

S.I. No. 178 of 2006
SEA FISHERIES (CONSERVATION AND RATIONAL EXPLOITATION OF
COD IN THE IRISH SEA) 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 Council Regulation (EC) No. 2549/2000¹ of 17 November 2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa) as amended, hereby make the following Regulations:

1. These Regulations may be cited as the Sea Fisheries (Conservation and Rational Exploitation of Cod in the Irish Sea) Regulations 2006.

2. (1) In these Regulations, unless the context otherwise requires -

"cod" means *gadus morhua*;

"Council Regulation" means Council Regulation (EC) No. 2549/2000¹ of 17 November, 2000 as amended by Council Regulation (EC) No. 1456/2001² of 16 July 2001 and any future Regulation of the Council or the Commission made after the making of these Regulations which amends, extends, replaces or consolidates (with or without modification) the Council Regulation (as defined herein);

"the Irish Sea" means ICES Division VIIa as defined in Annex III to Council Regulation (EEC) No. 3880/91³ of 17 December 1991.

(2) A word or expression that is used in these Regulations and is also used in the Council Regulation has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Council Regulation.

3. A contravention of any provision of the Council Regulation relating to:

¹ O.J. L 292/5 of 21.11.2000

² O.J. L 194/1 of 18.7.2001

³ O.J. L 365/1 of 31.12.1991

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

or a failure to comply with an obligation imposed by the Council Regulation so relating, 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.

4. The mesh size of nets and the thickness of twines shall be measured for the purposes of these Regulations in accordance with the provisions of Commission Regulation (EC) No. 129/2003⁴ of 24 January, 2003 and any future Regulation of the Commission or the Council which amends, extends, replaces or consolidates (with or without modification) the said Commission Regulation (EC) 129/2003.

GIVEN under my hand,
13th April 2006

JOHN BROWNE

**Minister of State at the Department of
Communications, Marine and Natural Resources**

⁴ O.J. L 22/5 of 25.1.2003

EXPLANATORY NOTE

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

These Regulations transpose into Irish law Council Regulation (EC) No. 2549/2000 of 17 November, 2000, which establishes certain technical measures for the recovery of the stock of cod in the Irish Sea. These measures are additional to those defined in Council Regulation (EC) No 850/98. These Regulations also provides that any infringement of the Council Regulation 2549/2000 is an infringement of these Regulations.

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