AN ROINN TAILTE

An Brainse Iascaigh

AN tACHT IASCAIGH (COMHDHLÚTHÚ), 1959.

Fodhlithe Oisrí Bhá Thrá Lí, Uimh. 506, 1961.

I bhfeidhmiú na gcumhachtaí a thugtar dom le halt 9 den Acht Iascaigh (Comhdhlúthú), 1959 (Uimh. 14 de 1959), déanaimse, MICHEÁL Ó MÓRÁIN, Aire Tailte, leis seo na fodhlithe seo a leanas:—

1. Fodhlithe Oisrí Bhá Thrá Lí, Uimh. 506, 1961, is teideal do na fodhlithe seo.

2. Tiocfaidh na fodhlithe seo i ngníomh an 1ú lá de Dheireadh Fómhair, 1961.

3. Sna fodhlithe seo ciallaíonn "leapacha oisrí Bhá Thrá Lí" na leapacha oisrí atá i mBá Thrá Lí nó ina chuanta nó ina ghóilíní nó ar chladach nó ar charraigeacha Bhá Thrá Lí.

4. Beidh feidhm ag na forálacha seo a leanas maidir le gach duine a bheidh ag iascach nó ag tógáil oisrí ar nó as leapacha oisrí Bhá Thrá Lí:

(*a*) déanfar na hoisrí go léir den sórt sin a thógfar nó a ghabhfar a thoghadh;

(*b*) aon oisrí is lú nó trí orlach san áit is mó tomhais é ní thabharfar chun siúil é ach caithfear ar ais láithreach san fharraige é;

(*c*) an grean agus na giotaí sliogán go léir a thógfar caithfear ar ais láithreach san fharraige iad;

(*d*) ní oibreófar níos mó ná dreidire amháin ó bhád aon tráth áirithe;

(*e*) ní bheidh béal aon dreidire a úsáidfear níos mó ná ceithre throigh ar feadh na taoibhe is faide de;

(*f*) ní bheidh aon dreidire ná gléas eile chun oisrí a thógáil ar bord aon bháid i rith an tseasúir choiscthe d'oisrí ar leapacha oisrí Bhá Thrá Lí;

(*g*) i rith mí Dheireadh Fómhair aon bhliain ní aistreofar ná ní thabharfar aon oisre as leapacha oisrí Bhá Thrá Lí ar shlí ar bith ar aon chor ach le dreidireacht.

5. Ní dhíolfaidh, ní aistreoidh, ní cheannóidh, ní ghlacfaidh ná ní iompróidh aon duine ná ní thaispeánfaidh aon duine le díol ná ní thabharfaidh aon duine uaidh ná ní bheidh ina choimeád ná ina sheilbh ag aon duine aon oisre—

(*a*) a tógadh as, nó a gabhadh, i leapacha oisrí Bhá Thrá Lí, agus

(*b*) is lú na trí orlach san áit is mó tomhais é.

DEPARTMENT OF LANDS

Fisheries Division.

FISHERIES (CONSOLIDATION) ACT, 1959.

Tralee Bay Oysters Bye-Laws, No. 506, 1961.

I, MICHEÁL Ó MÓRÁIN, Minister for Lands, in exercise of the powers conferred on me by section 9 of the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959), hereby make the following bye-laws:—

1. These bye-laws may be cited as the Tralee Bay Oysters Bye-laws, No. 506, 1961.

2. These bye-laws shall come into operation on the 1st day of October, 1961.

3. In these bye-laws "Tralee Bay oyster beds" means the oyster beds which are situated in Tralee Bay or the bays or inlets thereof or on the shores or rocks of Tralee Bay.

4. The following provisions shall apply in relation to all persons engaged in fishing for or taking oysters on or from the Tralee Bay oyster beds :

(*a*) all such oysters as may be taken or caught shall be culled;

(*b*) any oyster which measures less than three inches at its greatest dimension shall not be taken away but shall immediately be thrown back into the sea;

(*c*) all gravel and fragments of shell raised or taken shall immediately be thrown back into the sea;

(*d*) not more than one dredge shall be used from a boat at a particular time;

(*e*) the mouth of any dredge used shall not exceed four feet measured along its longest side;

(*f*) no boat shall have on board during the close season for oysters in the Tralee Bay oyster beds any dredge or other instrument for taking oysters;

(*g*) during the month of October in any year no oyster shall be removed or taken from the Tralee Bay oyster beds by any means whatsoever save by dredging.

5. A person shall not sell, expose for sale, give, transfer, purchase, receive, carry or have in his custody or possession any oyster which—

(*a*) has been taken from or caught on the Tralee Bay oyster beds, and

(*b*) measures less than three inches at its greatest dimension.

The version of these bye-laws in the Irish language prepared officially is printed on the opposite pages.

6. Aon duine a sháróidh fodhlí 4 nó fodhlí 5 de na fodhlithe seo beidh sé ciontach i gcion i gcoinne an fhodhlí sin agus ar a chiontú go hachomair dlífear fíneáil nach mó ná cúig phunt a chur air agus beidh aon inneall iascaireachta a úsáideadh ag déanamh an chiona ar forghéilleadh mar iarmairt reachtúil de dhroim an chiontaithe.

7. Cúlghairtear leis seo iad seo a leanas—

(*a*) an Fodhlí um Oisrí Bhá Thrá Lí, Uimh. 380, 1926;

(*b*) na *By-Laws, Rules and Regulations for the Oyster Fisheries of Tralee Bay* a rinne an Roinn Talmhaíochta agus Teagaisc Theicniúil d'Éirinn an 4ú lá de Shamhain, 1912, agus a cheadaigh an Fear Ionaid agus an Chomhairle Phríobháideach in Éirinn an 18ú lá d'Fheabhra, 1913;

(*c*) an *By-Law for the Oyster Fisheries of Tralee Bay* a rinne an Roinn Talmhaíochta agus Teagaisc Theicniúil d'Éirinn an 16ú lá de Mhárta, 1916, agus a cheadaigh an Fear Ionaid agus an Chomhairle Phríobháideach in Éirinn an 25ú lá d'Eanáir, 1917.

L. S.

ARNA THABHAIRT faoi mo Shéala Oifigiúil an 18ú lá seo de Mheán Fómhair, 1961.

MICHEÁL Ó MÓRÁIN,
Aire Tailte.

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6. Any person who contravenes bye-law 4 or bye-law 5 of these bye-laws shall be guilty of an offence against such bye-law and shall be liable on summary conviction thereof to a fine not exceeding five pounds and any fishing engine used in the commission of the offence shall as a statutory consequence of conviction stand forfeited.

7. The following are hereby revoked—

(*a*) the Tralee Bay Oysters By-law, No. 380, 1926;

(*b*) the By-Laws, Rules and Regulations for the Oyster Fisheries of Tralee Bay made by the Department of Agriculture and Technical Instruction for Ireland on the 4th day of November, 1912, and approved by the Lord Lieutenant and Privy Council in Ireland on the 18th day of February, 1913;

(*c*) the By-Law for the Oyster Fisheries of Tralee Bay made by the Department of Agriculture and Technical Instruction for Ireland on the 16th day of March, 1916, and approved by the Lord Lieutenant and Privy Council in Ireland on the 25th day of January, 1917.

L. S.

GIVEN under my Official Seal, this 18th day of September, 1961.

MICHEÁL Ó MÓRÁIN,
Minister for Lands.

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