



STATUTORY INSTRUMENTS.

S.I. No. 464 of 2009

EUROPEAN COMMUNITIES (QUALITY OF SHELLFISH
WATERS)(AMENDMENT) (NO. 2) REGULATIONS 2009

(Prn. A9/1694)

EUROPEAN COMMUNITIES (QUALITY OF SHELLFISH
WATERS)(AMENDMENT) (NO. 2) REGULATIONS 2009

I, JOHN GORMLEY, Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving effect to Council Directive No. 2006/113/EC of the European Parliament and of the Council of 12 December 2006, hereby make the following Regulations:

Citation

1. These Regulations may be cited as the European Communities (Quality of Shellfish Waters)(Amendment)(No. 2) Regulations 2009.

Interpretation

2. In these Regulations “the 2006 Regulations” means the European Communities (Quality of Shellfish Waters) Regulations 2006 (S.I. No. 268 of 2006).

Amendment of Section 6 of the 2006 Regulations

3. The 2006 Regulations are amended by inserting the following after Regulation 6:

“6A The Minister may give general directions in writing to a prescribed public authority in relation to the performance of its functions prescribed in an action programme established under this Regulation and, in performing these functions, the prescribed public authority shall have regard to those directions.”

Amendment of Schedule 3 of the 2006 Regulations

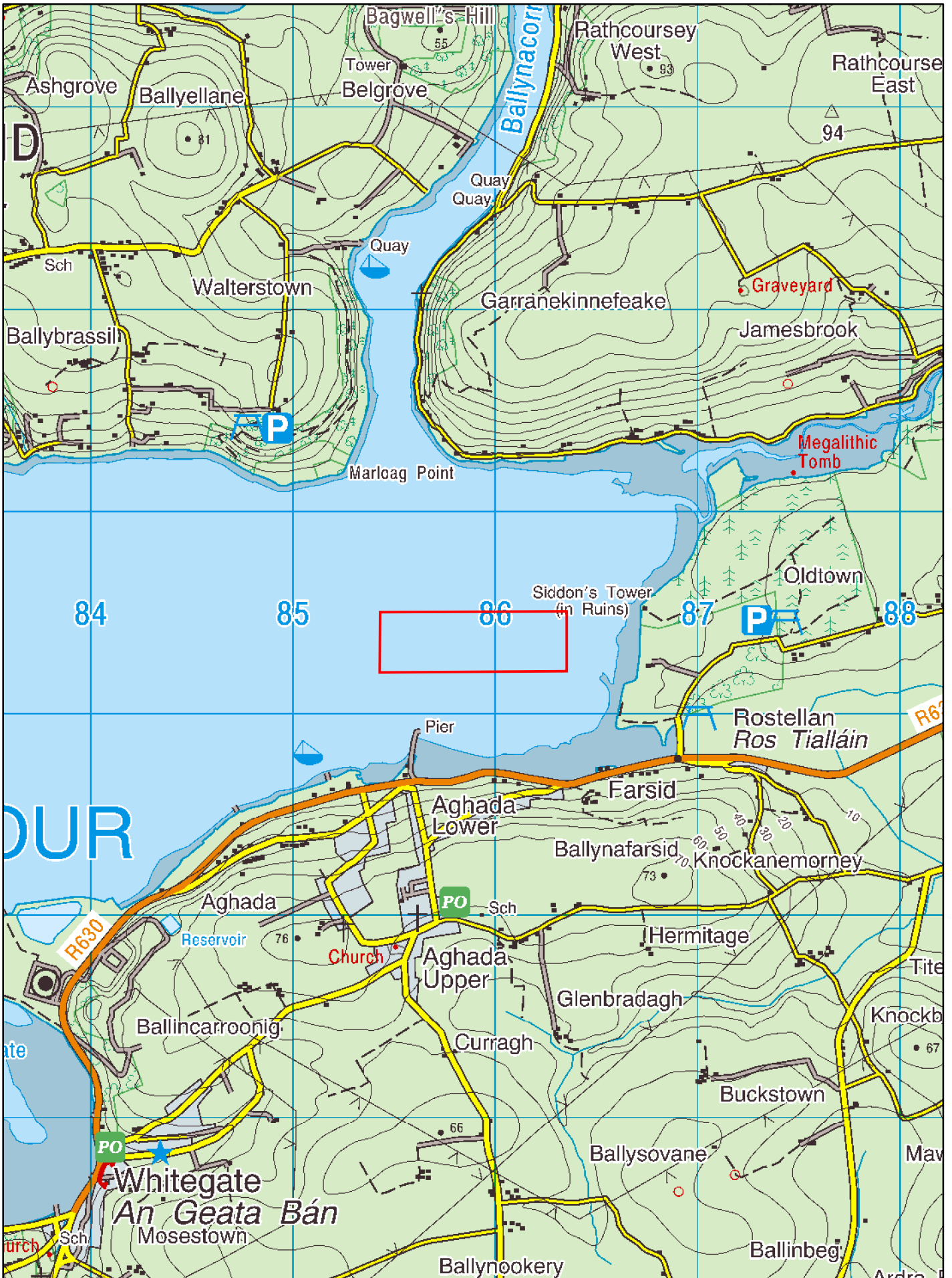
4. Schedule 3 of the 2006 Regulations is hereby amended by the addition of the shellfish waters specified in Schedule 1 of these Regulations.

SCHEDULE 1

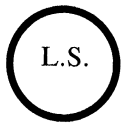
SHELLFISH WATERS

Rostellan West	All that area below the High Water Mark and enclosed by the red line as shown on the Map attached to these Regulations.
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*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 1st December, 2009.*



Map 38c: Rostellan West



GIVEN under my Official Seal,
26 November 2009.

JOHN GORMLEY,
Minister for the Environment, Heritage and Local Government.

EXPLANATORY NOTE

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

These Regulations amend the European Communities (Quality of Shellfish Waters) Regulations 2006 (S.I. 268 of 2006) and give the Minister for the Environment, Heritage and Local Government the power to issue directions to prescribed public authorities in relation to their obligations under action programmes, established to protect/improve the quality of the water in designated shellfish water sites. These Regulations also designate a new shellfish water site in Cork Harbour at Rostellan by amending Schedule 3 of S.I. 268 of 2006.

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