



Number 32 of 1987

FISHERIES (AMENDMENT) (NO. 2) ACT, 1987

AN ACT TO AMEND THE LAW RELATING TO FISHERIES
AND FOR THAT PURPOSE TO AMEND AND EXTEND
5 THE FISHERIES ACTS, 1959 TO 1987, BY AMENDING THE
PROVISIONS FOR SALMON ROD ORDINARY LICENCES
AND EXTENDING THE PROVISIONS FOR ORDINARY
FISHING LICENCES WHICH RELATE TO ROD AND LINE
TO INCLUDE LICENCES IN RESPECT OF TROUT,
10 LICENCES IN RESPECT OF COARSE FISH AND
LICENCES IN RESPECT OF SALMON, TROUT AND
COARSE FISH, TO LIMIT REGISTRATION UNDER
SECTION 58 OF THE FISHERIES ACT, 1980, TO SEA
ANGLERS AND TO CERTAIN OTHER PERSONS AND TO
15 AMEND AND EXTEND SECTION 59 OF THAT ACT, TO
PROVIDE FOR OTHER MATTERS CONNECTED WITH
THE FOREGOING AND OTHERWISE TO AMEND AND
EXTEND THE FISHERIES ACTS, 1959 TO 1987.

[26th December, 1987]

20 BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act—

Definitions.

“the Act of 1980” means the Fisheries Act, 1980;

“the Minister” means the Minister for the Marine;

“the Principal Act” means the Fisheries (Consolidation) Act, 1959.

25 2.—Section 3 (1) of the Principal Act is hereby amended—

Amendment of
section 3 of Principal
Act.

(a) by the substitution of the following provision for the first
provision therein (which relates to references to angling
for salmon or trout):

30 “references to angling for salmon, trout and coarse fish,
or references to angling for any such fish, shall be con-
strued as references to angling with rod and line;”;

(b) by the substitution of the following definition for the defini-
tion of “coarse fish” (inserted by the Act of 1980):

“the expression ‘coarse fish’ means any freshwater fish or

[1987.] *Fisheries (Amendment) (No. 2) Act, 1987.* [No. 32.]

the spawn or fry thereof other than salmon, trout (including rainbow trout and char) or eels or their spawn or fry;"

- (c) by the insertion of the following definitions before the definition of "consequential disqualification" (inserted by the Act of 1980): 5

"the expression 'coarse fish rod ordinary licence' means an ordinary fishing licence to fish with rod and line for coarse fish:

the expression 'coarse fish rod (annual) ordinary licence' means a coarse fish rod ordinary licence which is valid for a period of one year and is available for use in every fishery district: 10

the expression 'coarse fish rod (twenty-one day) ordinary licence' means a coarse fish rod ordinary licence which is valid for a period of twenty-one days and is available for use in every fishery district: 15

the expression 'composite freshwater angling ordinary licence' means an ordinary fishing licence to fish with rod and line for salmon, trout and coarse fish and which is valid for the period of one year and is available for use in every fishery district:" 20

- (d) by the insertion of the following definition after the definition of "free-gap":

"the expression 'freshwater rod ordinary licence' means a salmon rod ordinary licence, a trout rod ordinary licence, a coarse fish rod ordinary licence or a composite freshwater angling ordinary licence:" 25

- (e) by the deletion of the definitions of "salmon rod (annual) (district) ordinary licence", "salmon rod (late season) ordinary licence", "salmon rod (late season) (district) ordinary licence" and "salmon rod (seven day) ordinary licence", and by the substitution for the definition of "salmon rod (twenty-one day) ordinary licence" of the following definition: 30

"the expression 'salmon rod (twenty-one day) ordinary licence' means a salmon rod ordinary licence which is valid for the period of twenty-one days and is available for use in every fishery district:" 35

- (f) by the insertion of the following definition after the definition of "sea fisheries protection officer": 40

"the expression 'season game fishing rod and line (Foyle Area) licence' means a licence to fish with rod and line for salmon and trout issued in pursuance of regulations made under the Foyle Fisheries Act, 1952 (No. 5 of 1952), which is valid for a year;" 45

- (g) by the substitution for the definition of "trout" of the following definition:

"the word 'trout', when used without any qualification includes—

- (a) all fish of the brown trout kind, 50

(b) rainbow trout and char—

(i) in Part VI,

(ii) in any other provision, when that provision also applies to salmon and coarse fish,

