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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 209**

**The Sea Fishing (Licences and Notices)  
Regulations (Northern Ireland) 2014**

**Manner in which a licence is granted and a variation, suspension or revocation is effected**

3.—(1) A licence [<sup>F1</sup>, other than a temporary foreign vessel licence,] is to be granted by the Department to the owner or charterer of a <sup>F2</sup>... fishing boat by delivering it to [<sup>F3</sup>an appropriate recipient]

(2) A licence [<sup>F4</sup>(other than a temporary foreign vessel licence)] must be delivered by-

- (a) personally delivering it to the recipient;
- (b) sending it by post to the recipient at the recipient's address or place of business;
- (c) leaving it at the recipient's address or place of business, or in the hands of a person there who is apparently over the age of 16; or
- (d) subject to paragraph (7), transmitting it to the recipient by means of an electronic communication to an address which the recipient has specified for the purposes of subparagraph (b) of that paragraph.

(3) A variation, suspension or revocation of a licence by the Department is to be effected by communicating written notice of it to [<sup>F5</sup>an appropriate recipient]

(4) A notice must be communicated to the recipient by-

- (a) a method specified in paragraph (2);
- (b) publishing the notice on a website (1), the address of which is indicated on the licence to which the notice relates; or
- (c) where the notice is a general notice, publishing it in a newspaper.

[<sup>F6</sup>(4A) In paragraphs (1) to (4), “an appropriate recipient” means—

- (a) in relation to a licence or notice relating to a Northern Ireland fishing boat—
  - (i) the owner or charterer of the fishing boat, or
  - (ii) a nominee of that owner or charterer;
- (b) in relation to a licence or notice relating to a foreign fishing boat, the owner or charterer of the fishing boat.

(4B) A temporary foreign vessel licence is to be granted to the owner or charterer of a foreign fishing boat by delivering it to the relevant person by—

- (a) transmitting it to the relevant person by means of an electronic communication, and
- (b) subsequently publishing it on the website of the Department or of a person granting the licence on its behalf.

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(1) As of the date of making of these Regulations, the address of the website for the purposes of regulation 3(4)(b) is <http://www.dardni.gov.uk/vessel-licence-variations.htm>. Any alteration to that address will be notified to the licence holder or any nominee, as the case may be.

- (4C) In paragraph (4B), “the relevant person”, in relation to a foreign fishing boat, means—
- (a) if the fishing boat is registered in a member State, the European Commission;
  - (b) if the fishing boat is registered in a country or territory that is not a member State, the authority in that country or territory that is responsible for the regulation of fishing boats.]
- (5) A general notice must specify -
- (a) that it applies to all sea fishing licences; or
  - (b) the class of sea fishing licence to which it applies by reference to species, area, method or licence type, or any combination of those matters.
- (6) A notice other than a general notice must specify the licence to which it relates by reference to the name, port letters and number of the fishing boat in respect of which the licence was granted.
- (7) A licence may be delivered and a notice may be communicated by means of an electronic communication as described in paragraph (2)(d) only if the following conditions are satisfied-
- (a) the use of an electronic communication results in the information contained in the licence or notice being available to the person in all material respects as it would appear in a licence or notice in printed form; and
  - (b) the person has specified an address for the purpose of receiving such communication.
- (8) In this regulation a “general notice” means a notice which relates to –
- (a) all sea fishing licences; or
  - (b) all sea fishing licences authorising fishing-
    - (i) for one of more specified descriptions of sea fish,
    - (ii) in one or more specified areas,
    - (iii) by a specified method or methods,
    - (iv) by licence type; or
    - (v) by reference to a combination of two or more of the matters referred to in heads (i) to (iv).
- (9) Section 24(1) of the Interpretation Act (Northern Ireland) 1954 (service of documents) has effect in relation to the delivery of a licence or the communication of a notice by post with the omission of the word “registering”.

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| <b>F1</b> | Words in <a href="#">reg. 3(1)</a> inserted (31.12.2020) by <a href="#">Fisheries Act 2020 (c. 22)</a> , s. 54(3)(b), <a href="#">Sch. 4 para. 20(4)(a)(i)</a> (with s. 50, <a href="#">Sch. 4 para. 31</a> )           |
| <b>F2</b> | Words in <a href="#">reg. 3(1)</a> omitted (31.12.2020) by virtue of <a href="#">Fisheries Act 2020 (c. 22)</a> , s. 54(3)(b), <a href="#">Sch. 4 para. 20(4)(a)(ii)</a> (with s. 50, <a href="#">Sch. 4 para. 31</a> ) |
| <b>F3</b> | Words in <a href="#">reg. 3(1)</a> substituted (31.12.2020) by <a href="#">Fisheries Act 2020 (c. 22)</a> , s. 54(3)(b), <a href="#">Sch. 4 para. 20(4)(a)(iii)</a> (with s. 50, <a href="#">Sch. 4 para. 31</a> )      |
| <b>F4</b> | Words in <a href="#">reg. 3(2)</a> inserted (31.12.2020) by <a href="#">Fisheries Act 2020 (c. 22)</a> , s. 54(3)(b), <a href="#">Sch. 4 para. 20(4)(b)</a> (with s. 50, <a href="#">Sch. 4 para. 31</a> )              |
| <b>F5</b> | Words in <a href="#">reg. 3(3)</a> substituted (31.12.2020) by <a href="#">Fisheries Act 2020 (c. 22)</a> , s. 54(3)(b), <a href="#">Sch. 4 para. 20(4)(c)</a> (with s. 50, <a href="#">Sch. 4 para. 31</a> )           |
| <b>F6</b> | <a href="#">Reg. 3(4A)-(4C)</a> inserted (31.12.2020) by <a href="#">Fisheries Act 2020 (c. 22)</a> , s. 54(3)(b), <a href="#">Sch. 4 para. 20(4)(d)</a> (with s. 50, <a href="#">Sch. 4 para. 31</a> )                 |

#### Commencement Information

- I1** [Reg. 3](#) in operation at 8.8.2014, see [reg. 1\(1\)](#)

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**Changes to legislation:** *There are currently no known outstanding effects for the The Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014, Section 3. (See end of Document for details)*

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