



STATUTORY INSTRUMENTS.

**S.I. No. 461 of 2021**

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SEA-FISHERIES AND MARITIME JURISDICTION (MUSSEL SEED)  
(OPENING OF FISHERIES) REGULATIONS 2021

SEA-FISHERIES AND MARITIME JURISDICTION (MUSSEL SEED)  
(OPENING OF FISHERIES) REGULATIONS 2021

I, CHARLIE MCCONALOGUE, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by sections 3 and 15 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006) and the Sea-Fisheries, Foreshore and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 707 of 2007) (as adapted by the Agriculture, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Sea-Fisheries and Maritime Jurisdiction (Mussel Seed) (Opening of Fisheries) Regulations 2021.

(2) These Regulations shall come into operation on 14 September 2021 and shall cease to have effect on 16 December 2021.

2. In these Regulations “mussel seed” means mussels (*mytilus edulis*) whether alive or dead and includes any part of a mussel and the shell, or any part of the shell, of a mussel and which are not intended for direct human consumption.

3. (1) Subject to paragraph (2), a person may fish for mussel seed in the exclusive fishery limits of the State where that person holds an authorisation to fish for mussel seed granted under section 13 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 or a licence granted by the relevant competent authority of Northern Ireland.

(2) Paragraph (1) shall not apply to—

- (a) an area where fishing for mussels or mussel seed is prohibited by a Fisheries Natura Declaration made under Regulation 9 of the European Union (Birds and Natural Habitats) (Sea-fisheries) Regulations 2013 (S.I. No. 290 of 2013) other than -
  - (i) to the extent that fishing for mussel seed is permitted by a Castlemaine Harbour Fisheries Natura Permit, or
  - (ii) areas subject to an aquaculture licence issued under the Fisheries (Amendment) Act 1997 (No. 23 of 1997), in accordance with that licence, and

- (b) the Moville Area (within the meaning of the Foyle Fisheries Act 1952 (No. 5 of 1952)) and the Louth Area (within the meaning of section 31 of the British-Irish Agreement Act, 1999 (No. 1 of 1999)) or any part thereof, if, and to the extent that mussel seed fishing is subject to Regulations under section 13 of the Foyle Fisheries Act 1952.



L.S.

GIVEN under my Official Seal,  
10 September, 2021.

CHARLIE MCCONALOGUE,  
Minister for Agriculture, Food and the Marine.

#### EXPLANATORY NOTE

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

These Regulations are to provide for the opening of the mussel seed fishery from 14 September 2021.

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