



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART V

REGULATION OF FISHING FOR SALMON, EELS AND FRESHWATER FISH

PROHIBITION OF CERTAIN METHODS OF FISHING

62 Penalty for using certain devices for taking fish.

- (1) If, for the purpose of taking^[F1], or facilitating the taking of,] any fish, any person uses or has in his possession or control, in or on the bank of or near the waters of any lake, river or estuary, any light or fire or any electrical or acoustical apparatus of any kind, he shall be guilty of an offence.
- (2) If, for the purpose of taking any fish, any person uses or has in his possession or control, in or on the bank of or near the waters of any lake, river or estuary, any instrument to which this subsection applies, he shall be guilty of an offence.
- (3) If any person throws, releases or discharges any missile or other object into any water for the purpose of taking or killing, or facilitating the taking or killing, of any^[F1] salmon, trout or rainbow trout], he shall be guilty of an offence.
- (4) In subsection (2) the expression “instrument to which this subsection applies” means any otter, taylor or snare, spear, stroke-haul, gaff or other instrument of a similar kind^[F2] or any instrument or device calculated in the course of normal use to foul-hook any fish], but does not include—
 - (a) a^{F1} . . . taylor used or to be used solely as an auxiliary to lawful angling between sunrise and one hour after sunset; or
 - (b) a^{F1} . . . taylor used or to be used by the holder of a fishing licence in respect of any box in a fishing weir solely for the purpose of lawfully removing fish therefrom; or
 - (c) an eel spear used for taking eels.

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966. (See end of Document for details)

[^{F1}(4A) In subsection (4)—

“gaff” means a hooked instrument (with or without a barb) used to penetrate the gills or body of a fish; and

“otter” means an otter lath or jack, and includes any instrument, whether used with a handline, or as an auxiliary to a rod and line, or otherwise for the purpose of running out lures, artificial or otherwise.]

(5) A person who is guilty of an offence under subsection (1) or (2) shall be liable on summary conviction to a fine not exceeding [^{F3} £500] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

F1	1991 NI 13
F2	1968 c.31 (NI)
F3	1981 NI 7

63 Fishing for salmon or trout by cross lines.

[^{F4}(1)] If any person takes or fishes for salmon or trout by means of cross lines in any river[^{F4} or lake] he shall be guilty of an offence.

[^{F4}(2) In subsection (1) “cross lines” means fishing lines—

- (a) reaching from one position to another across water and fixed or held at each of their ends, and
- (b) having attached to them one or more baited hooks or lures, artificial or otherwise.]

F4	1991 NI 13
-----------	------------

64 Penalty for taking salmon or trout in eel weir.

(1) If the owner or occupier of an eel weir takes or suffers to be taken therein any salmon or trout, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F5} £500] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

(2) Where a person is charged with an offence under this section it shall be a good defence to prove that such salmon or trout was taken unintentionally and, immediately upon being taken, was returned to the water without any avoidable injury.

F5	1981 NI 7
-----------	-----------

65 Penalty for damming or teeming river or millrace for purpose of taking salmon or trout.

If any person dams, teems or empties any river or millrace for the purpose of taking or destroying any salmon or trout, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F6} £500] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966. (See end of Document for details)

F6 1981 NI 7

Changes to legislation:

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966.