



# Foyle Fisheries Act (Northern Ireland) 1952

## 1952 CHAPTER 5

### PART VII

#### POWERS OF AUTHORISED PERSONS

#### 53 Definitions.

In this Part—

“authorised person” means (except where the context otherwise requires) a member of the Royal Ulster Constabulary, a member or officer of the Commission or a private river watcher;

“officer of the Commission” means an inspector or [<sup>F1</sup>fishery officer] appointed under section fifty-four;

“private river watcher” means a river watcher appointed under section fifty-five.

#### Annotations:

**F1** S. 53: words in definition of "officer of the Commission" substituted (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **19(1)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

#### 54 Appointment of inspectors and river watchers.

- (1) The Commission may by instrument under its common seal appoint a person to be—
  - (a) an inspector, or
  - (b) a [<sup>F2</sup>fishery officer],and may revoke such instrument.

- (2) An instrument under this section shall not be subject to stamp duty.

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**Annotations:**

**F2** Words in s. 54(1)(b) substituted (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **19(2)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**55 Appointment of river watchers by persons interested in fisheries.**

(1) Each of the following persons—

- (a) any person interested in the preservation of the fish of any river in the Londonderry Area<sup>F3</sup> or the Newry Area,
- (b) any persons who have united themselves into a society for the preservation of any fishery in any such river,
- (c) the owner of any fishery in any such river,
- (d) the owner of any salmon fishery on the sea coast,

may, from time to time, by instrument in writing in the form set out in the Fifth Schedule to this Act, appoint any person to be a river watcher for the protection of the fisheries on such part of the sea coast or in any such river or the tributaries thereof.

<sup>F4</sup>(2) A person appointed to be a river watcher shall not act in that capacity until his appointment is confirmed by the appropriate court.

(3) A person may apply to the appropriate court for confirmation of the appointment of a person as a river watcher and Part VII of the Magistrates' Courts (Northern Ireland) Order 1981 shall apply to any such application as if it were an application referred to in Article 76(1)(b) of that Order.

(4) The confirmation of the appointment of a person as a river watcher shall be effected by the resident magistrate endorsing the instrument of appointment.

(5) The appropriate court may, upon complaint made to it, revoke the appointment of a river watcher and thereupon the appointment shall be terminated.

(6) Where a person who has appointed a river watcher revokes that appointment, he shall, within 14 days of the revocation, serve written notice thereof on the clerk of petty sessions.

(7) Where—

- (a) the appointment of a person as a river watcher has been confirmed under subsection (4) or revoked under subsection (5); or
- (b) notice of the revocation of such an appointment has been received under subsection (6),

the clerk of petty sessions shall notify the Commission of such confirmation or revocation or, as the case may be, such notice, as soon as practicable.

(8) Any person who appoints another person to act as a river watcher shall, not later than 31st January in each year, make a return to the Commission in such form and containing such information as may be prescribed.

(9) The Commission shall maintain a register containing the names and addresses of those who are entitled to act as river watchers and descriptions of the geographical areas in which they are entitled to act.

(10) If any person—

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- (a) acts as a river watcher without having his appointment confirmed under subsection (4); or
- (b) so acts after his appointment has been revoked either by a court under subsection (5) or by his employer; or
- (c) so acts after he has ceased to be a river watcher by virtue of section 55A, he shall be guilty of an offence against this Act.

(11) In this section and sections 55A and 55B “the appropriate court”, in relation to a river watcher, means a court of summary jurisdiction<sup>F5</sup>....]

**Annotations:**

**F3** SI 1999/859

**F4** S. 55(2)-(11) substituted (1.6.2008) for s. 55(2)-(4) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **20(1)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**F5** Words in s. 55(11) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), Sch. 1 para. 47(2), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

**[<sup>F6</sup>55A Duration of appointment of river watchers**

- (1) Any person whose appointment as a river watcher is confirmed after the coming into operation of Article 20 of the Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 shall, unless his appointment is renewed under section 55B, cease to be a river watcher on the expiration of 5 years from the date of that confirmation.
- (2) Any person whose appointment as a river watcher was confirmed before the coming into operation of that Article shall, unless his appointment is renewed under section 55B, cease to be a river watcher—
  - (a) on the expiration of the period of 5 years from the date of that confirmation; or
  - (b) on the expiration of the period of 1 year from the coming into operation of that Article,whichever is the later.
- (3) A person who ceases by virtue of this section to be a river watcher may be re-appointed as such under section 55.

