



# Fisheries Act (Northern Ireland) 1966

## 1966 CHAPTER 17

### [<sup>1</sup>PART IX

#### SHELL-FISH FISHERY LICENCES

#### **131 Power of Department to grant shell-fish fishery licence.**

- (1) Where the Department grants to any person a fish culture licence under section 11 authorising the operation of a fish farm for the culture of shell-fish of any kind at a place specified in the licence, the Department may, in accordance with the provisions of this Part, grant to that person a further licence (a “shell-fish fishery licence”) conferring on him the exclusive right of cultivating shell-fish of that kind within any area specified in the shell-fish fishery licence ( “the licensed area”) which is at that place.
- (2) Subject to subsections (3) and (4), the licensed area may include any part of the foreshore or any part of the bed of the sea or an estuary.
- (3) A shell-fish fishery licence shall not specify any area in which the Department is satisfied the public exercise a substantially profitable fishing for shell-fish.
- (4) A shell-fish fishery licence shall not specify any area—
  - (a) which forms part of the foreshore or the bed of the sea or an estuary, unless the licence is granted with the consent of the Secretary of State;
  - (b) which forms part of the Crown Estate or is subject to rights exercisable by the Crown in right of the Crown Estate, unless the licence is granted with the consent of the Crown Estate Commissioners;
  - (c) which forms either part of the foreshore or part of the bed of the sea or an estuary owned or lawfully occupied by a person other than the Crown, unless the licence is granted to, or with the consent of, the owner or occupier of that part of the foreshore or that part of the bed of the sea or the estuary;
  - (d) which is within the limits of a several fishery, unless the licence is granted to, or with the consent of, the owner or occupier of that fishery.
- (5) In subsection (4) “consent” means consent in writing.

**Changes to legislation:**

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 131.