



# Fisheries Act (Northern Ireland) 1966

## 1966 CHAPTER 17

### PART VI

#### TIMES OF FISHING FOR SALMON, TROUT, POLLEN AND EELS

##### EELS

#### **108 Prohibition of taking etc. eels, otherwise than by rod and line, during the annual close season.**

- (1) Subject to subsection (2), and without prejudice to section 109, if any person—
- during the annual close season for eels taken otherwise than by means of a fishing engine to which section 107( *a*) applies, fishes for, takes or wilfully kills eels by any method whatsoever; or
  - during the annual close season for eels taken by means of such a fishing engine, fishes for, takes or kills eels by means of such a fishing engine; or
  - has in his possession during such period as may be prescribed by regulations, or, if no period is so prescribed, during the period from 31st March in any year to the then next-following 30th April, any eel other than an eel that he proves was captured elsewhere than in any part of Northern Ireland outside the Londonderry Area [<sup>F1</sup>or the Newry Area];

he shall be guilty of an offence and shall be liable on summary conviction [<sup>F2</sup> to a fine not exceeding £500 or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.]

- (2) [<sup>F3</sup> Paragraph ( *a*)] of subsection (1) shall not apply to the fishing for or taking of eels by rod and line, or the killing of eels so taken, and paragraph ( *c*) of that subsection shall not apply to a person who, having any eel in his possession during the period referred to therein, proves that the eel was caught by rod and line at a particular place by [<sup>F3</sup> a person who was the holder of a fishing licence authorising him to angle for eels or who was exempted by [<sup>F4</sup>regulations] made under section 37( *f*) from the requirement to hold such a licence] otherwise than during any period for the time being fixed by [<sup>F4</sup>regulations] as a close season for angling for eels.

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*Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 108. (See end of Document for details)*

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- (3) The Ministry may by order made subject to affirmative resolution provide that this section shall have effect as if the words in subsection (1)(c) from “other” onwards were omitted.

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| <b>F1</b> | Words in s. 108(1)(c) inserted (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. 2(8)</b> (with art. 32); S.R. 2008/232, <b>art. 2</b> , Sch.  |
| <b>F2</b> | 1981 NI 7  |
| <b>F3</b> | 1968 c.31 (NI)   |
| <b>F4</b> | S. 108: word in Act substituted (1.6.2009) by <a href="#">Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3)</a> , ss. 1(3)(b), 7(1), <b>Sch. 1 Pt. 2 para. 3(1)(c)</b> (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, <b>art. 2(a)(b)</b> |

**Changes to legislation:**

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 108.