

**PROPOSED RESTRUCTURING OF THE INLAND FISHERIES SECTOR**

**SUMMARY OF PROPOSALS AND DETAILS OF DRAFT SCHEME OF**

**BILL TO GIVE EFFECT TO THE RESTRUCTURING**

## ***Introduction***

As part of the overall rationalisation of State agencies that the Minister for Finance announced in Budget 2009, a new national inland fisheries body is to be established which will replace the existing Central and seven Regional Fisheries Boards. The new Authority is to be known as Inland Fisheries Ireland. The Government has recently approved details of the restructuring proposals for the inland fisheries sector along with a draft Scheme of Bill to give effect to these proposals.

## ***Summary of agreed restructuring proposals***

It has been agreed that the restructuring will involve:-

The creation of a single strengthened national inland fisheries authority, Inland Fisheries Ireland. It is clearly in the nature of the inland fisheries work that the new Authority should be organised with a strong regional presence. The Authority will, therefore, have strong regional executive structures which will be aligned on the basis of the following River Basin Districts:-

Eastern River Basin District

North Western River Basin District

Shannon River Basin District

South Eastern River Basin District

South Western River Basin District

Western River Basin District

The Government has agreed that further consideration will be given to the retention of offices in both Galway and Ballina as the legislation required to give effect to the restructuring is progressed. The new Authority will have strengthened powers in terms of development and implementation of national policy.

The dissolution of the Central and seven Regional Fisheries Boards

The dissolution of the eight Trout and Coarse Fisheries Co-operative Societies and the establishment of a grant scheme for local development groups which will be administered by the Authority and implemented within existing resources previously deployed through the Co-operative Societies.

The cessation of the National Salmon Commission and its replacement with appropriate advisory fora, based around a national inland fisheries forum, to be established and managed by the Authority.

The retention of the Standing Scientific Committee of the National Salmon Commission but it will be established in its own right and will operate under the aegis of the Authority.

The retention by the Authority of the resources and responsibilities of the inland fisheries

sector in the area of scientific research.

### ***Proposed draft Scheme of Bill***

The purpose of this draft Scheme is to establish a new Authority to be known as Inland Fisheries Ireland and to define its functions. The Scheme seeks to dissolve the existing Central and Regional Fisheries Boards and transfer their functions to the new Authority on its establishment. The Scheme also provides for the transfer of assets, liabilities and staff of the existing Boards to the new Authority and associated matters connected with the foregoing. More generally it amends and extends the Fisheries Acts 1959 to 2007. A screening regulatory impact analysis has been undertaken in respect of the draft scheme of Bill and is attached to this document.

The draft Scheme of Bill has been approved by Government and the Office of the Parliamentary Counsel will now begin the process of drafting the Bill. **The details of the draft Scheme are set out below. It is important to note that these refer to the draft Heads only and consequently may be subject to change during the course of the drafting of the Bill.**

### ***Details of provisions of the draft Scheme of Bill***

*Head 1* makes standard provisions in respect of the short title, commencement, construction and collective citation of the Bill. This gives the short title of the Bill and provides that the Minister may commence different sections of the Act on different days.

*Head 2* is a standard interpretative provision which explains the meaning of certain words and terms for the purpose of the Bill.

*Head 3* provides that the Minister may by Order appoint an establishment day for the purpose of the Act which is the mechanism which will be used for the establishment of the new Authority. The Head also provides that the amendments to the existing Fisheries Acts which are set out in Schedule 2 will take effect on the establishment day.

*Head 4* is a standard provision to provide for expenses incurred by the Minister in the administration of the Act.

*Head 5* is a standard provision to allow for the repeal of various sections of the existing legislation governing the inland fisheries sector which will no longer be required following the enactment of the existing legislation.

*Head 6* provides that Inland Fisheries Ireland will be established from the establishment day and will perform the functions conferred on it by this Act. It also provides that the Authority shall be a body corporate and associated provisions to allow it to execute its functions. The Head also sets out the jurisdiction of the new Authority which is based on section 10(9) of the Fisheries Act 1980.

