



**STATUTORY INSTRUMENTS.**

**S.I. No. 74 of 1984.**



**FISHERY LIMITS (EUROPEAN COMMUNITIES)  
REGULATIONS, 1984.**

**(Pl. 2275)**

S.I. No. 74 of 1984.

FISHERY LIMITS (EUROPEAN COMMUNITIES)  
REGULATIONS, 1984.

I, PADDY O'TOOLE, Minister for Fisheries and Forestry, in exercise of the powers conferred on me by section 224B (inserted by section 5 of the Fisheries (Amendment) Act, 1983 (No. 27 of 1983)) of the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959), for the purpose of giving effect, within the exclusive fishery limits of the State, to Council Regulation (EEC) No. 170/83 of 25 January 1983<sup>(a)</sup>, hereby make the following regulations:

1. These Regulations may be cited as the Fishery Limits (European Communities) Regulations, 1984.

2. In these Regulations—

“baseline” has the meaning specified in section 4 of the Maritime Jurisdiction Act, 1959 (No. 22 of 1959);

“Member State” means a Member State of the European Economic Community;

“the relevant part of the exclusive fishery limits of the State” means that part of those fishery limits that lies within the line every point of which is at a distance of twelve nautical miles seaward from the nearest point of the baseline.

3. A person shall in the relevant part of the exclusive fishery limits of the State neither fish nor attempt to fish from a sea-fishing boat registered in a Member State other than the State unless each of the following conditions is complied with:

- (a) the fishing or attempted fishing is in the portion of the relevant part of the exclusive fishery limits of the State lying outside a line every point of which is at a distance of six nautical miles seaward from the nearest point of the baseline, and

<sup>(a)</sup> O.J. No. L24/1 of 27.1.1983.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 20th March, 1984.*

- (b) the sea-fishing boat is registered in a Member State mentioned in column (1) of the Schedule to these Regulations, and
- (c) the fishing or attempted fishing is for a species of fish specified in column (2) of the said Schedule opposite the mention in column (1) thereof of the Member State in which such boat is registered, and
- (d) the fishing or attempted fishing is in the portion of the relevant part of the exclusive fishery limits of the State described in column (3) of the said Schedule and opposite both such mention of such Member State and the mention in column (2) thereof of such species of fish.

4. (1) In any proceedings for an offence consisting of a contravention of Regulation 3 of these Regulations each of the following shall be *prima facie* evidence that the sea-fishing boat concerned was, at the time of the alleged offence, registered in a particular Member State (other than the State):

- (i) evidence that at or about the time of the alleged offence such sea-fishing boat wore the ensign or national flag of that Member State,
- (ii) evidence that at or about such time such sea-fishing boat had marked on her stern the name of a port or other place in that Member State,
- (iii) evidence that at or about such time such sea-fishing boat had on board any books, papers or other documents from which it appears to the court that at such time she was so registered,
- (iv) any admission by any person who is for the time being the master or other person in charge, or another member of the crew, of such sea-fishing boat that she was at such time so registered,
- (v) any other matter from which it so appears that such sea-fishing boat was so registered or

which in the opinion of the court suggests, or tends to suggest, that such sea-fishing boat was so registered.

(2) In any proceedings for an offence consisting of a contravention of Regulation 3 of these Regulations in which it is proved that a person has fished or attempted to fish from a sea-fishing boat registered in a Member State mentioned in column (1) of the Schedule to these Regulations within the portion of the exclusive fishery limits of the State mentioned in paragraph (a) of the said Regulation 3, it shall be presumed until the contrary is proved that such fishing or attempted fishing was for a species of fish other than a species specified in column (2) of the said Schedule opposite the mention in the said column (1) of that Member State.

5. (1) In any proceedings for an offence under Chapter II of Part XIII of the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959), concerning fishing or attempted fishing by a person on board a foreign sea-fishing boat within that portion of the exclusive fishery limits of the State which is mentioned in paragraph (a) of Regulation 3 of these Regulations other than proceedings referred to in Regulation 4 of these Regulations, unless the contrary is proved as regards each of them, all the presumptions contained in paragraph (2) of this Regulation shall be made.

