



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART XII

SUPPLEMENTAL PROVISIONS

LEGAL PROCEEDINGS

192 Additional defence for persons charged with buying, etc., undersized fish.

- (1) Where, under any provision of this Act, a person is charged with the offence of buying, selling, offering or exposing for sale or, as the case may be, having in his possession or having in his possession for sale [^{F1} any fish caught in contravention of any regulation made under section 124 or] any undersized fish, and he satisfies the court—
- (a) that he had no reason to suppose that any fish dealt with by him as described in this subsection [^{F1} had been so caught or] were undersized fish; and
 - (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or by any person under his control;

the charge against that person shall be dismissed.

- (2) In subsection (1) “undersized” in relation to fish of any description means of a size less than the size prescribed with respect to fish of that description by, as the case may be, section 51(2), [^{F2} or 52(2)] [^{F3} or regulations under section 15(1)(c)(iv), [^{F4} or] section 26(1)(f)] or an order under section 127.

F1 1981 NI 7

F2 1981 NI 7

F3 1968 c.31 (NI)

F4 Words in s. 192(2) substituted (1.6.2009) by [Public Authorities \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 3), ss. 1(3)(b), 7(1), [Sch. 1 Pt. 2 para. 3\(40\)](#) (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, [art. 2\(a\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 192.