
STATUTORY INSTRUMENTS

1991 No. 1466

The Fisheries (Amendment) (Northern Ireland) Order 1991

Protection of fisheries

Protection of spawn or fry of salmon, trout and eels

12. Section 48 of the principal Act shall be amended as follows—

(a) in subsection (1) at the beginning there shall be inserted the words “Subject to subsections (1A) and (2)”;

(b) after subsection (1) there shall be inserted the following subsections—

“(1A) It shall not be an offence under subsection (1)(a) for the owner of an eel several fishery to take or have in his possession the fry of eels where he has removed those fry from that several fishery solely for the purpose of returning them to an upstream part of the same several fishery.

(1B) Subsection (1A) applies to a person acting under the direction of the owner of an eel several fishery in the same manner as it applies to such an owner.”

(c) for subsection (3) there shall be substituted the following subsection—

“(3) In this section—

(a) “fry” (except in subsection (1)(d))—

(i) in relation to salmon, includes parr and smolts,

(ii) in relation to trout, includes trout of a length less than fifteen centimetres measured from the tip of the snout to the fork or cleft of the tail, and

(iii) in relation to eels, includes elvers; and

(b) “trout” includes rainbow trout.”.