

FISHERIES REGIONS ORDER 1980

I, PATRICK POWER, Minister for Fisheries and Forestry, having had regard to the purposes of the Fisheries Act, 1980 (No. 1 of 1980), and in exercise of the powers conferred on me by section 10 of that Act and the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order, 1977 (S.I. No. 30 of 1977) (as adapted by the Fisheries (Alteration of Name of Department and Title of Minister) Order, 1978 (S.I. No. 195 of 1978)), hereby order as follows:

REG 1

1. (1) This Order may be cited as the Fisheries Regions Order, 1980.
- (2) This Order shall come into force on the appointed day.

REG 2

2. In this Order—

"the Act of 1959" means the Maritime Jurisdiction Act, 1959 (No. 22 of 1959);

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

"the Minister" means the Minister for Fisheries and Forestry;

"the Principal Act" means the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959).

REG 3

3. (1) Each area described in column (4) of the First Schedule to this Order at any reference number shall be a fisheries region within the meaning and for the purposes of the Act of 1980 and shall be known by the name mentioned in column (2) of that Schedule opposite the description of the area.

(2) The boundaries of each fisheries region created by this Order shall be the boundaries indicated on the map of such region prepared pursuant to section 10(8) of the Act of 1980 and for the purposes of this Order, which map is deposited in the Office of the Minister.

REG 4

4. Each of the regional boards established by virtue of this Order shall be comprised of the number of members specified in column (5) of the First Schedule to this Order opposite the mention in column (3) of that Schedule of the name of the regional board and of whom—

(a) the number specified in column (6) of that Schedule opposite the said mention in the said column (3) shall be elected in pursuance of section 12 of the Act of 1980, and

(b) the number specified in column (7) of that Schedule opposite the said mention in the said column (3) shall be appointed by the Minister.

REG 5

5. (1) The elected members of a regional board established by virtue of this Order shall be elected by the classes of electorate specified in column (2) of the Second Schedule to this Order.

(2) The number of elected members to be elected to a regional board established by this Order by a class of electorate specified in column (2) of the Second Schedule to this Order shall be the number (if any) specified in the column of that Schedule headed with the name of the board and opposite the mention in the said column (2) of that class.

REG 6

6. The number of members to be appointed by the Minister pursuant to section 10(5)(a) of the Act of 1980 as regards a regional board established by virtue of this Order shall be the number specified in column (8) of the First Schedule to this Order opposite the name of the regional board in column (3) of that Schedule.

REG 7

7. (1) All of the property (other than property referred to in section 9(1) of the Act of 1980), whether real or personal (including any right to recover any rate and any other chose-in-action), which immediately before the appointed day was vested in or belonged to or was held in trust or subject to conditions for either a board of conservators or other person mentioned in column (1) of the Third Schedule to this Order and all rights, powers and privileges relating to or connected with any such property, shall on such day, without any conveyance or assignment, but subject where necessary to transfer in the books of any bank, corporation or company, become and be vested in or the property of or held in trust or subject to conditions for (as the case may require) the regional board established by virtue of this Order and specified in column (2) of the said Schedule opposite the mention in the said column (1) of the board of conservators or other person.

(2) Every contract which was entered into and is in force immediately before the appointed day between a board of conservators or other person mentioned in column (1) of the Third Schedule to this Order and any other person shall continue in force on and after such day, but shall be construed and have effect as if for the board of conservators or other person by whom the contract was entered into and is specified in the said column (1) there were substituted the regional board established by virtue of this Order and mentioned in column (2) of the said Schedule opposite the mention in the said column (1) of that board of conservators or other person.

(3) Every debt or other liability (including any unliquidated liability arising from torts or breaches of contract but excluding any liability transferred to the Central Board by virtue of section 9(3) of the Act of 1980), which immediately before the appointed day is owing and unpaid or has been incurred and is undischarged by a board of conservators or other person mentioned in column (1) of the Third Schedule to this Order shall, on the appointed day, become and be the debt or liability of the regional board

established by virtue of this Order and mentioned in column (2) of the said schedule opposite the mention in the said column (1) of that board of conservators or other person.

(4) In case property transferred by this Order to any regional board established by virtue of this Order was, immediately before the appointed day, standing in the books of any bank or was registered in the books of any bank, corporation or company, such property shall, upon a request of such board, be transferred by such bank, corporation or company into the name of such board.

(5) After the commencement of this Order any chose-in-action transferred by this Order to any regional board may be sued upon, recovered or enforced by that regional board in its own name and it shall not be necessary for such board to give notice to the person bound by such chose-in-action of the transfer affected by this Order.

