

Statutory Instruments

S.I. No. 501 of 2004

Sea-Fishing Boat Licensing Appeals (Fees) Regulations 2004

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 2004.

(2) These Regulations are deemed to have come into operation on 6 July 2004.

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, or the holder of, a licence in respect of a sea-fishing boat of less than 12 metres in length overall to which the appeal relates, a fee of €150,

(ii) the applicant for, or the holder of, a licence other than a licence referred to in clause (i) above, a fee of €380,

(iii) a person, other than a person referred to in clause (i) or (ii) above, a fee of €150, and

(b) where a request for an oral hearing of the appeal is stated in the notice, a fee of €76, 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(2) Where an appeal is withdrawn in accordance with section 7(1)(a) of the Act or abandoned in accordance with section 16(3) of the Act, the appellant is not entitled to a refund of any fee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.

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(3) Where a request under section 8 of the Act for an oral hearing is withdrawn, the party withdrawing the request is not entitled to a refund of the fee paid by him or her under paragraph (1) of this Regulation.

5. The Sea-fishing Boat Licensing Appeals (Fees) Regulations 2003 (S.I. No. 309 of 2003) are revoked.

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

GIVEN under the Official Seal of the
Minister for Finance,
30 July 2004

JAMES O' BRIEN

A person authorised by the Minister for Finance under section 15(1) of the Ministers and Secretaries Act 1924 to authenticate the Seal of the Minister

GIVEN under my Official Seal,
30 July 2004

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 revoke and replace the Sea-fishing Boat Licensing Appeals (Fees) Regulations 2003 for the purpose of reducing, with effect on and from 6 July 2004, from €380.91 to €150 the non-refundable appeal fee payable by an appellant who is the applicant for, or the holder of, a licence in respect of a sea-fishing boat of less than 12 metres in length overall to which the appeal relates. Subject to reduction downwards to whole amounts, for convenience, all of the other non-refundable appeal fees prescribed in the 2003 Regulations stand.