



STATUTORY INSTRUMENTS.

S.I. No. 40 of 2010.



FISHERIES (COMMERCIAL FISHING LICENCES) (ALTERATION OF
DUTIES AND FEES) ORDER 2010.

(Prn. A10/0205)

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FISHERIES (COMMERCIAL FISHING LICENCES) (ALTERATION OF DUTIES AND FEES) ORDER 2010.

I, CONOR LENIHAN, Minister of State at the Department of 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), (“Act 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) (“Principal Act”), 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)), and the Energy and Natural Resources (Delegation of Ministerial Functions) Order 2009 (S.I. No. 199 of 2009), 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)), 279(4) (inserted by section 3 of the Act of 1976), 159(5)(b) (inserted by section 20 of the Act of 1994 and 160(5)(b) (as so inserted) of the Principal Act, 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 2010.

2. This Order comes into operation on 10 February 2010 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 2007” means Fisheries (Commercial Fishing Licences) (Alteration of Duties and Fees) Order 2007 (S.I. No. 812 of 2007).

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 2007) is altered to the amount specified in column (3) of the Schedule at that reference number.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 16th February, 2010.

5. The licence duty in respect of an oyster fishing licence (altered by Article 5 of the Order of 2007) is altered to €89.

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 2007) is altered, in lieu of that amount, to €115.

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 2007) is altered, in lieu of that amount, to €115.

8. The Order of 2007 is revoked.

SCHEDULE

Reference Number (1)	Kind of Engine (2)	Annual Licence Duty (3)
		€
1.	Stake net or fly net	636
2.	Bag net	358
3.	Head weir	128
4.	Draft net	358
5.	Snap net	152
6.	Pole net	62
7.	Loop net	39
8.	Box for taking salmon in a fishing weir or a fishing mill dam	262

GIVEN under my hand,
10 February 2010.

CONOR LENIHAN,
Minister of State at the Department of 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 for the 2010 season 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 oyster commercial fishing licences and salmon and molluscan shellfish dealers' licences issued or renewed for the 2010 season.

BAILE ÁTHA CLIATH
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