



# Fisheries Act (Northern Ireland) 1966

## 1966 CHAPTER 17

### PART V

#### REGULATION OF FISHING FOR SALMON, EELS AND FRESHWATER FISH

##### OTHER PROVISIONS

#### **88 Taking salmon or trout unlawfully killed or found dead.**

- (1) A person who by any means removes or causes to be removed from any waters—
- (a) any salmon or trout which has been injured or killed otherwise than by lawful means; or
  - (b) any salmon or trout which has been found dead, from any cause whatever, by that person;
- shall be guilty of an offence.
- (2) Subsection (1) shall not apply to any of the following persons—
- (a) any person acting under the authority of the Ministry; or
  - (b) <sup>F1</sup>.....
  - (c) any owner of a fishery in those waters; or
  - (d) any agent of the owner of a fishery in those waters; or
  - (e) any member of the Royal Ulster Constabulary; or
  - (f) [<sup>F2</sup> any person acting under the authority of a district council]. [<sup>F3</sup> or]
  - [<sup>F3</sup>(g) any private water bailiff appointed to protect those waters.]
- (3) Where a person is charged with an offence under this section in respect of any fish it shall be a good defence to prove that he removed the fish from any waters, or caused it to be so removed, solely for the purpose of delivering it to a person designated in any of paragraphs (a) to (f) of subsection (2), and that he did so deliver it before being required to do so by any such person.

***Changes to legislation:*** *There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 88. (See end of Document for details)*

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- F1** S. 88(2)(b) repealed (1.6.2009) by [Public Authorities \(Reform\) Act \(Northern Ireland\) 2009 \(c. 3\)](#), ss. 1(3)(b), 6, 7(1), Sch. 1 Pt. 2 para. 3(23), **Sch. 3** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(b)(e)**
- F2** SRO (NI) 1973/343
- F3** 1991 NI 13

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