

Statutory Instruments

S.I. No. 311 of 2006

Mussel Seed (Fishing) Regulations 2006

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Mussel Seed (Fishing) 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 sections 15 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) and the Marine (Delegation of Ministerial Functions) (No. 2) Order 2006 (S.I. No. 167 of 2006), hereby make the following regulations:

1. These Regulations may be cited as the Mussel Seed (Fishing) Regulations 2006.

2. In these Regulations -

“authorisation” means -

(a) an authorisation granted under section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006), or

(b) a licence granted by the relevant competent authority in Northern Ireland,

to fish for mussel seed;

“authorised boat” means a sea-fishing boat in respect of which an authorisation has been granted to fish for mussel seed;

“black box system” means a global positioning system device, as may be specified by the Minister, which is capable of transmitting data, via a Global System for Mobile Communications (GSM) modem link, on the speed, heading and position of an authorised boat;

“mussels” means *mytilus edulis*;

“mussel seed” means mussels of any kind whether alive or dead and includes any part of a mussel and the shell, or any part of the shell, of a mussel seed and which are not intended for direct human consumption;

3. These Regulations apply within the exclusive fishery limits of the State.

4. The master of an authorised boat shall -

- (a) ensure that a fully functioning black box system is installed and operational at all times on the boat, and
- (b) inform a sea-fisheries protection officer at least 4 hours in advance of his or her intention to fish for mussel seed and give the officer the

name of the holder of the authorisation on whose behalf he or she intends to fish.

5. The master of an authorised boat shall not fish on behalf of more than one holder of an authorisation at any one time and shall retain on board a copy of the relevant authorisation.

6. The master of an authorised boat shall keep a record of the transplantation on to a place or waters specified in an aquaculture licence of mussel seed fished under an authorisation, which shall include the following information:

- (a) the reference number of the aquaculture licence of the place or waters to which the mussel seed is transplanted,
- (b) the amount of mussel seed so transplanted, and
- (c) the date of its transplantation.

GIVEN under my hand,

14 June 2006.

John Browne,

Minister of State at the

Department of Communications,

Marine and Natural Resources.

EXPLANATORY MEMORANDUM

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

The effect of these Regulations is to set out the requirements for boats operating in the mussel seed fishery.

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