*Head 7* sets out the functions of the new Authority. The Authority will continue to carry on the functions conferred on the existing Central and Regional Fisheries Boards and will also have additional functions in terms of developing and implementing policies and national strategies relating to inland fisheries, including sea angling. This Head also provides that the Authority shall

establish a national inland fisheries forum, the terms of reference of which will be agreed with the Minister. It is envisaged that this Forum will replace the National Salmon Commission and that the deliberations of the Forum will extend to all species of inland fisheries and will inform the development of policies on the conservation, protection, management, development and improvement of the State's resource. At present there is no National Salmon Commission in existence. The term of office of the last National Salmon Commission expired in May 2008 and the Minister has not appointed a replacement Commission. It is intended therefore to repeal the provisions in the Fisheries (Amendment) Act 1999 in relation to the National Salmon Commission. The Authority will also be obliged to establish a standing scientific committee which will advise and assist it on all technical and scientific matters relating to the management of the State's inland fisheries resource. The Restructuring Implementation Group is also considering various models involving the creation of local fora.

*Head 8* seeks to ensure that all functions conferred on the existing Central and Regional Fisheries Boards will transfer to the new Authority on its establishment and is designed to assist in the smooth transition to the new structures. It also provides that references in existing legislation to the Central or Regional Boards or the CEOs of the Boards shall be read as reference to the Authority or CEO of the Authority.

*Head 9* provides that the regional operations of the Authority are to be conducted on the basis of the River Basin Districts as laid down in the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003). These Regulations give effect to the Water Framework Directive which sets a framework for the comprehensive management of water resources in the EU, within a common approach and with common objectives, principles and basis measures. There are 6 River Basin Districts in total, 3 of which are international which means that the combined river basin district area is in the State and in Northern Ireland. Provision will be made to ensure that the Authority only has powers in relation to those areas within the State.

*Head 10* allows the Minister to give policy directions to the Authority and compels the Authority to comply with any direction given.

*Head 11* makes provision in relation to the seal of the Authority which is required in order to allow the Authority to conduct its business.

*Head 12* provides for the appointment of 9 members to the Authority and the method of their appointment. The composition of the Authority includes persons nominated by the Ministers for the Environment, Heritage and Local Government and Community, Rural and Gaeltacht Affairs. This is based on the existing composition of the Central Board and should ensure that environmental and regional matters are represented. It also provides that the chief executive shall be an ex-officio member of the Authority which is standard practice in many State bodies. One employee of the Authority is to be appointed following an election process to represent staff interests. The Minister shall appoint the Chairperson along with two other members on his own nomination. The remaining 3 members will be appointed by the Minister having regard to nominations provided by the Joint Oireachtas Committee on Communications, Energy and Natural Resources. The Head sets out the criteria which potential appointees must fulfil in order to be appointed to the Authority which include having experience of or shown capacity in one of more of the following: -

Agriculture, aquaculture, business or commercial affairs, commercial fishing, environmental/biodiversity matters, fish processing, legal or regulatory affairs, matters pertaining to disability, riparian ownership of fisheries, recreational fishing, regional development, tourism .

The Head states that any persons appointed to the Authority shall be appointed with a view to representing the public interest in respect of inland fisheries matters including sea angling. Standard gender balance provisions are also included.

*Head 13* sets out the procedure to be followed for an election process to facilitate the appointment of a staff representative to the Authority. Having considered a number of options, the Department is of the view that the model used in the Harbours Act 1996 is workable and accordingly the provisions are based on that model.

*Head 14* provides for the term of appointment of the members of the Authority. In order to ensure sustained continuity among Authority members it is proposed that a portion of the Authority will only be appointed for a period of 4 years and 3 years. The provisions are based on those contained in the Marine Institute Act 1991. Given that the employee representative will not be elected until after the establishment day, it is proposed not to include that member in the staggering of the terms of office.

*Head 15* sets out the terms and conditions of the office of Chairperson and provides for resignation from the office and reappointment to the office.

*Head 16* allows the Authority to delegate functions to the chief executive and requires the Authority to bring certain matters to the Minister's attention. These are based on standard provisions which are applicable to State bodies generally.

*Head 17* sets out the conditions attached to membership of the Authority and allows for the removal of members in certain circumstances.

*Head 18* allows the Minister to remove all of the members of the Authority in certain circumstances and to appoint a person or person to carry out the functions of the Authority in such an instance. These provisions are based on those applicable to the existing Central and Regional Fisheries Boards under section 24 of the Fisheries Act 1980.

*Head 19* provides for resignations by members of the Authority and the filling of casual vacancies on the Authority.

