



STATUTORY INSTRUMENTS.

S.I. No. 301 of 2012



AQUACULTURE (LICENCE APPLICATION) (AMENDMENT)
REGULATIONS 2012

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I, SIMON COVENEY, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by sections 10 and 70 of the Fisheries (Amendment) Act 1997 (No. 23 of 1997) and the Sea Fisheries, Foreshore and Dumping at Sea (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 707 of 2007) (as adapted by the Agriculture, Fisheries and Food (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 455 of 2011)), hereby make the following regulations:

1. These Regulations may be cited as the Aquaculture (Licence Application) (Amendment) Regulations 2012.

2. The Aquaculture (Licence Application) Regulations 1998 (S.I. No. 236 of 1998) are amended—

(a) in Regulation 8(1), by substituting the following—

“8. (1) On the Minister’s instruction and in any case not later than 2 weeks after the issue of that instruction, the applicant shall publish, in a newspaper circulating in the vicinity of the location of the proposed aquaculture, a notice of application in a format as determined by the Minister.”,

(b) in Regulation 9(1), by substituting the following—

“9. (1) A person may make written submissions or observations in accordance with paragraph (2) to the Minister concerning the proposed aquaculture by sending the submissions or observations by post to the address specified in the notice or leaving the submissions or observations with an officer of the Minister during office hours at the address specified in the notice—

(a) within 8 weeks of publication of a notice of an application requiring an environmental impact statement, or

(b) within 4 weeks in all other cases.”,

(c) in Regulation 10(3), by substituting the following—

“(3) A body notified of an application under paragraph (1) may make written submissions or observations to the Minister on that application within 6 weeks of the receipt of the notification or within

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd August, 2012.*

8 weeks where the application is accompanied by an environmental impact statement.”,

(d) in Regulation 11, by substituting the following—

“11. (1) Where an environmental impact statement has been submitted under Regulation 5, on the instructions of the Minister the applicant shall—

(a) furnish copies of the application and environmental impact statement to the bodies specified in Regulation 10(1) and such other bodies as the Minister may direct, and

(b) inform them in writing of their right to make submissions or observations in accordance with paragraph (2).

“(2) Within 8 weeks after a body is furnished under this Regulation with a copy of the application and the environmental impact statement, that body may make written submissions or observations to the Minister concerning the effects on the environment of the proposed aquaculture.”,

(e) in Regulation 12(3)(a), by substituting the following—

“(a) on the Minister’s instruction and in any case not later than 2 weeks after the issue of that instruction, publish in a newspaper circulating in the area of the proposed aquaculture a notice in a format as determined by the Minister,”,

and

(f) by deleting the Second, Third and Fourth Schedule.

3. The following instruments are revoked—

(a) Aquaculture (Licence Application) (Amendment) Regulations 2001 (S.I. No. 145 of 2001), and

(b) Aquaculture (Licence Application) (Amendment) Regulations 2006 (S.I. No. 197 of 2006).



GIVEN under my Official Seal,
31 July 2012.

SIMON COVENEY,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

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

These Regulations amend the Aquaculture (Licence Application) Regulations 1998 (S.I. No. 236 of 1998) by increasing both the public and statutory consultation period in respect of an aquaculture licence application which is accompanied by an environmental impact statement.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
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