



STATUTORY INSTRUMENTS.

S.I. No. 197 of 2013



SEA-FISHERIES (TECHNICAL MEASURES) REGULATIONS 2013

SEA-FISHERIES (TECHNICAL MEASURES) REGULATIONS 2013

I, SIMON COVENEY, 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 full effect to Commission Regulation (EEC) No. 3440/84 of 6 December 1984¹ as amended by Commission Regulation (EEC) No. 955/87 of 1 April 1987², Commission Regulation (EEC) No. 2122/89 of 14 July 1989³, Commission Regulation No. 146/2007 of 15 February 2007⁴, Council Regulation (EC) No. 850/98 of 30 March 1998⁵, Council Regulation (EC) No. 308/1999 of 8 February 1999⁶, Council Regulation (EC) No. 1459/1999 of 24 June 1999⁷, Council Regulation (EC) No. 2723/1999 of 17 December 1999⁸, Council Regulation (EC) No. 812/2000 of 17 April 2000⁹, Council Regulation (EC) No. 1298/2000 of 8 June 2000¹⁰, Council Regulation (EC) No. 724/2001 of 4 April 2001¹¹, Council Regulation (EC) No. 973/2001 of 14 May 2001¹², Council Regulation (EC) No. 602/2004 of 22 March 2004¹³, Council Regulation (EC) No. 1568/2005 of 20 September 2005¹⁴, Council Regulation (EC) No. 2166/2005 of 20 December 2005¹⁵, Regulation (EU) No. 579/2011 of the European Parliament and of the Council of 8 June 2011¹⁶ and Regulation (EU) No. 227/2013 of the European Parliament and of the Council of 13 March 2013¹⁷ hereby make the following regulations:

1. These Regulations may be cited as the Sea-Fisheries (Technical Measures) Regulations 2013.

2. (1) In these Regulations—

¹O.J. No. L 318, 7.12.1984, p. 23 - p. 27

²O.J. No. L 90, 2.4.1987, p. 29

³O.J. No. L 203, 15.7.1989, p.21-p.22

⁴O.J. No. L 46, 16.2.2007, p. 9

⁵O.J. No. L 125, 27.4.1998, p. 1

⁶O.J. No. L 38, 12.2.1999, p. 6 - p. 9

⁷O.J. No. L 168, 3.7.1999, p. 1 - p. 5

⁸O.J. No. L 328, 22.12.1999, p. 9 - p. 11

⁹O.J. No. L 100, 20.4.2000, p. 3 - p. 4

¹⁰O.J. No. L 148, 22.6.2000, p. 1

¹¹O.J. No. L 102, 12.4.2001, p. 16 - p. 19

¹²O.J. No. L 137, 19.5.2001, p. 1 - p. 9

¹³O.J. No. L 97, 1.4.2004, p. 30

¹⁴O.J. No. L 252, 28.9.2005, p. 2 - p. 3

¹⁵O.J. No. L 345, 28.12.2005, p. 5

¹⁶O.J. No. L 165, 24.6.2011, p. 1

¹⁷O.J. No. L 78, 20.3.2013, p. 1

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 18th June, 2013.

“operator” has the meaning assigned to it in Article 4 (19) of Council Regulation (EC) No. 1224/2009 of 20 November 2009¹⁸;

“Technical Measures Regulation” means Commission Regulation (EEC) No. 3440/84 of 6 December 1984 as amended by Regulation (EEC) No. 955/87 of 1 April 1987, Commission Regulation (EEC) No. 2122/89 of 14 July 1989, Commission Regulation No. 146/2007 of 15 February 2007, Council Regulation (EC) No. 850/98 of 30 March 1998, Council Regulation (EC) No. 308/1999 of 8 February 1999, Council Regulation (EC) No. 1459/1999 of 24 June 1999, Council Regulation (EC) No. 2723/1999 of 17 December 1999, Council Regulation (EC) No. 812/2000 of 17 April 2000, Council Regulation (EC) No. 1298/2000 of 8 June 2000, Council Regulation (EC) No. 724/2001 of 4 April 2001, Council Regulation (EC) No. 973/2001 of 14 May 2001, Council Regulation (EC) No. 602/2004 of 22 March 2004, Council Regulation (EC) No. 1568/2005 of 20 September 2005, Council Regulation (EC) No. 2166/2005 of 20 December 2005, Regulation (EU) No. 579/2011 of the European Parliament and of the Council of 8 June 2011 and Regulation (EU) No. 227/2013 of the European Parliament and of the Council of 13 March 2013.

(2) A word or expression that is used in the Technical Measures 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 Technical Measures Regulation.

3. 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,

shall comply with the requirements imposed by the Technical Measures Regulation in respect of fishing vessels and masters of such vessels.

4. An operator shall comply with the requirements of the Technical Measures Regulation which relate to operators.

5. The fisheries monitoring centre within the State to which data must be transmitted is the Fisheries Monitoring Centre, Naval Base, Haulbowline, Co. Cork (telephone: 353 21 437 8752 or 1890 252081, facsimile: 353 21 437 8096 or electronic mail- fmcireland@defenceforces.ie).

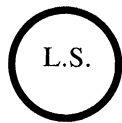
6. The following Regulations are revoked—

(1) The Sea-Fisheries (Technical Measures) Regulations 2006 (S.I. No. 171 of 2006),

(2) The Sea-Fisheries (Technical Measures) Regulations 2011 (S.I. No. 481 of 2011), and

¹⁸O.J. No. L 343, 22.12.2009, p. 1

(3) The Sea-Fisheries (Technical Measures) (Amendment) (No. 2) Regulations 2012 (S.I. No. 337 of 2012).



GIVEN under my Official Seal.
5 June 2013.

SIMON COVENEY,
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.)

These Regulations, which relate to technical conditions for all fishing operations (e.g. permitted nets, species composition of catches, etc.) make a contravention of any provisions of European legislation implementing technical measures, an offence under the Sea-Fisheries and Maritime Jurisdiction Act 2006.

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