5 (c) save in Part IX pollen or freshwater herring, and

(d) any spawn or fry of a trout,

but does not include sea trout;”;

10 (h) by the deletion of the definitions of “trout rod (general) licence”, “trout rod (juvenile) licence”, “trout rod licence” and “trout rod (riparian owner) licence” and by the insertion of the following definitions before the definition of “unlawful fishing engine”:

“the expression ‘trout rod ordinary licence’ means an ordinary fishing licence to fish with rod and line for trout;

15 the expression ‘trout rod (annual) ordinary licence’ means a trout rod ordinary licence which is valid for a period of one year and is available for use in every fishery district;

20 the expression ‘trout rod (twenty-one day) ordinary licence’ means a trout rod ordinary licence which is valid for a period of twenty-one days and is available for use in every fishery district;”.

25 3.—Section 65 (which relates to the penalty for using an unlicensed scheduled engine, other than rod and line) of the Principal Act is hereby amended by the insertion in subsection (1) of “, coarse fish” after “salmon, trout”. Amendment of section 65 of Principal Act.

4.—The Principal Act is hereby amended by the substitution of the following section for section 66: Penalty for certain fishing with rod and line by unlicensed person.

30 “66. (1) Subject to subsection (2) of this section, if any person fishes for or takes or kills any salmon, trout and coarse fish or any of them with rod and line in any fishery district and such person is not the holder of—

(a) in the case of such salmon, a salmon rod ordinary licence or a composite freshwater angling ordinary licence,

35 (b) in the case of such trout, a trout rod ordinary licence or a composite freshwater angling ordinary licence,

(c) in the case of such coarse fish, a coarse fish rod ordinary licence or a composite freshwater angling ordinary licence,

40 which is for the time being in force, such person shall be guilty of an offence under this section.

45 (2) The provisions of subsection (1) of this section shall not apply in respect of the fishing for or taking or killing, by a person who has not reached his eighteenth birthday or has reached his sixty-sixth birthday, of any trout with one rod and line or of any coarse fish with one or two rods and lines.

[1987.] *Fisheries (Amendment) (No. 2)* [No. 32.]
Act, 1987.

(3) A person who is guilty of an offence under this section shall be liable—

(a) on summary conviction thereof to a fine not exceeding £500,

(b) on conviction on indictment to a fine not exceeding £2,000 or, at the discretion of the court, to imprisonment for a term not exceeding two years or to both such fine and such imprisonment. 5

(4) Where a person is convicted of an offence under this section, any rod and line in respect of which the offence was committed shall, as a statutory consequence of conviction, stand forfeited.”. 10

Amendment of
section 67 of
Principal Act.

5.—Section 67 (which relates to ordinary fishing licences) of the Principal Act is hereby amended—

(a) by the deletion of subsection (2); 15

(b) by the substitution of the following subsections for subsections (3) and (4):

“(3) (a) The periods for which ordinary fishing licences are to be issued shall be—

(i) in the case of salmon rod ordinary licences — the period of twenty-one days and the period of one year, 20

(ii) in the case of trout rod ordinary licences — the period of twenty-one days and the period of one year, 25

(iii) in the case of coarse fish rod ordinary licences — the period of twenty-one days and the period of one year,

(iv) in the case of composite freshwater angling ordinary licences — the period of one year, 30

(v) in the case of other ordinary fishing licences — the period of one year.

(b) Salmon rod ordinary licences issuable for twenty-one days and available for use in every fishery district shall be called, and in this Act are referred to as, salmon rod (twenty-one day) ordinary licences. 35

(c) Salmon rod ordinary licences issuable for a year and available for use in every fishery district shall be called, and in this Act are referred to as, salmon rod (annual) ordinary licences. 40

(d) Trout rod ordinary licences issuable for twenty-one days and available for use in every fishery district shall be called, and in this Act are referred to as, trout rod (twenty-one day) ordinary licences. 45

(e) Trout rod ordinary licences issuable for a year

and available for use in every fishery district shall be called, and in this Act are referred to as, trout rod (annual) ordinary licences.

5 (f) Coarse fish rod ordinary licences issuable for twenty-one days and available for use in every fishery district shall be called, and in this Act are referred to as, coarse fish rod (twenty-one day) ordinary licences.

10 (g) Coarse fish rod ordinary licences issuable for a year and available for use in every fishery district shall be called, and in this Act are referred to as, coarse fish rod (annual) ordinary licences.

