

**2016 No. 408**

**SEA FISHERIES**

**The Rathlin Island (Prohibited Methods of Fishing) Regulations  
(Northern Ireland) 2016**

*Made* - - - - 22nd November 2016

*Coming into operation* - 31st December 2016

The Department of Agriculture, Environment and Rural Affairs(a) makes the following Regulations in exercise of the powers conferred by sections 19(1) and 124(1), (2) and (2A) of the Fisheries Act (Northern Ireland) 1966(b).

**Citation and commencement**

1. These Regulations may be cited as the Rathlin Island (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2016 and come into operation on 31st December 2016.

**Interpretation**

2. In these Regulations—

“co-ordinate” means a co-ordinate on the World Geodetic System 1984 Datum and co-ordinate reference system(c);

“dredge” means a mechanical dredge or suction dredge;

“mechanical dredge” means a device with a rigid framed mouth constructed to catch shell-fish whilst being towed along the sea bed by a fishing boat;

“demersal mobile gear” means any fishing gear that is towed along the sea bed or is otherwise moved through the water on or close to the sea bed to catch sea-fish, and includes, for example, a dredge, demersal seine net and demersal trawl net;

“Rathlin Zone” means the area of sea adjacent to Rathlin Island, up to the mean high water mark of ordinary spring tides, landward of a boundary drawn by a series of straight lines joining each of the points lettered A, B, C, D, E, F and G set out in column 1 of the Schedule, the co-ordinates of which are set out in columns 2 and 3 opposite each point, to the next point in sequence;

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- (a) The Ministry of Agriculture became known as the Department of Agriculture by virtue of section 7(5) of the Northern Ireland Constitution Act 1973 (c.36). The Department of Agriculture for Northern Ireland was renamed the Department of Agriculture and Rural Development by Article 3(4) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I.1)). The Department of Agriculture and Rural Development was renamed the Department of Agriculture, Environment and Rural Affairs by section 1(2) of the Departments Act (Northern Ireland) 2016 (c.5) (N.I.).
- (b) 1966 c.17 (N.I.). Section 124 was substituted by the Fisheries Amendment (Northern Ireland) Order 1981 (S.I. 1981/227 (N.I. 7)), Article 6, and amended by the Fisheries (Amendment) Act (Northern Ireland) 2001 c.4 (N.I), section 1, the Sea Fisheries (Northern Ireland) Order 2002 (S.I. 2002/790), article 6(2), and the Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9), Article 34(1) and Schedule 2, paragraph 2(10).
- (c) Definitions of World Geodetic System 1984 Datum and co-ordinate reference system are available via EPSG Geodetic Parameter Registry as EPSG:6326 (<http://epsg.io/6326-datum>) and EPSG:4326 (<http://epsg.io/4326>) respectively.

“demersal seine net” means a fishing gear assembly incorporating a conical shaped net and ropes, constructed to catch sea-fish by the method of encirclement, and which is towed along the sea bed;

“suction dredge” means –

- (a) a dredge which raises material or shell-fish from the sea bed using a solids pump, water pump, air lift, air jets or water jets which dig into the sea bed; or
- (b) any other mechanical, pneumatic or hydraulic device which raises material or shell-fish from the sea bed by means of suction or pumping;

“demersal trawl net” means a fishing gear assembly incorporating a conical shaped net, ropes and devices to hold open the mouth of the net, constructed to catch sea-fish whilst being towed along the sea bed by a fishing boat.

### **Prohibited methods of fishing**

3. Fishing for sea-fish using demersal mobile gear is prohibited in the Rathlin Zone.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 22nd November 2016.



*John Speers*  
A senior officer of the  
Department of Agriculture, Environment and Rural Affairs

## SCHEDULE

Regulation 2

### The Rathlin Zone

<i>Points</i>	<i>Latitude</i>	<i>Longitude</i>
A.	55°19.283'N	06°17.867'W
B.	55°17.133'N	06°17.967'W
C.	55°17.050'N	06°12.433'W
D.	55°15.283'N	06°12.517'W
E.	55°15.233'N	06°09.617'W
F.	55°19.167'N	06°09.417'W
G.	55°19.283'N	06°17.867'W

#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prohibit fishing for sea-fish by mobile fishing gear in the waters within the Rathlin Zone. The boundaries of the Rathlin Zone correspond to the seaward boundaries of the Rathlin Island Special Area of Conservation, designated pursuant to Article 4 of Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p.7).

Article 11(1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy (OJ L 354, 28.12.2013, p.22) empowers member States to adopt conservation measures not affecting fishing vessels of other member States that are necessary for the purpose of complying with their obligations under certain EU environmental Directives, including Article 6 of Council Directive 92/43/EEC.

Contravention of the Regulations is an offence under section 124(3) of the Fisheries Act (Northern Ireland) 1966. The penalty on summary conviction is a fine not exceeding level 5 on the standard scale (£5,000).

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