

# S.I. No. 412/1993 - Common Sole (Control of Fishing in The Irish Sea) (No. 3) Order, 1993.

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S.I. No. 412 of 1993.

COMMON SOLE (CONTROL OF FISHING IN THE IRISH SEA) (No. 3) ORDER, 1993.

I, DAVID ANDREWS, Minister for the Marine, in exercise of the powers conferred on me by section 223A (inserted by [section 9](#) of the [Fisheries \(Amendment\) Act, 1978](#) (No. 18 of 1978), and amended by [section 4](#) of the [Fisheries \(Amendment\) Act, 1983](#) (No. 27 of 1983)) of the [Fisheries \(Consolidation\) Act, 1959](#) (No. 14 of 1959), and the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order, 1977 ( [S.I. No. 30 of 1977](#) ) (as adapted by the Tourism, Fisheries and Forestry (Alteration of Name of Department and Title of Minister) Order, 1987 ( [S.I. No. 82 of 1987](#) )), hereby order as follows:

1. This Order may be cited as the Common Sole (Control of Fishing in the Irish Sea) (No. 3) Order, 1993.
2. This Order shall come into operation on the 1st day of January, 1994.
3. (1) In this Order—

"the specified area" means the parts of the sea described in the Annex to the Communication and therein referred to as ICES Division VIIa);

"common sole" means *Solea vulgaris* otherwise known as black sole or Dover sole.

(2) In this Article—

"the 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 fishing statistics and regulations in the north-east Atlantic<sup>(1)</sup>;

"ICES" means the International Council for the Exploration of the Sea.

(3) In any proceedings in which a contravention of this Order is alleged *prima facie* evidence of the Communication may be given by the production of a copy of the Official Journal purporting to contain the Communication.

<sup>(1)</sup>O.J. C.347/14 of 31/12/85.

4. (1) From the 1st day of January, 1994, an Irish sea-fishing boat fishing by means of beam trawls or a person on board such boat may only land or tranship common sole from such boat, whether within the specified area or elsewhere, if the common sole so landed or transhipped did not exceed 40 *per cent* by weight of the total catch of all species of fish subject to quotas landed or transhipped on any occasion.