



STATUTORY INSTRUMENTS

S.I. No. 252 of 2009

SEA-FISHERIES (TECHNICAL CONSERVATION MEASURES)
REGULATIONS 2009

(Prn. A9/0931)

S.I. No. 252 of 2009

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I, Tony Killeen, Minister of State at the Department of Agriculture, Fisheries and Food, in exercise of the powers conferred on me by sections 3 and 14 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006), as adapted by the Sea-Fisheries and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 707 of 2007) and the Agriculture, Fisheries and Food (Delegation of Ministerial Functions) Order 2009 (S.I. no. 189 of 2009) (as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 705 of 2007)), and for the purpose of giving full effect to Council Regulation (EC) No. 894/97 of 29 April 1997¹ as amended by Council Regulation (EC) No. 1239/98 of 8 June 1998² and Council Regulation (EC) No. 809/2007 of 28 June 2007³, hereby make the following Regulations:

1. These Regulations may be cited as the Sea Fisheries (Technical Conservation Measures) Regulations 2009.
2. In these Regulations “Council Regulation” means Council Regulation (EC) No. 894/97 of 29 April 1997 as amended by Council Regulation (EC) No. 1239/98 of 8 June 1998 and Council Regulation (EC) No.809/2007 of 28 June 2007.
3. A word or expression that is used in these Regulations and is also used in the Council Regulation has the same meaning in these Regulations as it has in the Council Regulation.
4. A person shall not contravene the Council Regulation in relation to—
 - (a) a sea-fishing boat within the exclusive fishery limits of the State,
 - (b) an Irish sea-fishing boat wherever it may be,
 - (c) buying, handling, weighing, transshipping, transporting, landing, processing, storing, documenting or selling fish within the State or the exclusive fishery limits of the State, or
 - (d) any other obligation imposed by the Council Regulation, other than an obligation imposed on the State.
5. (1) In proceedings for an offence, evidence of an act of the institutions of the European Communities may be given by production of a copy of the act

¹ O.J. L 132 of 23.5.1997, p. 1.

² O.J. L 171 of 17.6.1998, p. 1.

³ O.J. L 182 of 12.7.2007, p. 1

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 7th July, 2009.*

certified by an officer of the Minister for Agriculture, Fisheries and Food to be a copy of the act and it is not necessary to prove the signature of the officer or that he or she is an officer of that Minister.

(2) Paragraph (1) is in addition to and not in substitution for the European Communities (Judicial Notice and Documentary Evidence) Regulations 1972 (S.I. No. 341 of 1972).

6. The Sea Fisheries (Gill Net Tuna and Certain Other Species Fishing) Regulations (SI No. 343 of 2006) are revoked.

GIVEN under my Hand,
2 July 2009

Tony Killeen,
Minister of State at the Department of Agriculture, Fisheries
and Food.

EXPLANATORY NOTE

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

The effect of these Regulations is to give effect to technical conservation measures for the conservation of fishery resources in accordance with EU regulations.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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