
STATUTORY INSTRUMENTS

1991 No. 1466

The Fisheries (Amendment) (Northern Ireland) Order 1991

Functions of the Board

Extension of functions under sections 25 and 26 of principal Act

8.—(1) In section 25(2) of the principal Act (Board to be subject to direction by Head of the Department), after the word “Department,” there shall be inserted the words “exercise, in accordance with the terms and conditions of the direction, any function conferred on the Department by this Act and”.

(2) In section 25(3) of the principal Act (specific powers of the Board), after paragraph (c) there shall be inserted the following paragraph—

“(cc) enter into an agreement to enforce the fishing rights of any owner or occupier of land or waters in accordance with such terms and conditions as may be specified in the agreement and on payment of such sums as may be so specified;”.

(3) In section 26(1) of the principal Act (power of the Board to make byelaws)—

(a) for the words “conservation or protection of” there shall be substituted the words “purposes of the Board’s functions in relation to”; and

(b) after paragraph (k) there shall be inserted the following paragraph—

“(kk) the attachment of such identification marks as may be specified in the byelaws to any salmon captured;”.

Control of issue of fishing licences

9. In section 37 of the principal Act (power of the Board to make byelaws respecting fishing licences)—

(a) the existing provision shall be numbered as subsection (1);

(b) for paragraph (c) of that subsection there shall be substituted the following paragraph—

“(c) limit, subject to subsection (2), the number of licences which may be issued to authorise the use of fishing engines for the taking of fish;” and

(c) after that subsection there shall be added the following subsections—

“(2) Nothing in byelaws made under subsection (1)(c) shall affect the lawful use by any person of—

(a) a rod and line or a handline in the freshwater portion of any river or lake,

(b) a draft net in the circumstances specified in section 71(2)(d),

(c) a fishing weir or fixed engine in the circumstances specified in section 73(1).

(3) In subsection (1)(c)—

“licences” means licences of any class specified in the byelaws, and

“fish” does not include eels.”.