



# Foyle Fisheries Act (Northern Ireland) 1952

## 1952 CHAPTER 5

### PART VIII

#### LEGAL PROCEEDINGS

#### 74 Forfeiture of licences.

- (1)<sup>F1</sup> (a) If the person who is the holder of a [<sup>F2</sup>fishing licence] issued by the Commission is convicted of an offence to which this sub-section applies the court may direct the [<sup>F2</sup>fishing licence] to be forfeited and declare that person to be disqualified for holding a [<sup>F2</sup>fishing licence] of the Commission for such period, not exceeding one year, as the court may direct.
- (b) This sub-section applies to—
- (i) an offence under any section of this Act,
  - (ii) an offence under any section of the Fisheries Acts.
- (2) Where a person who is the holder of a [<sup>F2</sup>fishing licence] issued by the Commission is convicted by a court of justice in the Republic of Ireland of an offence under the law of the Republic of Ireland relating to fisheries, and as a result of such conviction, the [<sup>F2</sup>fishing licence] is declared to be forfeited and that person is declared to be disqualified for a particular period for holding a [<sup>F2</sup>fishing licence] of the Commission, the Commission shall direct the [<sup>F2</sup>fishing licence] to be forfeited and that person shall be disqualified for holding a [<sup>F2</sup>fishing licence] for that period.
- (3) Where a [<sup>F2</sup>fishing licence] is directed to be forfeited under this section, it shall thereupon cease to be in force.
- <sup>F3</sup>(4) Where a person is convicted by a court of an offence against this Act or against the Fisheries Acts, the clerk of the court shall as soon as may be in either case forward to each of the Commission and the [<sup>F4</sup>Department] a duly authenticated certificate of the conviction,<sup>F5</sup> . . . .]

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**Changes to legislation:** There are currently no known outstanding effects for the Foyle Fisheries Act (Northern Ireland) 1952, Section 74. (See end of Document for details)

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- (5) A document purporting to be a copy of a conviction or order made by a court of justice in the Republic of Ireland and to be certified in accordance with the law of the Republic of Ireland shall, for the purposes of this section, be evidence of such conviction or order without further proof, unless the contrary is shown.

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| <p><b>F1</b> Where a licence is forfeited and its holder disqualified, any corresponding licence issued by the Fisheries Conservancy Board for NI is forfeited and the holder disqualified for holding a licence of the Board, 1966 c.17 (NI) s.200(3)</p> <p><b>F2</b> Words in s. 74 substituted (1.6.2008) by <a href="#">Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9))</a>, arts. 1(3), 34(1), <b>Sch. 2 para. 1(7)</b> (with art. 32); S.R. 2008/232, <b>art. 2</b>, Sch.</p> <p><b>F3</b> 1966 c. 17 (NI)</p> <p><b>F4</b> Word in s. 74(4) substituted (8.5.2016) by <a href="#">The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76)</a>, art. 1(3), <b>Sch. 6 para. 18</b> (with art. 9(2))</p> <p><b>F5</b> 1991 NI 13</p> |
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There are currently no known outstanding effects for the Foyle Fisheries Act (Northern Ireland) 1952, Section 74.