*Head 20* sets out the rules and procedures governing the Authority and includes the conduct of and voting at meetings of the Authority.

*Head 21* allows the Authority to establish committees to advise and assist it in relation to the performance of its functions.

*Head 22* makes provision for the remuneration and expenses payable to members of the Authority and any committees established by the Authority. Such remuneration and expenses will be determined by the Minister with the consent of the Minister for Finance.

*Head 23* provides for the appointment of a chief executive to the Authority. The terms on which the chief executive is to be appointed are the same as those provided for in other State bodies. The Head also provides that where a competition is held to appoint a chief executive prior to the establishment of the Authority, the successful candidate may be appointed as chief executive designate of the Authority and shall become chief executive on the establishment day of the Authority.

*Head 24* sets out the functions and responsibilities of the chief executive and provides for the delegation of these functions to a deputy in certain circumstances.

*Head 25* allows for the delegation and sub delegation of functions by the chief executive to other members of staff of the Authority.

*Head 26* deals with the effects of delegation and sub-delegation of functions by the Authority, the chief executive or another person authorised to sub-delegate functions. The effect of this Head is to provide that where functions are delegated or sub-delegated then the statutory provisions that would apply to the Authority or chief executive in the ordinary course of carrying out the function shall apply to the person carrying out the delegated or sub-delegated functions.

*Head 27* provides for the use of signed certificates in legal proceedings as evidence of the delegation or sub-delegation of functions.

*Head 28* requires the chief executive to be accountable to the Committee of Public Accounts and is based on the provisions of the Comptroller and Auditor General (Amendment) Act 1993.

*Head 29* required the attendance of the chief executive of the Authority before the Oireachtas Committees when requested. This is a standard accountability provision which applies to State bodies generally.

*Head 30* allows the Authority to recruit staff from outside the existing Central and Regional Fisheries Boards and includes the requirement for the consent of the Minister for Finance to their terms and conditions, numbers and grades.

*Head 31* obliges the Authority to prepare a superannuation scheme in respect of its employees and contains common provisions regarding the preparation of superannuation schemes, their approval and their laying before both Houses of the Oireachtas.

*Head 32* provides for the preparation by the Authority of a staff scheme to provide for the regulation, control and management of staff of the Authority. This is based on the existing provision applicable to the Central and Regional Fisheries Boards under section 32 of the Fisheries Act 1980.

*Head 33* permits the Authority to engage consultants or advisors when necessary for the performance of its functions.

*Head 34* requires the Authority and its employees to maintain proper standards of integrity, conduct and concern for the public interest and obliges the Authority to issue a code of conduct for employees and advisers who are not covered by section 10(3) of the Standards in Public Office Act 2001.

*Head 35* prohibits the unauthorised disclosure of confidential information.

*Head 36* describe the standard disqualifications resulting from membership of either Houses of the Oireachtas, the European Parliament or Local Authorities. Members of the Authority and its employees come within the scope of this Head, which applies to State bodies generally.

*Head 37* requires the Authority to submit corporate plans setting out the key objectives to be achieved over the coming 5 years and the key performance indicators. This provision is in line with the requirements of the Department of Finance Code of Practice for the Governance of State Bodies.

*Head 38* makes provision for the laying of corporate plans before the Houses of the Oireachtas and reporting by the Authority on progress on implementation of plans.

*Head 39* permits the Authority, with the consent of the Minister and the Minister for Finance to borrow money.

*Head 40* makes provision for the estimates process which determines the annual grant payable by the Exchequer to the Authority and is based on the processes applicable to the existing Central and Regional Fisheries Boards.

*Head 41* provides for the allocation of grants to the Authority from the Exchequer.

*Head 42* contains standard provisions relating to the keeping of accounts by the Authority and in line with obligations on State bodies generally. It also provides for the inspection of the accounts of the Authority by a person appointed by the Minister. The Head also makes provision regarding the preparation of the accounts and their auditing by the Comptroller and Auditor General and for the laying of audited accounts before the Houses of the Oireachtas.

*Head 43* makes provision for the preparation by the Authority of an annual report.

*Head 44* provides for the dissolution of the existing Central and seven Regional Fisheries Boards on the establishment of the new Authority. It also makes provision to ensure that any permit or licence holders with a valid current licence can continue to fish on the dissolution of the existing Boards.

