

S.I. No. 174 of 2006

**Deep Sea Fishing Opportunities and Orange Roughy Protection Areas
Regulations 2006**

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 Articles 3, 6 and 7 of Council Regulation (EC) No. 2270/2004¹ of 22 December 2004 fixing for 2005 and 2006 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks hereby make the following Regulations:

1. These Regulations may be cited as the Deep Sea Fishing Opportunities and Orange Roughy Protection Areas Regulations 2006.
2. In these Regulations –
 - “Articles” means Articles 3, 6 and 7 of Council Regulation (EC) No. 2270/2004¹ of 22 December 2004;
 - “Council Regulation” means Council Regulation (EC) No. 2270/2004¹ of 22 December 2004 as amended by Council Regulation (EC) No. 860/2005² of 30 May 2005 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);
3. A word or expression that is used in these Regulations, and is also used in the Council Regulation, has, unless the contrary indication appears, the same meaning in these Regulations as it has in the Council Regulation.
4. A contravention of any provision of the Council Regulation relating to:

¹ O.J. L 396/4 of 31.12.2004

² O.J. L 144/1 of 8.6.2005

- (a) sea-fishing boats within the exclusive fishery limits of the State; or
- (b) an Irish sea-fishing boat wherever it may be; or
- (c) any person engaged in buying, handling, weighing, trans-shipping, transporting, landing, processing, storing, documenting or selling fish within the State or the exclusive fishery limits of the State,

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.

GIVEN under my hand,

13th 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)

These Regulations provide for the provisions of Articles 3, 6 and 7 of Council Regulation (EC) No. 2270/2004 of 22 December 2004 in relation to the fixing of fishing opportunities for deep sea species, conditions for landing catch and by-catch and Orange Roughy Protection Areas.

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