

S.I. No. 453/2012 — Sea-Fisheries (Community Control System) (Amendment) Regulations 2012.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 20th November, 2012.*

I, SIMON COVENEY, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 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 full effect to Council Regulation (EC) No.1224/2009 of 20 November 2009¹ (other than Article 92) and Commission Implementing Regulation (EU) No. 404/2011 of 8 April 2011² (other than Title VII), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Sea-Fisheries (Community Control System) (Amendment) Regulations 2012.

2. The Sea-Fisheries (Community Control System) Regulations 2012 (S.I. No. 320 of 2012) is amended by—

(a) in Regulation 4(2), by substituting the following-

“(2) The Marine Survey Office is the competent authority in the State for the purposes of—

(a) Articles 39(2), 39(3), 40 and 41(2) of the Council Regulation, and

(b) Articles 7(4), 62(6) and 63 of the Commission Regulation.”

(b) in Regulation 4(3), by substituting the following-

“(3) A surveyor of ships may carry out the functions of a sea fisheries protection officer under sections 17 and 18 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) for the purpose of Articles 39(2) and (3) and 41(2) of the Council Regulation and Article 62(6) and 63 of the Commission Regulation.”,

(c) by substituting Regulation 7 for the following—

“Obligations for a buyer

7. (1) A buyer shall comply with the requirements of the Council Regulation and Commission Regulation which relate to buyers.

(2) Paragraph (1) shall apply to a buyer with an annual financial turnover in first sales of fisheries products of less than €200,000 in accordance with Article 62(2) of the Council Regulation.

(3) The SFPA may, by notice, exempt a buyer from the obligations in paragraph (2).

(4) A notice issued under paragraph (3) may be issued or published in a manner the SFPA considers appropriate.”, and

(d) by substituting the Schedule for the following—

“Regulation 9 SCHEDULE

List of designated ports in the State for the purposes of Article 43(4) of the Council Regulation and

Article 79 of the Commission Regulation.

Designated Ports — Ireland (Community fishing vessels landing Pelagic species or species subject to Multi Annual Plan)

Port	Hake Landings greater than 2 tonnes	Cod Landings Greater than 2 tonnes	Pelagic Species Landings greater than 10 tonnes	Deep Sea Species Landings greater than 100kg	Blue Fin Tuna
	All ICES Zones	ICES Sub area VIIa & VIa	All ICES Zones	All ICES Zones	
Ballycotton					
Baltimore			YES		YES
Castletownbere	YES		YES	YES	YES
Clogherhead	YES	YES			YES
Cobh		YES			
Daingean Uí Chúis (Dingle), Duncannon	YES		YES (HERRING)	YES	YES
Dunmore East	YES	YES	YES		YES
Fenit				YES	
Galway				YES	
Greencastle	YES	YES		YES	
Howth	YES	YES	YES		YES
Killybegs	YES	YES	YES	YES	YES
Kilmore Quay	YES				
Kinsale	YES				
Rathmullan			YES		
Ringaskiddy			YES		
Ros an Mhíl	YES	YES	YES	YES	YES
Rosslare					
Schull	YES				
Union Hall	YES			YES	YES

”



GIVEN under my Official Seal,

13 November 2012.

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 amend S.I. No. 320 of 2012 which implement Council Regulation (EC) No. 1224/2009 of 20 November 2009 and Commission Implementing Regulation (EU) No. 404/2011 of 8 April 2011 which relate to fisheries control systems and rules for the recording of fish catches and are made under the Sea-Fisheries and Maritime Jurisdiction Act 2006 . The regulations amend the articles of the regulations for which the Marine Survey Office is the competent authority within the state and also the list of ports within the State designated for the landing of pelagic species and stocks subject to a multi-annual plan.

1 O.J. L. 343, 22.12.2009, p.1

2 O.J. L. 112, 30.4.2011, p.1