(6) Where immediately before the appointed day there are pending any legal proceedings instituted by virtue of section 309 of the Principal Act by an officer or employee of a board of conservators or other person mentioned in column (1) of the Third Schedule to this Order, or any other legal proceedings instituted by a person on behalf of, or instituted against a person on behalf of, such a board or other person, the name of the regional board specified in column (2) of the Third Schedule to this Order opposite the mention in column (1) of the said Schedule of the board of conservators or other person to whom the proceedings relate, shall be substituted for that of such board of conservators or other person and the proceedings shall not abate by reason of such substitution.

(7) The making of this Order shall not invalidate or affect any payable order or cheque or any authority given for the payment of the amount of any payable order or cheque and a regional board established by virtue of this Order shall make arrangements for the payment of the amount of any order or cheque which is duly presented for payment within a reasonable period after the appointed day and which is given or drawn by a board of conservators mentioned in column (1) of the Third Schedule to this Order, or by any other person so mentioned in exercise of a function assigned to him under the Principal Act, opposite the mention in column (2) of that Schedule of the regional board.

Articles 3, 4 and 6.

FIRST SCHEDULE.

Ref.

No. Name of fisheries region Name of regional board Area comprising fisheries region

Number of members of board pursuant to section 10 (4) (a) of the Act of 1980 Number of elected members of board pursuant to section (10) (4) (a) (i) of the Act of 1980 Number of appointed members of board pursuant to section 10 (4) (a) (ii) of the Act of 1980 Number of appointed members of board pursuant to section 10 (5) (a) of the Act of 1980 (1) (2) (3) (4) (5) (6) (7) (8) 1. Eastern Fisheries Region The Eastern Regional Fisheries Board The area comprising—1712517 (a) the whole of the sea and the tideway, within the State, along the coast in Carlingford Lough and along the coast between Clogher Head

in the townland of Clogher, barony of Ferrard, County Louth and the boundary of the State and Northern Ireland and around any islands or rocks off the said coast, and (b) the whole or the portions within the State, as may be appropriate, of the several rivers, lakes and their tributaries flowing into the said tideway and the land, within the State, drained thereby, and (c) the portion, within the State, of the River Blackwater and its tributaries, and the land, within the State, drained thereby, and (d) the whole of the sea and the tideway along the coast between the following points, viz., the said Clogher Head and Kiln Bay in the townland of Bannow, barony of Bargy, County Wexford, and around any islands or rocks off the coast between the last mentioned points, and (e) the whole of the several rivers, lakes and their tributaries flowing into the tideway between the last-mentioned points, and the land drained thereby, and (f) any area of the sea mentioned in (a) or (d) at this reference number to which the internal or inland waters of the State extend by virtue of section 5 of the Act of 1959, and (g) the portion of the sea which lies between that part of the baseline for the purpose of the said Act and which lies between the boundary of the State and Northern Ireland mentioned in paragraph (a) at this reference number and a line drawn 180° true from the boat house at the said Kiln Bay and the line every point of which is on the seaward side at a distance of twelve nautical miles from the nearest point of the said part of the said baseline.

2. Southern Fisheries Region
The Southern Regional Fisheries Board
The area comprising—1813518 (a) the whole of the sea and the tideway along the coast between the following points, viz., Kiln Bay mentioned at paragraph (d) opposite reference number 1 of this Schedule, and Ballycotton Pier, in the townland of Ballycotton, barony of Imokilly, County Cork (East Riding), and around any islands or rocks off the coast between the said points, and (b) the whole of the several rivers, lakes and their tributaries flowing into the tideway between the said points, and the land drained thereby, and (c) any area of the sea mentioned in (a) at this reference number to which the internal or inland waters of the State extend by virtue of section 5 of the Act of 1959, and (d) the portion of the sea which lies between that part of the baseline for the purposes of the said Act and which lies between a line drawn 180° true from the boat house mentioned at paragraph (g) opposite reference number 1 of this Schedule and a line drawn bearing 147° true from the most north-easterly point of the high water mark on the said Ballycotton Pier and the line every point of which is on the seaward side and at a distance of twelve nautical miles from the nearest point of the said part of the said baseline.

3. South Western Fisheries Region
The South Western Regional Fisheries Board
The area comprising—1712517 (a) the whole of the sea and the tideway along the coast between the following points, viz., Ballycotton Pier mentioned at paragraph (a) opposite reference number 2 of this Schedule, and Kerry Head in the townland of Tiduff, barony of Clanmaurice, County Kerry, and around any islands or rocks off the coast between the said points, and (b) the whole of the several rivers, lakes and their tributaries flowing into the tideway between the said points, and the land drained thereby, and (c) any area of the sea mentioned in (a) at this reference number to which the internal or inland waters of the State extend by virtue of

Section 5 of the Act of 1959, and (d) the portion of the sea which lies between that part of the baseline for the purposes of the said Act and which lies between a line drawn bearing 147° true from the point of the high water mark mentioned at paragraph opposite reference number 2 of this Schedule and a line drawn bearing 297° true from the most westerly point of the high water mark at the said Kerry Head and the line every point of which is on the seaward side and at a distance of twelve nautical miles from the nearest point of the said part of the said baseline.

