

AQUACULTURE LICENSING APPEALS (FEES) REGULATIONS, 1998

I, Michael Woods, Minister for the Marine and Natural Resources, in exercise of the powers conferred on me by sections 60 and 63(1)(b) of the Fisheries (Amendment) Act, 1997 (No. 23 of 1997) (as adapted by the Marine (Alteration of Name of Department and Title of Minister) Order, 1997 (S.I. No. 301 of 1997)), and with the consent of the Minister for Finance, hereby make the following regulations:

1. (1) These Regulations may be cited as the Aquaculture Licensing Appeals (Fees) Regulations, 1998.

(2) These Regulations shall come into operation on the 27th day of November, 1998.

2. In these Regulations -

"the Act" means the Fisheries (Amendment) Act, 1997 (No. 23 of 1997);

"appeal" means an appeal under section 40 of the Act;

"the Board" means the Aquaculture Licences Appeals Board established under section 22 of the Act;

"the Schedule" means the Schedule to these Regulations.

3. (1) A person making an appeal shall pay a fee to the Board in the amount specified in column 2 of the Schedule opposite the mention in column 1 of the Schedule of the class or description of appeal concerned.

(2) A person making an appeal shall not be entitled to a refund of any fee paid to the Board in respect of that appeal where the appeal is withdrawn or the provisions of section 54 of the Act apply.

4. (1) A person making a request to the Board for an oral hearing shall pay a fee of £60 to the Board.

(2) The fee referred to in paragraph (1) of this Regulation shall be payable in addition to any fee payable by virtue of Regulation 3 of these Regulations.

(3) A person referred to in paragraph (1) of this Regulation may, by written notice, withdraw such a request before the Board has decided whether or not to hold an oral hearing of the appeal.

(4) Withdrawal of a request for an oral hearing shall not give rise to an entitlement to a refund of any fee paid to the Board in relation to such request.

SCHEDULE

Regulation 3

Fees payable to the Board

Column 1

Class or description of Appeal

Column 2

Amount of Fee

1. An appeal by an applicant for a licence against a decision by the Minister in respect of that application.

£300

2. An appeal by the holder of a licence against the revocation or amendment of that licence by the Minister.

£300

3. An appeal by a person other than a person referred to elsewhere in this Schedule.

£120

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

GIVEN under the Official Seal of the Minister for Finance, this 25th day of November, 1998.

CHARLIE McCREEVY

Minister for Finance

GIVEN under my Official Seal, this 25th day of November, 1998.

MICHAEL WOODS

Minister for the Marine and Natural Resources

EXPLANATORY NOTE

These Regulations prescribe the fees payable to the Aquaculture Licences Appeals Board in relation to appeals to the Board under Section 40 of the Fisheries (Amendment) Act, 1997 (No. 23) including oral hearings of such appeals, against Ministerial decisions on aquaculture licence applications or to revoke or amend aquaculture licences.