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DRAFT STATUTORY INSTRUMENTS

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**2007 No.**

The Foyle and Carlingford Fisheries  
(Northern Ireland) Order 2007

PART III

MISCELLANEOUS AMENDMENTS OF THE FOYLE  
FISHERIES ACT (NORTHERN IRELAND) 1952

**Definitions**

4. In section 2 of the 1952 Act (interpretation)—
- (a) in subsection (1)—
    - (i) for the definition of “river” there shall be substituted—

““river” includes a branch of a river and any stream, lake, estuary or watercourse;”;
    - (ii) for the definition of “waters” there shall be substituted—

““waters” includes any river or part of the sea;”;
    - (iii) at the appropriate place in alphabetical order there shall be inserted the following definition—

““several fishery” means any fishery lawfully possessed and enjoyed as such under any title whatsoever, being a good and valid title at law, exclusively of the public by any person or persons whether in navigable waters or in waters not navigable, and whether the soil covered by such waters is vested in such person or persons or in any other person;”;
  - (b) for subsection (2) there shall be substituted—

“(2) In this Act, except in Part VIA, “fish” (when used without any qualification) includes—

    - (a) freshwater fish of any kind;
    - (b) salmon and other fish or a kind that migrates to and from the sea;
    - (c) sea bass and tope;
    - (d) eels and elvers;
    - (e) mussels;
    - (f) oysters;
    - (g) the spawn, fry, brood and spat of any kind of fish mentioned in paragraphs (a) to (f);
    - (h) any part of any kind of fish mentioned in paragraphs (a) to (g).
  - (3) In subsection (2)(a), “freshwater fish” means any fish living in fresh water, other than a kind of fish that migrates to and from the sea.

(4) In this Act any reference to a river includes a reference to the channel or bed of a river which is for the time being dry.”