



Foyle Fisheries Act (Northern Ireland) 1952

1952 CHAPTER 5

PART I

PRELIMINARY AND GENERAL

2 Interpretation.

(1) In this Act—

Definition rep. by SI 1999/859

“authorised person” has the meaning given to it by section fifty-three;

[^{F1}“the Commission” means the Foyle, Carlingford and Irish Lights Commission;]

[^{F2} “deleterious matter” means any substance (including an explosive) the entry or discharge of which into any waters is liable to render those or any other waters poisonous or injurious to fish, spawning grounds or the food of any fish or to injure fish in their value as human food or to impair the usefulness of the bed and soil of any waters as spawning grounds or their capacity to produce the food of fish;]

“establishment date” means the date appointed by order made under section ten;

^{F3}

“the Fisheries Acts” means [^{F4} the Fisheries Act (Northern Ireland) 1966 as amended by any subsequent enactment];

Definitions rep. by SI 1999/859

“fishing engine” means any engine, net or instrument whatsoever capable of being used for the taking of fish;

“fishing licence” means a licence issued by the Commission under regulations made by the Commission under this Act;

“the Foyle Area” has the meaning given to it by section three;

“inquiry” means an inquiry conducted under section eighty;

Changes to legislation: Foyle Fisheries Act (Northern Ireland) 1952, Section 2 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“the Irish Society” means the body entitled the Society of the Governor and Assistants, London, of the New Plantation of Ulster within the Realm of Ireland;

“the Londonderry Area” means the area which was constituted by the Fishery Districts (Northern Ireland) Order, 1925, as the Londonderry District;

“the Londonderry Board” means the board of conservators for the said Londonderry District;

“the Minister” means the Minister for Agriculture^{F5} of the Republic of Ireland;

“the Ministry” means the Ministry of Commerce^{F6};

[^{F1}“the Newry Area” means so much of the Carlingford Area as is in Northern Ireland;

“NSMC” has the same meaning as in the North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999;]

“prescribed” means prescribed by regulations made by the Commission under this Act;

[^{F7}“river” includes a branch of a river and any stream, lake, estuary or watercourse;]

“salmon” includes sea trout, all fish of the salmon species, and the spawn and fry thereof;

[^{F8}“several fishery” means any fishery lawfully possessed and enjoyed as such under any title whatsoever, being a good and valid title at law, exclusively of the public by any person or persons whether in navigable waters or in waters not navigable, and whether the soil covered by such waters is vested in such person or persons or in any other person;]

[^{F2} “substance” includes any liquid or gas;]

“trout” includes all fish of the brown trout kind and their spawn and fry but does not include sea trout;

Definition rep. by 1981 NI 7

[^{F9}“waters” includes any river or part of the sea;]

[^{F10}(2) In this Act, except in Part VIA, “fish” (when used without any qualification) includes—

- (a) freshwater fish of any kind;
- (b) salmon and other fish or a kind that migrates to and from the sea;
- (c) sea bass and tope;
- (d) eels and elvers;
- (e) mussels;
- (f) oysters;
- (g) the spawn, fry, brood and spat of any kind of fish mentioned in paragraphs (a) to (f);
- (h) any part of any kind of fish mentioned in paragraphs (a) to (g).

(3) In subsection (2)(a), “freshwater fish” means any fish living in fresh water, other than a kind of fish that migrates to and from the sea.

(4) In this Act any reference to a river includes a reference to the channel or bed of a river which is for the time being dry.]

Subs. (3)#(5) rep. by SLR 1976

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- F2** 1962 c. 5 (NI)
- F3** S. 2(1): definition of "fish" repealed (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), 34(2), **Sch. 3** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F4** 1966 c. 17 (NI)
- F5** Ext. (other Ministers), 1962 c. 5 (NI)
- F6** Functions transf. to D/Agric., SRO (NI) 1963/29
- F7** S. 2(1): definition of "river" substituted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **4(a)(i)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F8** S. 2(1): definition of "several fishery" inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **4(a)(iii)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F9** S. 2(1): definition of "waters" substituted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **4(a)(ii)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F10** S. 2(2)(3)(4) substituted (1.6.2008) for s. 2(2) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **4(b)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

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Changes and effects yet to be applied to :

- s. 2(1) words inserted by [S.I. 2007/915 \(N.I.\) Sch. 2 para. 1\(1\)](#)