STATUTORY RULES OF NORTHERN IRELAND

2014 No. 96

FINANCIAL ASSISTANCE

The Sea Fishing (Financial Assistance to Fishing Boats) Scheme Regulations (Northern Ireland) 2014

Made - - - -	*21st March 2014*
Coming into operation	*26th March 2014*

The First Minister and deputy First Minister, acting jointly made on 14th March 2014 a determination under section 1(1) of the Financial Assistance Act (Northern Ireland) 2009 (**1**) ("the Act") and, acting jointly, they have designated the Department of Agriculture and Rural Development as the relevant Department under section 1(3)(a) of that Act.

Accordingly the Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred by sections 1(2), 3 and 4 of that Act.

The Office of the First Minister and deputy First Minister approves the Regulations in accordance with section 1(4) of the Act.

Citation and commencement

1. These Regulations may be cited as the Sea Fishing (Financial Assistance to Fishing Boats) Scheme Regulations (Northern Ireland) 2014 and shall come into operation on 26th March 2014.

Scheme

2. The Department of Agriculture and Rural Development makes the Scheme set out in the Schedule.

(**1**) 2009 c.2 (N.I.)

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 21st March 2014

L.S.

John Speers
A senior officer of the
Department of Agriculture and Rural
Development

The Office of the First Minister and deputy First Minister approves these Regulations.
Sealed with the Official Seal of the Office of the First Minister and deputy First Minister 21st March 2014

L.S.

Neill Jackson
A senior officer of the
Office of the First Minister and deputy First
Minister

SCHEDULE Regulation 2

The Sea Fishing (Financial Assistance to Fishing Boats) Scheme 2014

Citation

1. This Scheme may be cited as the Sea Fishing (Financial Assistance to Fishing Boats) Scheme 2014.

Interpretation

2.—(1) In this Scheme—

"application" means an application for financial assistance made under Article 5(3);

"days at sea" means days present in a geographical area subject to a fishing effort regime;

"the Department" means the Department of Agriculture and Rural Development;

"determination" means the determination of the First Minister and deputy First Minister; acting jointly and made on 14th March 2014 that exceptional circumstances exist, namely the operational difficulties experienced by the Northern Ireland fishing fleet as a consequence of severe and prolonged adverse weather conditions and the consequent hardship experienced by owners of fishing vessels, their crews and families, that it is desirable to provide financial assistance to prevent, control or mitigate the effect of these circumstances and that such assistance ought to be provided in accordance with a Scheme made under section 1 of the Financial Assistance Act (Northern Ireland) 2009;

"eligible person" shall be construed in accordance with Article 3(1);

"eligible Northern Ireland fishing boat" means a Northern Ireland fishing boat within the meaning of article 2(2) of the Sea Fisheries (Northern Ireland) Order 2002 (**2**) which—

has its port of administration in Northern Ireland;

is under 27 metres length overall; and

has spent 50 days at sea or more during the period 1st February 2013 to 31st January 2014 (both dates inclusive);

"financial assistance" means financial assistance under this Scheme;

"length overall" in relation to a fishing boat means the length of the boat measured in accordance with Article 2(1) of Council Regulation (EEC) No 2930/86 defining characteristics for fishing vessels (**3**); and

"port of administration", in relation to a fishing boat, means the port from which the licence granted in respect of the fishing boat under section 4 of the Sea Fish (Conservation) Act 1967(**4**) is issued.

(2) For the purposes of the definition of "days at sea", "days present in a geographical area" has the same meaning as in Article 26(6) of Council Regulation (EC) 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy(**5**).

(**2**) S.I. 2002/790.
(**3**) O.J. No L 274, 25.09.1986, p.1.
(**4**) 1967 c.84. Section 4 was substituted by the Fishery Limits Act 1976 (c.86), section 3, and relevant amendments have been made by the Fisheries Act 1981 (c.29), section 20, the Sea Fish (Conservation) Act 1992 (c.60), section 1, and S.I. 1999/1820, article 4.
(**5**) O.J. No L 343, 22.12.2009, p.1.