



# 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<sup>[F1]</sup>, 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<sup>[F1]</sup> 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, tailer or snare, spear, stroke-haul, gaff or other instrument of a similar kind <sup>[F2]</sup>or any instrument or device calculated in the course of normal use to foul-hook any fish], but does not include—
  - (a) a<sup>F1</sup> . . . tailer used or to be used solely as an auxiliary to lawful angling between sunrise and one hour after sunset; or
  - (b) a<sup>F1</sup> . . . tailer 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.

<sup>[F1]</sup>(4A) In subsection (4)—

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**Changes to legislation:** *There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 62. (See end of Document for details)*

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“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 [<sup>F3</sup> £500] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

<b>F1</b>	1991 NI 13
<b>F2</b>	1968 c.31 (NI)
<b>F3</b>	1981 NI 7

**Changes to legislation:**

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 62.