

Department of Agriculture, Food and the Marine
An Roinn Talmhaíochta, Bia agus Mara

Fisheries Natura Declaration No. 3 of 2015 (Blacksod Bay)

I, Simon Coveney, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by Regulation 9 of the European Union (Birds and Natural Habitats) (Sea-fisheries) Regulations 2013 (S.I. No. 290 of 2013), hereby issue the following declaration:

Citation

1. This Declaration may be cited as Fisheries Natura Declaration No. 3 of 2015 (Blacksod Bay).

Commencement

2. This Declaration comes into force on 1 October 2015.

Interpretation

3. In this Declaration:

“Authority” means the Sea Fisheries Protection Authority;

“Blacksod Bay” means the sea area landwards of an imaginary line drawn from:

Latitude 54°03.78’N, Longitude 009°58.38’W to

Latitude 54°5.1789’N, Longitude 010°04.9504’W;

“closed period” means the period commencing on 1 October 2015 and ending on 1 October 2016;

“scallop” means *Pecten maximus*;

“specified zone” means the area of Blacksod Bay enclosed by an imaginary line drawn from:

Latitude 54°11.1300’N, Longitude 010°00.3180’W through

Latitude 54°10.9980’N, Longitude 009°59.3160’W through

Latitude 54°10.8060’N, Longitude 009°59.3160’W through

Latitude 54°10.5960’N, Longitude 009°59.0760’W through

Latitude 54°10.5540’N, Longitude 009°58.7580’W through

Latitude 54°10.4820’N, Longitude 009°58.1400’W through

Latitude 54°09.8040’N, Longitude 009°57.1980’W through

Latitude 54°09.4380’N, Longitude 009°57.4080’W through

Latitude 54°09.3780’N, Longitude 009°57.6660’W through

Latitude 54°09.1980’N, Longitude 009°57.7500’W through

Latitude 54°08.5740'N, Longitude 009°57.8820'W through
Latitude 54°08.1600'N, Longitude 009°56.9940'W through
Latitude 54°07.6020'N, Longitude 009°56.5440'W through
Latitude 54°06.8580'N, Longitude 009°56.6040'W through
Latitude 54°06.6360'N, Longitude 009°57.1620'W through
Latitude 54°07.2600'N, Longitude 009°57.2700'W through
Latitude 54°07.3200'N, Longitude 009°58.5900'W through
Latitude 54°06.5760'N, Longitude 009°58.4820'W through
Latitude 54°06.4860'N, Longitude 009°59.2920'W through
Latitude 54°06.2220'N, Longitude 009°59.6340'W through
Latitude 54°06.0240'N, Longitude 009°59.5920'W through
Latitude 54°05.5680'N, Longitude 009°58.8420'W through
Latitude 54°03.8340'N, Longitude 009°58.6740'W through
Latitude 54°05.0520'N, Longitude 010°04.4040'W through
Latitude 54°06.0360'N, Longitude 010°03.4740'W through
Latitude 54°06.3600'N, Longitude 010°04.0140'W through
Latitude 54°06.5880'N, Longitude 010°03.7920'W through
Latitude 54°06.4980'N, Longitude 010°03.3300'W through
Latitude 54°06.6960'N, Longitude 010°03.2520'W through
Latitude 54°06.9300'N, Longitude 010°04.0320'W through
Latitude 54°07.4040'N, Longitude 010°03.7380'W through
Latitude 54°08.0760'N, Longitude 010°03.7260'W through
Latitude 54°08.5620'N, Longitude 010°03.5460'W through
Latitude 54°08.6100'N, Longitude 010°02.8080'W through
Latitude 54°08.2200'N, Longitude 010°03.0660'W through
Latitude 54°07.9920'N, Longitude 010°03.3900'W through
Latitude 54°07.6980'N, Longitude 010°03.2700'W through
Latitude 54°07.2900'N, Longitude 010°03.5580'W through
Latitude 54°07.0860'N, Longitude 010°02.9640'W through
Latitude 54°07.8420'N, Longitude 010°01.8780'W through
Latitude 54°08.0580'N, Longitude 010°01.1340'W through
Latitude 54°08.9220'N, Longitude 010°00.6180'W through
Latitude 54°09.7380'N, Longitude 010°00.6180'W through
Latitude 54°10.1760'N, Longitude 010°01.4100'W to
Latitude 54°11.1300'N, Longitude 010°00.3180'W.

Prohibition on fishing for scallop in Blacksod Bay outside of the specified zone

4. A person onboard a sea-fishing boat in Blacksod Bay shall not fish for scallop outside of the specified zone.

Prohibition on fishing for scallop in the specified zone during the closed period

5. (1) The owner, master or other person who is for the time being in charge of a sea fishing boat fishing in the specified zone during the closed period shall not fish for or attempt to fish for scallop.
- (2) The master or person in charge of a sea-fishing boat fishing in the specified zone during the closed period shall not cause or permit any person on board the boat to fish for or attempt to fish for scallop.

Prohibition on landing scallop

6. (1) The master or person in charge of a sea-fishing boat fishing in the specified zone during the closed period shall not have or retain on board or land scallop taken in the specified zone.
- (2) The master or person in charge of a sea-fishing boat fishing in the specified zone during the closed period shall not cause or permit any person on board the boat to have or retain on board or land scallop taken in the specified zone.

Prohibition on handling or sale of scallop

7. A person shall not have in his or her possession or under his or her control and shall not buy, handle, weigh, tranship, transport, process, store or sell any scallop taken in the specified zone during the closed period.

GPS monitoring of certain sea-fishing boats

8. (1) The owner, master or other person who is for the time being in charge of a sea-fishing boat fishing for scallop in Blacksod Bay shall:
 - (a) ensure that a fully functioning GPS (Global Positioning System) monitoring system is installed onboard the boat and is operational at all times;
 - (b) ensure that the data of the GPS monitoring system is not altered in any way;
 - (c) ensure the GPS monitoring system is not obstructed, disconnected or blocked in such a way that could obstruct the transmission of data;
 - (d) not permit a person on board the boat to destroy, damage or otherwise interfere with the GPS monitoring system unless an officer of the Authority has authorised its replacement.
- (2) The GPS monitoring system referred to in paragraph 8(1) shall:
 - (a) be of a type included on any list of approved GPS monitoring systems that may be published by the Authority;

- (b) acquire, log, store and transmit to shore the boat's positional information as required over the GPRS (general packet radio service);
- (c) use a direct power supply from the boat and have an independent power source;
- (d) be fitted in a robust and tamperproof manner; and
- (e) transmit the boat's positional information to shore at a frequency of up to once per minute in a format accessible by the Authority and the Marine Institute.

9. Fisheries Natura Declaration No. 2 of 2015 (Blacksod Bay) is revoked.

GIVEN under my Official Seal,

29 September 2015.

SIMON COVENEY,

Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

(This note is not part of the declaration and does not purport to be a legal interpretation)

This Declaration defines a fishing area for scallop which precludes certain sensitive habitats in Blacksod Bay and introduces a closed period from 1 October 2015 to 30 September 2016 inclusive during which it is prohibited to fish for, to land or to sell scallop taken from the fishery. This Declaration also sets out monitoring requirements for scallop fishing in Blacksod Bay.

(FND 2015/003)