

**S.I. No. 237 of 2006**

**Whelk (Conservation of Stocks) 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 15 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), hereby make the following regulations:

1. These Regulations may be cited as the Whelk (Conservation of Stocks) Regulations, 2006.

2. (1) In these Regulations -

"Communication" means the Communication (85/C347/05) from the Commission of the European Communities on the description of the ICES sub-areas and divisions used for the purpose of fishery statistics and regulations in the north east Atlantic<sup>1</sup>;

"diameter" in relation to whelk, means the width of the shell across its broadest part where the longest dimension is the length from the apex of the shell to the end of the siphonal canal;

"specified area" means the parts of the sea described in the Annex to the Communication and referred to in that Annex as ICES Sub-area VI and Sub-area VII;

"whelk" means *Buccinum undatum*.

3. These Regulations apply to whelk whose diameter is less than 25 millimetres across its broadest part.

4 (1) An Irish sea-fishing boat shall not have whelk to which these Regulations apply on board taken in the specified area.

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<sup>1</sup> O.J. C347 of 31.12.1985

(2) The master or person in charge of an Irish sea-fishing boat shall not cause or permit the boat or any person to have whelk to which these Regulations apply on board taken in the specified area.

5. (1) An Irish sea-fishing boat shall not be used for the landing or transshipment of whelk to which these Regulations apply taken in the specified area.

(2) The master or person in charge of an Irish sea-fishing boat shall not cause or permit the boat to be used for the landing or transshipment of whelk to which these Regulations apply taken in the specified area.

6. Any whelk to which these Regulations apply taken in the specified area in the course of fishing shall be carefully handled and returned alive, immediately, to the sea.

7. A person shall not display, sell, offer for sale or store for the purposes of selling any whelk to which these Regulations apply taken in the specified area.

**GIVEN** under my hand,

4 May 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).

The effect of these Regulations is to prohibit the landing of any whelk whose diameter is less than 25mm across its broadest part.

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