea-fisheries and seafood safety law throughout 2022.

Protecting sea-fisheries sustainability and safeguarding against illegal fishing activity is one of the critical activities of the SFPA and our Sea-Fisheries Protection Officers (SFPOs) operating throughout the country and at sea through our partnership with the European Fisheries Control Agency (EFCA) and with the Irish Naval Service. During 2022, our SFPOs undertook 1,903 fishing vessel inspections which marked a 41% increase in inspection activity from 2021. Throughout 2022 a total of 87 casefiles were opened as a result of 161 suspected sea-fisheries infringements. The figure of 161 represents the total of both food safety and sea-fisheries infringements. Points for serious infringements were applied in six out of seven cases put forward and one case had points applied to the Master of a fishing vessel for the first time under new legislation. Increased inspection and enforcement provide an effective tool to protect against illegal fishing activity.

Protecting seafood safety is critical not only to the reputation of Ireland's seafood offering both home and abroad but ultimately the health and wellbeing of consumers of Irish seafood products. To this end, the SFPOs carried out 1,958 food safety official controls across 2,323 food premises under the Authority's remit. The SFPA responded to 74 food incidents where there were concerns regarding the safety or quality of food which required examination in the interests of public health. Seafood safety enforcement measures in 2022 ranged from informal advisory measures to the service of Compliance Notices, as well as to the commencement of criminal prosecutions for serious non-compliances. In 2022, two separate criminal prosecutions were commenced against food business operators for breaches of the regulations on food safety including on hygiene, temperature controls, pest control and traceability requirements. 16 Compliance Notices were issued in 2022.

Ireland as a food exporting nation places significant emphasis on our position as a supplier of safe, traceable and sustainably produced high-quality food. Seafood is a valuable part of this offering.



The SFPA as a regulator is conscious of our role in ensuring the integrity of our seafood and strategically in terms of how Ireland's reputation as a food exporter of choice is dependent on all links in the chain.

As Ireland's competent authority for seafood trade compliance, the SFPA undertakes a range of activities critical to enabling Ireland's seafood economy. Irish seafood exports in 2022 was valued at €530 million<sup>1</sup>, representing a €17 million<sup>1</sup> value growth in exports since the previous year.

The SFPA's Trade Compliance Unit, supported by our SFPOs across the country, work tirelessly to support our seafood producers to enable export internationally and the functioning of our seafood production supply chains. Brexit and the emergence of the UK as a Third Country has led to increased demands on the SFPA. I am encouraged at how the organisation has risen to this challenge and helped to maintain the movement of seafood products without significant disruption.

2022 was a challenging year for Ireland's seafood sector with the continuing repercussions from Brexit, the fallout from the Russian invasion of Ukraine, the continued impact of COVID-19 in export markets, the energy crisis and the cost-of-living crisis creating a challenging trading environment. This was reflected in the decrease in third country exports from Ireland to 78,171 tonnes and 26 species from 47 Food Businesses to 48 countries outside the EU in 2022 from 121,395 tonnes in 2021.

*A key objective for 2022 was to secure approval for a permanent Sea-Fisheries Control Plan which provides an exemption from weighing on landing for 95% of pelagic landings and a proportion of demersal fish landings.*

We welcomed confirmation from the EU Commission that the draft Sea-Fisheries Control Plan submitted in September 2022 had been approved to come into effect on 1st January 2023. SFPA staff worked intensively throughout the year on the revised Control Plan which provides much needed certainty to all involved in the industry over the longer term. To this end, we engaged extensively with industry representatives and directly with operators to provide detailed briefing material through face-to-face meetings, online briefings and in writing to ensure that those who wished to avail of the derogation the Control Plan provides were fully appraised of the terms and conditions that apply.

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

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

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. Lastly, I wish to acknowledge the dedication of all staff of the SFPA who continue in their commitment to produce high quality work and ensure the delivery of the Statement of Strategy.

**Paschal Hayes**

EXECUTIVE CHAIRPERSON

<sup>1</sup>Figures taken from Bord Bia's "Export Performance and Prospects Report 2022 - 2023"  
<https://www.bordbia.ie/globalassets/bordbia.ie/industry/2022---2023-export-performance--prospects-final.pdf>

# GOAL 1





## Effective Regulation

Deliver a quality public service and regulate in a fair, objective, and proportionate manner.

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# Promoting Compliance

**The goal of the SFPA is to deliver a high-quality public service while regulating in a fair, objective, and proportionate manner.**

This is achieved through regular inspections, providing advice and guidance to industry and undertaking enforcement action when necessary to address non-compliance. Ultimately, this will lead to a more compliant and sustainable industry. The strategic outcome of the SFPA's efforts to promote compliance through industry engagement and communication is to be a proactive regulator, while increasing industry's understanding and capacity to comply with the relevant requirements.

The SFPA Strategy Statement 2021-2023 has established key performance indicators to promote compliance among industry stakeholders. These include the relaunch of the confidential line for reporting non-compliances, the issuance of fishery information notices to keep industry informed of regulatory changes, regular communications through media releases, meetings with industry representatives to discuss and address any concerns and through SFPA's day to day inspection work. These measures are designed to foster a culture of compliance and ensure the SFPA is effectively meeting its regulatory responsibilities.

## Confidential Line

The SFPA implemented a Confidential Line campaign in early 2022 across regional and trade media publications with the purpose of promoting the SFPA Confidential Line to improve compliance by encouraging those working within the sea-fisheries industry as well as the public to report suspicious or illegal activity to the SFPA in confidence.

The campaign consisted of a telephone number (1800 76 76 76) and launched an email address ([confidential@sfpa.ie](mailto:confidential@sfpa.ie)) for people to report fisheries control and food safety related incidents. The SFPA Confidential Line received a total of 73 contacts, consisting of 48 calls and 25 emails. Of the 73 contacts in 2022, one report related to food safety, 71 related to fisheries control and one report related to 'other'. This represents an increase in 53% in contacts from the previous year, with 38 reports received in 2021. The most common suspected report categories in 2022 were illegal fishing in Irish waters, unlicensed fishing, undersize fishing and selling and use of illegal fishing gear.

## Fishery Information Notices

The SFPA's Fishery Information Notices (FINs) are an important tool for keeping industry informed of regulatory changes and providing guidance on how to comply with relevant requirements. These advisory notes are developed to assist industry in understanding and complying with fisheries and food legislation. The purpose of FINs is to provide the information in a manageable form and in doing so it is limited to the essential elements of information. In 2022, a total of eleven FINs were published, covering a wide range of topics including the Interim Control Plan and the Permanent Control Plan, updated Sampling Plan, prohibitions and restrictions on Bluefin Tuna in the Irish Exclusive Economic Zone, and Landing Obligations.

The SFPA believes that by providing this comprehensive and timely information to industry, it will increase understanding of the legal requirements and help foster a culture of compliance. Industry stakeholders are encouraged to read the FINs in conjunction with the governing legislation to stay informed and understand the compliance requirements.



*The SFPA conducts regular engagement activities with industry stakeholders to promote compliance among industry stakeholders.*

## Engagement Activities with Industry

The SFPA conducts regular engagement activities with industry stakeholders to promote compliance among industry stakeholders. These activities include meetings, briefings and training sessions on various topics such as the landing obligation, Electronic Recording & Reporting System (ERS), Control Plan and compliance with regulations such as Sales Notes, labelling, and new Sampling Plans. This information is used as a baseline to measure progress and identify areas where improvements can be made in order to promote compliance among industry stakeholders.

## Official Controls: The SFPA's Daily Operational Inspection Work

Daily operational inspection work performed by Sea-Fisheries Protection Officers (SFPOs) is crucial to promote compliance among industry stakeholders. This includes conducting regular inspections to ensure compliance with regulations, providing advice and guidance to industry, and taking enforcement action when necessary to address non-compliance. These measures are designed to ensure that industry is aware of its obligations and that the SFPA is effectively monitoring compliance on an ongoing basis, making it a key part of the SFPA's efforts to promote compliance among industry stakeholders.

## Development of a Permanent Sea-Fisheries Control Plan

In September 2021, the SFPA submitted an Irish Sea-Fisheries Control Plan, a derogation which allows fish to be weighed after transport, to the European Commission. This plan was adopted on an interim basis from the beginning of 2022 and was initially set to expire in April 2022 but was later extended by the EU Commission to the end of 2022.

The SFPA focused on implementing the Interim Control Plan in 2022 by promoting compliance through briefings, Fishery Information Notices, and approving weigh permits for industry premises that met the requirements of the Interim Control Plan. SFPOs were focused on the approval process for weigh permits allowing premises to weigh after transport and delivering official controls to ensure compliance with the Interim Control Plan. The SFPA carried out a range of official controls, inspections and when required, enforcement to ensure compliance with the Interim Control Plan. The SFPA and SFPOs provided advice and meetings to industry to help them understand and comply with the Control Plan.

The new Control Plan was a key focus of the SFPA's efforts in 2022, where the SFPA engaged in negotiations with the EU Commission to reach an agreement on a new Control Plan. A revised Control Plan was submitted to the European Commission in September and adopted from January 2023.

In the final quarter of 2022, the SFPA was focused on promoting compliance with the new Permanent Control Plan. This was achieved through a range of engagement activities such as meetings, briefings, letters, information notices, and approval inspections. The goal was to ensure that industry stakeholders had the understanding and knowledge to comply with the plan. Through these efforts, the SFPA aimed to ensure that the new Permanent Control Plan was being effectively and efficiently implemented.

# Sea-Fisheries Control

Accountability was key in 2022 and revised key performance indicators were established for operational tasking across all areas under the SFPA remit.



*In relation to fisheries control, during 2022 there was a total of 1,903 inspections of fishing vessels undertaken.*

Points for serious infringements were applied in six of the seven cases put forward for assessment and one case had points applied to the licence holder and the Master of the vessel. During 2022, a total of 87 cases files were opened as a result of 161 suspected fishing infringements. The figure of 161 represents the total of both food safety and sea-fisheries infringements.

The SFPA continued to adopt and streamline its automatic cross-checking system, VALID. This afforded operational staff greater oversight of real-time non-compliances onboard fishing vessels. During 2022, there was a 78% compliance rate demonstrated across the automatic system, an increase in compliance rate of 3% on the previous year.

Following the COVID-19 restrictions of the previous years, the SFPA undertook inshore patrols and during 2022 a total of 48 patrols were undertaken. In addition to inshore patrols, the SFPA participated in thirteen joint deployments onboard offshore patrol vessels chartered and co-ordinated by the European Fisheries Control Agency (EFCA). These deployments provided additional operational capabilities to promote compliance with sea-fisheries legislation in Irish waters of EU and non-EU flagged vessels. In addition, Ireland also was the first Member State to avail of EFCA chartered aircraft which provided maritime aerial surveillance capability in the final quarter of 2022.

# Seafood Safety

**The SFPA is the Official Agency charged with responsibility for the enforcement of food law in the seafood sector up to the point of retail.**

Included in the SFPAs remit is the assessment of food safety controls across the marine and aquaculture sectors. A goal of the SFPA's Strategy Statement 2021-2023 is to deliver high-quality public service and regulate in a fair, objective, and proportionate manner. This includes implementing risk-based approaches to control and prioritising the inspection of high-risk operators and higher risk activities. The SFPA's strategy includes key performance indicators and specific tasks to achieve quality public service and fair regulation in seafood safety, such as publishing the number of risk-based inspections/controls undertaken against targets and continuing to develop risk-based inspection programme using a risk-based compliance approach. These measures are intended to ensure that the SFPA regulates in a fair, objective, and proportionate manner, and is effectively meeting its regulatory responsibilities.

## Food Businesses

In 2022, the SFPA enforced food safety laws in 2,323 food businesses. These included 338 land-based establishments, 195 approved food business establishments and 143 registered food business operators. Of these, 86% were fishing vessels, with 58 being approved freezer/factory fishing vessels and 1,930 being registered primary production fishing vessels. Processing plants and fresh fishery products were the main businesses and activities of these approved Food Business Operators (FBOs), and freezing was the main activity for approved fishing vessels.

## Risk-based Food Safety Inspections

The COVID-19 pandemic hindered full implementation of food safety official controls such as physical inspections and sampling in the beginning of 2022, however as the situation improved, the SFPA resumed full implementation of official controls. Overall, a total of 1,958 food safety official controls were carried out by the SFPA in 2022. Of these official controls, 37% are categorised as inspections of approved establishments, 7% were inspections of registered FBOs and 56% consisted of official control checks, such as official control sampling, vessel hygiene checks and those required to provide certification for a consignment of food being exported to a third country.

## Approved Land-Based Establishments and Vessels

The SFPA applies a risk-based approach to seafood safety official controls, prioritising resources to higher-risk operators and activities. In 2022, a total of 446 inspections of establishments and fishing vessels that require approval were undertaken by SFPOs based on risk associated with the establishment and processes undertaken within the establishment. This equates to 92% of the annual target and increased by 9% from 2021. The types of establishments inspected include processing plants, dispatch centres and freezer vessels. The SFPA delivered on 95% of the annual target for high risk ready to eat establishments, an increase from 87% in 2021. High risk ready-to-eat (RTE) food business operator activities include purification, cooking, and smoking.

