1985 No. 342

FISHERIES

Foyle Area (Control of Netting) (Amendment No. 2) Regulations 1985

Made	*20th November 1985*
Coming into operation . . .	*16th December 1985*

The Foyle Fisheries Commission in exercise of its powers under section 13 of the Foyle Fisheries Act 1952(**a**) and section 13 of the Foyle Fisheries Act (Northern Ireland) 1952(**b**) with the approval of the Minister for Fisheries and Forestry in the Republic of Ireland(**c**) and the Department of Agriculture for Northern Ireland(**d**) hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Foyle Area (Control of Netting) (Amendment No. 2) Regulations 1985 and shall come into operation on 16th December 1985.

Amendment to the Foyle Area (Control of Netting) Regulations 1981

2. The Foyle Area (Control of Netting) Regulations 1981(**e**) shall be amended as follows:—

(1) For Regulation 14(2) there shall be substituted:—

"(2) A person who on demand for a licence as provided in paragraph (1) produces a licence in the name of another person shall—

(i) in the case of a licence for a draft net or a drift net, at the same time produce to the authorised person the written authorisation provided for in Regulation 14A(2);

(ii) in all other cases, at the same time produce to the authorised person the written authority of the licensee, authorising the use or possession by the person producing the authority, of the net in relation to which such demand was made".

(2) After Regulation 14 there shall be added the following Regulation:—

"*Use of Licences for Drift and Draft Nets*

14A.—(1) Subject to paragraph (2) fishing in any part of the Foyle Area using a draft net or a drift net specified in Part I of the Schedule to the Foyle Area (Licensing of Fishing Engines) Regulations 1976(**f**) for which a licence is required shall not be permitted except by the licensee with the assistance of some or all of the persons named to assist in using the fishing engine in accordance with Regulation 4 of the said Regulations.

(2) Notwithstanding paragraph (1) fishing by any of the methods referred to therein may be carried out in the absence of the licensee by the senior helper nominated in accordance with Regulation 4 of the Foyle Area (Licensing of Fishing Engines) Regulations 1976, with the assistance of some or all of the

(**a**) No. 5 of 1952 (Republic of Ireland)
(**b**) 1952 c. 5 (N.I.)
(**c**) 1962 c. 5 (N.I.) Section 2(2)
(**d**) S.R. & O. (N.I.) 1963 No. 29 Art. 2(2) and Sch. Part II
(**e**) S.R. 1981 No. 169
(**f**) S.R. 1976 No. 362 as amended by S.R. 1985 No. 23 and S.R. 1985 No. 341