



STATUTORY INSTRUMENTS.

**S.I. No. 174 of 2010**



MUSSEL SEED (OPENING OF FISHERIES) REGULATIONS 2010

**(Prn. A10/0586)**

## MUSSEL SEED (OPENING OF FISHERIES) REGULATIONS 2010

I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, in exercise of the powers conferred on me by section 15 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) and the Sea-Fisheries, Foreshore and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 707 of 2007) (as adapted by the Agriculture and Food (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 705 of 2007)), hereby make the following regulations:

1. These Regulations may be cited as the Mussel Seed (Opening of Fisheries) Regulations 2010 and come into operation on 4 May 2010.

2. In these Regulations “mussel seed” means mussels (*mytilus edulis*) whether alive or dead and includes any part of a mussel and the shell, or any part of the shell, of a mussel and which are not intended for direct human consumption.

3. (1) Subject to paragraph (2), a person may fish for mussel seed in the exclusive fishery limits of the State where that person holds an authorisation to fish for mussel seed granted under section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) or a licence granted by the relevant competent authority of Northern Ireland.

(2) Paragraph (1) shall not apply to—

(a) the areas listed in the Schedule to the European Communities (Control on Mussel Seed Fishing) Regulations 2008 (S.I. No. 347 of 2008) as amended by the European Communities (Control on Mussel Fishing) (Amendment) 2009 (S.I. No. 108 of 2009) and the European Communities (Control on Mussel Fishing) (Amendment) (No. 2) (Revocation) Regulations 2009 (S.I. No. 379 of 2009), or

(b) the Merville Area (within the meaning of the Foyle Fisheries Act 1952 (No. 5 of 1952)) and the Louth Area (within the meaning of section 31 of the British-Irish Agreement Acts 1999) or any part thereof, if, and to the extent that mussel seed fishing is subject to Regulations under section 13 of the Foyle Fisheries Act 1952.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 4th May, 2010.*



GIVEN under my Official Seal,  
29 April 2010.

BRENDAN SMITH,  
Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

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

These Regulations are to provide for the opening of the mussel seed fishery from 4 May 2010.

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