



Foyle Fisheries Act (Northern Ireland) 1952

1952 CHAPTER 5

[^{F1}PART VIA

AQUACULTURE

Aquaculture licences

[^{F1}52G Variation of aquaculture licences by Commission

- (1) Subject to subsection (2), the Commission may, on its own initiative, vary an aquaculture licence (but not so as to extend the licensed area) if it considers that it is in the public interest to do so.
- (2) An aquaculture licence shall not be varied so as to affect any conditions or limitations subject to which a consent under section 52A(4) was given, or any period mentioned in such a consent, otherwise than with the consent in writing of the person or authority who gave the consent or his or its successor in title.
- (3) Where the Commission proposes to vary an aquaculture licence under this section, the Commission shall—
 - (a) give to the holder of the licence at least 28 days' notice of its proposal to do so and of the grounds upon which the variation is proposed to be made; and
 - (b) advertise, in such form and in such manner as may be prescribed, notice of its proposal to vary the licence.
- (4) Before varying the licence the Commission shall consider any written representations which are received by the Commission within the period of 28 days from—
 - (a) the date on which the Commission gave notice to the holder of the licence of the proposed variation; or
 - (b) the date on which notice of the proposal to vary the licence was last advertised in accordance with subsection (3)(b),

Changes to legislation: There are currently no known outstanding effects for the Foyle Fisheries Act (Northern Ireland) 1952, Section 52G. (See end of Document for details)

whichever is the later.

- (5) Where the Commission varies a licence under this section the Commission shall give notice of the variation to the holder of the licence and the notice shall specify—
- (a) the variation of the licence which the Commission has decided to make; and
 - (b) the date or dates on which the variation is to take effect.
- (6) Where the Commission varies a licence under this section, the Commission shall, in such form and in such manner as may be prescribed, publish a notice stating that the licence has been varied.
- (7) The Commission shall be liable to pay compensation to the holder of an aquaculture licence in respect of any loss or damage sustained by him as a result of any action taken by the Commission in relation to an aquaculture licence by virtue of subsection (1) and any dispute as to a person's entitlement to such compensation or as to the amount of it shall be referred to and determined by the Appeals Board.]

F1 Pt. VIA (ss. 52A-52X) inserted (1.6.2008 so far as inserting for certain purposes ss. 52B, 52C, 52G, 52H, 52M, 52N, 52O, 52P, 52U and 52X, otherwise prosp.) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **3(1)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

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