4. Shannon Fisheries Region
The Shannon Regional Fisheries Board
The area comprising—1813518 (a) the whole of the sea and the tideway along the coast between the following points, viz., Kerry Head mentioned at paragraph (a) opposite reference number 3 of this Schedule, and Hag's Head in the townland of Ballylaan, barony of Corcomroe, County Clare, and around any islands or rocks off the coast between the said points, and (b) the whole of the several rivers, lakes and their tributaries flowing into the tideway between the said points, and the land drained thereby, and (c) any area of the sea mentioned in (a) at this reference number to which the internal or inland waters of the State extend by virtue of section 5 of the Act of 1959, and (d) the portion of the sea which lies between that part of the baseline for the purposes of the said Act and which lies between a line drawn bearing 297° true from the point of the high water mark secondly mentioned at paragraph (d) opposite reference number 3 of this Schedule and a line drawn 270° true from the most westerly point of the high water mark at the said Hag's Head and the line every point of which is on the seaward side and at a distance of twelve nautical miles from the nearest point of the said part of the said baseline.

5. Western Fisheries Region
The Western Regional Fisheries Board
The area comprising—1813518 (a) the whole of the sea and the tideway along the coast between the following points, viz., Hag's Head mentioned at paragraph (a) opposite reference number 4 of this Schedule, and Pigeon Point in the townland of Westport Demesne, barony of Burrishoole, County Mayo, and around any islands or rocks off the coast between the said points, and (b) the whole of the several rivers, lakes and their tributaries flowing into the tideway between the said points, and the land drained thereby, and (c) any area of the sea mentioned in (a) at this reference number to which the internal or inland waters of the State extend by virtue of section 5 of the Act of 1959, and (d) the portion of the sea which lies between that part of the baseline for the purposes of the said Act and which lies between a line drawn 270° true from the point of the high water mark secondly mentioned at paragraph (d) opposite reference number 4 of this Schedule and a line drawn due west as far as $9^{\circ}50'$ west longitude and thence due north as far as $53^{\circ}50'$ north latitude and thence 270° true, from the most southerly point of the high water mark at the said Pigeon Point and the line every point of which is on the seaward side and at a distance of twelve nautical miles from the nearest point of the said part of the said baseline.

6. North Western Fisheries Region
The North Western Regional Fisheries Board
The area comprising—1813518 (a) the whole of the sea and the tideway along the coast between the following points, viz., Pigeon Point mentioned at paragraph (a) opposite reference number 5 of this Schedule and Mullaghmore Head in the

townland of Kilkilloge, barony of Carbury, County Sligo, and around any islands or rocks off the coast between the said points, and (b) the whole of the several rivers, lakes and their tributaries flowing into the tideway between the said points, and the land drained thereby, (c) any area of the sea mentioned in (a) at this reference number to which the internal or inland waters of the State extend by virtue of section 5 of the Act of 1959, and (d) the portion of the sea which lies between that part of the baseline for the purposes of the said Act and which lies between a line drawn due west as far as 9°50' west longitude and thence due north as far as 53°50' north latitude and thence 270° true, from the point of the high water mark secondly mentioned at paragraph (d) opposite reference number 5 of this Schedule and a line drawn bearing 282° true from the most northerly point of the high water mark at the said Mullaghmore Head, and the line every point of which is on the seaward side and at a distance of twelve nautical miles from the nearest point of the said part of the said baseline.

7. Northern Fisheries Region
The Northern Regional Fisheries Board
The area comprising—1813518 (a) the whole of the sea and the tideway along the coast between the following points, viz., Mullaghmore Head, mentioned at paragraph (a) opposite reference number 6 of this Schedule and Rossan Point, in the townland of Malin More, barony of Banagh, County Donegal, and around any islands or rocks off the coast between the said points, and (b) the whole or the portions within the State, as may be appropriate, of the several rivers, lakes and their tributaries flowing into the tideway between the said points, and the land, within the State, drained thereby, and (c) the whole of the sea and the tideway along the coast between the following points, viz., the said Rossan Point and Horn Head, in the townland of Largatrea, barony of Kilmacrenan, County Donegal and around any islands or rocks off the coast between the last-mentioned points, and (d) the whole of the several rivers, lakes and their tributaries flowing into the tideway between the last-mentioned points, and the land drained thereby, and (e) the whole of the sea and the tideway along the coast between the following points, viz., the said Horn Head and Malin Head in the townland of Ardmalin, barony of Inishowen East, County Donegal and around any islands or rocks off the coast between the last-mentioned points, and (f) the whole of the several rivers, lakes and their tributaries within the State flowing into the tideway between the last-mentioned points, and the land drained thereby, and (g) any area of the sea mentioned in (a), (c) or (e) at this reference number to which the internal or inland waters of the State extend by virtue of section 5 of the Act of 1959, and (h) the portion of the sea which lies between that part of the baseline for the purposes of the said Act and which lies between a line drawn bearing 282° true from the point of the high water mark secondly mentioned at paragraph (d) opposite reference number 6 of this Schedule and a line drawn bearing 346° true from the most westerly point of the high water mark at the said Malin Head, and the line every point of which is on the seaward side and at a distance of twelve nautical miles from the nearest point of the said part of the said baseline.

