1972. No. 156 **[C]**

FISHERIES

Drift Netting Control Bye-Laws 1972

BYE-LAWS, DATED 5TH JUNE 1972, MADE BY THE FISHERIES CONSERVANCY BOARD FOR NORTHERN IRELAND WITH THE APPROVAL OF THE MINISTRY OF AGRICULTURE UNDER SECTION 70 OF THE FISHERIES ACT (NORTHERN IRELAND) 1966.

The Fisheries Conservancy Board for Northern Ireland (hereinafter called "the Board") being satisfied that it is expedient to control the use of drift nets for the taking of salmon in the sea and in exercise of its powers under Section 70 of the Fisheries Act (Northern Ireland) 1966(a) (hereinafter called "the Act") and of every other power enabling it in that behalf with the approval of the Ministry of Agriculture (hereinafter called "the Ministry") hereby makes the following Bye-laws.

1. These Bye-laws may be cited as the Drift Netting Control Bye-laws (Northern Ireland) 1972, and shall come into operation on 3rd July 1972.

2. These Bye-laws shall apply to the whole of Northern Ireland except the Londonderry Area.

3.—(1) Subject to paragraph (2) the Board shall not issue drift net licences except to persons who

(i) have held drift net licences during two out of the three years last preceding the date of application for a drift net licence to be issued in accordance with these Bye-laws, and the Fisheries Consolidated, Amendment and Licence Duties Bye-laws (Northern Ireland) 1969(b);

(ii) are the owners of boats used for drift net fishing.

(2) Paragraph (1) shall not apply where the Board (or on appeal from the Board under Bye-law 4 the Ministry) considers that by reason of special circumstances a drift net licence ought to be issued to a person other than a person described in sub-paragraphs (i) and (ii) of paragraph (1).

4. Where the Board refuses to issue a licence the appeal procedure prescribed in Bye-laws 12, 13, 14, 15 and 16 of the Fisheries Consolidated, Amendment and Licence Duties Bye-laws (Northern Ireland) 1969 shall have effect.

5.—(1) Subject to the provisions of paragraph (2) all boats used for drift net fishing shall be fishing boats registered in Northern Ireland under Part 4 of the Merchant Shipping Act 1894(c).

(2) Paragraph (1) shall not apply to boats used by fishermen resident outside Northern Ireland who have held drift net licences in two out of the three years last preceding the date of application for a drift net licence to be issued in accordance with these Bye-laws, and the Fisheries Consolidated, Amendment and Licence Duties Bye-laws (Northern Ireland) 1969.

(a) 1966. c. 17 (N.I.).
(b) S.R. & O. (N.I.) 1969, No. 91.
(c) 57 & 58 Vict. c. 60.