
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 255

**Foyle Area (Control of Drift and
Draft Net Fishing) Regulations 2004**

Restriction on the number of drift net licences and draft net licences

3.—(1) Subject to paragraphs (2) and (3), the number of licences which the Commission may issue in any year under the 2001 Regulations in respect of any of the waters as described in column 1 of the Schedule shall not exceed the number specified in column 2 of the Schedule opposite the related description of the waters in column 1.

(2) Where in any year an applicant who held a licence in the previous year is declared to be disqualified from holding a licence in accordance with section 75 of the Foyle Fisheries Act 1952 or section 74 of the Foyle Fisheries Act (Northern Ireland) 1952 and the applicant is qualified and otherwise would be entitled to a licence in accordance with these Regulations then in the event that —

- (a) the period of disqualification will not expire before the end of the season the Commission shall correspondingly reduce the number of licences granted in that year in the appropriate waters specified in column 2 of the Schedule; or
- (b) the period of disqualification will expire before the end of the season the Commission shall retain the number of licences granted in that year in the appropriate waters specified in column 2 of the Schedule to enable it to grant him a licence for the remainder of the season.

(3) Where a licensee who is a single parent dies and at the date of death, has a child under the age of 18 years who could apply for and use a licence when he attains the age of 18 years and (but for the fact that the deceased licensee was a single parent) could become eligible to qualify under regulation 4(6) for the allocation of a licence the Commission shall, during the period before the child attains the age of 18 years, correspondingly reduce the number of licences in the appropriate waters specified in column 2 of the Schedule provided the deceased licensee had held a licence in each of the 3 years prior to his death and did not permit any fishing to take place in his absence during any or any part of a season or seasons in these years under the authority of his licence except when he obtained the authorisation of the Commission to have his senior helper act in his absence as provided in regulation 14A(2) of the Foyle Area (Control of Netting) Regulations 1981(1).