**Annotations:**

**F6** Ss. 55A, 55B inserted (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **20(2)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**55B Renewal of appointment as river watcher**

- (1) Where a person (“the applicant”) intends to renew the appointment of a river watcher, he shall, not less than 6 weeks before the date on which the appointment is to cease to have effect, serve a notice, in such form and containing such particulars as may be prescribed, on—
  - (a) the clerk of petty sessions; and
  - (b) the Commission.
- (2) Where the Commission objects to the renewal of the appointment of a river watcher, it shall, within 21 days of receiving a notice under subsection (1), notify the applicant and the clerk of petty sessions of its objection and of the grounds thereof.

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- (3) Where, within the time specified in subsection (2), the clerk of petty sessions has received no notice of an objection under that subsection, he shall confirm the appointment and endorse the instrument of appointment to that effect.
- (4) Where the Commission notifies the applicant that there is an objection to the renewal of the appointment, the applicant may apply to the appropriate court for confirmation of the renewal of the appointment and Part VII of the Magistrates' Courts (Northern Ireland) Order 1981 shall apply to any such application as if it were an application referred to in Article 76(1)(b) of that Order.
- (5) The confirmation of the renewal of the appointment of a person as a river watcher pursuant to an application under subsection (4) shall be effected by the resident magistrate endorsing the instrument of appointment.
- (6) Where the appointment of a person as a river watcher has been renewed under this section, the clerk of petty sessions shall notify the Commission of that renewal as soon as practicable.]

**Annotations:**

**F6** Ss. 55A, 55B inserted (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **20(2)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**56 Limitations on exercise of powers.**

- (1) The powers conferred by this Part on a private river watcher shall be exercised only for the protection of the fisheries specified in his instrument of appointment.
- (2) The powers conferred by this Part on a member or officer of the Commission shall be exercised only for the protection of the fisheries of the Foyle Area<sup>F7</sup> or the Carlingford Area].

**Annotations:**

**F7** SI 1999/859

**57 Warrant for exercise of powers.**

The production by an officer of the Commission or a private river watcher of his instrument of appointment under this Part shall be a sufficient warrant for his exercising the powers conferred on him by this Part, but the production of such instrument by him shall not be necessary in exercising those powers unless he has been first required to produce it.

**58 General powers.**

- (1) An authorised person may, for the purposes of the protection of the fisheries, do all or any of the following things—
  - (a) enter into and pass through or along [<sup>F8</sup> or remain on] the banks or borders of any rivers frequented by salmon or trout or of the tributaries thereof,
  - (b) with boats or otherwise enter upon any such rivers,
  - (c) enter upon and examine all weirs, sluices, mill dams, mill races and watercourses communicating with such rivers,

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- (d) enter any boat which has been or is engaged or is about to engage in fishing,
  - (e) examine all standing, floating or other nets whatsoever,
  - (f) seize any unlawful fishing engine or any lawful fishing engine which is being unlawfully used,
  - [<sup>F9</sup>(ff) seize any equipment (of whatever nature) which has been, or is being, used for facilitating the unlawful taking of any fish;]
  - (g) do all such other acts and things as he is authorised to do by or under this Act.
- [<sup>F10</sup>(1A) An officer of the Commission exercising any power under this Act may be accompanied and assisted by—
- (a) an officer of the Department; or
  - <sup>F11</sup>(b) .....
  - (c) .....
- (1B) Without prejudice to subsection (1)(a), an authorised person other than a private river watcher may for the purpose of preventing or detecting the commission of any offence against any provision of this Act at any time enter on and traverse any land either on foot or, where there is a suitable roadway, lane or path, in a motor vehicle.
- (1C) Where by virtue of subsection (1B) an authorised person brings a motor vehicle onto any land, he shall not cause or permit that vehicle to stand or remain in such a position as to cause or be likely to cause any danger or obstruction.
- (1D) An authorised person, on leaving any land which he has entered by virtue of this section, shall leave that land as effectually secured against trespassers as he found it.]
- (2) Nothing in this section shall be construed as authorising any person to enter any enclosed garden or any dwelling-house or the curtilage thereof except where the ordinary road or passage to any weir, dam or dyke traverses such garden or curtilage.