*Head 45* provides for the transfer of all staff from the existing Central and Regional Fisheries Boards to the new Authority from the establishment day and provides that the terms and conditions of existing staff will be no less favourable than those to which the person was entitled immediately before the establishment day. The Head also makes provision for the re-distribution or rearrangement of duties by staff transferred to the Authority and that such arrangements will only take place following consultation with any recognised staff associations or trade unions concerned. This provision is based on sections 29(3) and 30(4) of the Fisheries Act 1980 which made similar provision in relation to staff transferred to the Central or Regional Boards on their establishment.

*Head 46* provides for the transfer of pension liabilities of former employees of the Central or Regional Fisheries Boards to the Authority. It also makes provision for the continuation of a number of former Inland Fisheries Trust Schemes which transferred under the Fisheries Act 1980 to the Central Board and are still in existence. This is a standard provision and ensures the protection of former employee's superannuation benefits.

*Head 47* provides for the transfer of property, rights, assets (including non tangible assets) and liabilities from the existing Central and Regional Fisheries Boards to the new Authority from the establishment day.

*Head 48* makes provision for the continuation of contracts, agreements, arrangements and the adaptation of reference in respect of same.

*Head 49* enables pending legal proceedings, in which the Central or any Regional Fisheries Board are a party, to continue with the Authority as a party.

*Head 50* provides for the continuation of notices, rule, records etc. made by the Central Fisheries Board or any Regional Fisheries Board as if the Authority had made them.

*Head 51* makes provision for the preparation of final accounts for the Central and Regional Fisheries Boards which are to be submitted to the Comptroller and Auditor General for audit by the Authority, Provision is also made for the laying of the final accounts before the Houses of the Oireachtas in accordance with procedures for accounts set out in Head 42.

*Head 52* requires the Authority to submit a final annual report for the Central and Regional Fisheries Boards not less than 6 months after the establishment of the Authority. Provision is also made for the laying of the report before the Houses of the Oireachtas.

*Head 53* ensures that certain rights of former life members of the Trust continue in force on the establishment of the new Authority.

*Schedule 1* sets out the existing enactments to be repealed.

*Schedule 2* details specific amendments to existing fisheries legislation. This seeks to ensure that all the functions conferred on the Central and Regional Fisheries Boards under statute will be transferred to the new Authority on its establishment.

*Schedule 3* provides for the transfer to the Authority of functions under non-fisheries legislation.

**Inland Fisheries Division**  
**Department of Communications, Energy and Natural Resources**  
**April 2009**

## **Restructuring of the Inland Fisheries Sector Bill 2009 Screening Regulatory Impact Analysis**

### **Proposal**

When enacted, the Restructuring of the Inland Fisheries Sector Bill 2009 will facilitate the restructuring of the inland fisheries sector through the creation of a national inland fisheries authority to be known as Inland Fisheries Ireland, which will replace the existing Central Fisheries Board and 7 Regional Fisheries Boards. This is in line with current Government policy for the rationalisation of State agencies. The legislation will, inter alia, provide for:-

The creation of a single strengthened national inland fisheries authority with strong regional executive structures which will be aligned on the basis of the River Basin Districts as set out in the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003). The new Authority will have strengthened powers in terms of development and implementation of national policy.

The functions of the new Authority which are largely based on the functions of the existing Central and Regional Fisheries Boards and include:

the establishment and management, by the Authority, of a National Inland Fisheries Forum, the deliberations of which will provide stakeholder input into policy formulation and sectoral development both nationally and locally,

the establishment by the Authority of a Standing Scientific Committee, to replace the Scientific Committee established by the former National Salmon Commission to advise and assist on all technical and scientific matters relating to the management of the State's inland fisheries resource.

The composition of the Authority and the method of appointment of members to the Authority, including criteria for potential appointees. Provision is also made for the election of a staff representative to the Authority and other standard provisions relating to membership of a State body.

The appointment of a CEO to the Authority. The legislation provides that where a competition has been held prior to the establishment of the Authority, the Minister may appoint a chief executive designate of the Authority and that that person will become the CEO on the establishment day. Provision is also made for the functions of the office of CEO and the delegation of functions to other employees. This is seen as critical in ensuring strong regional structures within the organisation.

Standard corporate governance provisions including the preparation of corporate plans, annual accounts and annual reports.