## Official Control Sampling

Sampling and subsequent analysis are key food safety official controls performed by SFPOs and official laboratories. In 2022, the SFPA increased its official control samples collected by 12% compared to the previous year, with a total of 1,249 samples taken. 78% of these were food samples, 18% were water and ice samples, and 4% were environmental swabs. The samples were analysed by official laboratories for compliance with microbiological, residues or contaminant criteria and other standards set by EU legislation and the Food Safety Authority of Ireland (FSAI).



# Seafood Safety (continued)

## Food Incidents & Complaints

A food incident is any event where, based on the information available, there are concerns regarding the safety or quality of food requiring follow-up by the competent authorities in the interest of public health. During 2022, there were a total of 74 food incidents. Of this number of food incidents, 21 were associated with the Rapid Alert System for Food and Feed (RASFF). The FSAI issued food alerts for three of these food incidents.

During 2022, 23 incidents (37%) were reports of alleged illness following the consumption of live bivalve molluscs, in particular oysters. Six incidents (10% of total) were due to the detection of *Listeria monocytogenes* in fishery products and five incidents (8% of total) were due to suspected Norovirus in shellfish with no reports of illness.

The SFPA dealt with a total of 12 complaints during 2022. A complaint may be received from an FBO, a consumer, another official agency or from an anonymous complainant. The types of complaints ranged from a customer complaint due to the presence of multiple large bones in a salmon darne, a foreign object (piece of metal) found in a smoked salmon product and a complaint regarding the use of an unauthorised biocidal product by an FBO.

All food incidents and complaints received by the SFPA are followed up and investigated. Corrective actions put in place by the FBO to prevent re-occurrence are verified by the SFPA during official controls and where required, enforcement action is taken.

## Official Controls in cooperation with other Official Agencies

The Department of Agriculture, Food and the Marine (DAFM) approves or registers and implements animal by-product (ABP) official controls at animal-by product plants. The SFPA continued its role of ongoing official controls of marine ABP plants to verify compliance with the ABP regulation. The SFPA liaised with DAFM on relevant aspects of these inspections as necessary including non-compliances. In 2022, the SFPA stepped away from having a direct role in coordinating the annual plan for sampling fishery products and other seafood at Border Control Posts (BCPs). The SFPA now have an advisory role and will be available to provide technical support to the DAFM BCPs staff on imports of seafood. The SFPA continued its ongoing official controls of residues at approved processing establishments including controls associated within finfish aquaculture as well as the follow-up of samples that are non-compliant under the National Residues Control Plan

with the assistance of the Marine Institute and DAFM veterinary, if required. No non-compliant results were reported in the routine 'target' national monitoring programme samples for farmed finfish in 2022.

## Seafood Safety Official Control Fees

Approved establishments and vessels where food safety official controls are undertaken by the SFPA were subject to fee charges as per Regulation EU 2017/625 from 1st October 2021. Fees were applied to the production and first placing on the market of fishery products and aquaculture products. Fees are calculated based on the amount of product produced and where the oval mark is first applied quarterly. Approved FBOs are charged and invoiced quarterly in arrears. Operators are obliged to complete a self-declaration form and submit it to the SFPA quarterly. A declining trend in compliance rate with the submission of the self-declaration forms has been observed. The SFPA has issued regular communication to FBOs to promote compliance and subsequent enforcement action may be taken.

## Shellfish Monitoring and Sanitary Surveys

The SFPA is dedicated to maintaining the safety and quality of shellfish production by conducting ongoing shellfish monitoring programs and sanitary surveys to classify production areas. The Authority also prevents shellfish harvesting from areas with elevated levels of marine biotoxins and phytoplankton to ensure the safety of the product. Shellfish monitoring is a critical safety measure for consumers and helps protect the shellfish industry by preventing outbreaks and ensuring that seafood remains safe to eat.

The SFPA successfully met 93% of its target for the number of *E. coli* samples collected in the National Classification Microbiological Monitoring Program for Bivalve Mollusc Production Areas in Ireland, with a total of 1,571 samples collected. Monitoring of shellfish production throughout 2022 also consisted of the submission of approximately 300 biotoxin verification samples and 450 phytoplankton water samples by SFPA staff. The SFPA also takes additional shellfish samples each November to assist the Marine Institute in the monitoring of shellfish waters for the analysis of trace metals and organohalogenes.

The SFPA conducted the annual review of shellfish classifications in Ireland based on the previous three-year dataset (01 Jan 2019 - 01 Jan 2022) of 4,788 *E. coli* results from 135 sampling sites in 60 production areas. The 2022/23 draft review was reviewed and finalised at the annual Implementation meeting.

As a result of the review, nine production areas were upgraded, one shifted in Seasonal A classification, 12 were downgraded, one was de-classified for mussels, two were declared dormant, and two received additional classifications. The Annual List of Classified Live Bivalve Mollusc Production Areas in Ireland is published at [sfpa.ie/What-We-Do/Molluscan-Shellfish/Classified-Areas](https://sfpa.ie/What-We-Do/Molluscan-Shellfish/Classified-Areas).

The publication of the annual classification list is the culmination of the ongoing partnership between the SFPA and the Marine Institute in the microbiological monitoring of shellfish production areas in Ireland.

Ireland's shellfish monitoring programme is important for both consumers and commercial producers. One of the principal remits of the SFPA is to ensure that Irish and international consumers can be assured of the quality and safety of fish and seafood harvested here. Shellfish production is an important industry in many coastal communities around Ireland and it is essential that the highest standards of food safety are maintained at all times. The SFPA works in collaboration with industry and other state agencies to ensure that production areas are of the highest possible standard and meet rigorous assessment criteria to ensure that the safety and quality of the shellfish placed on the market is not compromised in any manner. This work is an important pillar in both preserving and further enhancing Ireland's global reputation for quality, and safe seafood.

*In 2022, the SFPA continued its sanitary survey program in partnership with its existing provider and completed comprehensive surveys of Sruwaddacon Bay and Dungarvan, updating sampling plans and the representative monitoring points.*

The SFPA also conducted extensive shoreline surveys and microbiological water studies in several production areas, including Donegal Harbour, Inver Bay, North Achill, Bannow Bay, and Killala Bay, as well as an extensive shellfish microbiological study in Roaringwater Bay.



**Pictured Above (L-R):** Paschal Hayes, Executive Chairperson, Sea-Fisheries Protection Authority (SFPA) with Tara Chamberlain, Phytoplankton Laboratory Analyst, Marine Institute at Roaringwater Bay, West Cork, to mark the SFPA's publication of the 2022/23 List of Classified Shellfish (Bivalve Mollusc) Production Areas in Ireland, which assesses 135 classifications in 60 production areas around Ireland against strict safety requirements to ensure that all commercially-produced shellfish is safe for human consumption. Photo Andy Gibson.

The SFPA signed a contract with a third-party service provider to conduct ten more sanitary surveys of existing shellfish production areas over the next two years. The results of all those completed surveys are on the SFPA website.

## Seafood Safety Enforcement

Seafood Safety Enforcement measures in 2022 ranged from informal advisory measures to the service of Compliance Notices to the commencement of criminal prosecutions for serious non-compliances. In 2022, two separate criminal prosecutions were commenced in the District Court against FBOs for breaches of the regulations on food safety including; hygiene, temperature controls, pest control and traceability requirements. 16 Compliance Notices were issued in 2022. A high portion of the enforcement actions undertaken in 2022 resulted from inspection findings relating to freezer vessel activities and premises in which food for the final consumer is prepared. The degree of compliance with the requirements of enforcement measures, in particular the requirements of Compliance Notices, was satisfactory in most cases. An application for an Improvement Order was made in one case where the compliance process was unsatisfactorily protracted. A Prohibition Order was issued in another case where a serious risk persisted in respect of specified, identifiable products at the pre-retail processing stage.

# International Trade



## Trade flows of fish and certified fishery products

Exports of Irish seafood to international destinations outside the EU encompassed the processing of 3,670 health certificates for 78,171 tonnes of produce in 2022. This represented respective decreases over 2021 data of 17% and 33% in the amount of export health certificates issued and export tonnage certified, reflecting a re-alignment back towards 2020 levels of trade following a similar percentage increase in 2021 over 2020. The main export markets certified by volume of produce were Nigeria, Egypt, China, Congo, and Japan, primarily covering exports of high volume frozen pelagic fish.

Official controls in the deterrence of Illegal, Unreported and Unregulated (IUU) fishing continued to be conducted. This included the verification of 2,831 catch certificates relating to the import of 11,747 tonnes of produce from all Third Countries, including the UK. This represented respective decreases over 2021 data of 6% and 23% in the amount of import certificates and import tonnage verified, reflecting reduced trade volumes of imports returning closer to 2020 levels. The main countries from which import consignments originated were UK, Iceland, Ecuador, China, and Vietnam. Imports from UK accounted for 58% and 28% in the respective overall amounts of certificates issued and tonnage imported from all Third Countries.

688 catch certificates were issued for the export of 10,800 tonnes of Irish seafood produce to Third Countries, including the UK. The main species exported by volume were Atlantic Mackerel, Sprat, Haddock and Atlantic Herring. This represented respective decreases over 2021 data of 21% and 55% in the amount of export catch certificates and related export tonnage catch certified. Exports to the UK accounted for 74% of the total number of certificates issued.

*A total of 700 direct landings of fishery products by non-EU fishing vessels into Ireland resulted in the import of 75,457 tonnes of produce.*

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This represented respective increases over 2021 data of 8% and 16%. Landings by UK-registered vessels accounted for 93% of the overall total number of landings by non-EU fishing vessels into Ireland. Irish vessels landed 284 times into Third Country ports, accounting for exports of 12,085 tonnes of produce, with 93% of landings taking place in UK ports.



## *The SFPA continued to develop and strengthen diplomatic and technical links with international seafood trade contacts throughout 2022.*

In addition to routine engagement with multi-agency and industry stakeholders, the SFPA actively assisted industry in preparing for and dealing with the regulatory and supply chain impact on Irish seafood companies in trading with the UK and vessels fishing in UK waters as the regulatory landscape with the UK began to settle following its exit from the EU and transition to becoming a Third Country. Active management by the SFPA of new associated risks arising from the UK's status as a stand-alone contracting party to the North East Atlantic Fishing Commission (NEAFC) and as a Third Country with respect to Illegal, Unreported and Unregulated (IUU) fishing, continued to be necessary.

These control and enforcement requirements were manifest in managing consignment trade and vessel direct landings between Ireland and the UK. The SFPA continued to maintain its certification and control regimes in response to the ongoing challenges brought by COVID-19 and its impact on retaining regulatory oversight and on the changed trading patterns, risks and opportunities for Irish seafood companies. The SFPA continued to liaise with overseas control agencies and the Department of Foreign Affairs and Trade officials on a wide range of seafood market access and technical support issues. Export markets on which access and support work was actively conducted during the year included South Korea, Japan, China, United Arab Emirates, Vietnam, USA, Canada, and the Gulf States.



### Key engagements during 2022

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

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

# European Maritime Fisheries and Aquaculture Fund

The European Maritime Fisheries and Aquaculture Fund (EMFAF) runs from 2021 to 2027 and supports the EU common fisheries policy, the EU maritime policy and the EU agenda for international ocean governance. It provides supports for developing innovative projects ensuring that aquatic and maritime resources are used sustainably. The following are SFPA projects funded through the EMFAF:

## ieCatch V3

The electronic logbook software (ieCatch) is in use across the Irish fishing vessel fleet. All data from ieCatch is securely transmitted and stored in the national fisheries database known as Integrated Fisheries Information System (IFIS). The IFIS system supports the management of the fishing industry in Ireland. EU Council regulation 1224/2009 requires that Ireland maintains a database of fishing activities and has in place a control system for ensuring compliance with the rules of the Common Fisheries Policy (CFP). This system is housed and supported by the Department of Agriculture, Food and the Marine (DAFM).

*ieCatch v3 was released in 2022 and training was rolled out by the SFPA across the fishing fleet.*

The new ieCatch V3 has been fully rebuilt in line with a new International UN Standard known as Fisheries Language for Universal Exchange (FLUX). This upgraded software includes the following enhancements:

- A more intuitive interface.
- More on-screen validation.
- Updated Norway, Svalbard, and North East Atlantic Fisheries Commission (NEAFC) modules.
- New "Landing Assistant" which assists the Master to apportion catches across multiple catch areas/ differing gear types.
- Regulatory changes - removal of End of Fishing (EOF), inclusion of Fish Size Class (FSC).





## Transport Vehicle Inspection Type

A new release of SFPA fisheries control inspection tool, iInspect, in September 2022 enabled the SFPA to electronically capture all mandatory required data for Transport Vehicle Inspections (TVIs) in accordance with EU regulations. The Implementation of TVIs supports Ireland and the SFPA to exchange inspection and surveillance data in accordance with:

- Commission Regulation (EC) No 404/2011 - Implementing Regulation, Annex XXVII, Module 5.
- EU data exchange FLUX Inspection & Surveillance Report Implementation Document v1.2).