(2) The presumptions referred to in paragraph (1) of this Regulation are—

- (a) that at the time of the alleged offence the condition contained in paragraph (b) of Regulation 3 of these Regulations was not complied with as regards the sea-fishing boat to which such offence relates,
- (b) that the condition specified in paragraph (c) of the said Regulation 3 was not complied with as regards the fishing or attempt to fish constituting such offence, and
- (c) that the condition specified in paragraph (d) of the said Regulation 3 was not so complied with.

6. The European Communities (Fishery Limits) Regulations, 1973 (S.I. No. 127 of 1973), are hereby revoked.

## SCHEDULE

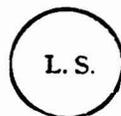
(1) Member State	(2) Species of Fish	(3) Portion of Relevant Part of Exclusive Fishery Limits of State
Belgium	Demersal species	<p>(a) The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite a line drawn from the point at Power Head, the co-ordinates of which are 51° 47.1' north latitude and 8° 10.6' west longitude, in a north-easterly direction straight to the point (on the baseline) at Carnsore Point, the co-ordinates of which are 52° 10.3' north latitude and 6° 21.8' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at Power Head, and (II) in true direction south from the said point at Carnsore Point,</p> <p>(b) the portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite a line drawn along the baseline, initially in a north-westerly direction, from the point (on the baseline) at Wicklow Head, the co-ordinates of which are 52° 57.9' north latitude and 5° 59.8' west longitude, to the point at Ballagan Point, the co-ordinates of which are 54° 00.0' north latitude and 6° 06.1' west longitude, and from the last-mentioned point in a north-easterly direction straight to the point at Haulbowline Rock Lighthouse, the co-ordinates of which are 54° 01.2' north latitude and 6° 04.7' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction east from the said point at Wicklow Head, and (II) in true direction south east from the said point at Haulbowline Rock Lighthouse.</p>
United Kingdom	Demersal species, herring and mackerel.	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite that part of the baseline which (being drawn in a north-easterly direction) joins the point at Mine Head,</p>

(1) Member State	(2) Species of Fish	(3) Portion of Relevant Part of Exclusive Fishery Limits of State
		<p>the co-ordinates of which are 51° 59.6' north latitude and 7° 34.6' west longitude, to the point at Hook Head, the co-ordinates of which are 52° 07.4' north latitude and 6° 55.7' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at Mine Head and (II) in true direction south from the said point at Hook Head.</p>
	Demersal species, herring, mackerel, nephrops and scallops.	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite a line drawn along the baseline, initially in an easterly direction, from the point (on the baseline) at Hook Head, the co-ordinates of which are 52° 07.4' north latitude and 6° 55.7' west longitude, to the point at Ballagan Point, the co-ordinates of which are 54° 00.0' north latitude and 6° 06.1' west longitude, and from the last-mentioned point in a north-easterly direction straight to the point at Haulbowline Rock Lighthouse, the co-ordinates of which are 54° 01.2' north latitude and 6° 04.7' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at Hook Head, and (II) in true direction south east from the said point at Haulbowline Rock Lighthouse.</p>
France	Demersal species and nephrops	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite that part of the baseline which, passing through Slyne Head, joins the point at Erris Head, the co-ordinates of which are 54° 18.6' north latitude and 9° 59.9' west longitude, to the point at Sybil Point, the co-ordinates of which are 52° 10.9' north latitude and 10° 28.4' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction north west</p>

