



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART I

FUNCTIONS OF THE MINISTRY OF AGRICULTURE

DEVELOPMENT AND IMPROVEMENT OF FACILITIES FOR ANGLING

[^{F1}3A Schemes for development of derelict waters.

- (1) A scheme submitted to the Department for the purposes of section 3 shall be—
 - (a) in such form and contain such particulars as may be prescribed by regulations; and
 - (b) accompanied by such documents as may be so prescribed.
- (2) A fee of such amount as may be prescribed by regulations, made with the approval of the Department of Finance and Personnel, shall be payable by the approved developer on submitting a scheme.
- (3) The Department may approve a scheme with or without amendments.
- (4) In considering whether to give its approval to a scheme, the Department shall take into account such matters as are in its opinion appropriate and, in particular—
 - (a) the nature of the scheme and its potential effect on other fisheries;
 - (b) the financial and other resources available to the developer proposing the scheme;
 - (c) the arrangements made by the developer with owners of land to facilitate access to the waters to which the scheme relates; and
 - (d) the extent to which those waters, are already open to the public for angling.
- (5) Approval of a scheme shall be expressed to expire after the specified period.
- (6) Approval of a scheme may be—
 - (a) given subject to conditions; and
 - (b) withdrawn on failure to comply with those conditions.

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 3A. (See end of Document for details)

- (7) The Department, on the application of the developer who proposed a scheme or otherwise, may vary an approval so as to—
- (a) restrict the specified period; or
 - (b) add, remove or vary conditions to which the approval is subject.
- (8) On the expiration of the specified period the approved developer shall cease to occupy the waters forthwith.
- (9) Nothing in this section shall preclude an approved developer, who has in consequence of subsection (8) ceased to occupy waters, from submitting to the Department a further scheme in respect of those waters.
- (10) In this section and in section 4 “the specified period” means, subject to subsection (11) and section 4(3), such period as the Department may specify in relation to an approved scheme, being a period which expires no less than 5 years and no more than 15 years from the date on which the Department under section 3(2)(b) authorises the approved developer to undertake development of the waters in accordance with the scheme.
- (11) Where, under subsection (6), the Department withdraws its approval of a scheme, the specified period shall come to an end on the expiration of 30 days from the date on which the Department notifies the approved developer of that withdrawal, and subsection (8) and section 4 shall apply accordingly.]

Changes to legislation:

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 3A.