

**S.I. No. 175 of 2006**

**SEA FISHERIES (CONSERVATION AND RATIONAL EXPLOITATION OF DEEP-SEA SPECIES) REGULATIONS 2006**

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I, John Browne, Minister of State at the Department of Communications, Marine and Natural Resources, 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 Marine (Delegation of Ministerial Functions) (No. 2) Order 2006 (No. 167 of 2006), and for the purpose of giving effect to Council Regulation (EC) No. 2347/2002<sup>1</sup> of 16 December 2002, establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks, hereby make the following Regulations:

1. (1) These Regulations may be cited as the Sea Fisheries (Conservation and Rational Exploitation of Deep-Sea Species) Regulations 2006.

2.(1) In these Regulations, unless the context otherwise requires-

"Council Regulation" means Council Regulation (EC) No. 2347/2002<sup>1</sup> of 16 December 2002 as amended by Commission Regulation No. 876/2003<sup>2</sup> of 21 May 2003 and Council Regulation No. 2269/2004<sup>3</sup> of 20 December 2004 and any future Regulation of the Council or the Commission made after the making of these Regulations which amends, extends, replaces or consolidates (with or without modification) the Council Regulation (as defined herein);

“competent authority” means, as the context may require, the Minister or a sea-fisheries protection officer.

(2) A word or expression that is used in these Regulations and is also used in the Council Regulation has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Council Regulation.

3. A contravention of any provision of the Council Regulation relating to:

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<sup>1</sup> O.J. L 351/6 of 28.12.2002

<sup>2</sup> O.J. L. 126/22 of 22.5.2003

<sup>3</sup> O.J. L. 396/1 of 31.12.2004

(a) sea-fishing boats within the exclusive fishery limits of the State; or

(b) an Irish sea-fishing boat wherever it may be,

or a failure to comply with an obligation imposed by the Council Regulation so relating, other than an obligation imposed on the State, shall, for the purposes of subsection (3) of section 14 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 be deemed to be a contravention of these Regulations and the provisions of that Act relating to a contravention of a regulation under the said section 14 shall accordingly apply thereto.

4. The following ports in the State are hereby designated for the purposes of Article 7 of the Council Regulation: Greencastle, Killybegs, Ros an Mhíl, Galway, Fenit, An Daingean, Castletownbere, Union Hall.

GIVEN under my hand,

13<sup>th</sup> April 2006

**JOHN BROWNE**

**Minister of State at the Department of Communications,  
Marine and Natural Resources**

## **EXPLANATORY NOTE**

(This note is not part of the instrument and does not purport to be a legal interpretation).

This Regulation provides for control measures as well as collection of additional data on deep-sea species as specified in Council Regulation 2347/2002.

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