**Annotations:**

- F8** 1968 c. 31 (NI)
- F9** S. 58(1)(ff) inserted (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **21(1)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F10** S. 58(1A)-(1D) inserted (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **22** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F11** S. 58(1A)(b)(c) omitted (8.5.2016) by virtue of [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(3), **Sch. 6 para. 17** (with art. 9(2))

[<sup>F12</sup>**59 Power of lay magistrate to grant warrant to enter certain premises.**

- (1) If a lay magistrate is satisfied by complaint on oath that the first condition is satisfied and that the second or third condition is satisfied he may issue a warrant authorising an authorised person to enter any premises, if necessary using reasonable force, for any of the purposes mentioned in section 63(1).
- (2) The complaint shall include—
  - (a) a statement as to whether any representations have been made by the occupier of the premises to an authorised person concerning the purpose for which the warrant is sought;
  - (b) a summary of any such representations.

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- (3) The first condition is that there are reasonable grounds for an authorised person to enter the premises for that purpose.
- (4) The second condition is that each of the following applies to the occupier of the premises—
  - (a) he has been informed of the decision to seek entry to the premises and of the reasons for that decision;
  - (b) he has failed to allow entry to the premises on being requested to do so by an authorised person;
  - (c) he has been informed of the decision to apply for the warrant.
- (5) The third condition is that—
  - (a) the premises are unoccupied or the occupier is absent and (in either case) notice of intention to apply for the warrant has been left in a conspicuous place on the premise, or
  - (b) an application for admission to the premises or the giving of notice of intention to apply for the warrant would defeat the object of entering the premises.
- (6) A warrant issued under this section shall not continue in force for more than 7 days from the date of its issue by the lay magistrate, which date shall be clearly visible on the warrant.
- (7) A warrant issued under this section shall be executed only at a reasonable hour unless otherwise authorised by the warrant.
- (8) A person authorised to enter premises by virtue of a warrant issued under this section—
  - (a) may take with him such other persons and such equipment as he considers may be necessary; and
  - (b) shall, on leaving any unoccupied premises which he has entered by virtue of such a warrant, leave them as effectually secured against trespassers as he found them.
- (9) In this section “authorised person” does not include a private river watcher.]

**Annotations:**

**F12** S. 59 substituted (1.6.2008) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **23** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**60 Boarding and examination of fishing vessels.**

- (1) A member or officer of the Commission or member of the Royal Ulster Constabulary may, subject to any directions and regulations given or made by the Commission, do with respect to any vessel employed in fishing, all or any of the following things—
  - (a) board such vessel,
  - (b) examine the certificate of registry and the fishing engines of such vessel, and ascertain whether the provisions of this Act or the Fisheries Acts have been complied with and whether the master or other persons on board are carrying on fishing in the manner required by this Act,
  - (c) seize any unlawful fishing engine or any lawful fishing engine unlawfully used.

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- (2) If the master of any fishing vessel refuses to produce the certificate of registry of such vessel when required to do so by a member or officer of the Commission or member of the Royal Ulster Constabulary, he shall be guilty of an offence against this Act.

## 61 Apprehension of offenders.

- (1) If, within the Foyle Area<sup>F13</sup> or the Carlingford Area], any person (in this section referred to as the offender) is found offending against the provisions of the Fisheries Acts or this Act or the corresponding law of the Republic of Ireland, the following provisions shall have effect:—

- (a) an authorised person may require the offender to do either or both of the following things—
- (i) desist from such offence;
  - (ii) give his name and address;
- (b) if the offender, after being so required, wilfully continues such offence or fails or refuses to give his name and address <sup>F14</sup>to the satisfaction of the authorised person], the authorised person and any persons acting under his directions may apprehend the offender;
- (c) where the offender is apprehended under this section by an authorised person who is not a member of the Royal Ulster Constabulary, that person shall, subject to sub-section (2) of this section, forthwith deliver the offender into the custody of a member of the Royal Ulster Constabulary to be dealt with according to law.

- <sup>F15</sup>(2) If any person fails to give his name and address to the satisfaction of an authorised person when required to do so in accordance with subsection (1)(b), he shall be guilty of an offence against this Act.]

- (3) <sup>F16</sup> .....

