**1960. No. 10** **[C]**

## FOYLE FISHERIES COMMISSION

### Foyle Area (Licensing of Fishing Engines) Regulations, 1960

The Foyle Fisheries Commission hereinafter referred to as "the Commission" in exercise of its powers under Section 13 of the Foyle Fisheries Act, 1952, and Section 13 of the Foyle Fisheries Act (Northern Ireland), 1952, hereby makes the following regulations:—

**1.** These regulations may be cited as the Foyle Area (Licensing of Fishing Engines) Regulations, 1960.

**2.** A person shall not fish for salmon with rod and line in any part of the Foyle Area unless he is the holder of a salmon rod licence for the time being in force and issued by the Commission in pursuance of these regulations.

**3.** A person shall not use, for the purpose of taking or with intent to take salmon or trout in any part of the Foyle Area, any fishing engine, other than a rod and line, in respect of which there is not for the time being in force a licence issued by the Commission in pursuance of these regulations.

**4.** A salmon rod licence or a licence in respect of any other fishing engine specified in the First Schedule may, subject to these regulations, be issued upon payment to the Commission in the manner hereinafter prescribed of the licence duty specified in the said Schedule opposite the mention of such fishing engine.

**5.** No licence other than a licence in respect of a rod and line shall be issued to any person under the age of eighteen years.

**6.** The licence duties specified in these regulations shall be paid in the following manner:

(1) Where an application in respect of any fishing engine specified in Part I of the First Schedule has been duly approved as hereinafter provided, then

(*a*) if the application is presented to the Licence Distributor specified therein on or before the fifteenth day of June in any year one moiety of the prescribed licence duty shall be paid at the time of presentation subject to the condition, which shall be endorsed on the licence, that the second moiety shall be paid on or before the fifth day of July in such year;

(*b*) if the application is presented to the Licence Distributor specified therein after the fifteenth day of June in any year the whole amount of the prescribed licence duty shall be paid at the time of presentation.

(2) Where application is made to a Licence Distributor for a salmon rod licence or a licence in respect of any other fishing engine specified in Part II of the First Schedule the licence duty shall be paid in full at the time of the application.

**7.**—(1) Each application for a licence in respect of any fishing engine specified in Part I of the First Schedule shall be in the form specified in the Second Schedule and shall be sent so as to reach the office of the Commission not later than the first day of March in the year for which the licence is required.

(2) An application submitted pursuant to the last preceding paragraph may be approved by the Commission so however that no applicant shall receive in any year more than one licence of a particular description.

(3) Every application approved by the Commission shall be endorsed by an officer authorised by the Commission in that behalf and shall be returned to the applicant.

(4) An application which has been endorsed by the Commission may be presented by the applicant to the Licence Distributor specified therein who shall, on payment in the manner provided in paragraph (1) of regulation 6 of the appropriate licence duty specified in the First Schedule, issue the appropriate licence on behalf of the Commission and shall retain the application.

**8.** A licence in respect of any fishing engine specified in Part II of the First Schedule may be obtained on application to any Licence Distributor, provided that no Licence Distributor shall save by authority given in writing in that behalf by the Commission issue to any person more than one licence of a particular description.

**9.** Where a licence is issued subject to a condition as to deferred payment of a moiety of the licence duty, then if there is a breach of such condition the licence shall cease to be in force immediately upon such breach.

**10.** The holder of a licence issued in accordance with these regulations shall not save by authority given in writing in that behalf by the Commission use for the purpose of taking or with intent to take fish any net in that portion of the River Foyle which lies between the defined mouth of the river and an imaginary straight line drawn across the River Foyle to join the points where the southernmost boundary of the County of Londonderry meets the river on each side.

**11.** In these regulations the expression "Licence Distributor" means a person duly authorised by the Commission to distribute licences in respect of fishing engines.

**12.** The Foyle Area (Licensing of Fishing Engines) (No. 2) Regulations, 1955, are hereby revoked.

Given under the Official Seal of the Foyle Fisheries Commission this 25th day of January, 1960.

(L.S.)

*E. O'Kelly,*
Member of the Commission nominated by the Minister.

*Joseph Edwards,*
Member of the Commission nominated by the Ministry.

The Minister for Lands hereby approves of the foregoing regulations.

Sealed with the Official Seal of the Minister for Lands this 30th day of January, 1960.

(L.S.)

*M. J. Gallagher,*
A person authorised by the Minister for Lands to authenticate the Official Seal of the Minister.