

**SI. No. 341 of 2006**  
**PASSIVE FISHING GEAR AND BEAM TRAWLS MARKING AND**  
**IDENTIFICATION (NO.2) 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 Commission Regulation (EC) No 356/2005<sup>1</sup> of 1 March 2005 laying down detailed rules for the marking and identification of passive fishing gear and beam trawls, as amended, hereby make the following Regulations:

1. These Regulations may be cited as the Passive Fishing Gear and Beam Trawls Marking and Identification (No.2) Regulations 2006.
2. In these Regulations, unless the context otherwise requires –

“Commission Regulation” means Commission Regulation (EC) No. 356/2005<sup>1</sup> of 1 March 2005, as amended by Commission Regulation (EC) No. 1805/2005<sup>2</sup> of 3 November 2005, and any future Regulation of the Commission or the Council made after the making of these Regulations, which amends, extends, replaces or consolidates (with or without modification) the Commission Regulation (as defined herein).

3. A word or expression that is used in these Regulations, and is also used in the Commission Regulation, has, unless the contrary indication appears, the same meaning in these Regulations as it has in the Commission Regulation, as may be appropriate.

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<sup>1</sup> OJ L56/8 of 2.3.2005

<sup>2</sup> OJ L 290/12 of 4.11.2005

4. A contravention of any provision of the Commission Regulation relating to:

(a) sea-fishing boats or fishing gear or equipment onboard or deployed from or by the said boats within the exclusive fishery limits of the State; or

(b) an Irish sea-fishing boat or fishing gear or equipment onboard or deployed from or by the said boat wherever it may be,

or a failure to comply with an obligation imposed by the Commission Regulation relating to such boats or fishing gear, 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,

29h June 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 Commission Regulation (EC) No. 356/2005 of 1 March 2005, as amended by Commission Regulation (EC) No. 1805/2005 of 3 November 2005, in relation to marking and identification of passive fishing gear and beam trawls.

(PRN)

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