



STATUTORY INSTRUMENTS.

S.I. No. 680 of 2016



SEA-FISHERIES (COMMON FISHERIES POLICY) (BLUEFIN TUNA)
REGULATIONS 2016

SEA-FISHERIES (COMMON FISHERIES POLICY) (BLUEFIN TUNA)
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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) 2016/1627 of the European Parliament and of the Council of 14 September 2016¹ and further effect to Commission Delegated Regulation (EU) 2015/98 of 18 November 2014² as amended by Commission Delegated Regulation (EU) 2016/171 of 20 November 2015³ hereby make the following regulations:

Citation

1. These Regulations may be cited as the Sea-Fisheries (Common Fisheries Policy) (Bluefin Tuna) Regulations 2016.

Application

2. These Regulations apply to the master of—

(a) an Irish sea-fishing boat wherever it may be, or

(b) a sea-fishing boat in the exclusive fishing limits of the State.

Interpretation

3. (1) In these Regulations—

“Bluefin Tuna Regulation” means Regulation (EU) 2016/1627 of the European Parliament and of the Council of 14 September 2016;

“Commission Delegated Regulation” means Commission Delegated Regulation (EU) 2015/98 of 18 November 2014, as amended by Commission Delegated Regulation (EU) 2016/171 of 20 November 2015;

“Control Regulation” means Council Regulation (EC) No 1224/2009 of 20 November 2009⁴;

¹OJ L 252, 16.9.2016, p. 1

²OJ L 16, 23.1.2015, p.23

³OJ L 33, 10.2.2016, p. 1

⁴OJ L 343, 22.12.2009, p. 1

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 17th January, 2017.*

(2) A word or expression that is used in the Control Regulation, the Bluefin Tuna Regulation or the Commission Delegated Regulation and is also used in these Regulations, has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Control Regulation, the Bluefin Tuna Regulation or the Commission Delegated Regulation.

Directed Fishing

4. A master shall not fish for, land or retain on board a boat, Bluefin Tuna, other than in accordance with a fishing authorisation as defined in the Control Regulation.

Closed Fishing Season

5. A master shall comply with Articles 11 and 12 of the Bluefin Tuna Regulation in respect of the closed fishing seasons with respect to the method of fishing.

Minimum size limits and incidental catches of Bluefin Tuna

6. A master shall comply with Articles 14 and 15 of the Bluefin Tuna Regulation and Article 4 of the Commission Delegated Regulation in respect of minimum size limits and incidental catches of Bluefin Tuna.

Bycatches of Bluefin Tuna

7. A master shall comply with Article 16(2) of the Bluefin Tuna Regulation and Article 4 of the Commission Delegated Regulation in relation to by-catch of Bluefin Tuna.

Landing Obligations

8. (1) A master shall comply with Article 4 of the Commission Delegated Regulation in respect of landing measures for Bluefin Tuna.

(2) A master shall comply with Article 30(4) of the Bluefin Tuna Regulation in respect of designated ports for landing or transshipping of Bluefin Tuna.

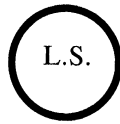
(3) For the purposes of paragraph (2), the designated ports are An Daingean, Baltimore, Castletownbere, Clogherhead, Dunmore East, Howth, Killybegs, Ros A Mhil and Union Hall.

Control Measures

9. A master shall comply with Chapter V of the Bluefin Tuna Regulation in respect of control measures for Bluefin Tuna.

Revocation

10. The Sea Fisheries (Common Fisheries Policy) (Bluefin Tuna) Regulations 2015 (S.I. No. 135 of 2015) are revoked.



GIVEN under my Official Seal,
20 December 2016.

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 measures for the protection of Bluefin Tuna (*Thunnus Thynnus*) adopted by the European Union as a contracting party to The International Commission for the Conservation of Atlantic Tunas. The multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean is implemented by COUNCIL REGULATION (EC) No. 2016/1627.

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