
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

Seizure and disposal of certain articles

21.—(1) In section 58(1) of the 1952 Act (powers of authorised persons) after paragraph (f) there shall be inserted—

“(ff) seize any equipment (of whatever nature) which has been, or is being, used for facilitating the unlawful taking of any fish;”.

(2) In section 64 of the 1952 Act (procedure for disposal of boat or fishing engine)—

(a) for the words from the beginning to “any boat or fishing engine, he shall” there shall be substituted

“Where a person seizes in Northern Ireland—

(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”;

(b) in paragraphs (a) and (c) for “had been” there shall be substituted “had recently been”;

(c) after paragraph (c) there shall be inserted—

“(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 paragraph (d) for “or fishing engine” there shall be substituted “, fishing engine or equipment”.