Status: *Point in time view as at 01/01/2006.*
Changes to legislation: *There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, SCHEDULE 2. (See end of Document for details)*

SCHEDULES

[F1SCHEDULE 2

THE FISHERIES CONSERVANCY BOARD FOR NORTHERN IRELAND]

F1 1983 NI 21

INCORPORATION AND CONSTITUTION

[F2 1 The Board shall be a body corporate to which, subject to the provisions of this Schedule, section 19 of the Interpretation Act (Northern Ireland) 1954 shall apply.]

F2 1983 NI 21

[F3 2 (1) The Board shall consist of not more than 24 persons appointed by the Head of the Department from amongst persons appearing to him to be qualified for the office.

(2) The Head of the Department shall appoint a chairman and a deputy chairman of the Board and of the other members of the Board—

(a) four shall be persons chosen by the Head of the Department from any list of candidates not being less than six in number that may be submitted to the Head of the Department by a body or bodies for the time being recognised by the Head of the Department as representative of a substantial number of anglers;

(b) three shall be persons appointed by the Head of the Department as representatives of any companies for the time being recognised by him as substantially interested in the commercial operation of any salmon or eel fishery;

(c) three shall be persons appointed by the Head of the Department as representatives of commercial fishermen (other than the companies recognised for the purposes of head (b));

(d) three shall be persons nominated by the Ulster Farmers' Union from amongst its members, one of whom shall be a person representative of persons operating fish farms;

(e) two shall be persons appointed by the Head of the Department as representatives of anglers not represented by the body or bodies recognised for the purposes of head (a);

(f) one shall be a person nominated by the Confederation of British Industry;

(g) one shall be a person nominated by the Department of Economic Development as representative of persons engaged in the tourism industry;

(h) one shall be a person nominated by the Department of Education as representative of persons participating in sport and physical recreation;

(i) one shall be a person nominated by such organisation as appears to the Head of the Department substantially to represent district councils;

(j) one shall be an officer of the Department;

(k) not more than two shall be persons appointed by the Head of the Department as representatives of such other persons or bodies as the Board may recommend to him.

(3) Before appointing any person under head (b) of sub-paragraph (2) as representative of any companies the Head of the Department shall consult with those companies, and before appointing any person under head (c) as representative of any persons he shall consult with any body or bodies for the time being recognised by him as a representative of such persons.**]**

F3 1983 NI 21

[[F4]3 (1) Subject to the following provisions of this paragraph—

(a) the chairman, the deputy chairman and the persons appointed to the Board under heads (f) to (k) of paragraph 2(2) shall hold office for such period as the Head of the Department may determine; and

(b) all other members of the Board shall hold office for a period of six years.

(2) When appointments are first made to the Board after the coming into operation of Article 4 of the Fisheries (Amendment) (Northern Ireland) Order 1983—

(a) two of the persons appointed under head (a) of paragraph 2(2);

(b) one of the persons appointed under head (c) of paragraph 2(2);

(c) one of the persons appointed under head (d) of paragraph 2(2); and

(d) one of the persons appointed under head (e) of paragraph 2(2),

shall be appointed for a period of three years; but on any subsequent appointment to the Board under any of those heads the persons appointed shall hold office in accordance with sub-paragraph (1)(b).

(3) A person shall cease to be a member of the Board if—

(a) by notice in writing to the Head of the Department he resigns;

(b) he is on more than three consecutive occasions absent without permission of the chairman from meetings of the Board; or

(c) the Head of the Department, by notice in writing, removes him from office.

(4) A person shall, on ceasing to be a member, be eligible for reappointment.

(5) If a member of the Board dies or ceases to be a member before the expiration of the term for which he was appointed, the term of his successor shall be so fixed as to expire at the end of the first-mentioned term, but the Head of the Department may, if he thinks fit, defer the making of an appointment until the expiration of the first-mentioned term.**]**

F4 1983 NI 21

[F5 4 The quorum of the Board and the procedure at meetings of the Board shall be such as the Board may determine.]

F5 1983 NI 21

[F6 5 The Board may act notwithstanding any vacancy among their members.]

