

SCHEDULES

SCHEDULE 2

Article 34(2).

AMENDMENTS OF FOYLE FISHERIES ACT (NORTHERN IRELAND) 1952

1. In section 13 of the Foyle Fisheries Act (Northern Ireland) 1952⁽¹⁾ (regulations), after subsection (5) insert the following subsections—

“(5A) Nothing in regulations made under paragraph (f) of subsection (1) shall make it an offence for a person, who is not the holder of a licence issued by the Commission, to fish lawfully by rod and line in a production pond at a fish farm operated by the holder of a fish culture licence granted under section 11 of the Fisheries Act (Northern Ireland) 1966.

(5B) In subsection (5A) “production pond” means a pond—

- (a) used for the artificial propagation and culture of fish; and
- (b) designated for the purposes of this subsection as a production pond in a fish culture licence granted under the said section 11.”.

2. In section 41 of that Act (penalty for pollution)—

- (a) after subsection (2) there shall be added the subsections set out in Article 11, but with the substitution for any reference to the Board of a reference to the Commission; and
- (b) after those subsections there shall be added the following subsection—

“(6) Subsection (5) applies in relation to any such right vested in the Commission.”.

3. In section 74 of that Act (forfeiture of licences), in subsection (4) omit the words from “and, notwithstanding” onwards.

⁽¹⁾ 1952 c. 5 (N.I.)