

SCHEDULES

SCHEDULE 2

Article 34(1)

AMENDMENTS

The Foyle Fisheries Act (Northern Ireland) 1952 (c. 5)

1.—(1) In section 2(1), in the definition of “prescribed”, after “ “prescribed”” insert “ , except in Part VIA, ”.

(2) In section 13(1)(g), for “licences” substitute “ fishing licences ”.

(3) In section 13(1)(k) after “Act” insert “ , except in Part VIA, ”.

(4) In section 13(2) for “licence” substitute “ fishing licence ”.

(5) In section 34(4), in paragraph (c) for “licence”, where that word twice occurs, substitute “ fishing licence ”.

(6) In section 39(3), for “licence” substitute “ fishing licence ”.

(7) In section 74, for “licence” wherever that word occurs, substitute “ fishing licence ”.

Commencement Information

II Sch. 2 para. 1 partly in operation; Sch. 2 para. 1 not in operation at date Order made see art. 1(3); Sch. 2 para. 1(2) and 1(4) to 1(7) in operation at 1.6.2008 by S.R. 2008/232, art. 2, Sch.

The Fisheries Act (Northern Ireland) 1966

2.—(1) In section 11(3), for “section 111” substitute “ section 111 or regulations made under section 26(1)(jj) ”.

(2) In section 11B(2), omit paragraph (b) and the words “and the Foyle Fisheries Commission”.

(3) In section 15(1) after “Londonderry Area” insert “ or the Newry Area ”.

(4) In section 16(1)(f) after “Londonderry Area” insert “ or the Newry Area ”.

(5) In section 26, in subsection (1) after paragraph (j) insert—

“(jj) the regulation or prohibition of the sale of any species of fish caught by rod and line;”.

(6) In section 41—

(a) in subsection (1) for “licence”, where that word twice occurs, substitute “ fishing licence ”;

(b) after subsection (5) add—

“(6) In this section “fishing licence” means a fishing licence issued under Part III or a fishing licence issued by the Foyle, Carlingford and Irish Lights Commission under regulations made by the Commission under the Foyle Fisheries Act (Northern Ireland) 1952.

(7) In relation to a fishing licence issued by the Foyle, Carlingford and Irish Lights Commission, the reference in subsection (1) to byelaws shall be construed as a reference

Status: Point in time view as at 01/06/2008. This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Foyle and Carlingford Fisheries (Northern Ireland) Order 2007, SCHEDULE 2. (See end of Document for details)

to regulations made by the Commission under the Foyle Fisheries Act (Northern Ireland) 1952.”.

(7) Section 45 is renumbered as subsection (1) of that section and after that subsection add—

“(2) In this section “fishing licence” means a fishing licence issued under Part III or a fishing licence issued by the Foyle, Carlingford and Irish Lights Commission under regulations made by the Commission under the Foyle Fisheries Act (Northern Ireland) 1952.”.

(8) In section 108(1)(c) after “Londonderry Area” insert “ or the Newry Area ”.

(9) In section 110, subsection (4) ceases to have effect.

(10) In section 124, after subsection (1) insert—

“(1A) In the application of this section to the Londonderry Area and the Newry Area, the reference in subsection (1) to sea-fisheries does not include a reference to tope, sea bass, mussel or oyster fisheries.”.

(11) In section 179—

(a) in subsection (3)(b)(i) for “licence”, where that word first occurs, substitute “ fishing licence ”;

(b) after subsection (4) add—

“(5) In this section “fishing licence” means a fishing licence issued under Part III or a fishing licence issued by the Foyle, Carlingford and Irish Lights Commission under regulations made by the Commission under the Foyle Fisheries Act (Northern Ireland) 1952.”.

(12) In section 203(1)(a) after “Londonderry Area” insert “ or the Newry Area ”.

(13) In section 206(1), in the definition of “fishing licence” after “fishing licence” insert “ , except in sections 41, 45 and 179, ”.

(14) In section 212—

(a) in subsection (1) for “13” substitute “ 14 ”;

(b) after subsection (1) insert—

“(1A) Sections 11 to 11C and Parts IX and IXA shall not apply to the Londonderry Area or the Newry Area.

(1B) In subsection (1), the reference to sea-fisheries does not include a reference to tope, sea bass, mussel or oyster fisheries.”.

Commencement Information

I2 Sch. 2 para. 2 partly in operation; Sch. 2 para. 2 not in operation at date Order made see art. 1(3); Sch. 2 para. 2(3), 2(4) and 2(6) to 2(13), 2(14)(a) in operation at 1.6.2008 by S.R. 2008/232, art. 2, Sch.; Sch. 2 para. 2(14)(b) in operation in so far as it inserts subsection (1B) into section 212 of the 1966 Act at 1.6.2008 by S.R. 2008/232, art. 2, Sch.

The Diseases of Fish Act (Northern Ireland) 1967

3.—(1) In section 2(1)—

(a) in paragraph (a) after “Londonderry Area” insert “ or the Newry Area ”;

(b) for paragraph (b) substitute— “ if that area or part of that area is within the Londonderry Area or the Newry Area, an inspector or fishery officer appointed by and acting on behalf of the Foyle, Carlingford and Irish Lights Commission; ”.

- (2) In section 8, at the appropriate place in alphabetical order insert—
““the Newry Area” has the meaning assigned to it by section 2(1) of the Foyle Fisheries Act (Northern Ireland) 1952;”.

PROSPECTIVE

The Fish Industry Act (Northern Ireland) 1972

4. In section 1 at the end of subsection (2) insert “ or an aquaculture licence is in force under section 52A of the Foyle Fisheries Act (Northern Ireland) 1952 ”.

The Nature Conservation and Amenity Lands (Northern Ireland) Order 1985

5. In Article 20(6)—
(a) for head (a) substitute—
“(a) the Foyle, Carlingford and Irish Lights Commission;”
(b) head (e) ceases to have effect.

The Electricity (Northern Ireland) Order 1992

6. In paragraph 8 of Schedule 5—
(a) for sub-paragraph (b) substitute—
“(b) the Foyle, Carlingford and Irish Lights Commission where the abstraction is to be made in the Londonderry Area or the Newry Area (within the meaning of section 2(1) of the Foyle Fisheries Act (Northern Ireland) 1952);”
(b) in sub-paragraph (c) for “that Area” substitute “ those Areas ”.

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