

**FISHERIES (AMENDMENT) ACT, 1995 (SOUTHERN REGIONAL FISHERIES  
COMMISSION) ORDER 1996**

I, EAMON GILMORE, Minister of State at the Department of the Marine, being satisfied after consideration of a report prepared under section 2 of the Fisheries (Amendment) Act, 1995 (No. 27 of 1995), in respect of the Southern Regional Fisheries Board, that the affairs of that Board are not being, and following the consideration of that report are not likely, during the period while this Order is in force, to be managed in an effective manner, in exercise of the powers conferred on me by section 3 of that Act and the Marine (Delegation of Ministerial Functions) (No. 2) Order, 1995 (S.I. No. 199 of 1995), hereby order as follows:

REG 1

1. This Order may be cited as The Fisheries (Amendment) Act, 1995 (Southern Regional Fisheries Commission) Order, 1996.

REG 2

2. This Order shall come into operation on 23rd February, 1996 and shall remain in force until 22nd February, 1997.

REG 3

3. In this Order—

"the Act of 1980" means the Fisheries Act, 1980 (No. 1 of 1980);

"the Board" means the Southern Regional Fisheries Board;

"the Commission" shall be construed in accordance with Article 4 of this Order;

"functions" includes those functions which are conferred on the Board by necessary implication.

REG 4

4. There is hereby established a commission, which shall be known as the Southern Regional Fisheries Commission and is referred to in this Order as the Commission.

REG 5

5. Subject to Article 6 of this Order, the functions of the Board are hereby conferred on the Commission.

REG 6

6. Article 5 of this Order does not apply to—

( a ) the functions of the Board under paragraphs (b) and (c) (iv) of subsection (1) and subsections (3) and (4) of section 11 of the Act of 1980;

( b ) the development and improvement, in accordance with paragraph

(c) (i) of subsection (1) of that section, of any fishery which is in the possession or occupation of the Board or any fishery,

hatchery or fish farm which is under the care and management of

the Board; or  
( c ) the promotion and encouragement of the development and improvement, in accordance with paragraph (c) (ii) of the said subsection (1), of the fisheries in the Board's fisheries region which are not in the possession or occupation of the board.

REG 7

7. The principal office of the Commission shall be situated in such place as the Minister may determine.

REG 8

8. ( a ) The Commission shall, as soon as may be after the end of each month, other than the month in which the Commission is established, prepare and furnish to the Minister a report, in writing, of its activities in the last preceding month.

( b ) Whenever the Minister so requests, the Commission shall prepare and furnish to the Minister a report in relation to such matters as the Minister may specify to the Commission.

GIVEN under my hand, this 21st day of February, 1996.  
EAMON GILMORE,  
Minister of State at the Department of the Marine.

EXPLANATORY NOTE.

This Order provides for the establishment of a Commission to carry out certain functions of the Southern Regional Fisheries Board.