



STATUTORY INSTRUMENTS.

S.I. No. 5 of 2020



STATISTICS (CARRIAGE OF GOODS AND PASSENGERS BY SEA)
ORDER 2020

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I, LEO VARADKAR, Taoiseach, in exercise of the powers conferred on me by section 25(1) of the Statistics Act 1993 (No. 21 of 1993), and for the purpose of giving further effect to Directive 2009/42/EC of the European Parliament and of the Council of 6 May 2009¹, as amended by Commission Decision 2010/216/EU of 14 April 2010², Regulation (EU) No. 1090/2010 of the European Parliament and of the Council of 24 November 2010³ and Commission Delegated Decision 2012/186/EU of 3 February 2012⁴, in so far as it relates to Annex VIII thereto, hereby order as follows:

1. This Order may be cited as the Statistics (Carriage of Goods and Passengers by Sea) Order 2020.

2. (1) In this Order -

“Act of 1993” means the Statistics Act 1993 (No. 21 of 1993);

“data set” means a data set specified in Annex VIII to the Directive;

“Directive” means Directive 2009/42/EC of the European Parliament and of the Council of 6 May 2009¹, as amended by Commission Decision 2010/216/EU of 14 April 2010², Regulation (EU) No. 1090/2010 of the European Parliament and of the Council of 24 November 2010³ and Commission Delegated Decision 2012/186/EU of 3 February 2012⁴;

“goods” includes goods shipped to offshore installations and goods reclaimed from the seabed and unloaded in ports but does not include bunkers and stores supplied to seagoing vessels;

“quarter” means a period of 3 months ending on 31 March, 30 June, 30 September or 31 December in any year;

“seagoing vessel” means a seagoing vessel other than -

¹ OJ No. L 141, 6.6.2009, p. 29

² OJ No. L 94, 15.4.2010, p. 33

³ OJ No. L 325, 9.12.2010, p. 1

⁴ OJ No. L 101, 11.4.2012, p. 5

- (a) a vessel which navigates exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply,
- (b) a fish-catching vessel,
- (c) a fish-processing vessel,
- (d) a vessel for drilling and exploration,
- (e) a tug,
- (f) a pusher craft,
- (g) a research and survey vessel,
- (h) a dredger,
- (i) a naval vessel, or
- (j) a vessel used solely for non-commercial purposes;

“survey” means the survey that is conducted by the Central Statistics Office for the purposes of obtaining information specified in Articles 3, 4, 6 and 7, including for the purposes of compliance with the Directive in so far as it relates to Annex VIII thereto.

(2) A word or expression that is used in this Order and also used in the Directive has the same meaning in this Order as in the Directive, except where the context otherwise requires.

3. A requirement on a port authority specified in Part 1 of the Schedule to provide, for the purposes of the survey, information in accordance with data sets A1, A2, C1, D1 and F2 relating to -

- (a) the goods loaded onto or unloaded from, and the passengers who embarked onto or disembarked from, each seagoing vessel of a maritime transport operator, and
- (b) each vessel referred to in paragraph (a),

at each port of the port authority during a quarter specified in Article 5 is prescribed for the purposes of section 25 of the Act of 1993.

4. A requirement on a port authority specified in Part 2 of the Schedule to provide, for the purposes of the survey, information in accordance with data sets A1, A2, C1 and F2 relating to -

- (a) the goods loaded onto or unloaded from each seagoing vessel of a maritime transport operator, and

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- (b) each vessel referred to in paragraph (a),

at each port of the port authority during a quarter specified in Article 5 is prescribed for the purposes of section 25 of the Act of 1993.

5. The port authorities in relation to whom a requirement to provide information is prescribed in Article 3 or 4 shall provide the relevant information -

- (a) where the information relates to the quarter ending on 31 December 2019, once only, and
- (b) quarterly, and in relation to the immediately preceding quarter, in the period from 1 April 2020 to 31 December 2024.

6. A requirement on a port authority specified in Part 1 or 2 of the Schedule to provide, for the purposes of the survey, information in accordance with data sets A3, B1 and E1 relating to -

- (a) the goods loaded onto or unloaded from, and the passengers who embarked onto or disembarked from, each seagoing vessel of a maritime transport operator, and
- (b) each vessel referred to in paragraph (a),

at each port of the port authority during a year specified in Article 8 is prescribed for the purposes of section 25 of the Act of 1993.

7. A requirement on a port authority specified in Part 3 of the Schedule, to provide, for the purposes of the survey, information in accordance with data set A3 relating to -

- (a) the goods loaded onto or unloaded from, and the passengers who embarked onto or disembarked from, each seagoing vessel of a maritime transport operator, and
- (b) each vessel referred to in paragraph (a),

at each port of the port authority during a year specified in Article 8 is prescribed for the purposes of section 25 of the Act of 1993.

8. The port authorities in relation to whom a requirement to provide information is prescribed in Article 6 or 7 shall provide the relevant information -

- (a) where the information relates to 2019, once only, and
- (b) annually, and in relation to the immediately preceding year, in the period 2021 to 2024.

SCHEDULE

PART 1

Port Authorities to which Articles 3 and 6 apply

1. Port of Cork Company.
2. Dublin Port Company.
3. Iarnród Éireann - Irish Rail in so far as the control or management of Rosslare Harbour is concerned.

PART 2

Port Authorities to which Articles 4 and 6 apply

1. Bantry Bay Harbour Commissioners.
2. Drogheda Port Company.
3. Shannon Foynes Port Company.
4. Port of Waterford Company.

PART 3

Port Authorities to which Article 7 applies

1. Arklow Harbour Commissioners.
2. Carlingford Lough Shipping Agency Ltd. in so far as the control or management of Greenore Port is concerned.
3. Dún Laoghaire Harbour Company.
4. Dundalk Harbour Commissioners.
5. Galway Harbour Company.
6. Kilrush Town Council in so far as the maintenance of Cappa Pier at Kilrush is concerned.
7. Kinsale Harbour Commissioners.
8. The Minister for Agriculture, Food and the Marine in so far as:
 - (a) the fishery harbour centre referred to as Castletownbere Fishery Harbour Centre in the Fishery Harbour Centre (Castletownbere) Order 1970 (S.I. No. 57 of 1970) is concerned;

- (b) the fishery harbour centre referred to as Killybegs Fishery Harbour Centre in the Fishery Harbour Centre (Killybegs) Order 1969 (S.I. No. 210 of 1969) is concerned.
9. New Ross Port Company.
 10. Sligo Harbour Commissioners.
 11. Tralee and Fenit Pier and Harbour Commissioners.
 12. Wicklow Port Company.
 13. Youghal Town Council in so far as the maintenance of Youghal Harbour is concerned.



GIVEN under my Official Seal,
14 January 2020.

LEO VARADKAR
Taoiseach.

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