15 (4) (a) A salmon rod (twenty-one day) ordinary licence, a trout rod (twenty-one day) ordinary licence and a coarse fish rod (twenty-one day) ordinary licence shall each be valid and in force for the period of twenty-one days commencing on the date specified in that behalf in the licence concerned.

20 (b) An ordinary fishing licence (other than an ordinary fishing licence to which paragraph (a) of this subsection relates) shall be valid and in force for the year specified in that behalf in the licence.”;

25 (c) by the substitution of the following subsections for subsections (6) and (7):

“(6) Every ordinary fishing licence issued by a regional board shall—

30 (a) be in such form as the Minister may from time to time direct,

(b) state thereon—

(i) the name of the regional board concerned,

(ii) the period for which it is to be valid and in force,

35 (iii) where appropriate, the number or name of the fishery district to which it relates,

(iv) the kind of fishing engine to which it relates.

40 (7) Where an application is made for a freshwater rod ordinary licence, such licence shall be issued by that board.”;

(d) by the substitution of the following subsections for subsections (11) to (15):

45 “(11) An ordinary fishing licence (not being a freshwater rod ordinary licence) shall be available for use in the fishery district as regards which the application for the licence was made and which is specified in the licence and being a fishery district in the fisheries region of the regional board by which it was issued and in no other fishery district.

[1987.] *Fisheries (Amendment) (No. 2) Act, 1987.* [No. 32.]

(12) Every freshwater rod ordinary licence shall be available for use in every fishery district.

(13) Every freshwater rod ordinary licence shall specify the name and address of the person to whom it is issued and such licence shall not be available for use by any person except the person named therein or be transferred to any other person. 5

(14) Every ordinary fishing licence (other than a freshwater rod ordinary licence) shall operate to authorise the use, during the period specified therein and in the fishery district specified therein, of a fishing engine of the kind specified therein, but subject to the provisions of this Act and any instrument made thereunder. 10

(15) Every freshwater rod ordinary licence shall operate to authorise the person named therein, but no other person, to use, during the period specified therein and in every fishery district— 15

(a) in the case of a salmon rod ordinary licence, a salmon rod,

(b) in the case of a trout rod ordinary licence, a trout rod, 20

(c) in the case of a coarse fish rod ordinary licence, not more than two coarse fish rods,

(d) in the case of a composite freshwater angling ordinary licence any combination of rods referred to in paragraphs (a), (b) and (c) of this subsection, 25

subject to the provisions of this Act and any instrument made thereunder.

(e) by the deletion of subsection (16). 30

Amendment of
section 68 of
Principal Act.

6.—Section 68 (which relates to duties on ordinary fishing licences) of the Principal Act is hereby amended—

(a) by the insertion of the following subsections after subsection (2):

“(2A) (a) This subsection applies to a trout rod ordinary licence which is valid for a particular year and is issued to a person who is the holder of a season game fishing rod and line (Foyle Area) licence which is valid for that year. 35

(b) Subject to paragraph (c) of this subsection the ordinary licence duty payable in respect of a trout rod (annual) ordinary licence to which this subsection applies shall be £10. 40

(c) Wherever the Minister makes, under paragraph (b) of subsection (1) of this section, an order altering the ordinary licence duty in respect of a trout rod (annual) ordinary licence, he may by order alter the licence duty payable in respect 45

of a trout rod (annual) ordinary licence to which this subsection applies.

5 (2B) (a) This subsection applies to a composite freshwater angling ordinary licence which is valid for a particular year and is issued to a person who is the holder of a season game fishing rod and line (Foyle Area) licence which is valid for that year.

10 (b) Subject to paragraph (c) of this subsection the ordinary licence duty payable in respect of a composite freshwater angling ordinary licence to which this subsection applies shall be £30.

15 (c) Wherever the Minister makes, under paragraph (b) of subsection (1) of this section, an order altering the ordinary licence duty in respect of a composite freshwater angling ordinary licence, he may by order alter the licence duty payable in respect of a composite freshwater angling ordinary licence to which this subsection applies.”;

(b) by the substitution of the following subsection for subsection (1):

25 “(1) (a) Subject to paragraphs (b) and (c) of this subsection, the ordinary licence duty in respect of a freshwater rod ordinary licence of the class specified in column (2), (3), (4), (5), (6), (7) or (8) of Part I of the Fourth Schedule to this Act shall be the sum set out in whichever of those columns relates to a freshwater rod ordinary licence of that class.