The project encompassed an assessment of data requirements for transport inspection information, user story development, iInspect system development and testing prior to release.

## Remote Electronic Monitoring: Acoustic Deterrent Testing Devices

This project identified, tested, and implemented suitable acoustic receiver devices and inspection methodologies to verify the operational use of Acoustic Deterrent Testing Devices (ADTDs) in line with the legislative technical specifications during both in port and at sea inspections for vessels over 12m.

ADTDs are used to test Acoustic Deterrent Devices (ADDs) known as pingers, used in gill net fisheries. ADDs are attached to the gill nets and emit a frequency audible to cetaceans (dolphin, porpoises, etc) to deter them from approaching fishing gear.

The ADTD project was implemented over three phases:

<b>Phase 1</b>	Covered initial controlled testing of devices.
<b>Phase 2</b>	Testing comprised Hydrophone and Frequency detector device testing.
<b>Phase 3</b>	Covered the procurement and distribution of identified device solution.

ADTDs were issued to the Irish Naval Service and SFPOs in September 2022.

These devices enable the SFPA to monitor and control compliance with Part A of Annex XIII to Regulation (EU) 2019/1241 and Commission Implementing Regulation (EU) 2020/96.

# GOAL 2



## Communicating and Engaging

Strengthen partnerships  
and re-define relationships  
with stakeholders.

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# Communications



## Stakeholder Engagement

A number of communications initiatives were devised and implemented in 2022. As part of the implementation of the recommendations from the Organisational Capability Review, in January 2022 the SFPA commissioned RedC, a leading independent market research agency to survey the sea-fishing and seafood industry with the purpose of measuring the effectiveness of our communications with the sector.

## Key findings included:

### The Role of the SFPA

- There was a high level of understanding of the role of the SFPA.
- There were reasonable levels of respect for the SFPA's work and respondents appreciated the need to play their part too.
- Some issues were expressed with what was referred to as the 'inconsistent' application of regulations at some ports.
- The methods used to deter contraventions were praised; however, there was a reluctance on the part of respondents to adopt the role of a 'whistle-blower'.

### Interaction with the SFPA

- When it came to assessing their levels of interaction with the SFPA the most positive were seafood producers, who were particularly appreciative of safety audits. Smaller fishermen surveyed were mainly neutral or positive.
- There were no issues expressed with the processing of paperwork.



## General Communications

- Respondents were only conscious of and expect communications regarding regulation and safety.
- There was positive feedback in relation to the timing, tone, accuracy, and clarity of communications coming from the organisation.
- Port officers were praised and face-to-face contact was appreciated.
- Positive sentiment was also expressed regarding support from local port offices who respond promptly to queries made in person, via email or telephone.

## Future Role of the SFPA

- Respondents highlighted that they did not expect advice and support, but that it would be most welcome in terms of helping those in the industry to meet the required changes identified in checks and audits.
- Respondents anticipated that regulation enforcement will remain strong.
- The way classification guidance was communicated to industry was regarded positively, so too notices/updates as well as Brexit related communications.

- Looking to the future, respondents would like to see the SFPA consult more widely with industry and particularly in relation to its long-term sustainability.

The findings were used to further inform the organisation's strategy in relation to the regulation of the sea-fisheries and seafood industry. The results reflect a high level of understanding of the role of the SFPA as the regulatory body charged with promoting compliance with sea-fisheries legislation and ensuring seafood safety. Further to this, there is a strong degree of positive sentiment expressed throughout the findings and acknowledgement of the work of the organisation. This is testament to the efforts of all staff to fulfil the SFPA's remit in an efficient and effective manner.

*Overall, the results provided evidence of a solid foundation from which to build upon and will further assist the SFPA as we continue to engage with our industry partners in a positive and collaborative manner.*



**Pictured Above (L-R):** Cristina Morgado, Deputy Head of Unit EU Waters and North Atlantic, EFCA; Paschal Hayes, Executive Chairperson, SFPA; Susan Steele, Executive Director, EFCA and Michael Finn, Authority Member, SFPA, aboard the Lundy Sentinel in Cork Harbour at an event on the 20th November, to mark World Fisheries Day and a joint deployment in Irish waters between the Sea-Fisheries Protection Authority (SFPA) and European Fisheries Control Agency (EFCA) to promote compliance with national and EU sea-fisheries legislation, Susan Steele is pictured presenting an EFCA medal to Paschal Hayes and Michael Finn to commemorate the ongoing collaboration between the two organisations. Photo: Damian Coleman.



# Communications (continued)



**Pictured Above (L-R):** Catherine McManus, MOWI Ireland; Kareen Andersson, SFPA; Norah Parke, Killybegs Fishermen's Organisation; Rudi Amrein, SFPA at the launch of the SFPA's updated Code of Conduct for Fishing Vessels. Photo: Clive Wasson.

## Communications Initiatives and Campaigns

In the context of communications initiatives with key audiences, the following actions were also implemented in 2022:

- Communications programme to promote the SFPA Confidential Line to support those within the fishing industry and the public to report suspicious or illegal activity to the SFPA confidentially. In February 2022, we launched a communications programme to highlight the Confidential Line and specifically that the number for the line had changed and that the options to get in touch also included the addition of an email address and contact option through the SFPA website.
- A multi-channel communications programme, supported by the European Maritime and Fisheries Fund (EMFAF) was rolled out. Commencing in February 2022, it utilised social media, regional and trade media relations, advertising in trade and regional publications and the SFPA owned channels to raise awareness of the Confidential Line. The campaign ran for a period of 12 weeks in regional print publications and trade publications. While focused specifically on those within the fishing community, the campaign reached 1.16 million people on the island of Ireland (through print advertising). Further to this, an official SFPA Facebook page which featured targeted online advertising reached over 700,000 people. Over the course of the entire campaign, it reached 1.86 million people.
- The SFPA commissioned Amárach to survey the attitudes of consumers (those who eat fish regularly) towards illegal fishing and sustaining Ireland's marine resources, while encouraging people, especially those in the industry and coastal communities to report any suspicious or illegal activity. The survey was conducted in December 2021. Insights from the results demonstrate strong public support for regulatory compliance. The key results were issued in a press release in February 2022. In September 2022 a second press release was issued to remind restaurants, takeaways, fishmongers, and retailers to ensure that the fish and shellfish they serve is legally and sustainably caught. While quality is the main priority of Irish consumers (96%) when buying fish or shellfish, knowing it has been caught legally (85%) and in a sustainable manner (87%) have emerged as major concerns too, on par with price (87%). These are among the findings from the survey. The vast majority of those surveyed (92%) believe more should be done to safeguard the sustainability of Ireland's marine resources. There is overwhelming support for the reporting of illegal fishing to the authorities (90%) with most (77%) consumers saying that they would not buy fish if they knew it was illegally caught. The importance of traceability also featured strongly in the results, especially amongst younger consumers, with almost half (48%) of those aged under 35 saying that having greater confidence in the traceability of a product would encourage them to eat more fish on a regular basis. The research highlighted that concern for environmental matters is very high amongst consumers - particularly for aspects relating to the marine environment. Most regular consumers of fish (82%), especially those living in coastal areas, are willing to change their buying habits to reduce their impact on marine resources while three out of four (78%) stated they only want to buy fish that is caught in a way that does not deplete stocks.
- Leaflets are another key communications tool that the SFPA use to disseminate information such as the Code of Conduct for Fishing Vessels which was produced and launched in March 2022.
- Trade events are an important platform for communicating with industry and the SFPA attended the Skipper Expo in Limerick in March 2022. It is Ireland's flagship fisheries show with many visitors and exhibitors from Ireland and abroad. The event was attended by Sea-Fisheries Protection Officer's as well as senior personnel from the SFPA.



- World Fisheries Day took place on the 21st November 2022 - to mark World Fisheries Day and a Joint Deployment Plan in collaboration with the European Fisheries Control Agency (EFCA) to promote compliance with national and EU sea-fisheries legislation within Ireland's Exclusive Economic Zone (EEZ), the SFPA hosted an event on the 20th November 2022 aboard the EFCA Lundy Sentinel patrol ship in Cork Harbour. The event showcased the collaboration between the SFPA, Ireland's competent regulatory authority for sea-fisheries and seafood production, and EFCA, responsible for operational coordination of fisheries control and inspection activities by member states of the European Union.

*Media relations formed a core part of all communications activities with a strong focus on engagement with trade print and online publications to share latest updates and developments with industry.*

- Press releases focused on significant regulatory changes, compliance initiatives, seasonal patrols; using SFPA data to tell the regulatory story, collaborations with organisations on initiatives, utilising the publication of the annual Shellfish Area Microbiological Classification to highlight the SFPA's role in ensuring seafood safety etc.

- In September 2022, the Sea-Fisheries Protection Officers were accompanied on an inshore fishing patrol in the Kinsale area by a journalist with the Irish Independent. This enabled the journalist to see first-hand the work of SFPA staff to ensure we have sustainable fishing stocks and vibrant marine ecosystems for future generations. The piece along with photos featured in the Irish Independent.
- News opportunities focused on significant court verdicts, calendar opportunities for example, World Fisheries Day and specific proactive initiatives that highlight the benefits of SFPA's work.
- The SFPA website is also an important communications tool for disseminating information with fishers which included updates and announcement and the publication of key documents. For example, the Control Plan, Fisheries Information Notices etc.
- The website provided an important platform for hosting the latest announcements and updates including the latest developments in the context of compliance and other important developments in the context of fishing regulations, enforcements and areas of key interest to fishers.
- Regular posting on our LinkedIn channel also highlighted the broad remit of the SFPA. For example, a series of posts on the work of Sea-Fisheries Protection Officers were posted during Science week in November 2022.



# National and European Engagement

The SFPA continues to engage and build relationships with key stakeholders both nationally and in Europe.

## National Engagement

The SFPA works closely with a range of partners in order to deliver its mandate.

### Department of Agriculture, Food and the Marine

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The Department of Agriculture, Food and the Marine (DAFM) is the parent Department of the SFPA with responsibility in relation to policy formulation, corporate governance oversight and resource allocation.

The SFPA engages with a number of divisions within the Department in relation to the implementation of regulations under the remit of the SFPA.

### Food Safety Authority of Ireland

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The Food Safety Authority of Ireland (FSAI) is Ireland's central competent authority for food safety across the food chain from primary production to consumption. The functions of the SFPA in respect of food safety are detailed in a service contract agreement with the FSAI. The SFPA is represented on a number of FSAI working groups.

### Department of Defence

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The SFPA has a Service Level Agreement with the Department of Defence for the provision of fishery protection services by the Naval Service and Air Corps. The SFPA produces an annual Fisheries Control Plan, which outlines the benchmark requirements for inspections at sea by the Naval Service and surveillance by the Air Corps. The annual plan uses agreed risk management strategies that produce baseline inspection benchmarks for all vessels operating in our EEZ. These levels of inspection are continuously developed using strategies including intelligence information, fleet profiling and administrative crosschecks. The SFPA works closely with the Naval Service to ensure that such inspection levels are maintained to ensure that there is a balanced and appropriate level of control on all fisheries activities in our areas of responsibility.

### Marine Institute

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The Marine Institute (MI) is Ireland's national agency for marine research, technology development and innovation. In food safety, the MI is a control partner providing extensive analytical services and scientific advice. In fishery control, the MI and the SFPA collaborate in the area of data flows to best inform scientific research.

### An Garda Síochána

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The SFPA works in close co-operation with An Garda Síochána in roadside vehicle inspections and fisheries-related investigations. Sea-Fisheries Protection Officers also jointly undertake specific enforcement actions with members of An Garda Síochána particularly in relation to the detention of fishing vessels.

### Bord Iascaigh Mhara

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Bord Iascaigh Mhara (BIM) plays a key role in developing the Irish seafood industry by providing technical expertise, business support, funding, training and promoting responsible environmental practice. The SFPA and BIM collaborate on many different aspects that affect the fishing industry including the management of inshore fisheries, industry training, aquaculture, fishing gear technology and fisheries statistics.

### Inland Fisheries Ireland

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Inland Fisheries Ireland (IFI) is charged with ensuring the protection and conservation of fisheries resources in inland waters and sea angling. The IFI and the SFPA cooperate with a view to overall efficiency of state inspection services and specifically in the area of inshore fisheries control operations.



## European Engagement

The SFPA also works closely with a number of international partners including European institutions and their agencies and is represented on a number of committees and working groups.

### Directorate General for Maritime Affairs and Fisheries – EU Commission

The objectives of the Directorate General for Maritime Affairs and Fisheries (DG MARE) are as follows:

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

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

### Directorate General for Health and Food Safety – EU Commission

Directorate General for Health and Food Safety (DG SANTE) is responsible for EU policy on food safety and health and for monitoring the implementation of related laws.

