

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

Fisheries Natura Declaration No. 3 of 2023 (Wexford & North Irish Sea)

I, Charlie McConalogue, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by Regulation 9(1)(a) and (b) 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 2023 (Wexford & North Irish Sea).

Commencement

2. This Declaration is issued on and comes into force on 12 December 2023.

Interpretation

3. In this Declaration:

"Authority" means the Sea-Fisheries Protection Authority;

"East Wexford zone 1" means the geographical area enclosed by an imaginary line drawn from

Latitude 52°33.2045'N, Longitude 006°12.0041'W through

Latitude 52°25.0673'N, Longitude 006°15.7311'W through

Latitude 52°26.1359'N, Longitude 006°19.2275'W and along the high water mark to the first mentioned point;

"East Wexford zone 2" means the geographical area enclosed by an imaginary line drawn from

Latitude 52°31.2090'N, Longitude 006°13.8380'W through

Latitude 52°25.8420'N, Longitude 006°16.2930'W through

Latitude 52°26.6150'N, Longitude 006°18.8230'W and along the high water mark to the first mentioned point;

"North Irish Sea zone" means the geographical area seaward of the high water mark and enclosed by an imaginary line drawn from

Latitude 54°01.3617'N, Longitude 006°03.7762'W through

Latitude 53°43.3335'N, Longitude 005°50.0885'W through

Latitude 53°32.4338'N, Longitude 005°50.0885'W to

Latitude 53°32.4338'N, Longitude 006°04.6275'W.

Conditional fishing in East Wexford zone 1

4. (1) The owner, master or other person who is for the time being in charge of a sea-fishing boat fishing in East Wexford zone 1 shall ensure that a fully functioning GPS (Global Positioning System) monitoring system is installed onboard the boat and operational at all times if that boat:

- (a) is using a dredge of any kind,
 - (b) is using a beam trawl of any kind,
 - (c) is using a bottom otter trawl of any kind and is less than or equal to 12 metres in overall length, or
 - (d) is using a bottom otter trawl of any kind, is more than 12 metres in overall length and does not have a fully functioning satellite-based vessel monitoring system installed onboard.
- (2) In relation to the GPS monitoring system referred to in paragraph (1), the owner, master or other person who is for the time being in charge of a sea-fishing boat shall:
- (a) ensure that the data of the GPS monitoring system is not altered in any way;
 - (b) ensure the GPS monitoring system is not obstructed, disconnected or blocked in such a way that could obstruct the transmission of data;
 - (c) not permit a person onboard the boat to destroy, damage or otherwise interfere with the GPS monitoring system unless an officer of the Authority has authorised its replacement;
 - (d) ensure that the GPS monitoring system:
 - (i) is of a type approved by the Authority,
 - (ii) can acquire, log (store) and transmit to shore information on the boat's position, speed and bearing as specified for that monitoring system,
 - (iii) transmits to shore information on the boat's position, speed and bearing at a frequency of up to once per minute in a format accessible by the Authority and the Marine Institute,
 - (iv) is fitted in a robust and tamperproof manner, and
 - (v) uses a power source that is capable of keeping the monitoring system operational and transmitting as required by this Declaration.
5. The owner, master or other person who is for the time being in charge of a sea-fishing boat that is more than 12 metres in overall length and has a satellite-based vessel monitoring system installed onboard must ensure when fishing in East Wexford zone 1 that the boat's position is reported through the vessel monitoring system at a frequency of at least once every 5 minutes.

Prohibition on fishing in East Wexford zone 2

6. A person onboard a sea-fishing boat shall not fish with any kind of dredge, beam trawl or bottom otter trawl in East Wexford zone 2.

Prohibition on fishing for mussels in North Irish Sea zone

7. A person, onboard a sea-fishing boat or otherwise, shall not use any method to fish, including hand gathering, or attempt to fish mussels (*Mytilus edulis*) in the North Irish Sea zone.

Cultivation and harvesting of mussels

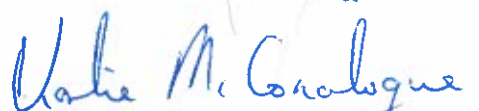
8. Nothing in this Natura Declaration affects the cultivation and harvesting of mussels in accordance with an aquaculture licence (within the meaning of the Fisheries (Amendment) Act 1997 (No. 23 of 1997)).

Prohibition on possession, handling or sale

9. A person shall not have in his or her possession or under his or her control and shall not buy, handle, tranship, transport, land, process, store or sell fish taken in contravention of paragraphs 4, 5, 6 or 7.

GIVEN under my Official Seal,

12 December 2023



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 identifies three areas in the Irish Sea where specified types of fishing are restricted or prohibited.

(FND 2023/003)