



Number 9 of 2019

Sea-Fisheries (Amendment) Act 2019



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CONTENTS

Section

1. Restriction on fishing while on board foreign sea-fishing boat within exclusive fishery limits
2. Short title, collective citation and commencement

ACTS REFERRED TO

European Communities Act 1972 (No. 27)

Fisheries Acts 1959 to 2007

Sea-Fisheries Acts 2003 to 2007

Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8)



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SEA-FISHERIES (AMENDMENT) ACT 2019

An Act to amend section 10 of the Sea-Fisheries and Maritime Jurisdiction Act 2006
and to provide for related matters.

[4th April, 2019]

Be it enacted by the Oireachtas as follows:

Restriction on fishing while on board foreign sea-fishing boat within exclusive fishery limits

1. The following section is substituted for section 10 of the Sea-Fisheries and Maritime Jurisdiction Act 2006:

“**10.** (1) Subject to section 9 and subsection (2), a person on board a foreign sea-fishing boat shall not fish or attempt to fish while the boat is within the exclusive fishery limits unless he or she is authorised by law to do so.

(2) A person who is on board a sea-fishing boat owned and operated in Northern Ireland may fish or attempt to fish while the boat is within the area between 0 and 6 nautical miles as measured from the baseline (within the meaning of section 85) if, at that time, both the person and the boat comply with any obligation specified in subsection (3) which would apply in the same circumstances if the boat were an Irish sea-fishing boat.

(3) The obligations referred to in subsection (2) are the following:

- (a) an obligation under the Sea-Fisheries Acts 2003 to 2019 or regulations made under those Acts;
- (b) an obligation under the Fisheries Acts 1959 to 2019 or regulations made under those Acts;
- (c) an obligation contained in regulations made under section 3 of the European Communities Act 1972;
- (d) an obligation under a provision of the treaties of the European Union, or a provision of an act adopted by an institution of the European Union, an institution of the European Communities or a body competent under those treaties;
- (e) an obligation specified in a policy directive given by the Minister under section 3(2)(b) of the Act of 2003;

(f) such other obligation as the Minister may specify in regulations under section 3.

(4) A person who contravenes subsection (1) commits an offence.”.

Short title, collective citation and commencement

2. (1) This Act may be cited as the Sea-Fisheries (Amendment) Act 2019.
- (2) The Sea-Fisheries Acts 2003 to 2007 and this Act may be cited together as the Sea-Fisheries Acts 2003 to 2019.
- (3) The Fisheries Acts 1959 to 2007 and this Act may be cited together as the Fisheries Acts 1959 to 2019.
- (4) This Act shall come into operation on such day as the Minister for Agriculture, Food and the Marine may appoint by order.