

DÁIL ÉIREANN

AN BILLE IASCAIGH MHARA AGUS DLÍNSE MUIRÍ 2005 —ROGHCHOISTE

SEA-FISHERIES AND MARITIME JURISDICTION BILL 2005 —SELECT COMMITTEE

Leasuithe Ionadacha agus Breise
Additional and Substitute Amendments

SECTION 13

42a. In page 16, subsection (1)(a)(ii)(I), line 26, after “owner” to insert “, charterer or hirer”.

—An tAire Cumarsáide, Mara agus Acmhainní Nádurtha.

SECTION 18

81a. In page 26, between lines 49 and 50, to insert the following subsection:

“(5) The master of a boat who fails to obey—

- (a) an order for the boat to be stopped or to be manoeuvred in accordance with directions, or
- (b) an instruction for the boat to be taken to a specified port,

given by a sea-fisheries protection officer under this section commits an offence and is liable—

- (i) on summary conviction, to a fine not exceeding €5,000 or to imprisonment for a term not exceeding 3 months, or to both, or
- (ii) on conviction on indictment, to a fine not exceeding €50,000 or to imprisonment for a term not exceeding 2 years, or to both.”.

—An tAire Cumarsáide, Mara agus Acmhainní Nádurtha.

SECTION 24

99a. In page 30, subsection (1)(b), line 46, after “Part” to insert “(other than section 18)”.

—An tAire Cumarsáide, Mara agus Acmhainní Nádurtha.

SECTION 42

150. In page 42, before section 42, but in Chapter 5, to insert the following new section:

“Consultative
Committee.

49.—(1) The Minister shall, for the purposes of consultations and liaison with the sea-fisheries and seafood sectors and other relevant interests on matters relating to the functions of the Authority, establish a body to be known in the Irish language as An Coiste Sainchomhairleach um Chosaint Iascaigh Mhara or, in the English language, the Sea-Fisheries Protection Consultative Committee (referred to in this Chapter as the “Consultative Committee”) and appoint the members of the Consultative Committee.

(2) The Consultative Committee shall have the following functions—

- (a) to inform the Authority of concerns and views of the sea-fisheries and seafood sectors regarding the functions of the Authority,
- (b) to seek to keep the sea-fisheries and seafood sectors generally informed of the applicable sea-fisheries law and food safety law, as well as of the standards, guidelines, practices and procedures operated by the Authority in relation to the enforcement of that law,
- (c) to advise the Authority on keeping the burden on the sea-fisheries and seafood sectors generally of compliance with that law to the minimum possible consistent with the essential purposes and the effective enforcement of that law,
- (d) to advise the Authority of its views on the fairness and consistency of the operations of the Authority,
- (e) to seek the delivery of a high standard of service by the Authority.

(3) The Consultative Committee shall have no function in relation to detailed operational matters or individual cases or groups of cases with which the Authority is or may be concerned.

(4) The Minister or the Authority may consult the Consultative Committee on any matters arising in relation to the functions of the Authority.

(5) The Consultative Committee shall consist of not more than 14 members as follows—

- (a) 5 persons from the sea-fishing catching sector,
- (b) 2 persons from the inshore fishing sector,
- (c) 2 persons from the seafood processing sector,
- (d) 2 persons from the aquaculture sector, and
- (e) 3 persons nominated by the Minister.

(6) A member may resign from office by written notice given to the Minister and the resignation shall take effect on the date specified in the notice or on the date on which the Minister receives the notice whichever is the later.

[SECTION 42]

(7) The Consultative Committee may act notwithstanding a vacancy or vacancies in its membership.

(8) The Minister may appoint a person to fill a casual vacancy which arises in the membership of the Consultative Committee due to the death, resignation or removal of a member and the person so appointed shall be appointed in the same manner as the member who occasioned the casual vacancy.

(9) The Minister in appointing members of the Consultative Committee, shall ensure, in as far as is practicable, an equitable balance between men and women in the composition of the Consultative Committee.

(10) The Minister shall appoint the chairperson and deputy chairperson of the Consultative Committee from among the members of the Consultative Committee referred to in *paragraphs (a) to (d) of subsection (5)* for such period as is specified in the appointment and may reappoint a chairperson and deputy chairperson for a further specified period or further specified periods. The chairperson or deputy chairperson ceases to be the chairperson or deputy chairperson on ceasing to be a member of the Consultative Committee.

(11) The Minister may remove from office a member of the Consultative Committee in the following circumstances—

- (a) where, in the opinion of the Minister, the member has become incapable through ill-health of being a member of the Consultative Committee,
- (b) for stated misbehaviour,
- (c) in the case of a person appointed to represent a sector referred to in *paragraphs (a) to (d) of subsection (5)*, where the person is no longer a representative or
- (d) where removal of the member appears to the Minister to be necessary or desirable for effective performance by the Consultative Committee of its functions.

(12) The Consultative Committee shall arrange its business as it sees fit.

(13) Members of the Consultative Committee shall be paid by the Authority such allowances for expenses as the Minister, with the consent of the Minister for Finance, may from time to time determine.

(14) The Authority shall provide all reasonable facilities and services as may be required by the Consultative Committee for the performance of its functions.”.

—An tAire Cumarsáide, Mara agus Acmhainní Nádurtha.

Amendment to Amendment No. 150

1.

To delete subsection (5) and substitute the following:

[SECTION 42]

“(5) The Consultative Committee shall consist of not more than 14 members who shall be nominated by the Minister. The committee shall include representatives from sea-fisheries, inshore fisheries, the seafood processing industry, the aquaculture sector, non governmental organisations with an interest in marine issues and independent and educational marine research institutions.”.

Eamon Ryan.

SECTION 54

188a. In page 47, subsection (1), line 8, to delete “to this Act”.

—An tAire Cumarsáide, Mara agus Acmhainní Nádurtha.

SCHEDULE 1

218a. In page 65, to delete lines 3 to 5 and insert the following:

“

Session and Chapter or Number and Year (1)	Short Title or Subject (2)	Extent of Repeal (3)
33 Hen. 6, c.9	Ships guarding sea between Ireland and England to have certain tolls (1455)	The whole Act
38 Hen. 6, c.14	Payments by fishermen and for boats protected at sea (1460)	The whole Act
10 Edw. 4, c.10	Protection for herring fishery at Dublin (1470)	The whole Act
8&9 Hen. 8, c.9	Foreigners fishing off coast to land one-third of catch in Ireland (1516)	The whole Act

”.

—An tAire Cumarsáide, Mara agus Acmhainní Nádurtha.