

FOYLE AND CARLINGFORD FISHERIES (NORTHERN IRELAND) ORDER 2007

S.I. 2007 No. 915 (N.I. 9)

EXPLANATORY MEMORANDUM

MAIN ELEMENTS OF THE ORDER

6. The main purpose of the Order is to provide for the development and licensing of aquaculture and for the exercise of a development function in relation to inland fisheries by the FCILC in line with the North / South Co-operation (Implementation Bodies) (NI) Order 1999 and to update certain provisions of the Foyle Fisheries Act (NI) 1952 in relation to inland fisheries in the Foyle and Carlingford Areas.
7. The Order includes the following provisions:
 - Provision to prohibit the carrying out of aquaculture without a licence or in contravention of the terms and conditions of a licence;
 - Provision to empower the FCILC to grant aquaculture licences under such conditions as it determines;
 - Provision to enable the FCILC to regulate aquaculture licence application procedures and fees payable in respect of licences;
 - Provision to vest ownership of aquaculture stocks in the licensee;
 - Provision to allow for the recapture of escaped stock from licenced sites;
 - Provision for the variation, revocation, transfer and surrender of licences;
 - Provision for the establishment of a register of aquaculture licences;
 - Provision for penalties for offences relating to aquaculture;
 - Provision for existing fish culture licences, shellfish fishery licences and marine fish fishery licences to continue to be valid;
 - Provision to establish an Appeals Board and provide for appropriate appeals procedures in relation to aquaculture licences;
 - Provision to enable the FCILC to acquire fishing rights in the Foyle and Carlingford Areas;
 - Provisions relating to the form and conditions of fishing licences;
 - Provision for the reinstatement of polluted waters and recovery of associated costs;
 - Provision to improve the conservation and protection of fish stocks;
 - Provision to strengthen enforcement powers and increase penalties for fisheries offences;
 - Provision to increase control over the appointment and activities of Private River Watchers;
 - Provision to allow the FCILC to provide services and to charge fees;
 - Provision to allow for the regulation and prohibition of the sale of rod caught fish in Northern Ireland.

*This Explanatory Memorandum refers to the Foyle and Carlingford
Fisheries (Northern Ireland) Order 2007 No. 915 (N.I. 9)*

- Provision to allow for the FCILC to regulate for the conservation and protection of oysters, mussels, sea bass and tope within the Foyle and Carlingford Areas.