



STATUTORY INSTRUMENTS.

S.I. No. 43 of 2019



SEA-FISHERIES (NORTH WESTERN WATERS LANDING
OBLIGATION) REGULATIONS 2019

S.I. No. 43 of 2019

Sea-Fisheries (North Western Waters Landing Obligation) Regulations 2019

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, Foreshore 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 further effect to Article 15 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013¹ (as amended by Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015²) and effect to Commission Delegated Regulation (EU) 2018/2034 of 18 October 2018³ hereby make the following Regulations:

1. (1) These Regulations may be cited as the Sea-Fisheries (North Western Waters Landing Obligation) Regulations 2019.

(2) These regulations shall cease to have effect on 31 December 2021.

2. (1) In these Regulations –

“Council Regulation” means Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 (as amended by Regulation (EU) 2015/812 of the European Parliament and of the Council of 20 May 2015);

“Commission Regulation” means Commission Delegated Regulation (EU) 2018/2034 of 18 October 2018.

(2) A word or expression that is used in the Council Regulation or the Commission 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 Council Regulation or the Commission Regulation.

3. (1) 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 Article 15(1), (4), (8), (11) and (12) of the Council Regulation in respect of North Western Waters.

¹ OJ L 354, 28.12.2013, p.22

² OJ L 133, 29.5.2015, p.1

³ OJ L 327, 21.12.18, p.8

(2) The master of a sea fishing boat referred to in paragraph (1) shall not discard catches other than in accordance with the following Articles of the Commission Regulation:

- (a) Article 3 in respect of Norway lobster,
- (b) Article 4 in respect of common sole,
- (c) Article 5 in respect of skates and rays,
- (d) Article 6 in respect of plaice, or
- (e) Article 7 in respect of species caught with pots, traps and creels, and
- (f) Article 8 in respect of de minimis exemptions.

4. 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 Articles 9 and 10 of the Commission Regulation in respect of fishing vessels and masters of such vessels.

5. The Sea-Fisheries (North Western Waters Landing Obligation) Regulations 2018 (S.I. No. 88 of 2018) are revoked.



GIVEN under my Official Seal,
12 February 2019

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 the Landing Obligation contained in Article 15 of the Common Fisheries Policy Regulation 1380/2013 in respect of certain demersal fisheries in North Western Waters and gives effect to Commission Delegated Regulation (EU) 2018/2034 of 18 October 2018. These regulations cease to have effect on 31 December 2021.

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