### European Expert Group on Fisheries Control

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

The Role of the Expert Group is to:

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

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

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

### European Fisheries Control Agency

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

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



# National and European Engagement (continued)

## EFCA Administrative Board

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

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

The Administrative Board met on two occasions in 2022.

## EFCA Regional Steering Groups

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In 2022, the SFPA attended Regional Steering Groups hosted by the EFCA. The EU Fisheries Control regulation (1224 of 2009) allows for the European Commission, in concert with Member States, to adopt specific control and inspection programmes (SCIP) for specific fisheries or sea basins. These SCIP are implemented through Joint Deployment Plans (JDP).

Ireland is involved in three SCIP namely Western Waters, North Sea and NEAFC. In order to coordinate these SCIP, EFCA produces a JDP for each SCIP. The JDPs establish that the deployment of pooled national means is coordinated by EFCA in cooperation with the Member States and frequently with the presence of national coordinators at EFCA premises. A Regional Steering Group (RSG) composed of Commission, Member States and EFCA representatives is in charge of ensuring the proper implementation of the plan. The RSGs normally meet two to three times during the year at EFCA offices in Vigo however in 2022 one meeting was held virtually, and one held in person in Vigo.

## The North East Atlantic Fisheries Commission

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

Recommendations adopted by NEAFC are legally binding. The SFPA participates in the NEAFC Technical Permanent Committee on Monitoring and Compliance (PECMAC) meetings as part of the EU delegation at NEAFC meetings.

### Permanent Committee on Monitoring and Compliance (PECMAC)

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This Committee is comprised of representatives from all the Contracting Parties of NEAFC. It is responsible for advising the NEAFC Commission on issues relating to fishing controls and the enforcement of the NEAFC Scheme. PECMAC normally meets 2/3 times annually at the NEAFC office in London. In 2022 these meetings were held virtually.

## EU Live Bivalve Mollusc Working group meeting

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

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

During 2022 there was one meeting held virtually which the SFPA attended. Issues discussed included, 'Intermediate operators' in the shellfish supply chain and their requirements, Norovirus management proposals, revision of Official Control Regulation, official controls on scallops and Trade of Live Bivalve Molluscs to the U.S.



*The SFPA also contributes to discussions on proposals and legislation presented at the following meetings which are attended by a representative from the Department of Agriculture, Food and the Marine (DAFM).*

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

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Food Hygiene requirements and official controls on all products of Animal Origin including Live Bivalve Molluscs and Fishery Products are discussed at these meetings. Proposed legislative changes across the whole food chain are presented at these meetings and views put forward by Member States. Any issues identified by a Member State are also highlighted and discussed at this forum.

During 2022, there were three meetings, all held virtually. The SFPA provided information to support the meeting attendee. Issues discussed were Tuna fraud and control, intermediary operators in the shellfish supply chain, super chilling of fishery products and amendments to Regulation 853/2004 on the hygiene of foods of animal origin.

#### Standing Committee on Plants, Animals, Food and Feed Section: Biological Safety of the Food Chain

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The Standing Committee on Plants, Animals, Food and Feed (PAFF) is composed of representatives of all EU countries and presided by a European Commission representative. Draft regulations are presented by the Commission at these meetings for voting and views exchanged.

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



# Sea-Fisheries Protection Consultative Committee

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

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

The SFPA facilitated three meetings of the main SFPA Consultative Committee during 2022. Firstly, in early March information was provided on; pelagic fish weighing arrangements, upcoming EU audit update, update on EU implementing regulation for the interim National Control Plan, Labelling Plan, SFPA Complaints Procedure, Strategy and a Review Implementation update. A second meeting was convened in mid-March to discuss the Draft Control Plan. The third meeting in July discussed an update on; the ERS-ieCatch Sub-Group meeting held in June, Organisation Capability Review, 'Reconfirm/Redefine' SFPA Relationship with SFP Consultative Committee' and Consultative Committee Sectoral Updates.

## Committee Members

The members of the Consultative Committee in 2022 were:

<b>Catherine McManus (Chair)</b>	Marine Harvest
<b>Norah Parke (Deputy-Chair)</b>	Killybegs Fishermen's Organisation
<b>Eamon Dixon</b>	Erris Inshore Fishermen's Association
<b>John Harrington</b>	Kush Seafarms Ltd
<b>David Kirwan</b>	Irish South & East Fish Producers Organisation
<b>Ann-Marie Mulloy-Gautier</b>	Connemara Seafoods Ltd
<b>Sean O'Donoghue</b>	Killybegs Fishermen's Organisation
<b>John Power</b>	Inshore Fishermen Representative - Wexford Lobster Co-op Society
<b>Ebbie Sheehan</b>	Irish Fishermen's Organisation
<b>Anthony Sheehy</b>	Irish South & West Fish Producers Organisation
<b>Brendan Byrne</b>	Irish Fish Processors & Exporters Association
<b>John Ward*</b>	Irish Fish Producers Organisation
<b>Dr Ciaran Kelly**</b>	Director Fisheries Ecosystem Advisory Services, Marine Institute

\*Resigned from the Committee in 2022

\*\*Appointed to the Committee by the Minister in 2022



# GOAL 3

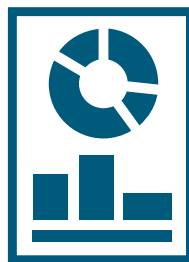




## Data Driven Delivery

Promote and enable the use of data to enhance the service delivery, inform decision making, support accountability and simplify engagement with stakeholders.

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# Data Management

The SFPA has committed to developing its IT data analytics capability to help support key activities and ensure that decision making is informed by robust statistics and derived from available data. The SFPA has a dedicated Data Management Unit in order to ensure the implementation of this goal.

## Publish Statistics

Annual and quarterly statistics are published to SFPA website, operational targets are reported against and all queries on fisheries data are answered where technically possible. Quarterly reports on landings and inspections are published online.

Weekly updates are provided in relation to further developments to the quota update page [sfpa.ie/Statistics/Quotas](https://sfpa.ie/Statistics/Quotas) which shows monthly regimes (as issued by DAFM) for each demersal stock code where appropriate. This page provides fishers and members of the public a “one stop shop” to access a range of useful data on fishing activity for quota stocks. As in previous years, the unit responded to the interest shown in the uptake of Albacore tuna by issuing daily updates to this stock on the webpage, thus ensuring all fishers had access to the same uptake data at the same time.

## Brexit Temporary Fleet Tie Up and Brexit Inshore Fisheries Business Model Adjustment schemes

The Data Unit supported the BIM administered 'Brexit Temporary Fleet Tie Up' and 'Brexit Inshore Fisheries Business Model Adjustment' schemes by reviewing the track record of applicants. For the Tie Up scheme the unit processed 236 applications with 245 checks completed including re-check requests from BIM. The unit processed 923 applications for the inshore scheme on which 1,149 checks were carried out. In addition, the unit handles 160 BIM scheme related written queries, mainly from vessel owners, and provided advice on compliance where appropriate. In cases where major non-compliances came to light during the scheme, these were passed to port offices for operational follow-up. The unit also provided support for the Cooperatives Transition scheme.

## Stakeholder Engagement

The Data Management Unit works in close collaboration with DAFM and is responsible for ensuring data quality assurance for quota balancing and responding to any related queries from vessel owners. There were 111 queries/requests in this area. The Unit monitored the activity around Rockall on an ongoing basis and reported findings to DAFM every week. In total the Unit produced 216 fishing activity reports for DAFM in 2022. DAFM's quota management meetings are supported by the Unit with 12 monthly meetings attended. The uptake data together with projected uptake figures informs quota management recommendations agreed by the fishing industry and approved by the Minister.

## Open Data

In response to the Directive (EU) 2019/1024 on Open Data and the re-use of public sector information, which was transposed into Irish law in July 2021, the Data Management Unit published a statement of commitment to Open Data [sfpa.ie/Statistics/Open-Data](https://sfpa.ie/Statistics/Open-Data) and launched a dedicated inbox for Open Data queries. The Data Management Unit inbox received 112 queries from the general public (unrelated to BIM schemes) and received and responded to 929 queries from all sources combined. The Data Management Unit is committed to the highest statistical standards and continues to work with the Central Statistics Office in relation to attaining Irish Statistics System Code of Practice (ISSCOP) certification. Data quality is also part of its remit and to that end the Unit took over the development of the VALID cross-checking system in 2022 with additional reporting capabilities in the pipeline.

# Information and Communication Technology

Information and Communication Technology continued to play a central role in the SFPA's delivery of Strategic Goal 3. The ICT unit is involved in the delivery, support and training of many of the systems that allow the SFPA to capture the data required to meet this goal.

## ieCatch V3 and iInspect Development

During 2022, the ICT Unit delivered new versions of both ieCatch which is used by fishing vessels to record fishing activity data and iInspect which is used not only by SFPA inspectors but also inspectors working on our behalf in both the Naval Service and Air Corps to capture inspection related data.

The roll out of an upgraded ieCatch V3 had two elements; the updating of the application on the electronic logbook and an Education Programme to help familiarise users with the changes and the new interface. Twelve locations were selected nationwide in an attempt to make training as accessible to industry as possible. Forty sessions were run where 299 users were trained and 191 electronic logbooks updated during the session to minimise any inconvenience or delays to the users. This new version is FLUX compliant, ensuring the data meets the UN standard for exchanging fisheries-related information between countries. This version has more on-screen validation and pre-filling where appropriate, which should lead to a better user experience. Another new feature is the Landing Assistant which automatically allocates the catch landed across the areas fished on a pro-rata basis, giving a more accurate landing figure per species per area. In 2023, electronic logbooks will be rolled out to all registered fishing vessels in the 12-15m category who currently have an exemption.

An updated version of iInspect V3 was rolled out to over 110 users nationwide. This version included added functionality to support Transport Vehicle inspections. Some of the users upgraded included our control partners in the Naval Service who received 22 Toughbooks (a line of rugged laptops) in order to utilise iInspect, which the SFPA maintains and supports.

## ICT Unit

The SFPA ICT Unit continued to support staff as they adjusted to the SFPA's hybrid working policy and helped with some of the technical challenges it presented. The SFPA move to the Office of the Government Chief Information Officer's (OGCIO's) document management system, eDocs, was completed in 2022 and the organisation is continuing preparations for a move to the OGCIO's Managed Desktop Service in 2023. The Managed Desktop service is part of the Government's Build to Share programme which delivers a standard range of services, collaboration tools, platforms and applications across the public service. A new cloud-based software for Travel & Subsistence expenses was procured and implemented in February 2022 and provides a secure, efficient and robust environment for the processing of Travel & Subsistence expenses. The ICT Unit also provided new mobile phones to staff as well as new printers in all office locations.

*Support was provided to Data and ERS Working Groups in the EU, EFCA and NEAFC, with some of our unit participating in RIB Patrols and Offshore Patrols with EFCA. Another example of our ongoing work with international control regulatory agencies is our work on the data exchange of UNCEFACT Logbooks and Sales Notes with France which should go into full production in 2023.*



# GOAL 4



## Organisational Excellence

Sustain and develop strategic and operational capacity & capability to deliver organisational excellence.

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# Corporate Governance Report

## Code of Practice for the Governance of State Bodies

During the year, the SFPA continued its focus on effective corporate governance and ensured it remained in compliance with the requirements of the 2016 Code of Practice for the Governance of State Bodies (“the Code”). The SFPA submitted its 2021 Annual Report and Financial Statements in compliance with the Code and the SFPA compliance checklist with the Code was completed with no issues arising.

## Memorandum of Understanding between SFPA and DAFM

A Memorandum of Understanding (MOU) between SFPA and DAFM regarding the provision of data and services was signed in April 2018. The MOU specifies the timelines of delivery, level of detail and data quality required, and seeks to ensure that such requests for data are only sought where necessary, having regard to the resources necessary to service ad-hoc requests. During 2022, a total of 190 queries were received and processed compared with 300 in 2021. The majority of queries were data related.

## Authority

Mr. Paschal Hayes was appointed as Executive Chairperson of the SFPA on 14th January 2022. The Executive Chair of the SFPA will lead and guide the organisation over the coming years and will be responsible for securing efficient and effective enforcement of sea-fisheries and food safety law; promoting compliance while detecting and deterring contraventions.

Michael Finn was appointed to the SFPA Authority in October 2022 with responsibility for Operations.

Jonathan Hoare was appointed to the SFPA Authority in October 2022 with responsibility for Corporate Affairs, Trade Compliance & Internal Audit, Food & Fisheries Support and Communications.

There were four Authority meetings held in 2022.



## Gender Balance in the Board Membership

The SFPA does not have a Board however it consists of an executive Authority of three members. All three members were appointed in 2022. As of 31st December 2022, all three members of the Authority were male. The Authority therefore does not meet the Government target of a minimum of 40% representation of each gender in the membership of State Boards. The SFPA Management Board as of the 31st December 2022 consisted of three male and one female member.