35 (b) The Minister may, from time to time, with the consent of the Minister for Finance, by order alter the freshwater rod ordinary licence duty of a particular class specified in Part I of the Fourth Schedule to this Act.

(c) This subsection shall not apply to the ordinary licence duty payable in respect of—

40 (i) a salmon rod (annual) ordinary licence to which subsection (2) of this section applies, or

(ii) a trout rod (annual) ordinary licence to which subsection (2A) of this section applies, or

45 (iii) a composite freshwater angling ordinary licence to which subsection (2B) of this section applies.”;

(c) by the substitution in paragraph (a) of subsection (2) of “season game fishing rod and line” for “salmon rod”;

50 (d) by the substitution in paragraph (b) of subsection (2) of “£17” for “£11.50” (inserted by the Salmon, Eel and Oyster Fishing Licences (Alteration of Licence Duties) Order, 1984 (S.I. No. 343 of 1984));

[1987.] *Fisheries (Amendment) (No. 2) Act, 1987.* [No. 32.]

(e) by the deletion of subsection (3);

(f) by the substitution in subsection (6) of "paragraph (c) of subsection (2A), paragraph (c) of subsection (2B)" for "paragraph (c) of subsection (3)";

(g) by the substitution of the following subsection for subsection (7): 5

"(7) Where an order under subsection (4) or (5) of this section is proposed to be made, the Minister shall cause a draft of the order to be laid before each House of the Oireachtas and the order shall not be made until a resolution approving of the draft has been passed by each such House.";

and the said subsections (2) and (6), as so amended, are set out in *paragraphs 1 and 2, respectively, of the Table* to this section.

TABLE 15

1. (2) (a) This subsection applies to a salmon rod (annual) ordinary licence which is valid for a particular year and is issued to a person who is the holder of a season game fishing rod and line (Foyle Area) licence which is valid for that year.
- (b) Subject to paragraph (c) of this subsection the ordinary licence duty payable in respect of a salmon rod (annual) ordinary licence to which this subsection applies shall be £17. 20
- (c) Wherever the Minister makes, under paragraph (b) of subsection (1) of this section, an order altering the ordinary licence duty in respect of a salmon rod (annual) ordinary licence, he may by order alter the annual licence duty payable in respect of a salmon rod (annual) ordinary licence to which this subsection applies. 25
2. (6) Where the ordinary licence duty in respect of an ordinary fishing licence is altered under any of the following provisions of this section, namely, paragraph (b) of subsection (1), paragraph (c) of subsection (2), paragraph (c) of subsection (2A), paragraph (c) of subsection (2B), paragraph (b) of subsection (4) and paragraph (c) of subsection (5), the duty as so altered shall be payable in respect of any such ordinary fishing licence which is to be valid for a period commencing on or after the 1st day of January next following the making of the order which effected the alteration. 30 35

Amendment of section 69 of Principal Act.

7.—Section 69 (which relates to licence duties on engines not specified in the Fourth Schedule and restrictions on user of such engines) of the Principal Act is hereby amended by the insertion in subsection (1) of "coarse fish" after "salmon, trout,".

Amendment of section 99 of Principal Act.

8.—Section 99 (which relates to restriction on erection of fishing weirs, fishing mill dams or fixed engines in the freshwater portion of any river) is hereby amended by the substitution of the following subsection for subsection (4): 40

"(4) The provisions of this section shall not apply to long lines used solely for the capture of eels or to engines used for the capture of fish other than freshwater fish." 45

Amendment of section 167 of Principal Act.

9.—Section 167 of the Principal Act (as amended by the Act of 1980) is hereby amended by the substitution of "salmon, trout or coarse fish" for "salmon or trout", and the said section, as so amended, is set out in the Table to this section. 50

TABLE

5 167. If any person takes, catches or fishes for any salmon, trout or coarse fish by means of cross lines in any river, such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding £500.

10 10.—Section 168 of the Principal Act (as amended by the Act of 1980) is hereby amended by the substitution of “salmon, trout or coarse fish” for “salmon or trout”, and the said section, as so amended, is set out in the Table to this section.

Amendment of section 168 of Principal Act.

TABLE

10 168. If the owner or occupier of any eel weir takes or suffers to be taken therein any salmon, trout or coarse fish, such owner or occupier shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding £500.