F6 1983 NI 21

[F7 6 No defect in the appointment of any person acting as a chairman, deputy chairman or other member of the Board shall vitiate any proceedings of the Board in which he has taken part.]

F7 1983 NI 21

EXECUTIVE COMMITTEE OF THE BOARD

[F8 7 (1) The Board shall establish an executive committee consisting of not less than three or more than six members of the Board, one of whom shall be the chairman or deputy chairman.

(2) The executive committee shall be responsible to the Board for—

(a) monitoring, and reporting to the Board on, the implementation of the policies of the Board by their officers and servants;

(b) financial matters; and

(c) such other matters as may be delegated to the committee by the Board.

(3) Paragraphs 4, 5 and 6 shall apply to the executive committee as they apply to the Board.]

F8 1983 NI 21

REMUNERATION

[F9 8 (1) There shall be paid to the chairman and the deputy chairman of the Board such remuneration and such allowances as the Department, with the approval of the Department of Finance and Personnel, may determine.

(2) No remuneration shall be paid to any other member of the Board, but there shall be paid to any other member such allowances as the Board, with the approval of the Department, may determine.**]**

F9 1983 NI 21

POWER TO AMEND CERTAIN PROVISIONS OF THIS SCHEDULE

[[F10]9 The Department may by order made subject to affirmative resolution—

(a) amend paragraph 2 so as to alter the constitution of the Board;

(b) amend paragraph 3(1) so as to alter the period for which certain members of the Board are to hold office;

(c) amend paragraph 7(1) and (2) so as to alter the constitution and responsibilities of the executive committee.**]**

F10 1983 NI 21

OFFICERS AND SERVANTS

[[F11]10 (1) The Board—

(a) shall, with the approval of the Department, appoint a Chief Executive (who, unless the Board otherwise direct shall act as secretary of the Board);

(b) shall appoint such inspectors and other officers as the Department may direct, and shall appoint to any office under the Board (other than the office of water bailiff) such persons as the Board, with the approval of the Department, may determine; and

(c) may appoint such water bailiffs and such servants as the Board think fit.

(2) Subject to any authorisation in writing given by the Department to the Board, any determination of the Board with respect to the remuneration or conditions of service of any person employed by the Board shall be subject to the approval of the Department.

(3) A person, other than an employee of the Foyle Fisheries Commission, who is for the time being in the employment of the owner or occupier of a several fishery shall be disqualified for being appointed to or holding any office under the Board.

(4) No member of the Board shall hold any employment or office of profit under the Board.**]**

F11 1983 NI 21

[[F12]11 The Board shall, in accordance with any reasonable requirements communicated to them by the Department make available to the Department the services of the Board's officers for the protection of the fishery of any waters the fishing rights in respect of which are owned by, or which are under the control of, the Department, on such terms as may be agreed upon between the Board and the Department.**]**

F12 1983 NI 21

SUPERANNUATION

[[F13]12 (1) The Board, with the approval of the Department and the Department of Finance and Personnel, may make arrangements to secure the provision of superannuation or other benefits for or in respect of persons employed by the Board in a whole-time capacity and such arrangements shall provide for the payment of contributions by the Board and by the persons for or in respect of whom the benefits are provided.

(2) Arrangements made under sub-paragraph (1) may provide for the contributions to be paid to and the benefits to be paid by a body other than the Board.**]**

F13 1983 NI 21

THE SEAL

[[F14]13 The application of the seal of the Board shall be authenticated by the signature of the chairman or deputy chairman of the Board and of the officer of the Board for the time being acting as secretary of the Board or some other officer of the Board authorised by them to act for that purpose.**]**

F14 1983 NI 21

EXECUTION OF CONTRACTS AND INSTRUMENTS NOT UNDER SEAL

[[F15]14 Any contract or instrument which, if entered into or executed by an individual, would not require to be**[**[F16] executed as a deed**]** may be entered into or executed on behalf of the Board by any person generally or specially authorised by the Board to act for that purpose.**]**

F15 1983 NI 21
F16 2005 NI 7

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