

STATUTORY INSTRUMENT

S.I. No. 309 of 2003

**SEA-FISHING BOAT LICENSING APPEALS (FEES)
REGULATIONS 2003**

I, Dermot Ahern, Minister for Communications, Marine and Natural Resources, in exercise of the powers conferred on me by section 20(1) of the Fisheries (Amendment) Act 2003 (No. 21 of 2003), with the consent of the Minister for Finance in relation to fees, hereby make the following regulations:

1. (1) These Regulations may be cited as the Sea-Fishing Boat Licensing Appeals (Fees) Regulations 2003.

(2) These Regulations come into operation on 1 August 2003.

2. In these Regulations "Act" means Fisheries (Amendment) Act 2003 (No. 21 of 2003).

3. (1) A notice of appeal, referred to in section 7(3) of the Act, shall be accompanied by —

(a) where the appellant is —

(i) the applicant for a, or the holder of the, licence to which the appeal relates, a fee of €380.91, or

(ii) a person, other than a person referred to in clause (i) above, a fee of €152.37, and

(b) where a request for an oral hearing of the appeal is stated in the notice, a fee of €76.18, in respect of the appeal.

(2) Where an appeal is withdrawn in accordance with section 7(1)(a) of the Act or abandoned in accordance with section 16(3) of the Act, the appellant is not entitled to a refund of any fee paid by him or her under paragraph (1) of this Regulation.

4. (1) A request by a party under section 8 of the Act for an oral hearing of an appeal shall be accompanied by a fee of €76.18.

(2) A party who has made a request under section 8 of the Act for an oral hearing of an appeal may, by notice in writing, before an Appeals Officer has decided whether or not to hold an oral hearing of the appeal, withdraw the request.

(3) Where a request under section 8 of the Act for an oral hearing is withdrawn, the party withdrawing the request is not entitled to a refund of the fee paid by him or her under paragraph (1) of this Regulation.

The Minister for Finance consents to the making of the foregoing Regulations in relation to fees.

(L.S.)

Given under the Official Seal
of the Minister for Finance,
11 July 2003

Charlie Mc Creevy
Minister for Finance.



Given under the Official Seal
21 July 2003

Dermot Ahern
Minister for Communications, Marine and Natural Resources.

EXPLANATORY NOTE

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

These Regulations prescribe the non-refundable fees payable on or after 1 August 2003 on making an appeal to an Appeals Officer under section 7 of the Fisheries (Amendment) Act 2003 (No. 21) and on application for an oral hearing of such an appeal under section 8 of that Act, against decisions of the licensing authority on sea-fishing boat licence applications or to revoke or amend sea-fishing boat licences.