
STATUTORY INSTRUMENTS

2007 No. 915

The Foyle and Carlingford Fisheries
(Northern Ireland) Order 2007

PART III

MISCELLANEOUS AMENDMENTS OF THE FOYLE
FISHERIES ACT (NORTHERN IRELAND) 1952

Use of certain devices to take fish

15.—(1) In section 42 of the 1952 Act (penalty for using, etc., certain devices for taking fish) for subsection (1) there shall be substituted—

“(1) If, for the purpose of taking or facilitating the taking of any fish, any person uses or has in his possession or control, in any river or on or near the banks thereof—

- (a) any light or fire; or
- (b) any electrical or acoustical apparatus of any kind,

he shall be guilty of an offence against this Act.”.

(2) In subsection (3)(a) and (b) of that section the words “gaff or” shall cease to have effect.

(3) After subsection (3) of that section there shall be inserted—

“(3A) If any person throws, releases or discharges any missile or other object into any water for the purpose of taking or killing, or facilitating the taking or killing of, any fish, he shall be guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding 6 months, or to both;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 2 years, or to both.”.

(4) At the end of that section there shall be added—

“(5) In this section—

“gaff” means a hooked instrument (with or without a barb) used to penetrate the gills or body of a fish; and

“otter” means an otter lath or jack, and includes any instrument, whether used with a handline, or as an auxiliary to a rod and line, or otherwise for the purpose of running out lures, artificial or otherwise.”.