### Annotations:

**F13** SI 1999/859

**F14** Words in s. 61(1)(b) inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **24(1)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**F15** S. 61(2) substituted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **24(2)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**F16** S. 61(3) repealed (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), 24(3), 34(2), **Sch. 3** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

## 62 Powers in relation to fishing engines, etc.

Where an authorised person finds—

- (a) during the annual close season or the weekly close time—
- (i) any passage in any fishing engine or contrivance closed or obstructed, or
  - (ii) any fishing engine or other contrivance whatsoever placed or used in contravention of this Act or any instrument made thereunder, or
- (b) at any time, any obstruction in a fish pass, or
- (c) at any time, any obstruction in the waste gate appurtenant to any mill or factory when such waste gate is required by law to be open,

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he may open such passages and remove such obstructions, doing no unnecessary damage, and seize and remove all things so found or used contrary to the provisions of the Fisheries Acts or this Act or any instrument made thereunder.

### **63 Powers of inspection, examination, and detention.**

- (1) Every person (in this section referred to as an authorised officer) being a member or officer of the Commission or member of the Royal Ulster Constabulary is hereby authorised to do all or any of the following things—
- (a) to stop and search any person conveying or suspected to be conveying fish of any kind or any instrument, poison or explosive used or adapted for killing or taking fish unlawfully and to [<sup>F17</sup> examine] any fish, instrument or substance which such person is found to be conveying and for that purpose to open and search any vehicle or package in which any fish, instrument or substance is being or is suspected to be conveyed;
  - (b) at all reasonable times to enter upon and have free access to the interior of—
    - (i) any premises in which fish is or is believed to be sold, or kept, exposed or stored for sale, or
    - (ii) any premises in which any instrument or substance intended for the destruction of fish is or is believed to be kept, or
    - (iii) the premises of any person engaged in the business of carrying goods for reward, or
    - (iv) any aerodrome, pier, quay, wharf, jetty or dock or premises thereon, or
    - (v) any ship, boat, aircraft, railway wagon, motor lorry, cart, or other vessel or vehicle used for the conveyance of goods, [<sup>F18</sup> or
    - (vi) any hotel, guest house, restaurant or other premises or place at which board and lodging or meals are provided for reward;]
  - (c) to examine all fish found in any place which he is authorised by this section to enter and for that purpose to open any package found in such place and containing or suspected to contain fish;
  - (d) to stop, enter and search, on any river or the banks thereof or any part of the sea or the shores thereof any boat used or suspected to be used for fishing or containing or suspected to contain fish unlawfully captured and to examine all fish and all fishing engines found therein and for that purpose to open any package which contains or is suspected to contain any fish or fishing engine;
  - (e) to take, remove and detain in his custody any fish (either together with or without any package in which the same may be contained) found in the course of the exercise of any of the powers conferred by this section in respect of which an offence under [<sup>F19</sup> the Fisheries Acts or] this Act is being or is suspected of being committed or which have been or are suspected of having been unlawfully captured;
  - (f) to take, remove and detain in his custody any fishing engine [<sup>F20</sup>, boat, vehicle or article] liable or believed to be liable to forfeiture under the Fisheries Acts or this Act;
  - (g) to demand and take the name and address [<sup>F21</sup> and date of birth] of the person having custody of any fish or other article which the authorised officer is authorised under this section to examine and also demand and take from such person the name and address of the owner of such fish or other article.



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- [<sup>F22</sup>(h) to demand and take the name, address and date of birth of any person who is fishing or whom he reasonably suspects to be about to fish or to have fished within the preceding half hour.]
- (2) Where an authorised officer detains in his custody under the authority of this section any fish or other article he shall, as soon as may be, take such steps as may be proper to have the person guilty or suspected to be guilty of the offence committed or suspected to have been committed in relation to such fish or other article dealt with according to law.
- (3) Where an authorised officer detains in his custody under the authority of this section any fish and such fish is likely to become unfit for human food before the matter can conveniently be dealt with by any court, he shall produce such fish to a justice of the peace, and if authorised so to do by such justice of the peace shall destroy or otherwise dispose of such fish.
- (4) A justice of the peace to whom any fish is produced in pursuance of this section shall, if he is of opinion that the fish ought in the circumstances to be destroyed or otherwise disposed of, give to the person producing the fish a certificate in writing describing the fish and any marks, peculiarities or other particulars thereof pointed out to him by such person and authorising such person to destroy or otherwise dispose of the fish, which certificate shall be conclusive evidence of all such matters of fact as aforesaid stated therein.
- (5) Every person who refuses to give his own name and address [<sup>F23</sup>and date of birth to the satisfaction of the authorised officer] or the name and address of any other person (so far as known to him) when lawfully demanded under this section shall be guilty of an offence against this Act [<sup>F24</sup> and shall be liable on summary conviction to a fine not exceeding £200].
- [<sup>F25</sup>(6) Nothing in this section shall be construed as authorising an authorised officer to enter —
- (a) any enclosed garden; or
  - (b) any dwelling-house or the curtilage thereof.]

