

S.I. No. 812/2007 — Fisheries (Commercial Fishing Licences) (Alteration of Duties and Fees) Order 2007.

S.I. No. 812 of 2007

FISHERIES (COMMERCIAL FISHING LICENCES) (ALTERATION OF DUTIES AND FEES) ORDER 2007.

Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 21st December, 2007.

I, EAMON RYAN, Minister for Communications, Energy and Natural Resources, in exercise of the powers conferred on me by sections 68(4)(b) (as amended by section 4 of the Fisheries (Amendment) Act 1976 (No. 23 of 1976) (“Act of 1976”)), 159(5)(a) (inserted by section 20 of the Fisheries (Amendment) Act 1994 (No. 23 of 1994)), 160(5)(a) (as so inserted) and 279(2) (as amended by section 4 of the Act of 1976) of the Fisheries (Consolidation) Act 1959 (No. 14 of 1959), the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order 1977 (S.I. No. 30 of 1977) (as adapted by the Communications, Marine and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 706 of 2007)), hereby make the following order with respect to which, pursuant to sections 68(7) (inserted by section 6(g) of the Fisheries (Amendment) (No. 2) Act 1987 (No. 32 of 1987)) and 279(4) (inserted by section 3 of the Act of 1976) of the Fisheries (Consolidation) Act 1959 , in relation to Articles 4 and 5 of the following order, a draft has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House:

1. This Order may be cited as the Fisheries (Commercial Fishing Licences) (Alteration of Duties and Fees) Order 2007.

2. This Order comes into operation on 1 January 2008 and has effect as respects licences issued or renewed for a period commencing on or after that day.

3. In this Order—

“Act of 1994” means Fisheries (Amendment) Act 1994 (No. 23 of 1994);

“Principal Act” means Fisheries (Consolidation) Act 1959 (No. 14 of 1959);

“Order of 2006” means Fisheries (Miscellaneous Commercial Licences) (Alteration of Duties) Order 2006 (S.I. No. 628 of 2006).

4. The ordinary licence duty in respect of an ordinary fishing licence authorising the use of a fishing engine of a kind specified in column (2) of the Schedule at any reference number (altered by Article 4 of the Order of 2006) is altered to the amount specified in column (3) of the Schedule at that reference number.

5. The licence duty in respect of an oyster fishing licence (altered by Article 5 of the Order of 2006) is altered to €99.

6. The amount standing specified in section 159(1)(b)(ii) (inserted by section 20 of the Act of 1994) of the Principal Act (altered by Article 6 of the Order of 2006) is altered, in lieu of that amount, to €128.

7. The amount standing specified in section 160(1)(b) (inserted by section 20 of the Act of 1994) of the Principal Act (altered by Article 7 of the Order of 2006) is altered, in lieu of that amount, to €128.

8. The Order of 2006 is revoked.

SCHEDULE

Article 4

Reference Number(1)	Kind of Engine(2)	Annual Licence Duty(3)
		€
1.	Stake net or fly net	706
2.	Bag net	398
3.	Head weir	142
4.	Draft net	398
5.	Snap net	168

6.	Pole net	68
7.	Loop net	44
8.	Box for taking salmon in a fishing weir or a fishing mill dam	290
9.	Eye, gap or basket for taking eels in or on a fishing weir or a fishing mill dam	99
10.	Eel trap as used under licence in the No. 171 or Drogheda District in the Eastern Fisheries Region and in the No. 13 or Ballyshannon District in the Northern Fisheries Region.	161
11.	Long line for eels	99
12.	Coghill net for eels	99
13.	Fyke nets for eels	€99 for a train of 20 nets or less together with, in case the train is of more than 20 nets, €4.95 for each net in excess of 20.

GIVEN under my Official Seal,

17 December 2007

EAMON RYAN

Minister for Communications, Energy and Natural Resources.

EXPLANATORY NOTE.

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

This Order prescribes the licence fees to be payable from 1 January 2008 in respect of salmon commercial fishing licences including a salmon conservation levy equivalent to 50% of the licence fee. The proceeds of this levy will be invested in wild salmon management initiatives designed to rehabilitate wild salmon stocks and habitats. The Order also prescribes the licence fees to be payable in respect of eel and oyster commercial fishing licences and salmon, eel and molluscan shellfish dealers' licences issued or renewed for a period commencing on or after 1 January 2008.

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