



Foyle Fisheries Act (Northern Ireland) 1952

1952 CHAPTER 5

PART VI

PROTECTION OF FISHERIES

PROHIBITION OF CERTAIN METHODS OF FISHING FOR, AND OF PRACTICES LIABLE TO DESTROY, SALMON AND OTHER FISH

45 Taking fish unlawfully killed or found dead.

- (1) Every person who by any means removes or causes to be removed from any river—
- (a) any salmon or trout which have been killed otherwise than by lawful means, or
 - (b) any salmon or trout which have been found dead, from any cause whatever, by such person,
- shall be guilty of an offence against this Act.
- (2) This section shall not apply to—
- (a) any person acting under the authority of the Ministry, or
 - (b) any member or officer of the Commission, or
 - (c) any owner of a fishery or his agent acting under the written authority of the Commission, or
 - (d) so far as respects the removal or causing to be removed of any diseased salmon or trout, or any salmon or trout found dead from any cause, any member of the Royal Ulster Constabulary or any [^{F1}person acting under the authority of a district council]^{F2} or
 - (e) a private river watcher appointed to protect the waters in question.]
- [^{F3}(3) Where a person mentioned in subsection (2)(a), (c), (d) or (e) removes fish from a river as mentioned in subsection (1) or causes fish to be so removed, he shall inform the Commission of that fact as soon as is practicable.]

Changes to legislation: There are currently no known outstanding effects for the Foyle Fisheries Act (Northern Ireland) 1952, Section 45. (See end of Document for details)

- F1** Words in s. 45(2)(d) substituted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **17(a)(i)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F2** S. 45(2)(e) and preceding word added (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **17(a)(ii)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F3** S. 45(3) added (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **17(b)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

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