The dissolution of the Central Fisheries Board and the 7 Regional Fisheries Boards and the transfer of functions, employees, property, liabilities etc to the new Authority.

Appropriate repeals and amendments to existing legislative provisions.

## **Description of Policy Context, Objectives and Options**

### **2.1 Policy Context**

Freshwater lakes cover approximately 144,480 hectares (or about 2% of the area of the State), while there are also around 13,840 kilometres of main channel rivers. These freshwater systems are inhabited by a variety of species, including game species such as salmon, sea trout, brown trout and coarse species such as pike and bream. The inland fisheries resource, across all species, is under serious threat from environmental (including pollution), habitat degradation, water quality factors and over-exploitation.

The State's role in relation to the inland fisheries resource is concerned with the management and development of freshwater fisheries in Ireland including the management and surveillance of stocks of fish species listed in the Habitats Directive. In addition, the remit covers certain activities at sea, including commercial fishing for salmon and sea trout, and sea angling. While the Department has overall policy responsibility for the conservation, management, regulation and development of the inland fisheries resource, it is primarily assisted in its mission by the Central Fisheries Board, the seven Regional Fisheries Boards and the Marine Institute. Other Agencies such as the Loughs Agency of the Foyle Carlingford and Irish Lights Commission, Bord Iascaigh Mhara, the National Salmon Commission and the ESB also play important roles in the sector.

The Central Fisheries Board (CFB) is a statutory body, which was established under the Fisheries Act, 1980. The role and responsibilities of the CFB are, as set out in the Fisheries (Amendment) Act, 1999, "to promote, support, facilitate, and co-ordinate where necessary, and to advise the Minister on policy relating to, the conservation, protection, management, development and improvement of inland fisheries and the efficient and effective performance by the Regional Fisheries Boards of their functions".

The seven Regional Fisheries Boards were also established under the Fisheries Act, 1980. The Regional Fisheries Boards have statutory responsibility for the management, conservation, protection, development and improvement of the fisheries within their regions, and offshore to a twelve mile limit for the protection of salmon. Their remit also includes specific responsibility for marketing, catchment management and angling promotion.

The seven Regional Fisheries Boards are:

Eastern Regional Fisheries Board	Western Regional Fisheries Board
Southern Regional Fisheries Board	North Western Regional Fisheries Board
South Western Regional Fisheries Board	Northern Regional Fisheries Board
Shannon Regional Fisheries Board	

At up to 23 members per Board, the Regional Fisheries Boards are unwieldy and have a reputation for internal conflicts and competing aims between different stakeholders. There are two types of board members, elected members and Ministerial appointees. The electorate is divided into different classes depending the type of fishing licences held. Members of each class

of the electorate are eligible to be nominated for election in that class. The significant changes in the management of inland fisheries stocks has considerably altered the balance between licence classes since the establishment of the Boards 29 years ago.

It has been widely acknowledged that the sector is characterised by a regionalised management structure with strong involvement by local interests in decision making, complex issues of ownership, reliance on State funding and tensions between stakeholders. For some time, it has been accepted that the current structures governing the sector are in need of restructuring.

## **2.2 Policy Objectives**

Recognising the need for change in the sector, the Department, in 2003, commissioned independent consultants, led by FGS Consulting, to undertake a root and branch examination of the State's role and objectives in the inland fisheries sector, to evaluate the adequacy of the current model for the governance of the sector and to recommend a structure which would contribute to the optimum development of the inland fisheries resource in Ireland.

The inland fisheries resource is an important natural resource to Ireland and the fundamental concern in any proposals to restructure the sector must be in how best to preserve, conserve and develop the resource in the best interests of the country as a whole. The sector is subject to many pressures for change. Recent developments include a more integrated international approach to the threat of over exploitation of the migratory species, the adoption of catchment models of management of the resource and the advent of the EU Water Framework Directive setting out a comprehensive new approach to the management of water resources.

As the resource is managed by the Central and Regional Fisheries Boards on behalf of the Government, it is important to ensure that the existing structures are replaced with workable structures which will contribute to the optimum development of the inland fisheries resource in Ireland. These must also guarantee cost effectiveness and value for money in the delivery of high quality services to stakeholders. Policies, strategies and programmes need to be based on clearer, more convincing arguments for State intervention and therefore attract a high credibility in Government and among stakeholders.