Article 5.

SECOND SCHEDULE.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	Ref. No.	Class of Electorate
										The Eastern Regional Fisheries Board
										The Southern Regional Fisheries Board
										The South Western Regional Fisheries Board
										The Shannon Regional Fisheries Board
										The Western Regional Fisheries Board
										The North Western Regional Fisheries Board
										The Northern Regional Fisheries Board
									1.	A person who is the holder of either an ordinary fishing licence authorising the use of a fishing engine of a kind specified in column (1) of Part 1 of the Fourth Schedule to the Principal Act or a licence to fish for salmon with rod and line and issued under Chapter II of Part VI of the Principal Act and who (in either case) is entitled to vote.
									22222222.	A person who is the holder of an ordinary fishing licence authorising the use of a fishing engine of a kind specified in column (2) of Part II of the Fourth Schedule to the Principal Act at reference number 5 and who is entitled to vote.
									14223333.	A person who is the holder of either an ordinary fishing licence authorising the use of a fishing engine of a kind specified in column (2) of Part II of the Fourth Schedule to the Principal Act at reference numbers 1, 2, 3, 4, 6, 7, 8 or 9 or a licence issued under Chapter II of Part VI of the Principal Act and which relates to a draft net and who (in either case) is entitled to vote.
									42221124.	A person who is the holder of an ordinary fishing licence authorising the use of a fishing engine of a kind specified in column (2) of Part II of the Fourth Schedule to the Principal Act at reference numbers 10, 11, 12, 13 (inserted by section 31 of the Fisheries (Amendment) Act, 1962) or 14 (inserted by the Fourth Schedule to the Act of 1980) and who is entitled to vote.
									1——11115.	A person who is liable to be rated under section 55 of the Principal Act in respect of a fishery and who is entitled to vote.
									11111116.	A person who is registered as a trout angler in the Register of Trout, Coarse Fish and Sea Anglers as provided for under section 58 of the Act of 1980 and who is entitled to vote.
									12222217.	A person who is registered as a coarse fish angler in the Register of Trout, Coarse Fish and Sea Anglers as provided for under section 58 of the Act of 1980 and who is entitled to vote.
									11121128.	A person who is registered as a sea angler in the Register of Trout, Coarse Fish and Sea Anglers as provided for under section 58 of the Act of 1980 and who is entitled to vote.
									11111119.	A person who is the holder of an oyster fishing licence as provided for under section 278 of the Principal Act and who is entitled to vote.
									——1——11——	Article 7.

THIRD SCHEDULE.

(1)	(2)
Dundalk board of conservators.	The Eastern Regional Fisheries Board.
Miss Noreen O'Keefe (appointed under Section 51 of the Principal Act to perform the duties of the Drogheda board of conservators).	
Dublin board of conservators.	Wexford board of conservators.
Waterford board of conservators.	The Southern Regional Fisheries Board.
Lismore board of conservators.	Mr. Garrett E. Byrne (appointed under Section 51 of the Principal Act to perform of the Cork board of conservators.)
The Southern Western Regional Fisheries Board.	Kerry board conservators.
Limerick board of conservators.	The Shannon Regional Fisheries Board.
Galway board of conservators.	The Western Regional Fisheries Board.
Connemara board of	

conservators. Ballinakill board of conservators. Bangor board of conservators. The North Western Regional Fisheries Board. Ballina board of conservators. Sligo board of conservators. Ballyshannon board of conservators. The Northern Regional Fisheries Board. Letterkenny board of conservators.

GIVEN under my Official Seal, this 22nd day of October, 1980.

PATRICK POWER,
Minister for Fisheries
and Forestry.

EXPLANATORY NOTE.

The main effect of this order is to—

- (a) create seven fisheries regions and specify the geographical area and the name of each region,
- (b) establish a regional fisheries board for each fisheries region and specify the name of the board and the number of members on the board,
- (c) specify—
 - (i) the classes of electorate for elections to regional fisheries boards and
 - (ii) the number of members to be elected to each regional board by each class of the electorate,
- (d) provide for the transfer of the properties of boards of conservators to the appropriate regional fisheries board and
- (e) provide that any legal proceedings, contracts or debts, instituted, entered into or incurred by a board of conservators shall become the responsibility of the appropriate regional board.