



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART I

FUNCTIONS OF THE MINISTRY OF AGRICULTURE

OTHER PROVISIONS FOR THE IMPROVEMENT AND PROTECTION OF FISHERIES

[^{F1F2}11A Applications for fish culture licences.

- (1) An application for a fish culture licence—
 - (a) shall be made to the Department in such form and manner, and
 - (b) shall include such particulars and shall be accompanied by such documents, as the Department may direct.
- (2) If, on considering an application for a fish culture licence, the Department is minded to grant the licence, the Department shall, except in relation to such classes of applications as it may direct, publish, at the applicant's expense, notice of the application in such two or more newspapers as it considers appropriate, stating the address where and the period (not being less than one month from the date of publication) within which objections in writing to the granting of the licence may be sent to it.
- (3) If—
 - (a) within the period mentioned in subsection (2), the Department receives any objections (not being in the opinion of the Department vexatious, frivolous or insubstantial) which are not withdrawn; and
 - (b) those objections are not such as to cause the Department to become minded not to grant the fish culture licence,the Department shall cause a local public inquiry to be held by the Water Appeals Commission for Northern Ireland (in this Act referred to as “the Appeals Commission”) for the purpose of considering those objections.
- (4) If, otherwise than after the holding of such an inquiry, the Department is minded not to grant the licence or grants the licence subject to conditions—

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 11A. (See end of Document for details)

- (a) the Department shall give to the applicant a written notification of the reasons why it is minded not to grant the licence or has granted it subject to conditions; and
 - (b) the applicant may, within 28 days from the day on which such notification is given, appeal to the Appeals Commission.
- (5) Where, under^{F3}[^{F4}Article 7A(3)(a)] of the Water (Northern Ireland) Order 1999], the consent of the Department of the Environment is required to the discharge of effluent into a waterway in connection with the operation of a fish farm, a fish culture licence shall not be issued in respect of that operation unless such consent is granted.
- ^{F5}(5A) [Where, under Part 2 of the Aquatic Animal Health Regulations (Northern Ireland) 2009, the authorisation of the Department is required in connection with the operation of a fish farm, a fish culture licence shall not be issued in respect of that operation unless such authorisation is granted.]
- (6) Nothing in this section applies to an application for a fish culture licence which is received by the Department before the date of the coming into operation of Article 6 of the Fisheries (Amendment) (Northern Ireland) Order 1991.]

F1 [1991 NI 13](#)

F2 [functions transf. by SR 2003/163](#)

F3 [1999 NI 6](#)

F4 Words in s. 11A(5) substituted (1.4.2007) by [Water and Sewerage Services \(Northern Ireland\) Order 2006 \(S.I. 2006/3336 \(N.I. 21\)\)](#), art. 308(1), **Sch. 12 para. 7** (with arts. 8(8), 121(3), 307); S.R. 2007/194, **art. 2(2)**, Sch. 1 Pt. II (subject to art. 3, Sch. 2)

F5 S. 11A(5A) inserted (27.3.2009) by [Aquatic Animal Health Regulations \(Northern Ireland\) 2009 \(S.R. 2009/129\)](#), regs. 1(1), **16(1)**

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