



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

[^{F1}PART IX

SHELL-FISH FISHERY LICENCES

136 Offences with respect to licensed shell-fish fishery.

- (1) If any person other than the licensee or a person employed by him knowingly does within the licensed area any of the following things—
- (a) uses any implement, except a fishing engine constructed or adapted solely for catching free swimming fish and so used as not to disturb or injure in any manner the fishery or any shell-fish in it; or
 - (b) dredges for any ballast or substance except under lawful authority for improving the navigation; or
 - (c) deposits any stone, ballast, rubbish or substance; or
 - (d) without prejudice to paragraph (e), places any implement, apparatus, material, substance or thing that is prejudicial or likely to be prejudicial to the fishery or any shell-fish, except for a lawful purpose of navigation or anchorage; or
 - (e) where the limits of the area or any part of it are buoyed or otherwise marked with the consent in writing of the Secretary of State, beaches any vessel within those limits otherwise than because of actual or apprehended damage to the vessel, under stress of weather or with the consent in writing of the licensee; or
 - (f) disturbs or injures in any manner, except as permitted by virtue of paragraph (d) or (e), the fishery or any shell-fish in it; or
 - (g) damages or interferes with any raft, tray or other structure or device moored, erected or deposited by the licensee or any predecessor of his; or
 - (h) interferes with or takes away any shell-fish from the fishery without the consent in writing of the licensee,
- he shall be guilty of an offence.
- (2) Without prejudice to [^{F1} Article 14 of the Criminal Justice (Northern Ireland) Order 1994] (compensation orders against convicted persons), where a person does any act in contravention of subsection (1), then, whether he has or has not been prosecuted

Changes to legislation: *There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 136. (See end of Document for details)*

for or convicted of an offence under that subsection, he shall be liable to compensate the licensee for all damage sustained by the licensee by reason of that act, and such compensation shall be recoverable by the licensee by action in any court of competent jurisdiction.

- (3) For the purpose of subsection (1)(e) a document purporting to certify that any limits were buoyed or otherwise marked with the consent of the Secretary of State, to give particulars of the buoys or markers authorised in the document conveying the consent, and to be signed on behalf of the Secretary of State shall be received as evidence of the matters stated in it.

Annotations:

F1 [1994 NI 15](#)

Changes to legislation:

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