15 11.—Section 169 of the Principal Act (as amended by the Act of 1980) is hereby amended by the substitution of “salmon, trout or coarse fish” for “salmon or trout”, and the said section, as so amended, is set out in the Table to this section.

Amendment of section 169 of Principal Act.

TABLE

20 169. If any person dams, teems or empties any river or mill race for the purpose of taking or destroying any salmon, trout or coarse fish, such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding £500.

25 12.—The Principal Act is hereby amended by the substitution of the following section for section 170:

Penalties for taking fish unlawfully killed or found dead.

“(1) Every person who by any means removes or causes to be removed from any river or lake—

(a) any salmon, trout or coarse fish which shall not have been killed by lawful means, or

30 (b) any salmon, trout or coarse fish which shall have been found dead, from any cause whatever, by such person,

35 shall be guilty of an offence under this section and shall be liable on summary conviction to a fine not exceeding £500 or, at the discretion of the Court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

(2) This section shall not apply to—

(a) any person acting under the authority of the Minister, or

40 (b) any officer of a regional board acting under the instructions of that board, or

(c) any owner of a fishery or his agent acting under the written authority of a regional board, or

45 (d) so far as respects the removal or causing to be removed of any diseased salmon, trout or coarse fish, or any salmon, trout or coarse fish found dead from any

[1987.] *Fisheries (Amendment) (No. 2) Act, 1987.* [No. 32.]

cause, "any member of the Garda Síochána or any Sanitary Officer."

Amendment of section 182 of Principal Act.

13.—Section 182 of the Principal Act is hereby amended in paragraph (e) of subsection (2) by the substitution of the following subparagraph for subparagraph (iii) of that paragraph:

5

"(iii) he proves that the trout was captured by the holder of a licence to fish with rod and line for trout or that it was captured by a person to whom subsection (2) of section 66 (as amended by the *Fisheries (Amendment) (No. 2) Act, 1987*) related at the time of the capture, and",

10

and the said paragraph (e), as so amended, is set out in the Table to this section.

TABLE

(e) Where— 15

(i) a person is charged with an offence under this subsection in relation to a trout, and

(ii) he proves that the trout was captured by rod and line at a particular place during a period other than the annual close season for angling for trout at that place, and 20

(iii) he proves that the trout was captured by the holder of a licence to fish with rod and line for trout or that it was captured by a person to whom subsection (2) of section 66 (as amended by the *Fisheries (Amendment) (No. 2) Act, 1987*) related at the time of the capture, and 25

(iv) he proves that otherwise the trout was lawfully captured,

the charge against him shall be dismissed.

Amendment of section 296 of Principal Act.

14.—Section 296 of the Principal Act (which relates to general powers of members of the Garda Síochána and of authorised officers for the protection of fisheries) is hereby amended by the substitution in subsection (1) (as amended by the Act of 1980) of "trout (including any rainbow trout or char)" for "trout, char". 30

Amendment of section 303 of Principal Act.

15.—Section 303 (as amended by the Act of 1980) of the Principal Act is hereby amended by the insertion of the following subsections after subsection (4): 35

"(4A) Where a person is charged with an offence under this section consisting of a failure to produce an ordinary licence for a scheduled engine in his possession, it shall be a good defence, to so much of the charge as relates to a failure to produce an ordinary licence for a trout rod or a coarse fish rod, to prove that he is a person to whom subsection (2) of section 66 (as amended by the *Fisheries (Amendment) (No. 2) Act, 1987*) did apply when the demand to so produce was made. 40

(4B) This section shall not apply in respect of the use of a trout rod or a coarse fish rod where the person concerned has not reached his eighteenth birthday or has reached his sixty-sixth birthday if, on a demand being made by any member of the Garda Síochána or authorised person in accordance with subsection (2) of this section to produce an ordinary licence for the trout rod or the coarse fish rod, the person concerned produces evidence 50

[1987.] *Fisheries (Amendment) (No. 2) Act, 1987.* [No. 32.]

which satisfies such member of the Garda Síochána or authorised person that he is a person to whom subsection (2) of section 66 (as amended by the *Fisheries (Amendment) (No. 2) Act, 1987*) applies.”.