(1) Member State	(2) Species of Fish	(3) Portion of Relevant Part of Exclusive Fishery Limits of State
		from the said point at Erris Head, and (II) in true direction west from the said point at Sybil Point.
	Demersal species, nephrops and mackerel.	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite that part of the baseline which passing through Bream Point, Cape Clear, joins the point at Mizen Head, the co-ordinates of which are 51° 26.9' north latitude and 9° 49.2' west longitude, to the point at The Stags, Toe Head, the co-ordinates of which are 51° 28.0' north latitude and 9° 13.4' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at Mizen Head, and (II) in true direction south from the said point at The Stags, Toe Head.</p>
	Demersal species, nephrops, herring and mackerel.	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite a line drawn along the baseline, initially in a north-easterly direction, from the point (on the baseline) at The Stags, Toe Head, the co-ordinates of which are 51° 28.0' north latitude and 9° 13.4' west longitude, to the point at The Old Head of Kinsale, the co-ordinates of which are 51° 36.3' north latitude and 8° 32.0' west longitude, and from the last-mentioned point in a north-easterly direction, straight to the point at Power Head, the co-ordinates of which are 51° 47.1' north latitude and 8° 10.6' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at The Stags, Toe Head, and (II) in true direction south from the said point at Power Head.</p>
	All species	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite a line drawn from the point at Power Head, the</p>

(1) Member State	(2) Species of Fish	(3) Portion of Relevant Part of Exclusive Fishery Limits of State
		<p>co-ordinates of which are 51° 47.1' north latitude and 8° 10.6' west longitude, in a north-easterly direction straight to the point (on the baseline) at Carnsore Point, the co-ordinates of which are 52° 10.3' north latitude and 6° 21.8' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at Power Head, and (II) in true direction south from the said point at Carnsore Point.</p>
	All species except shellfish	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite a line drawn along the baseline, initially in a north-easterly direction, from the point (on the baseline) at Carnsore Point, the co-ordinates of which are 52° 10.3' north latitude and 6° 21.8' west longitude, to the point at Ballagan Point, the co-ordinates of which are 54° 00.0' north latitude and 6° 06.1' west longitude, and from the last-mentioned point in a north-easterly direction straight to the point at Haulbowline Rock Lighthouse, the co-ordinates of which are 54° 01.2' north latitude and 6° 04.7' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at Carnsore Point, and (II) in true direction south east from the said point at Haulbowline Rock Lighthouse.</p>
Federal Republic of Germany	Herring	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite that part of the baseline which, passing through Mine Head, joins the point at The Old Head of Kinsale, the co-ordinates of which are 51° 36.3' north latitude and 8° 32.0' west longitude, to the point at Carnsore Point, the co-ordinates of which are 52° 10.3' north latitude and 6° 21.8' west longitude, and</p>

(1) Member State	(2) Species of Fish	(3) Portion of Relevant Part of Exclusive Fishery Limits of State
		(ii) between lines drawn (I) in true direction south from the said point at The Old Head of Kinsale, and (II) in true direction south from the said point at Carnsore Point.
	Mackerel	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite a line drawn from the point of Power Head, the co-ordinates of which are 51° 47.1' north latitude and 8° 10.6' west longitude, in a north-easterly direction straight to the point (on the baseline) at Carnsore Point, the co-ordinates of which are 52° 10.3' north latitude and 6° 21.8' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at Power Head, and (II) in true direction south from the said point at Carnsore Point.</p>
Netherlands	Herring and mackerel	<p>The portion of the relevant part of the exclusive fishery limits of the State which lies—</p> <p>(i) opposite that part of the baseline which, passing through the Old Head of Kinsale, joins the point at The Stags, Toe Head, the co-ordinates of which are 51° 28.0' north latitude and 9° 13.4' west longitude, to the point at Carnsore Point, the co-ordinates of which are 52° 10.3' north latitude and 6° 21.8' west longitude, and</p> <p>(ii) between lines drawn (I) in true direction south from the said point at The Stags, Toe Head, and (II) in true direction south from the said point at Carnsore Point.</p>



GIVEN under my Official Seal, this 16th day of March, 1984.

PADDY O'TOOLE,  
Minister for Fisheries and Forestry.

10 [74]

EXPLANATORY NOTE.

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

These Regulations implement the provisions of Article 6 of Council Regulation (EEC) No. 170/83 of 25 January 1983, which authorises the State to restrict fishing by other Member States of the European Economic Community in certain areas within the exclusive fishery limits of the State.

DUBLIN:  
PUBLISHED BY THE STATIONERY OFFICE.

---

To be purchased through any Bookseller, or directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE,  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2.

---

£1.10

Wt. 5976. 1,150. 9/88. Cahill. (010546). G.16.