



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART XII

SUPPLEMENTAL PROVISIONS

EVIDENCE

204 Proof of documents.

^{F1} Without prejudice to^{F2} Article 7 of the Departments (Northern Ireland) Order 1999], in any proceedings, a document purporting to be a copy of any document or instrument in writing, being a document or instrument made or issued (whether before or after the passing of this Act) under the Fisheries Acts or this Act, but not being a statutory rule to which [^{F3} Article 9 of the Statutory Rules (Northern Ireland) Order 1979] applies, shall if it is certified to be a true copy—

- (a) in the case of a document or instrument made or issued or deemed to be made or issued by the [^{F4}Foyle, Carlingford and Irish Lights Commission] , under the seal of the [^{F4}Foyle, Carlingford and Irish Lights Commission] ; or
- (b) in the case of a document or instrument made or issued or deemed to be made or issued by the Ministry, under the hand of a Secretary or Assistant Secretary of the Ministry,

be *prima facie* evidence of the document or instrument and of the facts—

- (i) that the document or instrument was duly made; and
- (ii) that all matters and things by the Fisheries Acts or this Act required to be done previously to the making or issue of the document or instrument were duly done and performed.

F1 Mod., 1967 c.7 (NI)

F2 1999 NI 1

F3 1979 NI 12

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966. (See end of Document for details)

- F4** Words in s. 204(a) 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(43)** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(a)(b)**

205 Recovery and evidence of expenses.

- (1) Where under this Act the Ministry is ^{F5} . . . authorised to recover from any person the expenses of any work,—
 - (a) the Ministry ^{F5} . . . may certify the amount of those expenses; and
 - (b) the amount so certified shall be recoverable by the Ministry ^{F5} . . . as a debt due to it ^{F5} . . . , and, without prejudice to any right of the Ministry ^{F5} . . . to sue in the High Court for the recovery thereof, shall be recoverable in the county court by civil bill or summarily as a civil debt.
- (2) Where, in pursuance of subsection (1), an action is taken by the Ministry ^{F6} . . . in the county court for the recovery of the amount of any expenses, the court shall have jurisdiction to hear and determine the action notwithstanding that, by reason of the extent of the claim or otherwise, the case would not, but for this provision, be within the jurisdiction of a county court.
- (3) A certificate under subsection (1) shall be *prima facie* evidence of the amount of the expenses stated therein and of the liability of the person named therein to pay that amount and of the right of the Ministry ^{F7} . . . to recover that amount.

- F5** Words in s. 205(1) repealed (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 1(3)(b), 6, 7(1), Sch. 1 Pt. 2 para. 3(44)(a), **Sch. 3** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(b)(e)**
- F6** Words in s. 205(2) repealed (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 1(3)(b), 6, 7(1), Sch. 1 Pt. 2 para. 3(44)(b), **Sch. 3** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(b)(e)**
- F7** Words in s. 205(3) repealed (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 1(3)(b), 6, 7(1), Sch. 1 Pt. 2 para. 3(44)(c), **Sch. 3** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(b)(e)**

Changes to legislation:

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