
STATUTORY INSTRUMENTS

1991 No. 1466

The Fisheries (Amendment) (Northern Ireland) Order 1991

Enforcement of principal Act

Jurisdiction of Water Appeals Commission for Northern Ireland

31. After section 185A of the principal Act (preservation of amenity) there shall be inserted the following heading and section—

“Jurisdiction of Water Appeals Commission for Northern Ireland under this Act

Jurisdiction of Appeals Commission.

185B.—(1) In relation to the exercise of the jurisdiction of the Appeals Commission under this Act, Article 8 of the Water and Sewerage Services (Northern Ireland) Order 1973 shall have effect subject to the following modifications—

- (a) in paragraphs (2) to (5) references to the Department within the meaning of that Article shall be construed as references to the Department within the meaning of this Act;
 - (b) paragraph (8) shall have effect as if for the words from “Schedules” onwards there were substituted “ section 11A(3) or 132(2) of the Fisheries Act (Northern Ireland) 1966 ”.
- (2) Where the Appeals Commission may determine an appeal under this Act—
- (a) the appeal shall be heard by such member of the Appeals Commission as the Chief Commissioner may appoint in that behalf;
 - (b) except where an appeal is to be decided solely by reference to written representations, the Chief Commissioner may, after consultation with the Appeals Commission and the Department, appoint an assessor to sit with the member appointed under paragraph (a) at the appeal to advise him on any matters arising;
 - (c) notwithstanding paragraphs (a) and (b), any decision on the appeal shall be made by the Appeals Commission.
- (3) Where the Appeals Commission may hold an inquiry under this Act—
- (a) the inquiry shall be held by such member of the Appeals Commission as the Chief Commissioner may appoint in that behalf;
 - (b) the Chief Commissioner may, after consultation with the Appeals Commission and the Department, appoint an assessor to sit with the member appointed under paragraph (a) at the inquiry or hearing to advise him on any matters arising;
 - (c) notwithstanding paragraphs (a) and (b), any report on the inquiry or hearing shall be made by the Appeals Commission.

Changes to legislation: *There are currently no known outstanding effects for the The Fisheries (Amendment) (Northern Ireland) Order 1991, Section 31. (See end of Document for details)*

(4) The Appeals Commission may pay to any assessor appointed under subsection (2)(b) or (3)(b) such fees and allowances as the Commission, with the approval of the Department, may approve.”.

Changes to legislation:

There are currently no known outstanding effects for the The Fisheries (Amendment) (Northern Ireland) Order 1991, Section 31.