



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

[¹PART IX

SHELL-FISH FISHERY LICENCES

135 Effect of shell-fish fishery licence.

- (1) A shell-fish fishery licence shall confer on the licensee a right of several fishery in the licensed area in relation to shell-fish of any kind specified in the licence.
- (2) Without prejudice to subsection (1), a shell-fish fishery licence shall confer on the licensee within the licensed area the exclusive right of depositing, propagating, dredging, fishing for, and taking shell-fish of any kind specified in the licence and, in exercise of that right, the right—
 - (a) to establish and maintain suitable living conditions for shell-fish of that kind;
 - (b) notwithstanding any regulations under section 124(2)(c) and notwithstanding section 127(1) and (1A), at any season to collect shell-fish of that kind and remove them from place to place within the licensed area or to another licensed area and to deposit them as and where he thinks fit;
 - (c) to do all other things which he thinks proper for obtaining, storing and disposing of the produce of the fishery or for the regulation of the fishery.
- (3) To the extent to which—
 - (a) arrangements made between the licensee and the Secretary of State; and
 - (b) where the licence was granted with the consent of the Crown Estate Commissioners, arrangements made between the licensee and the Commissioners,

allow, and subject to compliance by the licensee with the terms and conditions of the arrangements, a shell-fish fishery licence shall confer on the licensee within so much of the licensed area as consists of bed of the sea or an estuary, foreshore and (in the case of the Secretary of State) land contiguous to the foreshore and immediately below the level of mean high water springs the right, in exercise of the right mentioned in subsection (2), to moor, deposit, transport or erect such rafts, trays or other structures

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 135. (See end of Document for details)

or devices as are necessary for or reasonably incidental to the culture of shell-fish of a kind specified in the licence.

- (4) A shell-fish fishery licence shall not,—
- (a) except for the purpose of the culture of shell-fish of a kind specified in the licence, affect any right in or over the foreshore or the bed of the sea or any estuary, or any right of several fishery;
 - (b) for any purpose, affect any such right of any person which he enjoys under a local or personal Act or under Royal Charter, letters patent, prescription or immemorial usage, without the consent of that person.
- (5) Subject to subsection (4), every shell-fish fishery licence shall be binding on the Crown and on all persons whomsoever, and shall operate to vest in the licensee, his executors, administrators and assigns such rights as are given by the licence, free from all prior or other estates.

Changes to legislation:

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