## Information Access Request

### Freedom of Information

The SFPA is subject to the Freedom of Information Act (FOI) 2014 and has a guide for members of the public on how to access records under the FOI act 2014 which is available on our website. In 2022, the SFPA received 14 FOI requests.

### Access to Information on the Environment

The European Communities Access to Information on the Environment (AIE) Regulations 2007 to 2018 give legal rights to those seeking to access information on the environment from public authorities such as the SFPA. The regulations also oblige the SFPA as a public authority to be proactive in disseminating environmental information to the public. The SFPA received no requests for information under AIE in 2022.

### General Data Protection Regulation (GDPR)

The SFPA has provided information on its website on how data subjects can access their personal information held by the SFPA. In 2022, the SFPA received 1 Subject Access Request.

## Protected Disclosures

The SFPA has developed detailed guidance documents for SFPA staff and for workers from outside of the SFPA who may wish to make a protected disclosure to a member of the Authority under Statutory Instrument 339 of 2014. Guidance for external workers is published on the SFPA's website. The SFPA received no Protected Disclosures in 2022.

## Customer Charter

The SFPA has published a Customer Charter detailing our commitment to providing quality service to our customers and defines our service standards in clear and simple language. It also provides information on how customer input can contribute to the improvement of services provided and on issues such as complaints procedures and FOI.

## Section 49 Complaints

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

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

*The Complaints Officer received zero complaints in 2022.*

# Corporate Governance Report (continued)



## Provision of Information to Members of the Oireachtas

In 2022, the SFPA received one request for the provision of information directly from Members of the Oireachtas. 31 Parliamentary Questions were redirected from the Department of Agriculture, Food and the Marine to the SFPA, and the SFPA responded directly to the Member of the Oireachtas.

*31 Parliamentary Questions were redirected from the Department of Agriculture, Food and the Marine to the SFPA, and the SFPA responded directly to the Member of the Oireachtas.*

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## Public Sector Duty

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

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



## Climate Action Mandate

The Climate Action Plan 2021 (CAP21) envisages the public sector leading by example on climate action to reach the target of reducing Ireland's greenhouse gas emissions by 51% by 2030 and becoming climate neutral no later than 2050.

To support public sector bodies leading by example, a Public Sector Climate Action Mandate applies to public bodies covered by the CAP21 decarbonisation targets. As required under this mandate in 2022, the SFPA appointed a Climate and Sustainability Champion, Jonathan Hoare, and a Sustainability Lead, Yvonne Grant. The SFPA continues to work on finalisation and implementation of its Climate Action Roadmap.

## Energy Usage Report 2022

The SFPA energy consumption in 2022 showed an increase of 8% compared to 2021. This increase was due mainly to the lifting of travel restrictions as a result of the pandemic and a return to office attendance.

Vehicles accounted for the bulk of energy consumption within the SFPA at 54%. Electricity accounted for 23% of the total energy usage and heating accounted for 19%.

Business travel consumption in total by both SFPA utility vehicles and private vehicles used for business travel more than doubled due to the effects of the lifting of travel restrictions and an increase in travel nationwide to attend business meetings and training. With a new Authority in place, travel increased to attend industry meetings, internal port office, meetings with the Consultative Committee etc.

A schedule of Rigid Inflatable Boat (RIB) patrols took place during 2022, after an absence of RIB patrols during 2021 due to the pandemic. The increased RIB activity can be seen in an increase in petrol use.

*Air travel showed an overall increase of over five fold in terms of tonnes CO<sub>2</sub> on the previous year.*

This was as a direct result of the lifting of restrictions on overseas travel imposed during the pandemic and a business requirement to attend meetings in Brussels and Vigo in particular.

Electricity consumption accounting for an estimated 23%<sup>2</sup> of total energy usage, representing a decrease of 2% year on year from 2021. Changes to lighting controls in Head Office assisted the achievement of energy efficiencies. New premises were acquired in Greencastle, County Donegal which increased our activity metric (floor area m<sup>2</sup>). The new premises provides accommodation for an average of ten employees in the form of a Port Office. The office has been fitted out to a high standard of energy efficiency. Overall headcount in SFPA between the end of 2021 and the end of 2022 increased marginally to 167.

Heating decreased by 35% in 2021. Issues with the AHU unit serving general areas in Clonakilty have been rectified. Greater awareness and active management of the heating system in Clonakilty has added to this reduction.

## Actions Undertaken to be More Energy Efficient

The Sea-Fisheries Protection Authority is part of the SEAI network for medium sized organisations and the public sector network. The organisation's energy performance for the year was reported directly to the SEAI in order to track progress towards our energy efficiency and greenhouse gas emissions targets.

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

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

<sup>2</sup> Castletownbere electricity usage is estimated for 2022 due to a matter effecting it's MPRN.



# Audit and Risk Committee Report

This report of the Audit and Risk Committee of the SFPA provides a summary of its key activities and outputs for the Financial Year ended 31st December 2022.

## Membership of the Audit and Risk Committee

Mr Peter G Cowap - Chair

Mr Sean Angland - Deputy Chair

Mr Pat Farrell

Mr Rav Vithaldas

Mr Shane McCarthy

Brendan O' Shea resigned from the Audit & Risk Committee on 7th February 2022. Shane McCarthy was subsequently appointed to the Audit & Risk Committee on 9th May 2022.

The Committee wishes to acknowledge the Secretariat support provided by the Authority throughout 2022.

## Roles and Responsibilities of the Audit and Risk Committee

The Audit and Risk Committee provide assistance and support to the SFPA in fulfilling the Authority's oversight responsibilities and sources of assurance, taking account of the requirements of the Code of Practice for the Governance of State Bodies 2016, relating inter alia 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 SFPA's processes and internal controls for monitoring compliance of implementation of Official Controls in the areas of Sea-Fisheries, Seafood Safety, Health and Safety and other relevant laws and regulations;

- The Sea-Fisheries Protection Authority Code of Conduct and, as appropriate, the Authority's conduct of anti-Fraud and Protected Disclosure Programmes and related Investigation processes;
- Performance of the Authority's Technical and Corporate Internal Audit functions, the provision of services duly outsourced as appropriate.
- 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.

## Audit and Risk 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 six times in 2022. In addition, the Committee conducted a further review of its terms of reference, specifically focused on the performance of Independent Scrutiny and undertook a self-assessment evaluation of its own performance through bilateral Committee Member engagement with the Chair.

The Committee engaged with all key stakeholders throughout the Financial Year through the support of the newly appointed Authority Chair (Paschal Hayes), including the Director (and Interim Director) of Finance; the Director of Trade and Audit; the Chief Scientific Officer and Brexit Lead; the Head of Corporate Affairs; the Transformation Lead; Head of HR; Director of Port Operations; Chief Risk Officer; Head of Legal & Enforcement and Director ICT.

## The salient work and areas focused on by the Audit and Risk Committee during 2022 included:

1. Reviewing the Authority's operational resilience in transitioning to a post-pandemic operating environment.
2. Reviewing the post-Brexit implementation impact on the Authority's Legal, Technical, Operational and Regulatory Trade Compliance.
3. Evaluating periodic updates on progress with a number of Operational, Legal, Compliance and Enforcement issues.
4. Reviewing progress on critical aspects of the Authority's Organisational Capability and associated Transformation Programme and their potential ramifications for Governance, Risk Management, Internal Control Environment and Compliance.
5. Reviewing the continuing progress and status of the implementation of the Authority's Interim Control Plan as approved by the EU Commission and the status of the development of a new Control Plan.
6. Reviewing and contributing to the formulation of the Authority's Data Strategy and development of the ICT Strategy.
7. Updates on the Internal Audit Plan for 2022, including Internal Audits and Assurance work focused on the Internal Controls Review and Data Quality on Seafood Safety.
8. Reviewing the implementation of the Authority's Technical Internal Audit Plan, including selected inspections (e.g., Freezer/Factory vessels) and remediation status on findings for prior audits.
9. Reviewing the Annual Statement of Internal Control for 2021 and associated Report and Financial Statement and other major activities pertaining to the Finance Unit.
10. Reviewing the Authority's Programme for Senior Management Assurance Statements via selected presentations.
11. Engaging with the Comptroller and Auditor General, both on the completion of the 2022 Audit and reviewing with them their Audit Planning approach for Financial Year 2023.

## Risk Management

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

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

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

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



# Audit and Risk Committee Report (continued)

## Priorities for 2023

The Committee's Work Programme for 2023 will include the following components:

1. Overseeing the deliverables of the SFPA Internal Audit Plan and Technical Audit Programme for 2023 and assessing outcomes and including in the case of the latter, the outputs and outcomes of the Independent Scrutiny exercise scheduled for January 2023.
2. Ongoing review of the SFPA Risk Register, in conjunction with a newly appointed Chief Risk Officer, including revised Control Plan and post-Brexit-related risks, the Organisational Transformation Programme and HR related risks, ICT and Data Management capability, augmented by the identification of additional thematic deep-dives as part of the Committee's Work Programme.
3. Engage with the Comptroller and Auditor General in delivering audit satisfaction.
4. Review emerging outcomes of the EU Commission's approval of a permanent Control Plan in order to understand and assess their potential impact on the Authority's operational resilience and compliance with the EU Official Control Regime.
5. Review of the Annual Statement of Internal Control for the Authority and associated Report and Financial Statements for 2022.
6. Continue to provide oversight of the Authority's management and remediation of outstanding audit findings and corrective actions.

## Conclusion

The Members of the Audit and Risk Committee wish to acknowledge the positive and constructive engagement and assistance of the staff of the SFPA during the year.

The Committee very much welcomes the significant appointments of the two new Authority Members in the last quarter of 2022, which will serve to facilitate and underpin the Committee's endeavours in 2023.

The Committee's efforts are greatly assisted by the sector-specific briefings facilitated by the Authority which form an integral feature of the Committee's meeting agendas and enable the Committee to properly inform and validate its work. This is especially valuable given the critical challenges faced by the Authority both externally (e.g., revised Control Plan, post-Brexit impacts and managing through the pandemic) and internally (e.g., executing through the new Corporate Strategy and implementing the Transformation Programme deliverables).

By way of conclusion, the Audit and Risk Committee, on whose behalf this report is prepared, is satisfied that in general there are adequate systems of internal control, risk management and sources of assurance.

### **Mr. Peter G. Cowap**

Chair - SFPA Audit and Risk Committee



# GOAL 5



# Staff Development and Support

To develop and support  
SFPA's staff.

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# Organisational Structure and Culture

The Human Resources unit is responsible for the delivery of all aspects of the human resources function, health and safety and facilities services to the organisation.



Much was accomplished by the HR and H&S team in 2022. A gradual return to the office following the pandemic was managed carefully and efficiently by the team. This ultimately led to the implementation of the SFPA Blended Working Policy which implements the Government’s Remote Working Strategy.

Overall, headcount remained static at 167, mainly due to employee turnover, including a number of retirements during 2022. 27 posts were filled, including Executive Manager ICT, Executive Manager Corporate Affairs, and two Authority posts were filled by the Public Appointments Service.

## Develop and Support SFPA Staff

Goal 5 of the SFPA Statement of Strategy 2021 to 2023 is to “Develop and Support SFPA’s Staff”. A key focus of the HR team during 2022 was to procure and roll out a Learning Management System and an online Performance Management System.

The implementation of an online Performance Management System will increase engagement with the performance management and development process. This combined with the roll out of a new Performance Management and Development Policy in 2022 will further strengthen our PMDS process by providing the facility to align individual goals with business plans and organisational goals.





*The implementation of a Learning Management System will support the delivery of training, centralise learning content and training records and make learning content more accessible and engaging. Compliance training will be enhanced and knowledge sharing within the organisation will be increased.*

The introduction of these new systems in the HR team is the first step in moving HR processes online, as part of the broader organisation’s digital transformation.

A Learning Needs Analysis was completed by the HR team in 2022 which will be reviewed on an annual basis. A draft Learning and Development Strategy was developed for the organisation which was rolled out in Q1 2023.

### Labour Court

The SFPA attended the Labour Court in March, following three days of industrial action in the first quarter of the year. The outcome of this Labour Court hearing provided clarity in relation to long running Industrial Relations matters in dispute. Since March 2022, regular meetings have been held with the representative union to resolve matters in a timely manner, ensuring a positive working environment where the roles and responsibilities of SFPA management and representative unions are clear.

### Staffing by Grade December 2022

Grade	Dec 22
A. Sec	1
PO	3
AP	8
Engineer Grade II	2
Grade II Accountant	0
SPO (HEO + 10%)	10
SFPO	80
HEO	22
EO	18
CO	23
<b>Total</b>	<b>167</b>



# Health and Safety Report

The safety, health, and welfare of all employees remains a paramount objective for the SFPA.

This is achieved through work practices that are safe and are in accordance with legislation and public health guidelines.

