

2022 No. 272

SEA FISHERIES

**The Scallop Enhancement Sites (Prohibited Methods of Fishing)
Regulations (Northern Ireland) 2022**

Made - - - - - *26th October 2022*

Coming into operation- - - - - *1st January 2023*

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

Citation and commencement

1. These Regulations may be cited as the Scallop Enhancement Sites (Prohibited Methods of Fishing) Regulations (Northern Ireland) 2022 and come into operation on 1 January 2023.

Interpretation

2. In these Regulations—

“the Act” means the Fisheries Act (Northern Ireland) 1966;

“Ballyquintin scallop enhancement site” means the area of the sea drawn by a line joining each of the points lettered alphabetically in column 1 in Table 1 of the Schedule, the co-ordinates which are set out in columns 2 and 3 opposite each point;

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

“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 fish, and includes, for example, a dredge, demersal seine net and demersal trawl net;

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

“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 fish whilst being towed along the sea bed by a fishing boat;

“dredge” means a mechanical dredge or suction dredge;

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- (a) The Department of Agriculture for Northern Ireland was renamed the Department of Agriculture and Rural Development by Article 3(4) of S.I. 1999/283 and renamed the Department of Agriculture, Environment and Rural Affairs in 2016 (c. 5 (N.I.)), section 1(2).
- (b) 1966 c.17 (N.I.); Section 124 was substituted by S.I. 1981/227 (N.I.7), Article 6, and relevant amendments were made by 2001 c.4 (N.I.) section 1 and S.I. 2002/790, Article 6(2). There is another amendment but it is not relevant.
- (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.

“Drumfad Bay scallop enhancement site” means the area of the sea drawn by a line joining each of the points lettered alphabetically in column 1 in Table 2 of the Schedule, the co-ordinates which are set out in columns 2 and 3 opposite each point;

“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;

“Roaring Rock scallop enhancement site” means the area of the sea drawn by a line joining each of the points lettered alphabetically in column 1 in Table 3 of the Schedule, the co-ordinates which are set out in columns 2 and 3 opposite each point;

“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;

“Whitehead scallop enhancement site” means the area of the sea drawn by a line joining each of the points lettered alphabetically in column 1 in Table 4 of the Schedule, the coordinates which are set out in columns 2 and 3 opposite each point.

Prohibited methods of fishing

3.—(1) Subject to paragraph (2) fishing for sea-fish using demersal mobile gear and diving for scallops is prohibited in—

- (a) Ballyquintin scallop enhancement site;
- (b) Drumfad Bay scallop enhancement site;
- (c) Roaring Rock scallop enhancement site;
- (d) Whitehead scallop enhancement site.

(2) The prohibition in paragraph (1) does not apply to any person who is operating within any of those sites under the authority of and in accordance with the terms and conditions of a permit granted under section 14 of the Act.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 26th October 2022.



Owen Lyttle
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

SCHEDULE

Regulation 2

Scallop Enhancement Sites

Table 1 Ballyquintin

<i>Points</i>	<i>Latitude</i>	<i>Longitude</i>
A.	54° 19.973'N	005° 29.668'W
B.	54° 19.74372'N	005° 28.5436'W
C.	54° 19.4295'N	005° 28.2073'W
D.	54° 18.86208'N	005° 29.7722'W
E.	54° 19.21842'N	005° 30.4834'W
F.	54° 19.782'N	005° 30.326'W

Table 2 Drumfad Bay

<i>Points</i>	<i>Latitude</i>	<i>Longitude</i>
A.	54° 36.059'N	005° 30.99'W
B.	54° 36.20898'N	005° 30.5348'W
C.	54° 35.75628'N	005° 29.5691'W
D.	54° 35.522'N	005° 30.159'W

Table 3 Roaring Rock

<i>Points</i>	<i>Latitude</i>	<i>Longitude</i>
A.	54° 10.073'N	005° 52.309'W
B.	54° 10.02924'N	005° 51.3788'W
C.	54° 08.60976'N	005° 51.9997'W
D.	54° 08.646'N	005° 52.904'W

Table 4 Whitehead

<i>Points</i>	<i>Latitude</i>	<i>Longitude</i>
A.	54° 45.811'N	005° 41.584'W
B.	54° 45.72978'N	005° 40.7575'W
C.	54° 44.196'N	005° 42.3457'W
D.	54° 44.336'N	005° 43.358'W

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prohibit fishing for sea-fish by demersal mobile fishing gear and diving for scallops in a number of defined locations within the Northern Ireland zone which have been established as scallop reseeded sites. These sites are located at Ballyquintin, Drumfad Bay, Roaring Rock and Whitehead. An exception to this prohibition applies to those who have a permit granted from the Department under section 14 of the Fisheries Act (Northern Ireland) 1966 to fish for scientific purposes.

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).

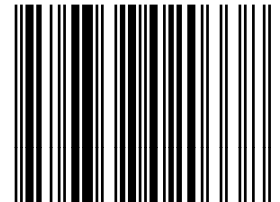
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