



An Bille um Iascach Oileáin (Ceadúnas Oidhreachta), 2017
Island Fisheries (Heritage Licence) Bill 2017

Mar a tionscnaíodh

As initiated



AN BILLE UM IASCACH OILEÁIN (CEADÚNAS OIDHREACHTA), 2017
ISLAND FISHERIES (HERITAGE LICENCE) BILL 2017

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AN BILLE UM IASCACH OILEÁIN (CEADÚNAS OIHDREACHTA), 2017
ISLAND FISHERIES (HERITAGE LICENCE) BILL 2017

Bill

entitled

An Act to provide for the issuing of heritage licences to island fishermen to facilitate the continuance of traditional fishing practices on Ireland's offshore islands; and to provide for related matters. 5

Be it enacted by the Oireachtas as follows:

Interpretation

1. In this Act— 10
- “island fisherman” means any person who is habitually resident on one of Ireland's offshore islands and who is engaged in fishing to earn a livelihood;
- “Minister” means the Minister for Agriculture Food and the Marine;
- “small scale coastal fishing” means fishing carried out by fishing vessels of an overall length of less than 12 metres and not using towed fishing gear as listed in Table 3 of Annex I to Commission Regulation EC 26/2004. 15

Heritage licence for island fishermen

2. (1) The Minister may, if he or she thinks fit, grant to an island fisherman engaged in small scale coastal fishing, who when making the application makes a declaration in a form approved of for the purposes of this section by the Minister, a licence (operating in the manner specified in *subsection (4)*) to fish within the six mile territorial limit including the baseline, subject to the restrictions contained in this section. 20
- (2) In determining an application for a licence under *subsection (1)*, the Minister shall have regard to the requirements of the EU Common Fisheries Policy and to the suitability of the applicant having regard to those requirements or to the purposes of this Act. 25
- (3) Notwithstanding the generality of *subsection (2)* a licence granted by the Minister under this section shall remain in force for so long as the island fisherman is engaged in fishing and shall operate to authorise the holder of the licence, for so long as the licence is in force, to fish, within the six mile territorial limit including the baseline, of the island on which said fisherman ordinarily resides. 30
- (4) Any licence issued under this section shall be non-transferable and the holder of the

licence shall not lease, sell or seek to transfer the licence and such licence only be operable when the licence holder is aboard the fishing vessel while fishing.

- (5) The Minister shall by regulations provide for such matters of procedure and administration as appear to the Minister to be necessary or expedient in respect of the operation of this Act. 5
- (6) Without prejudice to the generality of *subsection (5)*, regulations under this section shall make provision for the following:
- (a) criteria for determining whether an applicant for a licence under this section meets the definition of an island fisherman;
 - (b) an appeals mechanism for fishermen refused a heritage licence under this section; 10
 - (c) the number of licences which shall be issued in respect of each offshore island;
 - (d) procedures for the extinguishing of licenses issued under this section;
 - (e) the introduction of a non-transferable community island quota;
 - (f) procedures for the co-management of the heritage licence system to ensure a partnership approach between island fishermen, state agencies and scientific experts. 15

Short title, collective citation and commencement

3. (1) This Act may be cited as the Island Fisheries (Heritage Licence) Act 2017.
- (2) This Act shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions. 20

An Bille um Iascach Oileáin (Ceadúnas
Oidhreachta), 2017

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do dhéanamh socrú maidir le ceadúnais oidhreachta a eisiúint chuig iascairí oileáin chun go n-éascófar leanúint de chleachtais iascaireachta thraidisiúnta ar na hoileáin amach ó chósta na hÉireann; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*Na Teachtaí Máirtín Ó Coinnigh, Máirtín J. Ó
Fearghusa agus Piaras Ó Dochartaigh a thug
isteach*

12 Iúil, 2017

Island Fisheries (Heritage Licence) Bill 2017

BILL

(as initiated)

entitled

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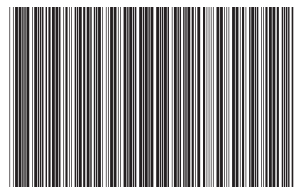
*Introduced by Deputies Martin Kenny, Martin J.
Ferris and Pearse Doherty,*

12th July, 2017

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