**Annotations:**

- F17** 1968 c. 34 (NI)  
**F18** 1962 c. 5 (NI)  
**F19** 1962 c. 5 (NI)  
**F20** 1962 c. 5 (NI)  
**F21** Words in s. 63(1)(g) inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **25(a)(i)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.  
**F22** S. 63(1)(h) added (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **25(a)(ii)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.  
**F23** Words in s. 63(5) inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **25(b)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.  
**F24** 1981 NI 7  
**F25** S. 63(6) inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **25(c)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

[<sup>F26</sup>**64 Procedure for disposal of boat or fishing engine seized.**

[<sup>F27</sup> Where a person seizes in Northern Ireland—

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- (i) any boat or fishing engine in exercise of powers conferred on him by this Part;  
 or
- (ii) any equipment in exercise of the power conferred by section 58(1)(ff),
- he shall], as soon as may be, apply to a court of summary jurisdiction<sup>F28</sup> ... for an order for its disposal under this section and thereupon the following provisions shall have effect:—
- (a) if, in the case of a boat, the court finds that, at the time of its seizure, it [<sup>F29</sup>had recently been], was being, or was about to be, used for a purpose which under this Act is unlawful, the court shall order it to be forfeited;
- (b) if, in the case of a fishing engine, the court finds that it is one the use of which is prohibited by law, the court shall order it to be forfeited and destroyed;
- (c) if, in the case of a fishing engine, the court finds that it is a lawful fishing engine which at the time of its seizure [<sup>F30</sup>had recently been], was being or was about to be, unlawfully used in any part of the Foyle Area<sup>F31</sup> or the Carlingford Area], the court shall order it to be forfeited;
- [<sup>F32</sup>(cc) if, in the case of any equipment seized under section 58(1)(ff), the court finds that at the time of its seizure it had been, was being, or was about to be used to facilitate the unlawful taking of fish, the court shall order it to be forfeited;]
- (d) in any other case, the court shall order the boat [<sup>F33</sup>, fishing engine or equipment] to be returned to the person who appears to the court to be the owner thereof.]

**Annotations:**

- F26** 1962 c. 5 (NI)
- F27** Words in s. 64 substituted (1.6.2008) by *Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9))*, arts. 1(3), **21(2)(a)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F28** Words in s. 64 repealed (31.10.2016) by *Justice Act (Northern Ireland) 2015 (c. 9)*, s. 106(2), Sch. 1 para. 47(3), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F29** Words in s. 64(a) substituted (1.6.2008) by *Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9))*, arts. 1(3), **21(2)(b)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F30** Words in s. 64(c) substituted (1.6.2008) by *Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9))*, arts. 1(3), **21(2)(b)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F31** SI 1999/859
- F32** S. 64(cc) inserted (1.6.2008) by *Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9))*, arts. 1(3), **21(2)(c)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.
- F33** Words in s. 64(d) substituted (1.6.2008) by *Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9))*, arts. 1(3), **21(2)(d)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**65 Protection of authorised persons.**

No authorised person shall be liable for any loss or damage occasioned by or in the course of the exercise of any of the powers conferred on him by this Part unless such loss or damage was caused by him wantonly or maliciously.

**66 Penalty for assaulting or obstructing authorised persons.**

If any person assaults, obstructs or impedes any person exercising any power conferred by this Part, he shall be guilty of an offence against this Act and shall be liable on summary conviction to a fine not exceeding<sup>F34</sup> £20] or to imprisonment for any term not exceeding two months or to both such fine and such imprisonment.

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**Changes to legislation:** There are currently no known outstanding effects for the Foyle Fisheries Act (Northern Ireland) 1952, PART VII. (See end of Document for details)

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**Annotations:**

**F34** [1984 NI 3](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Foyle Fisheries Act (Northern Ireland) 1952, PART VII.