Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART VII

RESTRICTIONS ON DEALINGS IN SALMON, TROUT AND EELS

LICENCES FOR THE SALE OF SALMON, TROUT AND EELS

120 Register to be kept by holder of licence.

[[F1](1) Every holder of a dealer's licence—

(a) shall keep or cause to be kept at the place or premises to which the licence relates or at such other place as may be permitted by **[**[F2]the Department**]** a register in such form as may be prescribed by **[**[F3]regulations**]**—

(i) of all salmon, trout or eels acquired, by whatever means and whether in the course of his business as a dealer or otherwise, by him or by any person acting on his behalf, and

(ii) of all salmon, trout or eels disposed of, by whatever means and whether in the course of his business as a dealer or otherwise, by him or any person acting on his behalf; and

(b) shall enter or cause to be entered in the register such particulars relating to such salmon, trout or eels (other than any particulars as to price) as may be so prescribed.**]**

(2) A separate register shall be kept in respect of each place or set of premises, or, as the case may be, each vehicle, with respect to which a dealer's licence is for the time being in force.

(3) Where a dealer's licence is issued with respect to a vehicle, the register referred to in subsection (1) shall be kept in that vehicle whenever the vehicle is being operated in the ordinary course of business, and at other times shall be kept at such place as may be prescribed**[**[F1] by **[**[F3]regulations**]]**; and, accordingly, references in this Part to any place or premises where the register is required to be kept shall, as the case requires, be construed as references to that vehicle or the place so prescribed.

(4) The particulars referred to in subsection (1) shall be entered in the register on the same day as that on which the purchases, receipts or sales were made or received.

(5) Subsection (1) shall not apply with respect to any one or more sales by retail made to any one person on any one day where the total weight of the fish sold to that person on that day does not exceed**[**[F4] 2.25 kilograms**]**, provided that a statement of the aggregate weight of all the fish which were the subject of such sales to all such persons on that day is entered in the register in such manner as may be prescribed**[**[F1] by **[**[F3]regulations**]]**.

(6) Any authorised officer may inspect any register kept in pursuance of this section during such time as the place where the register is required to be kept under this section is open for the carrying on of business or at such other reasonable hours as **[**[F2]the Department**]** may prescribe by **[**[F3]regulations**]** ; and it shall be the duty of the licence-holder and of every person keeping the register, upon the request of an authorised officer, to produce for inspection by him that register, and also all invoices, consignment notes, receipts and other documents (including copies thereof where the originals are not available) which may be required to verify any entry in or explain any omission from the register, and to allow the authorised officer to take copies of or extracts from the register or any such document.

(7) A demand for the inspection of a register or other document under subsection (6) shall be deemed to have been duly made to the licence-holder if the demand is made verbally at the place, premises or vehicle where the register is required to be kept under subsection (1) or (3) to any person in the employment of the licence-holder.

(8) A person who holds or has held a dealer's licence shall preserve and retain any register kept by him under this section [[F5] together with any documents which may be required to verify any entry in or explain any omission from that register] for a period of six months after the expiration of the latest year in which an entry was made in the register.

(9) Any holder of a dealer's licence who contravenes any provision of this section shall be guilty of an offence under this Part.

(10) Any person who wilfully or negligently makes or causes to be made in a register kept under this section any entry which is false or misleading in any material particular shall be guilty of an offence under this Part.

(11) In this section “authorised officer” has the same meaning as in section 112(6).

F1 1991 NI 13

F2 S. 120(1)(6): words 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)(a)** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(a)(b)**

F3 S. 120(1)(3)(5)(6): 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)**

F4 SR 1983/100

F5 1968 c.31 (NI)

Changes to legislation:
There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 120.