



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

^{F1}**11B** **Discharge of effluent.**
_{F2}

(1) Where—

- (a) an application is made to the Department ^{F3}... under^{F4} paragraph 1 of Schedule 1 to the Water (Northern Ireland) Order 1999 (“the 1999 Order”), and
- (b) in the opinion of ^{F5}the Department], the purpose of the application is to obtain its consent to the discharge into a waterway of effluent or matter in connection with the operation of a fish farm,

^{F6}the Department may] make a direction—

- (i) that a local public inquiry to be held under section 11A(3) shall also consider any objection (other than one which is withdrawn or is, in the opinion of the Department ^{F7}..., vexatious, frivolous or insubstantial) received in response to^{F4} the advertisement of the application under paragraph 1 of Schedule 1 to 1999 Order], ^{F8}...

^{F9}(ii)

(2) The Department ^{F10}... shall give notice of any direction made under subsection (1) to—

- (a) the person making the application;
[the Foyle, Carlingford and Irish Lights Commission, where the discharge is
- ^{F11}(b) to be made in the Londonderry Area or the Newry area;]
- (c) ^{F12}

and (without prejudice to section 23 of the Interpretation Act (Northern Ireland) 1954) that person and the Foyle Fisheries Commission ^{F13}... shall be entitled to appear and be heard at the inquiry.

Changes to legislation: Fisheries Act (Northern Ireland) 1966, Section 11B is up to date with all changes known to be in force on or before 25 August 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) [^{F4}Article 13(1) of the 1999 Order] shall not apply to such an application where the Department ^{F14}... makes a direction under subsection (1) of this section.
- (4) [^{F4}Paragraph 2(2) of Schedule 1 to the 1999 Order shall not apply to any application under paragraph 1 of Schedule 1 to that Order] for the purpose mentioned in paragraph (b) of subsection (1) of this section.

Subs. (5) rep. by 1999 NI 6J

- F1** 1991 NI 13
- F2** functions transf. by SR 2003/163
- F3** Words in s. 11B(1)(a) omitted (8.5.2016) by virtue of The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 64(2)(a)** (with art. 9(2))
- F4** 1999 NI 6
- F5** Words in s. 11B(1)(b) substituted (8.5.2016) by The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 64(2)(b)** (with art. 9(2))
- F6** Words in s. 11B(1) substituted (8.5.2016) by The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 64(2)(c)** (with art. 9(2))
- F7** Words in s. 11B(1)(i) omitted (8.5.2016) by virtue of The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 64(2)(d)** (with art. 9(2))
- F8** Word in s. 11B(1)(i) omitted (8.5.2016) by virtue of The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 64(2)(e)** (with art. 9(2))
- F9** S. 11B(1)(ii) omitted (8.5.2016) by virtue of The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 64(2)(f)** (with art. 9(2))
- F10** Words in s. 11B(2) omitted (8.5.2016) by virtue of The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 64(3)** (with art. 9(2))
- F11** SI 1999/859
- F12** S. 11B(2)(c) 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(4), **Sch. 3** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(b)(e)**
- F13** Words in s. 11B(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(4), **Sch. 3** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(b)(e)**
- F14** Words in s. 11B(3) omitted (8.5.2016) by virtue of The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 64(4)** (with art. 9(2))

Changes to legislation:

Fisheries Act (Northern Ireland) 1966, Section 11B is up to date with all changes known to be in force on or before 25 August 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 11B(2)(b) and words repealed by [S.I. 2007/915 \(N.I.\) Sch. 2 para. 2\(2\)Sch. 3](#)