



STATUTORY INSTRUMENTS.

S.I. No. 520 of 2019



SEA FISHERIES (TECHNICAL MEASURES) REGULATIONS 2019

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SEA FISHERIES (TECHNICAL MEASURES) REGULATIONS 2019

I, MICHAEL CREED, Minister for Agriculture, Food and the Marine, 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) 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, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), for the purpose of giving full effect to Commission Regulation (EEC) No. 3440/84 of 6 December 1984¹ (as amended by Regulation (EEC) No 955/87 of 1 April 1987², Commission Regulation (EEC) No 2122/89 of 14 July 1989³ and Commission Regulation No 146/2007 of 15 February 2007⁴), and Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019⁵, hereby make the following regulations:

1. These Regulations may be cited as the Sea-Fisheries (Technical Measures) Regulations 2019.

2. (1) In these Regulations -

“Commission Regulation” means Commission Regulation (EEC) No. 3440/84 of 6 December 1984 as amended by Regulation (EEC) No 955/87 of 1 April 1987, Commission Regulation (EEC) No 2122/89 of 14 July 1989 and Commission Regulation No 146/2007 of 15 February 2007;

“Council Regulation” means Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019;

“operator” has the meaning assigned to it in Article 4(19) of Council Regulation (EC) No. 1224/2009 of 20 November 2009⁶;

“recreational fisheries” means non-commercial fishing activities exploiting marine biological resources such as for recreation, tourism or sport;

“Technical Measures Regulation” means the Commission Regulation and Council Regulation.

¹ OJ L 318, 7.12.84, p. 23

² OJ L 90, 2.4.87, p. 29

³ OJ L 203, 15.7.89, p. 21

⁴ OJ L 46, 16.2.2007, p. 9

⁵ OJ L 198, 25.7.2019, p. 105

⁶ OJ L 343, 22.12.2009, p. 1

(2) A word or expression that is used in the Technical Measures Regulation and is also used in these Regulations, has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Technical Measures Regulation.

3. The master of-

- (a) an Irish sea-fishing boat wherever it may be, or
- (b) a sea-fishing boat in the exclusive fishing limits of the State,

shall comply with the requirement imposed by the Technical Measures Regulation in respect of fishing vessels and masters of such vessels.

4. An operator shall comply with the requirements of the Technical Measures Regulation which relate to operators.

5. A person engaged in recreational fisheries shall comply with Articles 7, 10, 11 and 12 of the Council Regulation.

6. The fisheries monitoring centre within the State to which data must be transmitted is the Fisheries Monitoring Centre, Naval Base, Haulbowline, Co. Cork (telephone: 353 21 4378752 or 1890 252081, facsimile: 353 21 437 8096 or electronic mail- fmcireland@defenceforces.ie)

7. The following Regulations are revoked-

- (1) The Sea-Fisheries (Technical Conservation Measures) Regulations 2009 (S.I. No. 252 of 2009),
- (2) The Sea-Fisheries (Technical Measures) Regulations 2013 (S.I. No. 197 of 2013), and
- (3) The Sea-Fisheries (Technical Measures) (Amendment) Regulations 2015 (S.I. No. 531 of 2015).



GIVEN under my Official Seal,
23 October, 2019.

MICHAEL CREED,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

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

These Regulations give effect to Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 and make a contravention of provisions of European legislation implementing technical measures an offence under the Sea-Fisheries and Maritime Jurisdiction Act 2006.

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