



STATUTORY INSTRUMENTS.

S.I. No. 538 of 2009.

SPECIAL TIDAL WATERS (SPECIAL LOCAL LICENCES)
(ALTERATION OF DUTIES) ORDER 2009

(Prn. A9/1850)

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SPECIAL TIDAL WATERS (SPECIAL LOCAL LICENCES)
(ALTERATION OF DUTIES) ORDER 2009

I, CONOR LENIHAN, Minister of State at the Department of Communications, Energy and Natural Resources, in exercise of the powers conferred on me by section 74(6) of the Fisheries (Consolidation) Act 1959 (No. 14 of 1959) and 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), with the consent of the Minister for Finance, hereby order as follows:

1. This Order may be cited as the Special Tidal Waters (Special Local Licences) (Alteration of Duties) Order 2009.

2. This Order comes into operation on 1 January 2010 and has effect as respects licences issued or renewed for a period commencing on or after that day.

3. In this Order “Order of 2007” means Special Tidal Waters (Special Local Licences Alteration of Duties) Order 2007 (S.I. No. 795 of 2007).

4. The River Erne (Special Local Licences) Order 1934 (S.R. & O. No. 178 of 1934) is amended by substituting for Article 4 (inserted by Article 4 of the Order of 2007) the following:

“4. (1) The licence duty to be paid in respect of every special local licence to use a draft net granted under this Order is €358.

(2) Subject to paragraph (3), the licence duty to be paid in respect of every special local licence to fish for salmon with a single rod and line granted under this Order is €90.

(3) Where a special local licence to fish for salmon with a single rod and line is granted under this Order for any year to a person to whom a salmon rod (annual) ordinary licence has been granted for that year, the licence duty payable in respect of such special local licence is reduced by €66.”.

5. The River Owenea and Owentocker (Special Local Licences) Order 1935 (S.R. & O. No. 39 of 1935) is amended by substituting for Article 4 (inserted by Article 5 of the Order of 2007) the following:

“4. The licence duty to be paid in respect of every special local licence to use a draft net granted under this Order is €490.”.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 22nd December, 2009.*

6. The River Lackagh (Special Local Licences) Order 1943 (S.R. & O. No. 15 of 1943) is amended by substituting for Article 4 (inserted by Article 6 of the Order of 2007) the following:

“4. (1) The licence duty to be paid in respect of every special local licence to use a draft net granted under this Order is €490.

(2) Subject to paragraph (3), the licence duty to be paid in respect of every special local licence to fish for salmon with a single rod and line granted under this Order is €90.

(3) Where a special local licence to fish for salmon with a single rod and line is granted under this Order for any year to a person to whom a salmon rod (annual) ordinary licence has been granted for that year, the licence duty payable in respect of such special local licence is reduced by €66.”.

7. The Rivers Owenmore and Owenduff (Special Local Licences) Order 1967 (S.I. No. 34 of 1967) is amended by substituting for Article 3 (inserted by Article 7 of the Order of 2007) the following:

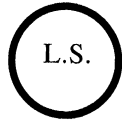
“3. (1) The licence duty to be paid in respect of every special local licence to use a draft net granted under this Order is €490.

(2) Subject to paragraph (3) of this Article the licence duty to be paid in respect of every special local licence to fish for salmon with a single rod and line granted under this Order is €90.

(3) Where a special local licence to fish for salmon with a single rod and line is granted under this Order for any year to a person to whom a salmon rod (annual) ordinary licence has been granted for that year, the licence duty payable in respect of such special local licence is reduced by €66.”.

8. The Order of 2007 is revoked.

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



GIVEN under the Official Seal of the Minister for Finance,
15 December 2009.

BRIAN LENIHAN,
Minister for Finance.

GIVEN under my hand,
17 December 2009.

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 from 1 January 2010 in respect of special local salmon 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.

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
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€2.54

