



# Fisheries Act (Northern Ireland) 1966

## 1966 CHAPTER 17

### PART XI

#### AUTHORISED PERSONS

##### POWERS

#### **179 Persons using, etc., fishing engines to produce fishing licence therefor on demand.**

- (1) If any person using [<sup>F1</sup> at any place] a fishing engine for which a licence is required under this Act, or having such a fishing engine erected or in fishing order ...<sup>F2</sup> in his possession in or near any fishing place ...<sup>F2</sup> fails on demand to produce to an authorised person a fishing licence [<sup>F3</sup> by or by virtue of which he is authorised to use that fishing engine at that place], he shall be guilty of an offence.
- (2) Where a person is charged with an offence under this section consisting of a failure to produce a fishing licence for a fishing engine to which subsection (1) applies, being a fishing engine in his possession, it shall be a good defence to prove that he had the fishing engine in his possession as a manufacturer or seller thereof and not for the purpose of using it.
- (3) A person shall not be charged with an offence under this section consisting of a failure to produce a fishing licence for a fishing engine in any of the circumstances referred to in subsection (1) if upon demand being made by an authorised person for the production of a fishing licence under that subsection, the first-mentioned person—
  - (a) then and there gives to the authorised person his name and address and any evidence of his identity then available and also gives a reasonable explanation of his failure to produce the fishing licence at that time; and
  - (b) [<sup>F4</sup>within five days] thereafter, and in accordance with any reasonable requirement then communicated to him by the authorised person, produces to the authorised person or to any other person designated by him—
    - (i) a [<sup>F5</sup>fishing licence] authorising the first-mentioned person to use the fishing engine at that place and time [<sup>F1</sup> or, if the fishing engine is a rod

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*Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 179. (See end of Document for details)*

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and line which he was using to fish for fish of any kind, and by reason of his age he was at that time exempted by [<sup>F6</sup>regulations] made under section 37(*f*) from the requirement to hold a fishing licence for a rod and line to fish for fish of that kind, evidence of his age]; and

(ii) evidence of the identity of the first-mentioned person.

<sup>F1</sup>(4) A person who is guilty of an offence under subsection (1) by reason of a contravention of that subsection which consists only of the use or possession of a rod and line shall be liable on summary conviction to a fine not exceeding [<sup>F7</sup> £200.]

[<sup>F8</sup>(5) In this section “fishing licence” means a fishing licence issued under Part III or a fishing licence issued by the Foyle, Carlingford and Irish Lights Commission under regulations made by the Commission under the Foyle Fisheries Act (Northern Ireland) 1952.]

**F1** 1968 c.31 (NI)

**F2** 1968 c.31 (NI)

**F3** 1968 c.31 (NI)

**F4** 1991 NI 13

**F5** Words in s. 179(3)(b)(i) substituted (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), 34(1), **Sch. 2 para. 2(11)(a)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**F6** S. 179: 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)**

**F7** 1981 NI 7

**F8** S. 179(5) added (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), 34(1), **Sch. 2 para. 2(11)(b)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 179.