



STATUTORY INSTRUMENTS.

S.I. No. 387 of 2014



SEA-FISHERIES (CELTIC SEA DISCARD REDUCTION DIVIDEND
SCHEME) REGULATIONS 2014

SEA-FISHERIES (CELTIC SEA DISCARD REDUCTION DIVIDEND SCHEME) REGULATIONS 2014

I, SIMON COVENEY, Minister for Agriculture, Food and the Marine, 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, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), hereby make the following regulations:

1. These Regulations may be cited as the Sea-Fisheries (Celtic Sea Discard Reduction Dividend Scheme) Regulations 2014.

2. In these Regulations—

“Act” means Sea Fisheries and Maritime Jurisdiction Act 2006;

“Discard Reduction Area” means the sea area of International Council for the Exploration of the Sea (ICES) division VII west of 8°W;

“Fisheries Management Notice” means a notice issued under Section 12 of the Act;

“Highly Selective gear” means fishing gear described in the Schedule;

“Incentive Area” means International Council for the Exploration of the Sea (ICES) divisions VIIb-k, VIII, IX and X; Union waters of CECAF 34.1.1;

“Licence Holder” means the holder of a sea-fishing boat licence granted in respect of an Irish sea-fishing boat under section 4 (inserted by section 97 of the Act of 2006) of the Fisheries (Amendment) Act 2003;

“TR1 Gear” means bottom trawls or seines of single mesh size with a cod end equal to or larger than 100 millimetres.

3. (1) The Minister may establish a scheme to regulate and reduce discards in the Incentive Area by providing for the use of highly selective gear in defined areas.

(2) The scheme applies to the fishing of Cod (*Gadus morhua*), Haddock (*Melanogrammus aeglefinus*) and Whiting (*Merlangius merlangus*).

(3) The scheme may apply to an Irish sea fishing boat using TR1 gear.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 22nd August, 2014.

4. (1) The Minister may allocate an increased catch limit for any of the species mentioned in Regulation 3(2) to the licence holder of an Irish sea fishing boat participating in the scheme.

(2) The Minister shall set out the catch limit mentioned in paragraph (1) in a Fisheries Management Notice on a periodic basis.

(3) Where a Fisheries Management Notice sets out a catch limit mentioned in paragraph (1) for any of the species listed in 3(2) for the Incentive Area, the Irish sea fishing boat participating in the scheme must remain in the scheme for the period the Fisheries Management Notice has effect.

5. (1) Participation in the scheme established by the Minister shall be voluntary.

(2) An application to participate in the scheme shall be made for each period by the licence holder of an Irish sea-fishing boat or his or her representative.

(3) An application to participate in the scheme shall be in a form and contain any particulars that the Minister may determine.

6. (1) The Master of an Irish sea-fishing boat participating in the scheme shall exclusively use the highly selective gear when fishing in the Discard Reduction Area with TR1 gear.

(2) At the time of application under Regulation 5(2), the Irish sea-fishing boat shall have highly selective gear on board and such gear shall be available for inspection by a sea-fisheries protection officer.

(3) When fishing in the Discard Reduction Area, the Master of an Irish sea-fishing boat participating in the scheme shall ensure the TR1 gear that does not have the highly selective gear inserted, is lashed and stowed.

(4) When fishing in the Incentive Area, the Master of an Irish sea-fishing boat participating in the scheme shall carry on board the highly selective gear.

(5) A person who contravenes paragraphs (1), (2), (3) or (4) commits an offence.

SCHEDULE

Regulation 2

Highly selective gear inserted in TR1 gear

Specifications of the top square mesh panel

1. The panel shall be a rectangular section of netting. The netting shall be single twine. The meshes shall be square meshes, i.e. square-meshed netting shall mean a construction of netting mounted so that of the two sets of parallel lines formed by the mesh bars, one set is parallel to, and the other at right angles to, the longitudinal axis of the net.

2. The square mesh panel shall be made of knotless meshing or non-slip knots.

3. The mesh size shall be equal or more than 120 millimetres. The length of the panel shall be at least 3 metres except when incorporated into nets towed by vessels of less than 112 kW, when it shall be of at least 2 metres in length.

Location of the panel

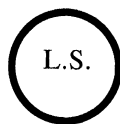
4. The square-meshed panel as referred to in paragraph 1 shall be placed into the top panel of the net. The rearmost edge of the square-meshed panel, which is the part closest to the codline, shall be no more than 9 metres from the codline.

Insertion of the panel into net

5. In any net in which a square-meshed panel is inserted in an untapered portion of the net, there shall be at most five open diamond meshes between each panel side and the adjacent selvages of the net.

6. In any net in which a square-meshed panel is inserted, wholly or partially, into a tapered portion of the net there shall be at most five open diamond meshes between the posterior row of meshes in the square-meshed panel and the adjacent selvages of the net.

7. The joining rate between the diamond meshes and the square mesh panel at the anterior and posterior ends of the square mesh panel shall be at least two diamond meshes to one square mesh for 100mm or greater cod ends.



GIVEN under my Official Seal,
8 August 2014.

SIMON COVENEY,
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)

This instrument supports the protection of juvenile stocks in the Celtic Sea, West of 8° W and allows for a voluntary scheme whereby vessels opting to fish with a highly selective gear may receive additional catch limits of Cod, Whiting and/or Haddock.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B30743). 285. 8/14. Clondalkin. Gr 30-15.