



Foyle Fisheries Act (Northern Ireland) 1952

1952 CHAPTER 5

PART VII

POWERS OF AUTHORISED PERSONS

55 Appointment of river watchers by persons interested in fisheries.

- (1) Each of the following persons—
- (a) any person interested in the preservation of the fish of any river in the Londonderry Area^[F1] or the Newry Area,
 - (b) any persons who have united themselves into a society for the preservation of any fishery in any such river,
 - (c) the owner of any fishery in any such river,
 - (d) the owner of any salmon fishery on the sea coast,
- may, from time to time, by instrument in writing in the form set out in the Fifth Schedule to this Act, appoint any person to be a river watcher for the protection of the fisheries on such part of the sea coast or in any such river or the tributaries thereof.
- ^[F2](2) A person appointed to be a river watcher shall not act in that capacity until his appointment is confirmed by the appropriate court.
- (3) A person may apply to the appropriate court for confirmation of the appointment of a person as a river watcher and Part VII of the Magistrates' Courts (Northern Ireland) Order 1981 shall apply to any such application as if it were an application referred to in Article 76(1)(b) of that Order.
- (4) The confirmation of the appointment of a person as a river watcher shall be effected by the resident magistrate endorsing the instrument of appointment.
- (5) The appropriate court may, upon complaint made to it, revoke the appointment of a river watcher and thereupon the appointment shall be terminated.

Changes to legislation: There are currently no known outstanding effects for the Foyle Fisheries Act (Northern Ireland) 1952, Section 55. (See end of Document for details)

- (6) Where a person who has appointed a river watcher revokes that appointment, he shall, within 14 days of the revocation, serve written notice thereof on the clerk of petty sessions.
- (7) Where—
- (a) the appointment of a person as a river watcher has been confirmed under subsection (4) or revoked under subsection (5); or
 - (b) notice of the revocation of such an appointment has been received under subsection (6),
- the clerk of petty sessions shall notify the Commission of such confirmation or revocation or, as the case may be, such notice, as soon as practicable.
- (8) Any person who appoints another person to act as a river watcher shall, not later than 31st January in each year, make a return to the Commission in such form and containing such information as may be prescribed.
- (9) The Commission shall maintain a register containing the names and addresses of those who are entitled to act as river watchers and descriptions of the geographical areas in which they are entitled to act.
- (10) If any person—
- (a) acts as a river watcher without having his appointment confirmed under subsection (4); or
 - (b) so acts after his appointment has been revoked either by a court under subsection (5) or by his employer; or
 - (c) so acts after he has ceased to be a river watcher by virtue of section 55A, he shall be guilty of an offence against this Act.
- (11) In this section and sections 55A and 55B “the appropriate court”, in relation to a river watcher, means a court of summary jurisdiction^{F3}....]

F1 SI 1999/859

F2 S. 55(2)-(11) substituted (1.6.2008) for s. 55(2)-(4) by [Foyle and Carlingford Fisheries \(Northern Ireland\) Order 2007 \(S.I. 2007/915 \(N.I. 9\)\)](#), arts. 1(3), **20(1)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

F3 Words in s. 55(11) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), Sch. 1 para. 47(2), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Changes to legislation:

There are currently no known outstanding effects for the Foyle Fisheries Act (Northern Ireland) 1952, Section 55.