- 5 16.—Section 315 (which relates to payments to regional boards and, in certain cases, the Garda Síochána Reward Fund in respect of fines for certain offences) of the Principal Act is hereby amended by the substitution in subsection (1) (b) of “salmon, trout (including rainbow trout and char), coarse fish or eels” for “salmon, trout or
10 eels”.

Amendment of section 315 of Principal Act.

- 15 17.—Section 318 (which relates to payments to regional boards and, in certain cases, the Garda Síochána Reward Fund in respect of proceeds of certain forfeitures) of the Principal Act is hereby amended by the substitution in subsection (1) (a) of “salmon, trout (including rainbow trout and char), coarse fish or eels” for “salmon, trout or eels” in both places where it occurs.

Amendment of section 318 of Principal Act.

- 18.—The Principal Act is hereby amended by the substitution for Part I of the Fourth Schedule thereto of the Part set out in the Schedule to this Act.

Amendment of Fourth Schedule to Principal Act.

- 20 19.—Section 11 of the Act of 1980 is hereby amended by the insertion of the following subsection after subsection (4):

Amendment of section 11 of Act of 1980.

- 25 “(4A) The powers exercisable by a regional board by virtue of subsection (4) of this section to issue certain types of licences shall, upon the coming into operation of *section 19* of the *Fisheries (Amendment) (No. 2) Act, 1987*, extend to licences to which that Act relates and the reference in the said subsection (4) to ‘salmon rod (twenty-one day) ordinary licences’ shall not be construed as referring to salmon rod (twenty-one day) ordinary licences issuable by virtue of that Act.”.

- 30 20.—(1) Subject to *subsections (3) and (4)* of this section, there shall be deleted by each regional board from the Register of Trout, Coarse Fish and Sea Anglers established and maintained by it by virtue of subsection (1) of section 58 of the Act of 1980 the names of every person who is not registered as a sea angler or is a person other
35 than a sea angler to whom subsection (4) of the said section 58 relates and each such register shall be known as the “Register of Sea Anglers”.

Register of Sea Anglers.

(2) For the purposes of *subsection (1)* of this section, the following provisions shall have effect:

- 40 (a) the amendment of subsection (1) of section 2 of the Act of 1980 by the substitution of the following definition for the definition of “Register of Trout, Coarse Fish and Sea Anglers”:

- 45 “‘Register of Sea Anglers’ means a register to which section 58 (1) applies;”;

- (b) the amendment of subsection (2) of section 12 of the Act of 1980 by the substitution in paragraphs (b) (ii) and (c) of “Register of Sea Anglers” for “Register of Trout, Coarse Fish and Sea Anglers”;

[1987.] *Fisheries (Amendment) (No. 2) Act, 1987.* [No. 32.]

(c) the amendment of subsection (1) (b) (i) of section 13 of the Act of 1980 by the substitution of "Register of Sea Anglers" for "Register of Trout, Coarse Fish and Sea Anglers";

(d) the amendment of section 58 of the Act of 1980 by the insertion of the following subsection after subsection (2):

"(2A) Any person other than a sea angler who is registered in a register by virtue of subsection (4) of this section (being so registered before the commencement of *section 20 of the Fisheries (Amendment) (No. 2) Act, 1987*) may at any time by an application in writing to the regional board concerned apply to such board to re-register him as a sea angler and, on duly receiving an application under this subsection, that board shall allow the application and re-register him in the register maintained by it—

(a) where the application is received by that regional board within one month prior to an election of members of that board, with effect from the day following the election, and

(b) in every other case, with effect from the day the application is received by it.”;

(e) the amendment of subsection (1) of section 58 of the Act of 1980 by the deletion of “, and which is in this Act referred to,” and “Trout, Coarse Fish and”;

(f) the amendment of subsection (2) of the said section 58—

(i) in paragraph (a), by the deletion of all the words from “, and when applying for registration” down to and including the words “or as a sea angler”, and

(ii) in paragraph (b), by the substitution of the words “the regional board shall register the applicant as a sea angler.” for all the words from “the regional board concerned shall—” down to the end of that paragraph;

(g) the deletion of subsection (3) of the said section 58;

(h) the amendment of subsection (4) of the said section 58 by the substitution in paragraphs (a) and (d) of “Register of Sea Anglers” for “Register of Trout, Coarse Fish and Sea Anglers”;

(i) the amendment of subsection (6) of the said section 58 by the substitution of “Register of Sea Anglers” for “Register of Trout, Coarse Fish and Sea Anglers”;

and the said subsections (1) and (2) of the said section 58, as so amended, are set out in *paragraphs 1 and 2*, respectively, of the Table to this section.

