



STATUTORY INSTRUMENTS.

S.I. No. 50 of 2017



SEA-FISHERIES (CONSERVATION AND RATIONAL EXPLOITATION
OF DEEP-SEA SPECIES) REGULATIONS 2017

SEA-FISHERIES (CONSERVATION AND RATIONAL EXPLOITATION OF DEEP-SEA SPECIES) REGULATIONS 2017

I, MICHAEL CREED, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by sections 3 and 14 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) and the Sea Fisheries, Fore-shore and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 707 of 2007) (as adapted by the Agriculture, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), for the purpose of giving effect to Regulation (EU) 2016/2336 of the European Parliament and of the Council of 14 December 2016¹, hereby make the following regulations:

1. These Regulations may be cited as the Sea-Fisheries (Conservation and Rational Exploitation of Deep-Sea Species) Regulations 2017.

2. (1) In these Regulations, unless the context otherwise requires-

“Council Regulation” means Regulation (EU) 2016/2336 of the European Parliament and of the Council of 14 December 2016.

(2) A word or expression that is used in these Regulations and is also used in the Council Regulation has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Council Regulation.

3. (1) Subject to paragraphs (2) and (3), a person onboard a sea-fishing boat shall not fish for deep-sea species other than in accordance with Article 5(5) of the Council Regulation.

(2) A person onboard a sea-fishing boat shall not target deep-sea species other than in accordance with an authorisation mentioned in Article 5(1) of the Council Regulation.

(3) A person onboard a sea-fishing boat shall not catch deep-sea species as a by-catch other than in accordance with an authorisation mentioned in Article 5(3) of the Council Regulation.

(4) An application for an authorisation mentioned in paragraph (2) and (3) shall be in a form and contain such information required by the Minister for the purposes of Article 8 of the Council Regulation.

(5) The Minister may attach conditions, restrictions and requirements to the granting of an authorisation mentioned in paragraph (2) and (3).

¹OJ L 354, 23.12.2016, p.1

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 24th February, 2017.

4. (1) Where an encounter with VMEs takes place in accordance with Article 9 of the Council Regulation, the master of a sea-fishing boat shall comply with the requirements of Article 9 in relation to the cessation of fishing and reporting of the encounter.

(2) A person shall comply with Article 9(9) of the Council Regulation in respect of fishing with bottom gears.

5. (1) The following ports in the State are hereby designated for the purposes of Article 11 of the Council Regulation: Greencastle, Killybegs, Ros an Mhíl, Galway, Fenit, An Daingean, Castletownbere, Union Hall.

(2) The master of a sea-fishing boat shall comply with Article 11(2) in relation to designated ports.

6. The master of a sea-fishing boat shall comply with Article 12 of the Council Regulation in relation to landing notification.

7. The master of a sea-fishing boat shall comply with Article 13 of the Council Regulation in relation to a logbook.

8. (1) The master of a sea-fishing boat shall comply with Article 15 and 16 of the Council Regulation in relation to data collection and scientific observers.

(2) The Minister may publish data gathered under the Council Regulation as he or she sees fit.

9. The following Regulations are revoked:

(a) The Sea Fisheries (Conservation and Rational Exploitation of Deep-Sea Species) Regulations 2006 (S.I. No. 175 of 2006);

(b) The Sea-Fisheries (Conservation and Rational Exploitation of Deep-Sea Species) (Amendment) Regulations 2015 (S.I. No. 511 of 2015).



GIVEN under my Official Seal,
17 February 2017.

MICHAEL CREED,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

This instrument implements Regulation (EU) 2016/2336 of the European Parliament and of the Council of 14 December 2016 establishing specific conditions for fishing for deep-sea stocks in the North East Atlantic and provisions for fishing in international waters of the north-east Atlantic and repealing Council Regulation (EC) No 2347/2002.

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