

1960. No. 10

[C]

FOYLE FISHERIES COMMISSION**Foyle Area (Licensing of Fishing Engines) Regulations, 1960**

The Foyle Fisheries Commission hereinafter referred to as "the Commission" in exercise of its powers under Section 13 of the Foyle Fisheries Act, 1952, and Section 13 of the Foyle Fisheries Act (Northern Ireland), 1952, hereby makes the following regulations:—

1. These regulations may be cited as the Foyle Area (Licensing of Fishing Engines) Regulations, 1960.

2. A person shall not fish for salmon with rod and line in any part of the Foyle Area unless he is the holder of a salmon rod licence for the time being in force and issued by the Commission in pursuance of these regulations.

3. A person shall not use, for the purpose of taking or with intent to take salmon or trout in any part of the Foyle Area, any fishing engine, other than a rod and line, in respect of which there is not for the time being in force a licence issued by the Commission in pursuance of these regulations.

4. A salmon rod licence or a licence in respect of any other fishing engine specified in the First Schedule may, subject to these regulations, be issued upon payment to the Commission in the manner hereinafter prescribed of the licence duty specified in the said Schedule opposite the mention of such fishing engine.

5. No licence other than a licence in respect of a rod and line shall be issued to any person under the age of eighteen years.

6. The licence duties specified in these regulations shall be paid in the following manner:

(1) Where an application in respect of any fishing engine specified in Part I of the First Schedule has been duly approved as hereinafter provided, then

(a) if the application is presented to the Licence Distributor specified therein on or before the fifteenth day of June in any year one moiety of the prescribed licence duty shall be paid at the time of presentation subject to the condition, which shall be endorsed on the licence, that the second moiety shall be paid on or before the fifth day of July in such year;

(b) if the application is presented to the Licence Distributor specified therein after the fifteenth day of June in any year the whole amount of the prescribed licence duty shall be paid at the time of presentation.

(2) Where application is made to a Licence Distributor for a salmon rod licence or a licence in respect of any other fishing engine specified in Part II of the First Schedule the licence duty shall be paid in full at the time of the application.

7.—(1) Each application for a licence in respect of any fishing engine specified in Part I of the First Schedule shall be in the form specified in the Second Schedule and shall be sent so as to reach the office of the Commission not later than the first day of March in the year for which the licence is required.

(2) An application submitted pursuant to the last preceding paragraph may be approved by the Commission so however that no applicant shall receive in any year more than one licence of a particular description.

(3) Every application approved by the Commission shall be endorsed by an officer authorised by the Commission in that behalf and shall be returned to the applicant.

(4) An application which has been endorsed by the Commission may be presented by the applicant to the Licence Distributor specified therein who shall, on payment in the manner provided in paragraph (1) of regulation 6 of the appropriate licence duty specified in the First Schedule, issue the appropriate licence on behalf of the Commission and shall retain the application.

8. A licence in respect of any fishing engine specified in Part II of the First Schedule may be obtained on application to any Licence Distributor, provided that no Licence Distributor shall save by authority given in writing in that behalf by the Commission issue to any person more than one licence of a particular description.

9. Where a licence is issued subject to a condition as to deferred payment of a moiety of the licence duty, then if there is a breach of such condition the licence shall cease to be in force immediately upon such breach.

10. The holder of a licence issued in accordance with these regulations shall not save by authority given in writing in that behalf by the Commission use for the purpose of taking or with intent to take fish any net in that portion of the River Foyle which lies between the defined mouth of the river and an imaginary straight line drawn across the River Foyle to join the points where the southernmost boundary of the County of Londonderry meets the river on each side.

11. In these regulations the expression "Licence Distributor" means a person duly authorised by the Commission to distribute licences in respect of fishing engines.

12. The Foyle Area (Licensing of Fishing Engines) (No. 2) Regulations, 1955, are hereby revoked.

Given under the Official Seal of the Foyle Fisheries Commission this 25th day of January, 1960.

(L.S.)

E. O'Kelly,

Member of the Commission
nominated by the Minister.

Joseph Edwards,

Member of the Commission
nominated by the Ministry.

The Minister for Lands hereby approves of the foregoing regulations.

Sealed with the Official Seal of the Minister for Lands this 30th day of January, 1960.

(L.S.)

M. J. Gallagher,

A person authorised by
the Minister for Lands to
authenticate the Official
Seal of the Minister.

The Ministry of Commerce hereby approves of the foregoing regulations.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 2nd day of February, 1960.

(L.S.)

W. J. Thompson,
Assistant Secretary,
Ministry of Commerce
for Northern Ireland.

FIRST SCHEDULE

PART I

DESCRIPTION OF FISHING ENGINE

	<i>Licence Duty</i>
Draft Net used wholly or partly in the tidal waters of the River Foyle between the confluence of the Rivers Mourne and Finn and an imaginary straight line drawn across the River Foyle to join the points where the southernmost boundary of the County of Londonderry meets the river on each side	£24
Drift Net used wholly or partly in Lough Foyle (the seaward limit of which for this purpose shall be deemed to be an imaginary straight line drawn between Greencastle Fort in the County of Donegal and the Martello Tower at Magilligan Point in the County of Londonderry)	£12

PART II

DESCRIPTION OF FISHING ENGINE

	<i>Licence Duty</i>
Stake Net	£90
Bag Net	£36
Fixed Draft Net	£24
Draft Net used wholly in the waters of the Foyle Area elsewhere than in the tidal waters of the River Foyle between the confluence of the Rivers Mourne and Finn and an imaginary straight line drawn across the River Foyle to join the points where the southernmost boundary of the County of Londonderry meets the river on each side	£16
Drift Net used wholly to seaward of the aforesaid seaward limit of Lough Foyle or in any waters other than Lough Foyle as aforesaid where drift netting is permitted by law in the Foyle Area ..	£5
Rod and Line (available for whole season)	£2
Rod and Line (available for whole season provided applicant can produce at the time of application a salmon rod licence for the time being in force and issued by a Board of Conservators in respect of which a licence fee of not less than thirty shillings has been paid)	10/-
Rod and Line (available for seven days)	10/-

SECOND SCHEDULE

Form of Application for a Licence for a Net to be Fished in the Foyle Area

To The Foyle Fisheries Commission, 8 Victoria Road, Londonderry.

I (Name and Address in block letters) of

County

HEREBY DECLARE THAT I AM AGED EIGHTEEN YEARS AND UPWARDS AND THAT

(a) I held Licences as follows during the past three years:—

Table with 3 columns: Year, Class of Net, Licence Number. Rows for years 19....

or

(b) I did not hold a net licence in any of the past three years but was a member of the crew of Mr. of County to whom was issued Licence No. for a net in 19....

(Delete whichever section does not apply in your case)

I HEREBY APPLY for a net licence for the 19.... season (insert class of net, i.e. draft or drift)

AND I FURTHER DECLARE THAT the following persons have agreed to assist me in the operation of the net:—

- (1) of
(2) of
(3) of
(4) of

Signature of Applicant

THE CERTIFICATE FOLLOWING MUST BE COMPLETED IN EVERY APPLICATION

I certify that Mr. who is known to me, signed this form in my presence. To the best of my knowledge he resides at the address stated in this application.

Signature

Qualification

Place of residence

[Official Stamp]

Note.—The signature of the applicant for a licence must be witnessed by either a Clergyman or a member of the Police Force of the rank of Sergeant or above. The application, duly completed, must reach the Commission not later than March 1st in the year of application.