The Safety, Health and Welfare programme in the SFPA remains proactive. It is designed to deliver on everyone's expectation to work in a safe environment where tasks and outputs are systematically and continuously evaluated to list and identify any potential hazards. It is then designed to devise, develop and implement work practices and procedures that work towards achieving this expectation. This is a cyclical process. Our working environment and work outputs are subject to change and consequently it is necessary that our programme remains dynamic, that it is owned by all personnel, it is concise and that it seeks to provide certainty. Throughout 2022, our Safety Committee, Port Managers and our Lead Workers Representatives, our Fire Wardens and our First Aid Responders and COVID-19 Leads all strove to achieve these aims.

## Health and Safety Training 2022

Throughout 2022, the SFPA delivered a variety of Health and Safety related training courses / events for personnel through attendance on a mixture of (1) In-House, (2) Online, (3) Private and (4) Public courses, as outlined opposite.

#	Description	No. of Attendees
1	Online Safe Boarding Procedures	6
2	H&S Induction Training Courses	11
3	Online Lone Working Training Courses	167
4	Manual Handling Training Courses (Physical attendance)	66
5	1 x Life jacket Awareness Training Courses (Practical Training)	9
6	1 x COVID-19 Lead Worker Representative Training Course	1
7	2 x PHECC* FAR** (Refresher) Training Courses	15
8	1 x Fire Warden Training Course	12
9	1 x Safety Rep Training Courses (4 new staff require in 2022)	4
10	DSE & Pregnancy Risk Assessment Training	4
11	IOSH Lead Safety for Authority and Senior Management	11
12	Safety Rep Refresher Training Courses	6
13	Risk Assessment Training	9
14	Safe Pass Training	1
15	Working at Height Course	45

\* PHECC (Pre-Hospital Emergency Care Council PHECC is an independent statutory agency with responsibility for standards, education and training in the field of pre-hospital emergency).

\*\* FAR (First Aid Response).

# Organisational Capability Review

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

The report forms part of the Programme for Government. Its implementation will ensure that the SFPA will have the agility and capacity to deliver on its statutory mandate in a constantly changing operating environment.

Significant progress was made in the implementation of the recommendations in the Review over the course of 2022. Of the 46 recommendations 35 have been delivered and the remaining 11 are in progress with several of those close to 100% completion.

## Key strategic recommendations which have been completed during 2022 include:

The introduction of a new business planning framework

Business plans are formulated based on strategic objectives and legislative requirements. Business plans inform goal setting with individual employees. This framework provides a strong link between strategic goals and operational activity and allows staff members across the organisation to understand the role that their work plays in the delivery of the SFPA strategy.

Introduction of a portfolio management approach and an organisation-wide Project Management Office

Building on the successful establishment of the Project Management Office, a portfolio management approach has been implemented with regard to the prioritisation and implementation of projects and programmes across the organisation. This approach will drive cohesion across the organisation to ensure that projects complement each other and effectively deliver on the SFPA strategy.



### Development of an IT Strategy

An IT Strategy and the steps required to deliver it was developed in 2022. Delivery of the strategy will enable the SFPA to leverage data and technology to deliver on its core mandate of protecting seafood trade, protecting seafood safety and protecting seafood sustainability in a more streamlined and agile manner.

*It is envisaged that work on the implementation of recommendations from the Organisational Capability Review will be completed in 2023.*

The completion of this body of work will see the finalisation of a major change programme across the SFPA that was initiated to fundamentally reset the organisation and ensure that it is well placed to deliver on its mandate in a complex and challenging environment.



# Report and Financial Statements

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# General Information



## Members of the Authority:

Mr. Paschal Hayes  
Mr. Michael Finn  
Mr. Jonathan Hoare

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## Head Office:

National Seafood Centre  
Park Road  
Clogheen  
Clonakilty  
Co. Cork

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## Telephone Number:

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## Email:

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## Website:

[sfpa.ie](http://sfpa.ie)

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## Bank:

Bank of Ireland  
Clonakilty  
Co. Cork

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## Auditors:

Comptroller and Auditor General  
3A Mayor Street Upper  
Dublin 1

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# Report of the 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 2022 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 2022 and of its income and expenditure for 2022 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

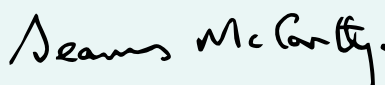
The Sea-Fisheries Protection Authority has presented certain other information together with the financial statements. This comprises the annual report, the governance statement and Authority members' report, and the statement on internal control. My responsibilities to report in relation to such information,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

#### EU Commission audit of sea-fisheries control

The Sea-Fisheries Protection Authority is the competent authority for control of Ireland's sea-fisheries.

The statement on internal control explains that an EU Commission administrative inquiry in 2019 identified significant shortcomings in the weighing and reporting of pelagic fish landings and a lack of controls or enforcement over catches of bluefin tuna. In April 2021, the Commission revoked an existing derogation allowing the weighing of fishing catches at Irish processing facilities.

The statement on internal control states that an interim control plan was agreed with the Commission for 2022. Measures were implemented to address the issues raised by the Commission, and the Authority submitted a new, permanent, control plan in September 2022. The plan was formally approved by the Commission in December 2022 and came into effect on 1 January 2023, and is critical to ensuring Ireland adheres to its obligations under the EU Common Fisheries Policy.



**Seamus McCarthy**

COMPTROLLER AND AUDITOR GENERAL

30 June 2023

# Report of the Comptroller and Auditor General

## Appendix to the report

### Responsibilities of the Sea-Fisheries Protection Authority members

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

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

### Responsibilities of the Comptroller and Auditor General

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

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

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

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
  - I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
  - I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.
  - I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Sea-Fisheries Protection Authority's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Sea-Fisheries Protection Authority to cease to continue as a going concern.
  - I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
  - I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.
- I report by exception if, in my opinion,
- I have not received all the information and explanations I required for my audit, or
  - the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
  - the financial statements are not in agreement with the accounting records.

### Information other than the financial statements

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

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

### Reporting on other matters

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

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

# Governance Statement and Authority Members' Report

## Governance

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

## Authority's Responsibilities

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

- the Sea-Fisheries and Maritime Jurisdiction Act 2006,
- other relevant legislation including; Health & Safety Law, Employment Law, Data Protection Law, Freedom of Information Law, Sea-Fisheries Law and Food Safety Law,
- the public Financial Procedures published by the Department of Public Expenditure, NDP Delivery 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 2021-2023,
- the Service Contract with the Food Safety Authority of Ireland, and
- the Service Level Agreement with the Department of Defence.

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

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

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

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

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

The Authority is responsible for approving the annual plan and budget. An evaluation of the performance of the Sea-Fisheries Protection Authority by reference to the annual plan and budget was carried out on 31 January 2023.

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 2022.



## Authority Structure

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

Authority Member	Role	Date Appointed from/to
Mr. Paschal Hayes	Authority Chairperson	14 January 2022 to 13 January 2029
Mr. Michael Finn	Authority Member	03 October 2022 to 02 October 2029
Mr. Jonathan Hoare	Authority Member	03 October 2022 to 02 October 2029
Mr. Timothy Donovan	Authority Member	28 June 2021 to 11 February 2022

The Authority Chairperson Mr. Paschal Hayes was appointed on 14 January 2022. The Authority members Mr. Michael Finn and Mr. Jonathan Hoare were both appointed on 03 October 2022. The Authority member Mr. Timothy Donovan resigned from his position on the 11 February 2022.

## Schedule of Attendance

A schedule of attendance at Authority Meetings is set out below. Authority Meetings were held on 15 March 2022, 31 May 2022, 17 October 2022 and 19 December 2022.

Authority Meetings	
Number of Meetings	4
Paschal Hayes	4
Michael Finn	2
Jonathan Hoare	2

## Audit and Risk Committee

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

During 2022, the members of the Audit and Risk Committee were: Peter Cowap, Chairperson, Seán Angland, Pat Farrell, Brendan O'Shea, Rav Vithaldas and Shane McCarthy. There were six meetings of the ARC in 2022.

Brendan O'Shea retired from the ARC on 07 February 2022. Shane McCarthy was subsequently appointed to the ARC on 09 May 2022. Pat Farrell's term of appointment to the ARC was extended on 04 September 2022 for a further five years. Seán Angland resigned from the ARC on 10 February 2023.

## Schedule of Attendance, Fees and Expenses

A schedule of attendance at the Audit and Risk Committee meetings for 2022 is set out below including the fees and expenses received by each ARC member:

Audit & Risk Committee	Fees 2022	Expenses 2022
	€	€
Number of Meetings	6	
Peter Cowap, Chair	6	2,414
Seán Angland	5	-
Pat Farrell	5	1,414
Brendan O'Shea	1	283
Rav Vithaldas	6	1,697
Shane McCarthy	4	1,131
	<b>6,939</b>	<b>1,173</b>

# Governance Statement and Authority Members' Report (continued)

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

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

'To embed a culture of regular and objective assessments of the capacity and capability of each Department to achieve its objectives and take the necessary action to close any gaps'. In 2019, the Authority commissioned a Review of the Organisational Capability of the Sea-Fisheries Protection Authority. The principal objective of the review is to contribute to the ongoing and future development of the Sea-Fisheries Protection Authority so that it is recognised as an agency of excellence and role model for other agencies.

An Organisational Capability Review was completed by external service providers and a report issued on 3 April 2020. An independent advisory board has been appointed by the Department of Agriculture, Food and the Marine to support the Authority and to oversee the implementation of the Review recommendations. The Review made 46 recommendations that, when implemented, will address issues identified to improve the effectiveness of the organisation. Of the 46 recommendations, 43 are complete and the implementation of the remaining 3 recommendations is in progress. The full Review report is available on the Sea-Fisheries Protection Authority website.

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

The Authority is responsible for ensuring that the Sea-Fisheries Protection Authority has complied with corporate governance requirements, including those of the Code of Practice for the Governance of State Bodies ("the Code"), as published by the Department of Public Expenditure, NDP Delivery 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	
		2022	2021
€60,000	- €69,999	13	9
€70,000	- €79,999	10	14
€80,000	- €89,999	38	36
€90,000	- €99,999	7	7
€100,000	- €109,999	5	2
€110,000	- €119,999	-	1
€140,000	- €149,999	1	-

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

## Consultancy Costs

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

	2022	2021
	€	€
Financial/accounting advice	35,713	-
Human resources	25,514	16,504
Legal advice	214,329	465,622
Public relations	90,985	65,028
Business improvement projects	22,140	-
Strategy implementation <sup>1</sup>	81,426	-
EMFF/AF project management support <sup>2</sup>	932,705	954,110
<b>Total consultancy costs</b>	<b>1,402,812</b>	<b>1,501,264</b>
Consultancy costs charged to the Statement of Income and Expenditure and Retained Revenue Reserves	1,402,812	1,501,264
<b>Total</b>	<b>1,402,812</b>	<b>1,501,264</b>

<sup>1</sup> In 2022, strategy implementation consultancy costs includes the cost of the external service provider engaged to undertake the Information and Communications Technology (ICT) strategy review of the Sea-Fisheries Protection Authority.

<sup>2</sup> The comparative figure for 2021 has been restated by €2,384,866 to remove IMT development expenditure paid to the Department of Agriculture, Food and the Marine that was misclassified as consultancy costs.

## 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.

	2022 €	2021 €
Legal fees - legal proceedings	336,281	344,664
Settlements	63,986	466
<b>Total</b>	<b>400,267</b>	<b>345,130</b>

Included in these legal costs is an amount of €Nil (2021: €Nil) in relation to on-going matters involving the Sea-Fisheries Protection Authority.

## Travel and Subsistence Expenditure

Travel and subsistence expenditure is categorised as follows:

	2022 €	2021 €
<b>Domestic</b>		
Authority <sup>3</sup>	13,388	1,635
Employees <sup>4</sup>	710,318	479,100
Audit & Risk Committee	1,173	-
Consultative Committee	3,375	-
<b>International</b>		
Authority <sup>3</sup>	1,692	566
Employees <sup>4</sup>	25,039	5,537
<b>Total</b>	<b>754,985</b>	<b>486,838</b>

<sup>3</sup> Includes travel and subsistence of €15,137 (2021: €1,820) paid directly to Authority members relating to 2022. A balance of €459 (2021: €381) relates to expenditure paid by the Sea-Fisheries Protection Authority on behalf of the Authority members. During 2022, €516 (2021: €Nil) of the total amount of travel and subsistence costs for the Authority members was reimbursed to the Sea-Fisheries Protection Authority by EU agencies.

<sup>4</sup> During 2022, €6,908 (2021: €4,976) of the total amount of travel and subsistence costs for employees was reimbursed to the Sea-Fisheries Protection Authority by EU agencies.

## Hospitality Expenditure

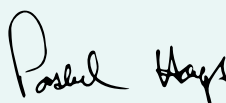
The Statement of Income and Expenditure and Retained Revenue Reserves includes the following hospitality expenditure:

	2022 €	2021 €
Staff hospitality	-	-
External stakeholder hospitality	-	-
<b>Total</b>	<b>-</b>	<b>-</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



**Paschal Hayes**  
EXECUTIVE CHAIRPERSON  
26 June 2023

# 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, NDP Delivery and Reform, has been in place in the Authority for the year ended 31 December 2022 and up to the date of approval of the financial statements except for the internal control issues outlined below.

