1967. No. 54 **[C]**

FISHERIES

Sand Washing

BYE-LAWS, DATED 6TH MARCH 1967, MADE BY THE FISHERIES CONSERVANCY BOARD FOR NORTHERN IRELAND WITH THE APPROVAL OF THE MINISTRY OF AGRICULTURE UNDER SECTION 26 OF THE FISHERIES ACT (NORTHERN IRELAND) 1966(a).

The Fisheries Conservancy Board for Northern Ireland (hereinafter called "the Board") in exercise of its powers under Section 26 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, hereby makes the following bye-laws:—

1. These bye-laws shall apply to the whole of Northern Ireland except the Londonderry Area as defined by the Act and shall come into effect on 6th September 1967.

2. Subject to these bye-laws no person shall, without the written consent of the Board, discharge into any waters any effluent from a sand or gravel washing plant.

3. An application to the Board for its consent under these bye-laws shall be in writing and contain a statement of:—

(*a*) The maximum quantity and composition of the effluent which it is proposed to discharge during any one day.

(*b*) The highest rate at which it is proposed to discharge the effluent.

(*c*) The exact location of the proposed plant and outfall of the effluent.

(*d*) The proposed method of disposal or treatment of the effluent.

4. On application for consent under bye-law 3 the Board may grant its consent subject to such conditions as it may impose, which conditions may include conditions as to:—

(*a*) The composition, volume or rate of discharge of effluent from the land or premises to which the application relates.

(*b*) The provision of facilities for taking samples of the effluent.

5. Subject to these bye-laws, where a discharge is made into waters without the consent of the Board, the Board may, if it thinks fit, serve on the person making the discharge a Notice specifying any such conditions as the Board might have imposed under bye-law 4 on an application under bye-law 3 for its consent for making the discharge. Where such a Notice has been served the Board shall be deemed to have given its consent under bye-law 4 subject to the conditions specified in the Notice.

6. No conditions imposed under these bye-laws shall take effect until the expiration of a period of one month beginning with the giving of consent

(a) 1966, c. 17 (N.I.).

under bye-law 4, or, as the case may be, the service of a Notice under bye-law 5.

7. The Board may revoke or vary any condition imposed or deemed to be imposed by it under these bye-laws. Such revocation or variation of conditions shall be notified in writing to the owner of the plant concerned provided that no variation of conditions shall take effect until the expiration of a period of one month from the date of notification.

8. Any person who—

(*a*) discharges or permits to be discharged any effluent in contravention of bye-law 2; or

(*b*) having obtained or being deemed to have obtained the consent of the Board subject to any conditions, discharges or permits to be discharged any effluent in such manner as to constitute a breach of those conditions

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding Fifty Pounds and, in case of a continuing offence, to a further fine not exceeding Five Pounds for every day during which the offence continues.

9. In these bye-laws, "waters" includes any river, lake, watercourse or estuary or any part of the sea within such part of the fishery limits of the British Isles as is mentioned in Section 4(2) of the Fishery Limits Act 1964.

10. These bye-laws may be cited as Sand Washing Bye-Laws (Northern Ireland) 1967.

Sealed with the Common Seal of the Fisheries Conservancy Board for Northern Ireland this 6th day of March One Thousand nine hundred and sixty-seven.

(L.S.) *(Sgd.) W. G. Malcolm,*
Deputy Chairman.

(Sgd.) John McCullough & Sons,
Secretaries.

The Ministry of Agriculture hereby approves the foregoing bye-laws.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 8th day of March One Thousand nine hundred and sixty-seven.

(L.S.) *(Sgd.) H. S. Oliver,*
Assistant Secretary.

EXPLANATORY NOTE

(This Note is not part of the Bye-Laws but is intended to indicate its general purport.)

The purpose of these bye-laws, which come into operation on 6th September 1967, is to regulate and control the discharge of effluent from sand washing plants in Northern Ireland outside the Londonderry Area as defined by Section 206(1) of the Fisheries Act (Northern Ireland) 1966.