While the FGS review, published in 2005, recommended a comprehensive restructuring of the sector, the proposals met with a lot of stakeholder resistance. Responding to a call from the Fisheries Boards' Chairpersons for a somewhat different approach to restructuring, alternative proposals were drawn up in late 2007/early 2008. These have now been overtaken by the current Government policy to rationalise State Agencies and in particular, the Budget Day announcement in October 2008 that the existing Central and Regional Fisheries Boards are to be replaced by a single national authority.

It is considered that the structures now proposed will equip the sector in meeting its National, EU and International obligations going forward. This exercise will be followed by the finalisation of an ongoing review of the existing legislation governing the inland fisheries sector, which dates back to 1959, with a view to producing a single consolidated modernised statute for the sector.

## **2.3 Identification of Options**

### **Option 1 – Do nothing**

Given the general recognition that the existing structures are not operating at the optimum level

and the findings of previous studies and reviews of the sector, it is clear that the retention of the status quo is not an option. This is supported by the Government's decision to create a single national authority.

### **Option 2 – Implement restructuring proposals adopted on foot of FGS Report**

On foot of the FGS review, the Government adopted a new policy for the restructuring of the inland fisheries sector. The review concluded that the current arrangements have many inherent deficiencies and do not function in the best interest of the sector and made a number of recommendations for restructuring the sector, some of which were adopted by Government. On 15 November 2005, the Government announced details of its proposals for the restructuring of the sector which involved, inter alia, the creation of a single National Inland Fisheries Authority subsuming the Central and Regional Fisheries Boards and the realignment of its regional executive structures on the River Basin Districts of the European Communities (Water Policy) Regulations, 2003. The Regional Fisheries Boards were to be replaced by Regional Advisory Boards without executive functions. The reform was to be carried out in two phases, the first of which would involve the streamlining of the sector. The second phase was to involve an extensive consultation period designed to achieve buy-in from all stakeholders and explore other issues relating to the relative role of the State and stakeholders in the inland fisheries sector.

Soon after publication, it became clear that the implementation of the proposed restructuring would prove difficult. Strong stakeholder and industry resistance to the proposals were clearly evident from the outset and it was apparent that there was no willingness to participate in further consultations on the approaches required to deliver the new model.

### **Option 3 – Alternative proposals put forward by the Chairpersons of the Central and Regional Fisheries Boards**

In 2007, the Department became aware that the Chairman of the Central Fisheries Board was developing a somewhat different approach for the restructuring of the sector which claimed to have the full support of all of the Regional Chairmen. The Minister met with the Chairpersons of the Central and Regional Fisheries Boards who presented their new vision for the sector. The proposed model was based around the retention of the regional board structure and a stronger role for the Central Board in terms of policy development and implementation. The Minister was happy to engage with the Boards in the development of alternative proposals on the basis that they would be implemented within a short timeframe.

The Group presented their finalised proposals in May 2008. While the Department was in broad agreement with many of the proposals put forward, there were some issues on which it was not possible to achieve full agreement, i.e. on the size and representational nature of the Boards and the amalgamation of the Western and North Western Regional Fisheries Boards to facilitate the realignment of the boundaries of the Boards with the River Basin Districts as set out in the European Communities (Water Policy) Regulations 2003, S.I. No. 722 of 2003.

The Minister had been about to present an alternative restructuring model to Government for approval when the Department of Finance review of all State Agencies was announced. In the circumstances, it was decided to put the alternative proposals on hold pending the outcome of this review.

### **Option 4 – Implement rationalisation of Agencies in line with Government announcement**

On foot of the Department of Finance Review of State Agencies, the Government announced on

Budget Day a programme of rationalisation of State Agencies which is, in the first instance, to reduce the number of State agencies by 41. The announcement included the creation of a single national inland fisheries authority to replace the existing Central and Regional Fisheries Boards. This is in line with the recommendations of the FGS Review. The proposals being pursued in this context also include:-

The alignment of the regional operations of the new Authority on the basis of the river basin districts as set out in the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003);

The replacement of the existing Co-operative Development Societies with a grant aid scheme for local development groups to be administered by the Authority and implemented within existing resources previously deployed through the Co-operative Societies;

The establishment, by the Authority, of a National Inland Fisheries Forum, the deliberations of which will provide stakeholder input into policy formulation and sectoral development both national and locally;

The establishment, by the Authority, of a Standing Scientific Committee to advise and assist in all technical and scientific matters relating to the management of the State's inland fisheries resource.