## Capacity to Handle Risk

The Authority has established an Audit and Risk Committee (ARC) comprising five independent non-executive members with financial, audit, governance and technical expertise, one of whom is the Chair. The ARC met six (6) times in 2022.

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

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

## Risk and Control Framework

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

The Sea-Fisheries Protection Authority Risk Management Policy complies with the Code of Practice for the Governance of State Bodies 2016. The Sea-Fisheries Protection Authority has appointed a Chief Risk Officer. Unit based risk registers have been developed by each business unit which identify the key risks facing the Authority and are subject to on-going review.

Risks are identified, assessed and measured according to their significance. Any risks deemed to be fundamental risks or of a certain score will be included as part of the overall risk register for consideration and discussion by the Authority. The register is reviewed and updated by the Authority on a quarterly basis and subsequently presented to the ARC. The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level.

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

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

## Ongoing Monitoring and Review

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

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

## Procurement

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

## Impact of COVID-19

The Sea-Fisheries Protection Authority's response to the impact of COVID-19 continues to evolve in light of changing circumstances and risks.

As part of the transitional protocol announced by Government, the Authority has maintained the good practices, built up over the past two years and began a phased approach to the return to its physical workplaces in February 2022. The following internal control measures are in place to ensure effective internal controls are maintained during the transition phase:

- Implementation of the Sea-Fisheries Protection Authority COVID-19 Response Plan,
- Establishment of a Blended Working Policy in line with the Blended Working Policy Framework for Civil Service Organisations, and
- Revision of the Sea-Fisheries Protection Authority operational Standard Operating Procedures to ensure the Sea-Fisheries Protection Authority statutory responsibilities continue to be met while ensuring the Sea-Fisheries Protection Authority follows Government guidance on COVID-19 best practice.

The Authority's response to the impact of COVID-19 has been considered as part of the review of effectiveness of the system of internal control for 2022.

## BREXIT

Due to its regulatory role the Sea-Fisheries Protection Authority is one of the key marine agencies post-Brexit following the UK's departure from the EU. Significant resources have been put in place to implement the monitoring of landings from UK fishing vessels including providing services in 2022 to newly designated third country landing ports. This includes the establishment of a new port office in Greencastle, Co. Donegal. The Sea-Fisheries Protection Authority continues to operate the trade support measures that it has put in place to facilitate the import of seafood products from Great Britain. Planning is underway to support industry for the introduction of a requirement for Export Health Certification of fishery products to Great Britain pending confirmation of UK requirements in this regard during 2023.

The Sea-Fisheries Protection Authority is required to continue to provide additional certification, control and enforcement actions in the following areas as a result of Brexit: Import Consignments, Import Direct Landings, Export Consignments and Export Direct Landings. The Minister for Agriculture, Food and the Marine designated additional Irish ports for fish landings by third country registered fishing vessels during 2022 in order to facilitate Northern Ireland registered vessels landing into Ireland. Quigley's Point and Moville have been added to the list of designated ports.

## Review of Effectiveness

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

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

The Statement on Internal Control has been reviewed by the Audit and Risk Committee and the Authority members to ensure it accurately reflects the control system in operation during the reporting period.

I confirm that the Authority members conducted an annual review of the effectiveness of the internal controls for 2022, in January 2023.

# Statement on Internal Control (continued)

## Internal Control Issues

### - Details of Weaknesses in 2022

#### 1. EU Commission Administrative Inquiry

The Sea-Fisheries Protection Authority, in its capacity as the competent authority for sea-fisheries control, has been given the task of coordinating Ireland's response to the Administrative Inquiry and with relevant liaison with the Commission.

#### Background

In July 2019, the EU Commission initiated an Administrative Inquiry to examine in detail the systems of fishery control in place in Ireland. Following from the initial inquiry in April 2021, the Commission revoked Ireland's Control Plan as a result of what it described as 'significant and ongoing concerns regarding inaccurate weighing of catches'.

From extensive preparatory work and consultation, a revised Control Plan was submitted to the Commission in December 2021. Subsequently, the Commission agreed to an interim control plan for an initial period January to April 2022 which was subsequently approved by extension to December 2022.

#### New Control Plan

As a result of the extensive range of measures that Ireland has put in place to address the issues raised in the 2019 Administrative Inquiry, in September 2022, the SFPa submitted a new, permanent, Control Plan to the Commission. This Control Plan was formally approved by the Commission in December 2022 and came into effect on 01 January 2023.

The Control Plan which is in place from 01 January 2023 is critical in ensuring that Ireland adheres to its obligations under the EU Common Fisheries Policy and is a central component in Ireland receiving a derogation allowing 'weighing after transport' for 95% of its fishery products.

#### 2. Organisational Capability Review

An Organisational Capability Review report of the SFPa was issued on 03 April 2020. The Review made 46 recommendations that, when implemented, will address issues identified to improve the effectiveness of the SFPa. An independent Advisory Board oversees the implementation of the recommendations. Of the 46 recommendations, 43 are complete and the implementation of the remaining 3 recommendations is in progress.

A number of the Review recommendations relate to inadequacies in the SFPa's data management and data analytics capability, IT capability and industrial relations capability.

In 2022, an IT strategy was prepared. The strategy identified a number of recommendations including the transition of IT infrastructure to the OGCIO, the development of IT infrastructure to support unified data systems and the transition to a new IT operating model.

The investment required is significant and it will be a multi-annual programme. The steps required and the timeline for those steps will be identified in the IT roadmap. This roadmap is currently in development and it is anticipated that it will be finalised by Q3 2023. A data strategy, that aligns with the IT strategy, was also completed in 2023. Implementation of the data strategy will commence in Q3 2023.

An agreed protocol on how management and staff engage is a key recommendation from the Review. In May 2023, a protocol for industrial relations engagements between the Union and the SFPa was concluded.

#### 3. Executive Management

During 2022, there has been significant changes in the Executive Management of the Sea-Fisheries Protection Authority, due to a number of resignations and retirements. A new Chairperson was appointed to the Authority on 14 January 2022 followed by two new Authority members on 03 October 2022. At 31 December 2022, there are five further vacancies in the Executive Management structure.

There is an increased risk of a loss of corporate and technical knowledge due to these changes. The Sea-Fisheries Protection Authority has responded to this risk by ensuring that:

- appropriate guidance and training is provided for staff members who have taken on additional responsibilities,
- there is appropriate oversight of the areas by Senior Executive Managers,
- clear, documented procedures and roles are in place, and
- appropriate segregation of duties is maintained.

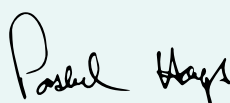
#### 4. Fixed Assets

An internal audit and external C&AG audit identified a number of weaknesses in control over fixed assets and made a number of recommendations. There is a risk that all assets on the Fixed Asset Register are not tagged, that the Asset Tag listing is incomplete and that obsolete assets are not identified.

In 2023, the SFPa will conduct a physical inventory reconciliation of its assets and where necessary adjust fixed asset values accordingly.

No other weaknesses in internal control were identified in relation to 2022 that require disclosure in the financial statements.

On behalf of the Authority



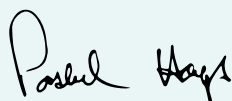
**Paschal Hayes**  
EXECUTIVE CHAIRPERSON  
26 June 2023

# Statement of Income and Expenditure and Retained Revenue Reserves

For the Year Ended 31 December 2022

	Note	2022 €	2021 €
<b>INCOME</b>			
Oireachtas Grants	2	17,063,000	14,606,000
EMFF/AF Project Income	3/12	3,788,299	3,422,694
Net Deferred Funding for Pensions	15 c	3,825,000	3,337,000
Less: Pension contributions refundable to the Department of Agriculture, Food and the Marine and the Department of Public Expenditure, NDP Delivery and Reform	15 a	(584,000)	(539,000)
Fee Income	4	105,415	25,126
Profit on Disposal of Fixed Assets		4,000	-
		24,201,714	20,851,820
<b>EXPENDITURE</b>			
Employee Benefits	5	11,608,019	10,366,925
Retirement Benefit Costs	15 a	4,106,000	3,296,000
Accommodation and Establishment	6	550,992	425,281
Support Services	7	1,006,374	621,961
General Administration	8	1,021,798	715,976
Professional Fees	9	4,907,686	4,975,707
Audit Fee		34,700	26,200
Depreciation	10	491,658	537,830
		23,727,227	20,965,880
Surplus/(deficit) for year		474,487	(114,060)
Transfer (to)/from Capital Account	14	(107,098)	231,190
<b>Operating Profit for year</b>		<b>367,389</b>	<b>117,130</b>
Balance brought forward at 1 January		281,805	164,675
<b>Balance carried forward at 31 December</b>		<b>649,194</b>	<b>281,805</b>

All income and expenditure for the year ended 31 December 2022 and the previous year relate to continuing operations. The Statement of Cash Flows and Notes 1 to 21 form part of these financial statements.



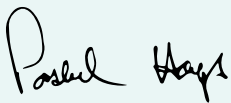
**Paschal Hayes**  
EXECUTIVE CHAIRPERSON  
26 June 2023

# Statement of Comprehensive Income

For the Year Ended 31 December 2022

	Note	2022 €	2021 €
Operating Profit for year		367,389	117,130
Experience gains/(losses) on retirement benefit scheme		214,000	(1,043,000)
Changes in assumptions underlying the present value of retirement benefit scheme liabilities		23,118,000	(4,179,000)
Actuarial gains on retirement benefit liabilities	15	23,332,000	(5,222,000)
Adjustment to deferred retirement benefit funding	15	(23,332,000)	5,222,000
<b>Total comprehensive income for the year</b>		<b>367,389</b>	<b>117,130</b>

The Statement of Cash Flows and Notes 1 to 21 form part of these financial statements.



**Paschal Hayes**

EXECUTIVE CHAIRPERSON

26 June 2023

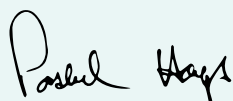


# Statement of Financial Position

As at 31 December 2022

	Note	2022 €	2021 €
<b>Fixed Assets</b>			
Property, Plant and Equipment	10	1,141,221	1,034,123
<b>Current Assets</b>			
Cash and Cash Equivalents		2,547,139	1,843,209
Receivables	11	223,365	150,628
		2,770,504	1,993,837
<b>Less Current Liabilities</b>			
Payables	12	1,698,422	1,279,182
Forfeiture Funds	13	422,888	432,850
		2,121,310	1,712,032
<b>Net Current Assets</b>		649,194	281,805
<b>Total Assets less Current Liabilities before Retirement Benefits</b>		1,790,415	1,315,928
Retirement Benefit Obligations	15 b	(51,981,000)	(71,488,000)
Deferred Retirement Benefit Funding Asset	15 e	51,981,000	71,488,000
<b>Net Assets</b>		<b>1,790,415</b>	<b>1,315,928</b>
<b>Financed By:</b>			
Retained Revenue Reserves		649,194	281,805
Capital Account	14	1,141,221	1,034,123
		<b>1,790,415</b>	<b>1,315,928</b>

The Statement of Cash Flows and Notes 1 to 21 form part of these financial statements.

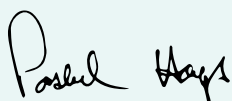


**Paschal Hayes**  
EXECUTIVE CHAIRPERSON  
26 June 2023

# Statement of Cash Flows

For the Year Ended 31 December 2022

	Note	2022 €	2021 €
<b>Net Cash Flows from Operating Activities</b>			
Operating Profit for year		367,389	117,130
Transfer to/(from) Capital Account	14	107,098	(231,190)
Depreciation	10	491,658	537,830
Increase in Receivables	11	(72,737)	(10,080)
Increase in Payables	12	419,240	176,296
(Decrease)/Increase in Forfeiture Funds	13	(9,962)	12,000
Net Cash Inflow from Operating Activities		1,302,686	601,986
<b>Cash Flows from Investing Activities</b>			
Payments to Acquire Fixed Assets	10	(598,756)	(306,640)
Net Cash Outflow from Investing Activities		(598,756)	(306,640)
Increase in Cash and Cash Equivalents		703,930	295,346
Cash and Cash Equivalents at the beginning of the Year		1,843,209	1,547,863
<b>Cash and Cash Equivalents at the end of the Year</b>		<b>2,547,139</b>	<b>1,843,209</b>



**Paschal Hayes**

EXECUTIVE CHAIRPERSON

26 June 2023

# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 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 1<sup>st</sup> 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 2022 have been prepared in accordance with FRS 102, the financial reporting standard applicable in the UK and Ireland issued by the Financial Reporting Council (FRC).

### c) Basis of Preparation

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

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

Fee income related to the mandatory application of fees for official controls provided for under EU Regulation 2017/625 is recognised on an accruals basis. Invoiced fee income owed by food business operators at the end of the financial year is recorded as Trade Debtors and shown as a Receivable on the Statement of Financial Position.