(3) Any person who, immediately before the coming into operation of this section, was registered in the Register of Trout, Coarse Fish and Sea Anglers and whose name was, by virtue of *subsection (1)* of this section, deleted from such register, may, by an application in writing and made so that it is received by the regional board concerned

[1987.] *Fisheries (Amendment) (No. 2)* [No. 32.]
Act, 1987.

before the 31st day of the month of May following such coming into operation, apply to that board to re-register him and on duly receiving an application under this subsection the regional board concerned shall, subject to payment of the appropriate annual subscription under section 58 of the Act of 1980, allow the application and re-register him in the register maintained by it with effect from the date of such coming into operation.

(4) Where a person to whom *subsection (3)* of this section relates does not apply to be re-registered under that subsection but does pay to the regional board concerned the appropriate annual subscription as if he were registered as a sea angler paying that subscription under section 58 (2) (c) and that payment is received by that board before the day specified in the said *subsection (3)*, then he shall be deemed to have duly applied for re-registration under that subsection and shall be re-registered accordingly.

TABLE

1. (1) Each regional board shall establish and maintain a register to be known as a "Register of Sea Anglers".
2. (2) (a) On payment of the appropriate annual subscription to a regional board a person shall be registered in accordance with paragraph (b) of this subsection in the register maintained by that board.
- (b) On receipt of an application for registration in the register, accompanied by the appropriate annual subscription, the regional board shall register the applicant as a sea angler.

21.—Section 59 of the Act of 1980 is hereby amended—

- (a) in paragraph (b) of subsection (1), by the repeal of all the words from "in case the person is" down to "he is so registered," and by the substitution of "any regional board" for "the regional board by whom the register is maintained",
- (b) by the repeal of subsection (2), and
- (c) in subsection (4) by the substitution of "subsection (1)" for "subsections (1) and (2)",

and the said subsection (1) of section 59, as so amended, is set out in the Table to this section.

Saver for and additional rights given to former life members of Trust.

TABLE

- (1) A person who immediately before the dissolution of the Trust was a life member thereof shall, subject to such restrictions or other requirements, if any, as the Minister considers appropriate for the proper management of the fishery concerned and which are for the time being prescribed for the purposes of this section, be permitted—
- (a) to fish in accordance with law for trout or coarse fish in the waters of any fishery transferred to the Central Board by section 35 of this Act for so long as the interest therein so transferred to the Central Board subsists, and
- (b) to fish in accordance with law for trout and coarse fish in the waters of any fishery—
 - (i) owned or occupied by any regional board.
 - (ii) owned or occupied by the Central Board (whether such fishery was transferred to the Central Board by the said section 35 or was otherwise acquired by the Central Board).

[1987.] *Fisheries (Amendment) (No. 2) Act, 1987.* [No. 32.]

Repeal of provisions relating to scheduled trout waters.

22.—Chapter III of Part VI (that is to say, sections 79 to 84) and section 305 of the Principal Act are hereby repealed.

Short title, collective citation, construction and commencement.

23.—(1) This Act may be cited as the Fisheries (Amendment) (No. 2) Act, 1987.

(2) The collective citation “the Fisheries Acts, 1959 to 1987” shall include this Act and the said Fisheries Acts, 1959 to 1987, shall be construed together as one Act.

(3) This Act shall come into operation on such day or days as may be fixed therefor by any order or orders of the Minister, either generally or by reference to any particular purpose or provision and different days may be fixed for different purposes and different provisions of this Act.

Section 18.

SCHEDULE

AMENDMENT OF PART I OF FOURTH SCHEDULE TO PRINCIPAL ACT

“PART I

15

Licence Duties in Respect of Freshwater Rod Ordinary Licences

Kind of Engine (1)	Classes of Freshwater Rod Ordinary Licences						
	Composite fresh-water angling ordinary licences (2)	Salmon rod (annual) ordinary licences (3)	Salmon rod (twenty-one day) ordinary licences (4)	Trout rod (annual) ordinary licences (5)	Trout rod (twenty-one day) ordinary licences (6)	Coarse fish (annual) licences (7)	Coarse fish (twenty-one day) ordinary licences (8)
Freshwater rod	£40	£25	£21	£15	£10	£10	£5