## **Conclusion**

Having considered the different options available and in light of the Government decision on rationalisation of State Agencies, option 4 is to be pursued. The changes brought about as a result of the implementation of the Government decision will result in greater efficiencies, better corporate governance and ultimately a more efficient and effective model for managing the State's inland fisheries resource.

## **3. Identification of Costs, Benefits and Impacts**

### **Costs**

The most visible and immediate cost savings will occur as a result of the reduction in costs of servicing eight separate boards and associated board expenses that are estimated to be in the region of €300,000 per annum. In addition to financial savings, the new model will consolidate and thus ensure the better use of existing resources and deliver improved value for money of the State's resource.

### **Benefits**

It has been widely acknowledged that the present system is not operating at an optimum level and is in need of restructuring. It is envisaged that the following benefits will accrue following implementation of the proposals now presented:-

More efficient and effective management of the inland fisheries resource;

More streamlined, coherent and integrated policy formulation;

Better use and allocation of financial resources;

Alignment of the regional operations of the Authority with the river basin districts should ensure enhanced delivery of the relevant functions under the EU Water Framework Directive and an approach consistent with that adopted in terms of implementing policy in this area. It will also be beneficial in terms of implementing future EU sponsored measures in this area.

Formalising stakeholder input into policy formulation through the creation of the new National Inland Fisheries Forum which will act as a conduit to provide advice and inform policy deliberation on the conservation, protection and management of all species of inland fisheries;

An improved National perspective in the formulation of inland fisheries policy.

## **Impacts**

From an environmental perspective, alignment of the regional operations of the Authority with the River Basin Districts as set out in the European Communities (Water Policy) Regulations 2003, S.I. No. 722 of 2003, will represent a move consistent with developments in other environmental areas and ensure that our EU obligations in terms of environmental and water quality policies in so far as inland fisheries are concerned are implemented to the best of our abilities. The fact that the new structures will reflect the EU Water Framework Directive approach will be of benefit in enabling relevant aspects of water quality matters to be dealt with on a north/south basis.

It is not envisaged that the proposals put forward will have any negative impacts in terms of national competitiveness, socially excluded or vulnerable groups, economic markets or consumers or competition.

## **4. Consultation**

In reaching the proposals now put forward, there has been significant consultation. FGS in undertaking its review of the inland fisheries sector conducted a programme of face to face consultations, meetings and interviews with key stakeholders at a national and local level. Written submissions were also invited from interested parties. FGS also undertook a number of public consultation workshops. The outcome of all of these consultations was key in informing the deliberations of the consultants, the published report and the subsequent Government decision of November 2005. During 2007, there was widespread consultation on the alternative proposals put forward by the Chairpersons of the Central and Regional Fisheries Boards. This included a meeting with representatives across the spectrum of stakeholders.

On foot of the Government's announcement on Budget Day to create a single national inland fisheries authority, the Minister met with the chief executives of all the Board, to set out in detail the proposals for the future of the sector and listen to the views of the Boards. The Minister has established an implementation group, chaired by the Department, with representation on behalf of the existing Boards to guide the implementation of the Government's decision. Following each meeting of the Group, a memo has been circulated to all staff and board members, updating them on progress. The implementation group has also met members of the trade unions representing staff interests.

It is acknowledged that there is considerable opposition from the existing Regional Boards, particularly those in West, to the alignment of the Authority's regional structures on this basis and

that their stated preference is for the retention of the status quo. However, having considered the matter and the arguments put forward for the retention of the status quo, the Minister remains convinced of the approach being adopted.

## **5. Enforcement and Compliance**

The new Authority will continue to be responsible for the conservation, management, regulation and development of the inland fisheries resource in accordance with the existing legislation governing the inland fisheries sector.

## **6. Review**

In recognition of the need for a complete overhaul of the legislation governing the inland fisheries sector, the Department has commenced an intensive review of the legislation which dates back to 1959 with a view to producing a single consolidated and modernised statute for the sector. The Department is engaging with management of the Fisheries Boards on this project which is ongoing. It is expected that proposals for a consolidated statute will be presented available in late 2009. This project will present an opportunity to review the new structures adopted for the sector and make any changes deemed necessary.

**Inland Fisheries Division  
Department of Communications,  
Energy and Natural Resources.  
February 2009**