### f) The European Maritime and Fisheries/Aquaculture Fund (EMFF/AF) Project Income

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

### g) Property, Plant and Equipment

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

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

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

### h) Cash and Cash Equivalents

Cash consists of cash on hand and demand deposits.

### i) Foreign Currencies

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

# Notes to the Financial Statements

## For the Year Ended 31 December 2022

### 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

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, NDP Delivery and Reform, shall make and carry out superannuation schemes in respect of the members of staff of the Authority as well as the Authority members. Pension contributions in respect of members of staff and 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 members of staff and Authority members.

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, NDP Delivery and Reform.

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

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

### k) Forfeiture Account

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

### l) Capital Account

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

### m) Contingencies

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

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

# Notes to the Financial Statements

## For the Year Ended 31 December 2022

### n) Critical Accounting Judgements and Estimates

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

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

#### **Going concern**

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

#### **Depreciation and Residual Values**

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

#### **Impairment of Property, Plant and Equipment**

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

#### **Retirement Benefit Obligation**

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

The assumptions can be affected by:

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

# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 2. Oireachtas Grants

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

	2022 €	2021 €
Oireachtas Grants received	<b>17,063,000</b>	<b>14,606,000</b>

## 3. EMFF/AF Project Income

The European Maritime and Fisheries/Aquaculture Fund (EMFF/AF) is one of the five European Structural and Investment Funds which complement each other to deliver more jobs and growth in the EU. Funding was made available under the Operational Programme of the Department of Agriculture, Food and the Marine and supported by EMFF/AF in the year. EMFF/AF project receipts in 2022 were €3,869,802 (2021: €3,436,181):

EMFF/AF project expenditure breakdown	2022 €	2021 €
Union Priority 3 - Fostering the implementation of the CFP (Note 12)	<b>3,788,299</b>	<b>3,422,694</b>

## 4. Fee Income

Fee income related to the mandatory application of fees for official controls provided for under EU Regulation 2017/625 was introduced in Q4 2021 with the first billing period completed in Q1 2022, a quarter in arrears. Total fee income recognised from the introduction of these fees is set out below.

	2022 €	2021 €
Regulation 625 fee income	103,615	19,825
Other income	1,800	5,301
	<b>105,415</b>	<b>25,126</b>

## 5. Remuneration

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

The number of staff employed by the Authority at 31 December 2022 was 167 (2021: 165). The average number of employees in the Authority during the year was 167. Aggregate employee benefits and related costs were as follows:

	2022 €	2021 €
Staff short-term benefits	10,276,480	9,302,559
Lump sum benefits	279,137	138,591
Employer's contribution to social welfare	1,083,536	968,993
Social welfare costs recovered	(31,134)	(43,218)
	<b>11,608,019</b>	<b>10,366,925</b>

Additional superannuation contributions of €375,383 (2021: €352,039) have been deducted from staff and €375,383 (2021: €352,039) paid over to the Department of Agriculture, Food and the Marine in 2022.

# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 5. Remuneration (continued)

### (b) Staff Short-Term Benefits

	2022 €	2021 €
Basic pay	8,756,260	7,946,754
Allowances	1,435,438	1,283,576
Overtime	84,782	72,229
	<b>10,276,480</b>	<b>9,302,559</b>

### (c) Key Management Personnel

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

	2022 €	2021 €
<b>Salary</b>	<b>403,165</b>	<b>426,355</b>

This does not include the value of retirement benefits earned in the period.

### (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.

	2022 €	2021 €
Basic pay	<b>140,577</b>	<b>76,133</b>

The Chairperson was appointed on 14 January 2022 at Assistant Secretary grade. The previous Chairperson resigned on 31 August 2021 at Principal Officer grade.

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

## 6. Accommodation and Establishment

	2022 €	2021 €
Rent	173,870	170,636
Lighting and heating	119,743	88,930
Maintenance - premises	194,679	144,476
Office furnishings	50,301	12,275
Office expenses	12,399	8,964
	<b>550,992</b>	<b>425,281</b>

# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 7. Support Services

	2022 €	2021 €
IT hardware and software	300,401	76,882
IT consumables and services	189,936	174,328
Staff development, training and support	304,178	166,547
Maintenance - vehicles	11,875	6,857
Official control analysis	83,712	109,501
Safety and control equipment	116,272	87,846
	<b>1,006,374</b>	<b>621,961</b>

## 8. General Administration

	2022 €	2021 €
Stationery and office supplies	107,626	58,476
Telephone	92,416	104,260
Insurance	5,889	9,420
Room hire	39,736	8,798
Travel and subsistence	765,769	529,107
Subscriptions	5,652	1,394
Other operating costs	4,710	4,521
	<b>1,021,798</b>	<b>715,976</b>

## 9. Professional Fees

	2022 €	2021 €
Legal and professional	4,495,783	4,564,556
Accountancy	87,302	86,683
Recruitment	157,011	186,207
Public relations and marketing	167,590	138,261
	<b>4,907,686</b>	<b>4,975,707</b>



# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 10. Property, Plant and Equipment

	Vehicles €	IT, office equipment & software €	Furniture, fixtures & fittings €	Leasehold improvements €	IT special projects €	Vessels & water separator €	Total €
<b>Cost</b>							
Balance at 01/01/22	242,517	2,587,666	532,889	1,225,489	2,444,555	433,729	7,466,845
Acquisitions	-	117,215	19,489	441,068	-	20,984	598,756
Disposals	-	(20,772)	-	-	-	(13,284)	(34,056)
Balance as at 31/12/22	242,517	2,684,109	552,378	1,666,557	2,444,555	441,429	8,031,545
<b>Depreciation</b>							
Balance at 01/01/22	190,536	2,243,888	407,320	860,315	2,312,489	418,174	6,432,722
Charge in year	17,650	200,349	36,074	101,363	129,814	6,408	491,658
Disposals	-	(20,772)	-	-	-	(13,284)	(34,056)
Balance as at 31/12/22	208,186	2,423,465	443,394	961,678	2,442,303	411,298	6,890,324
Net book value as at 31/12/22	34,331	260,644	108,984	704,879	2,252	30,131	1,141,221
Net book value as at 01/01/22	51,981	343,778	125,569	365,174	132,066	15,555	1,034,123

## 11. Receivables

	2022 €	2021 €
Trade debtors	7,221	-
Other debtors and accrued income	42,647	36,127
Prepayments	173,497	114,501
	<b>223,365</b>	<b>150,628</b>

# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 12. Payables

	2022 €	2021 €
<b>Amounts falling due within one year:</b>		
Trade payables	89,459	41,283
Accruals	1,017,976	859,591
EMFF/AF deferred income	81,503	-
PAYE/PRSI/USC/LPT	340,613	322,946
VAT/RCT	65,848	11,274
Professional services withholding tax	100,201	40,882
Other payroll accruals	2,822	3,206
	<b>1,698,422</b>	<b>1,279,182</b>

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

## 13. Forfeiture Funds

	2022 €	2021 €
Forfeiture funds held at 1 January (gross of bank charges)	432,850	420,850
Add Receipts	9,198	12,000
Less Payments	(19,160)	-
<b>Forfeiture funds held at 31 December</b>	<b>422,888</b>	<b>432,850</b>

## 14. Capital Account

	2022 €	2021 €
Balance at 1 January	1,034,123	1,265,313
Transfer from Statement of Income and Expenditure and Retained Revenue Reserves		
- Income used to purchase fixed assets	598,756	306,640
- Income amortised in year in line with depreciation of asset	(491,658)	(537,830)
	107,098	(231,190)
<b>Balance as at 31 December</b>	<b>1,141,221</b>	<b>1,034,123</b>

# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 15. Retirement Benefit Costs

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

	2022 €	2021 €
Current service cost	3,597,000	3,192,000
Interest on retirement benefit scheme liabilities	1,093,000	643,000
Employee contributions refundable to the Department of Agriculture, Food and the Marine and the Department of Public Expenditure, NDP Delivery and Reform	(584,000)	(539,000)
	<b>4,106,000</b>	<b>3,296,000</b>

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

	2022 €	2021 €
Net retirement benefit liability at 1 January	71,488,000	62,929,000
Current service cost	3,597,000	3,192,000
Interest on retirement benefit scheme liabilities	1,093,000	643,000
Benefits paid in year	(865,000)	(498,000)
Actuarial (gain)/loss	(23,332,000)	5,222,000
<b>Net retirement benefit liability at 31 December</b>	<b>51,981,000</b>	<b>71,488,000</b>

### (c) Deferred funding for retirement benefits

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

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

# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 15. Retirement Benefit Costs (continued)

### (c) Deferred funding for retirement benefits (continued)

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

	2022 €	2021 €
Funding recoverable in respect of current year retirement benefit costs	4,690,000	3,835,000
State grant applied to pay retirement benefits	(865,000)	(498,000)
	<b>3,825,000</b>	<b>3,337,000</b>

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

### (e) History of defined benefit obligations

	2022 €	2021 €	2020 €	2019 €	2018 €
Defined benefit obligations	51,981,000	71,488,000	62,929,000	54,410,000	42,920,000
Experience (gains)/losses on scheme liabilities	(214,000)	1,043,000	505,000	515,000	(353,000)
Percentage of the present value of scheme liabilities	(0.4%)	1.4%	0.8%	0.9%	(0.8%)

### (f) General description of the Scheme

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

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

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

# Notes to the Financial Statements

For the Year Ended 31 December 2022

## 15. Retirement Benefit Costs (continued)

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

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

For the purposes of reporting in accordance with FRS102, the Sea-Fisheries Protection Authority has been advised by a qualified independent actuary who has prepared a full valuation in order to assess the scheme liabilities at 31 December 2022.

The main actuarial assumptions used were:

Valuation Method	2022	2021
Discount rate	3.50%	1.50%
Salary increases	4.10%	3.70%
Pension increases-Superannuation scheme	3.60%	3.20%
Pension increases-Single scheme	2.60%	2.20%
Inflation rate	2.60%	2.20%

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

	2022	2021
Male aged 65	22.1	21.9
Female aged 65	24.4	24.3
Male aged 45	24.3	24.2
Female aged 45	26.4	26.3

## 16. Authority Members' Expenses

Authority members' expenses reimbursed were as follows:

	2022	2021
	€	€
Mr. Paschal Hayes	9,639	-
Mr. Michael Finn	3,914	-
Mr. Jonathan Hoare	713	-
Mr. Timothy Donovan	871	1,870
	<b>15,137</b>	<b>1,870</b>

The Authority Chairperson Mr. Paschal Hayes was appointed on the 14 January 2022 and the Authority members Mr. Michael Finn and Mr. Jonathan Hoare were both appointed on the 03 October 2022.

The Authority member Mr. Timothy Donovan resigned from his position on the 11 February 2022.

# Notes to the Financial Statements

## For the Year Ended 31 December 2022

### 17. Property Costs

	Location	Status	Annual Rent	Lease Expiry
Headquarters	Clonakilty, Co. Cork	OPW Owned <sup>5</sup>	N/A	N/A
Castletownbere port office	Co. Cork	Lease in negotiation <sup>6</sup>	19,500	2042
Howth port office	Co. Dublin	Lease in negotiation <sup>6</sup>	26,000	2042
Clogherhead office	Co. Louth	Leased	4,834	2023
Dunmore East port office	Co. Waterford	Leased	14,000	2042
Dingle port office	Co. Kerry	Lease in negotiation <sup>6</sup>	7,500	2042
Dingle storage	Co. Kerry	Lease in negotiation <sup>6</sup>	5,200	2022
Ros a Mhil port office	Co. Galway	Leased	17,050	2023
Killybegs port office	Co. Donegal	Lease in negotiation <sup>6</sup>	43,000	2042
Killybegs storage	Co. Donegal	License in negotiation <sup>6</sup>	7,000	2028
Greencastle port office	Co. Donegal	Leased	29,400	2042
			<b>173,484</b>	

<sup>5</sup> The premises located in Clonakilty are Office of Public Works buildings which the Authority occupies. No rent is payable on these buildings.

<sup>6</sup> Expiry dates for leases and licenses in negotiation are based on dates agreed during pre-lease negotiations or draft lease/license agreements as appropriate.

### Lease Commitments

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

	As at 31 Dec 2022 €	As at 31 Dec 2021 €
Under 1 year	164,021	157,750
Between 2 - 5 years	585,600	522,463
Over 5 years	2,096,250	1,828,250
	<b>2,845,871</b>	<b>2,508,463</b>

Lease payments recognised as an expense in 2022 were €156,002 (2021: €170,636).

### 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. Events after the end of the Financial Year

The Authority is not aware of any events occurring after 31 December 2022 which affect these financial statements.

### 21. Approval of Financial Statements

The Financial Statements were approved by the Authority on the 21 June 2023.





AN t-ÚDARÁS UM  
CHOSAINT  
IASCAIGH MHARA

SEA-FISHERIES  
PROTECTION  
AUTHORITY

An t-Údarás um Chosaint Iascaigh Mhara,  
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