

S.I. No. 179 of 2006
SEA FISHERIES (CONSERVATION AND RATIONAL EXPLOITATION
OF HAKE) 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 Commission Regulation (EC) No. 494/2002¹ of 19 March establishing additional technical measures for the recovery of the stock of hake in ICES sub-areas III, IV, V, VI and VII and ICES divisions VIII a, b, d, e hereby make the following Regulations:

1. These Regulations may be cited as the Sea Fisheries (Conservation and Rational Exploitation of Hake) Regulations, 2006.

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

" Commission Regulation" means Commission Regulation (EC) No. 494/2002¹ of 19 March 2002 and any future Regulation of the Commission or the Council made after the making of these Regulations which amends, extends, replaces or consolidates (with or without modification) the Commission Regulation (as defined herein);

"hake" means *merluccius merluccius*.

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

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

(a) sea-fishing boats within the exclusive fishery limits of the State; or

(b) an Irish sea-fishing boat wherever it may be,

¹ O.J. L 77/8 of 20.3.2002

or a failure to comply with an obligation imposed by the Commission 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. 129/03² of 24 January 2003 laying down detailed rules for determining the mesh size and thickness of twine of fishing nets 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) 129/03.

GIVEN under my hand,

13th April 2006

JOHN BROWNE

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

² O.J. L 22/5 of 25.1.2003

EXPLANATORY NOTE

These Regulations makes any infringement of Commission Regulation (EC) No. 494/2002 of 19 March, 2002, which prescribes certain technical measures for the recovery of the stock of hake, an infringement of these Regulations.

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