

S.I. No. 183 of 2006

Satellite-Based Vessel Monitoring Systems Regulations 2006

I, John Browne, Minister of State at the Department of Communications, Marine and Natural Resources, in exercise of the powers conferred on me by section 14 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No.8 of 2006), and the Marine (Delegation of Ministerial Functions) (No.2) Order 2006 (No. 167 of 2006), and for the purpose of giving full effect to Commission Regulation (EC) No. 2244/2003¹ of 18 December 2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems, hereby make the following Regulations:

1. These Regulations may be cited as the Satellite-Based Vessel Monitoring Systems Regulations 2006.
2. (1) In these Regulations -
“competent authority” means, as the context may require, the Minister or a sea-fisheries protection officer;
“Commission Regulation” means Commission Regulation (EC) No. 2244/2003¹ of 18 December 2003 and any further regulation of the Commission or the Council made after the making of these Regulations, which amends, extends, replaces or consolidates (with or without modification) the said Commission Regulation (as so defined).;
(2) A word or expression which is used in these Regulations and which is also used in the Commission Regulation has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Commission Regulation.
3. A contravention of any provision of the Commission Regulation relating to:
 - (a) sea-fishing boats within the exclusive fishery limits of the State; or
 - (b) an Irish sea-fishing boat wherever it may be,or a failure to comply with an obligation imposed by the Commission Regulation so relating, other than an obligation imposed on the State, shall, for the purposes of

¹ OJ No. L333/17 of 20.12.2003

subsection (3) of section 14 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 be deemed to be a contravention of these Regulations and the provisions of that Act relating to a contravention of a regulation under the said section 14 shall accordingly apply thereto.

4. A person shall not, in contravention of the Commission Regulation -
 - (a) cause a satellite-tracking device on a sea-fishing boat to be manually over-ridden or to record a false position, or
 - (b) destroy, damage, render inoperable or otherwise interfere with the proper operation of such a device.
5. A satellite-tracking device must be installed and be fully operational on a sea-fishing boat.

GIVEN under my hand,

13th April 2006

JOHN BROWNE

**Minister of State at the Department of Communications,
Marine and Natural Resources**

EXPLANATORY NOTE

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

These Regulations provide in Irish law for the provisions of Commission Regulation (EC) No. 2244/03 of 18 December 2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems. These Regulations require that sea fishing boats exceeding 15 metres in overall length have satellite based vessel monitoring systems installed. These Regulations do not apply to sea fishing boats used exclusively for aquaculture purposes and operating exclusively inside the baselines.

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