



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART VI

TIMES OF FISHING FOR SALMON, TROUT, POLLEN AND EELS

WEEKLY CLOSE TIME FOR SALMON AND TROUT CAUGHT OTHERWISE THAN BY ROD AND LINE

97 Weekly close time.

In this Act the expression “the weekly close time” means, in relation to any locality, the period prescribed by [^{F1}regulations] as such for that locality, or if no period is prescribed, the period commencing at 6 o'clock a.m. on each Saturday and ending at 6 o'clock a.m. on the then next-following Monday.

F1 S. 97: word in Act substituted (1.6.2009) by [Public Authorities \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 3), ss. 1(3)(b), 7(1), [Sch. 1 Pt. 2 para. 3\(1\)\(c\)](#) (with [Sch. 1 Pt. 1 para. 4\(3\)](#)); S.R. 2009/172, [art. 2\(a\)\(b\)](#)

98 Penalty for fishing otherwise than by rod and line for salmon or trout during the weekly close time.

- (1) Subject to subsection (2), if, during the weekly close time, any person fishes for, takes or wilfully kills salmon or trout he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F2} £500] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.
- (2) Subsection (1) shall not apply to the lawful use of a rod and line for the taking of salmon or trout otherwise than during the annual close season for angling for salmon or, as the case may be, the annual close season for angling for trout.

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F2 1981 NI 7

99 Provisions to be observed in relation to certain fixed engines during the weekly close time.

- (1) During the weekly close time—
 - (a) the netting of the leader of every bag net used for catching salmon shall be raised and kept out of the water; and
 - (b) all other nets used as fixed engines for the taking of salmon or trout shall be wholly removed from the water.
- (2) If in respect of any bag net the provisions of subsection (1)(a), or if in respect of any other net to which subsection (1)(b) applies the provisions of subsection (1)(b), are not complied with, the occupier of that bag net or net shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F3} £500] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.
- (3) Nothing in this section shall be construed as rendering liable to any penalty a person who satisfies the court that he was prevented by floods, storm, or stress of weather from complying with subsection (1) during the continuance of that prevention.

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100 Provisions to be observed in relation to salmon weirs during the weekly close time.

- (1) During the weekly close time the inscales and heck of each box in a salmon weir shall be either removed or opened out in such a manner that a clear opening of not less than [^{F4} 1.2 metres] in width is left open therein from the top to the bottom of the box and a free, direct and uninterrupted space of that width is effectually secured for the passage of all fish, both up and down, through the box.
- (2) If in respect of any salmon weir the provisions of subsection (1) are not complied with, the occupier thereof shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F5} £500] in respect of each box in the weir the inscales and heck whereof are not removed or opened out as required by subsection (1).
- (3) Nothing in subsection (2) shall be construed as rendering liable to any penalty a person who satisfies the court that he was prevented by floods, storm or stress of weather from complying with subsection (1) during the continuance of that prevention.

F4 SR 1983/100

F5 1981 NI 7

101 Penalty for preventing fish from passing through boxes, etc., during the weekly close time.

If any person, during the weekly close time—

- (a) uses any means or contrivance to prevent the free passage of fish through any box or gap in a salmon weir or through any fixed engine; or

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- (b) in any way or by any means wilfully frightens or scares or attempts to frighten or scare any fish from passing through such a box or gap or through the traps or eyes of a fixed engine;

he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F6} £500] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

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102 Scaring or obstructing free passage of salmon or trout during the weekly close time.

- (1) Without prejudice to section 101, if any person scares, impedes or obstructs the free passage of salmon or trout during the weekly close time, he shall be guilty of an offence.
- (2) This section shall not apply to any person who takes fish lawfully by rod and line during the weekly close time.

103 Use of nets in inland waters during the weekly close time.

- (1) Subject to subsection (2), if any person, during the weekly close time, does, in the freshwater portion of any river or lake, any of the following things—
- (a) places, affixes or attaches any net to any stake, bridge, sluice, lock gate of a canal or other such fixed erection; or
- (b) lays, draws or fishes with any net whatsoever;
- he shall be guilty of an offence.
- (2) This section shall not apply to—
- (a) the use of a landing net or keep net solely as auxiliary to lawful fishing with rod and line;
- (b) the lawful use of a net for the taking of eels; or
- (c) the lawful use, in accordance with [^{F7}regulations] , of nets for the taking of fish other than salmon, trout or eels.

F7 S. 103(2)(c): word in Act substituted (1.6.2009) by [Public Authorities \(Reform\) Act \(Northern Ireland\) 2009 \(c. 3\)](#), ss. 1(3)(b), 7(1), [Sch. 1 Pt. 2 para. 3\(1\)\(c\)](#) (with [Sch. 1 Pt. 1 para. 4\(3\)](#)); S.R. 2009/172, [art. 2\(a\)\(b\)](#)

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