

**DEPARTMENT OF COMMUNICATIONS, MARINE AND NATURAL RESOURCES**

**FISHERIES ACTS 1959 TO 2006**

**CONSERVATION OF SALMON AND SEA TROUT BYE-LAW NO. 814, 2006**

I, John Browne, Minister of State at the Department of Communications, Marine and Natural Resources, in exercise of the powers conferred on me by section 9 (as amended by section 3 of the Fisheries (Amendment) Act 1962 (No. 31 of 1962) of the Fisheries (Consolidation) Act 1959 (No. 14 of 1959), section 33 for the Fisheries (Amendment) Act 1962, the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order 1977 (S.I. No. 30 of 1977) (as adapted by the Marine and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 307 of 2002)) and the Marine (Delegation of Ministerial Functions) Order 2006 (S.I. No. 82 of 2006), and having complied with the requirements of Regulation 31 of the European Communities (Natural Habitats) Regulations 1997 (S.I. No. 94 of 1997), hereby make the following bye-law:

1. (1) This Bye-law may be cited as the Conservation of Salmon and Sea Trout Bye-law No. 814, 2006.

(2) This Bye-law comes into operation on 1 January 2007.

2. In this Bye-law -

“salmon” means fish of the species *Salmo salar* (Atlantic salmon);

“sea trout” means fish of the migratory form of *Salmo trutta*, but does not include a sea trout which is 40 centimetres or less in length measured in a straight line from the tip of the snout to the fork of the tail.

3. Notwithstanding anything contained in any bye-law prohibiting the taking or having in possession of more than a specified number of salmon or sea trout, a person shall not take by rod and line more than 10 fish (being either salmon or sea trout or a combination of both) in any year.

4. Subject to Article 5, a person shall not take by rod and line -

(a) during the year 2007 from 1 January to 12 May, more than one fish,

(b) on any day in any year, -

(i) from 13 May to 31 August, more than 3 fish, or

(ii) from 1 September to the end of the season, more than one fish,

being either salmon or sea trout

5. It is prohibited for a person, in a river mentioned in column (2) of the Schedule opposite mention of a fishery district in column (1) of the Schedule, where he or she has taken the number of fish permitted under Article 4, to -

- (a) take by rod and line any salmon or sea trout from the waters of the river, unless the fish is handled carefully, not removed from and immediately returned alive, to those waters, or
- (b) use or attempt to use any fish hooks, other than single barb less hooks, or worms as bait in angling for salmon or sea trout in the waters of the river.

6. The Conservation of Salmon and Sea Trout Bye-law No. 802, 2006 is revoked.

Article 5

**Schedule**

Fishery District (1)	River (2)
No. 3 or Waterford District	Black Water
No. 4 or Lismore District	Blackwater (Munster)
No. 5 or Cork District	Bandon Coomhola Lower Lee (Martin, Shornach, Bride) Ilen Mealagh Owenacurra
No. 7 or Kerry District	Roughy

	<p>Blackwater (Kerry)</p> <p>Sneem</p> <p>Waterville/Cummeragh/Currane</p> <p>Caragh</p> <p>Laune</p> <p>Owenmore</p>
No. 8 or Limerick District	<p>Feale</p> <p>Mulkear</p>
No. 9(1) or Galway District	<p>Corrib</p>
No. 9(2) or Connemara District	<p>Cashla</p> <p>Screebe</p> <p>Ballynahinch (Owenmore)</p>
No. 10(1) or Ballinakill District	<p>Owenglin (Clifden)</p> <p>Bundorragha (Delphi)</p> <p>Erriff</p> <p>Dawros</p>
No. 10(2) or Bangor District	<p>Owenmore</p> <p>Furnace (Burrishoole/Srahmore)</p> <p>Feagh (Burrishoole/Srahmore)</p> <p>Owenduff</p>
No. 11 or Ballina District	<p>Moy</p> <p>Easkey</p>
No. 12 or Sligo District	<p>Ballysadare</p> <p>Drumcliff, Glencar</p>
No. 13 or Ballyshannon District	<p>Duff</p>

	Drowes Eany Glen
No. 14 or Letterkenny District	Owenea Gweebarra Tullaghobegly Crana Clady
No. 17(2) or Dundalk District	Fane

GIVEN under my hand,

20 December 2006.

John Browne

John Browne,

Minister of State at the

Department of Communications,

Marine and Natural Resources

## **EXPLANATORY NOTE**

(This is not part of the Bye-law and does not purport to be a legal interpretation).

This Bye-Law provides for an annual bag limit of 10 fish for 2007, a season bag limit of 1 fish in the period 1 Jan to 12 May, a daily bag limit of 3 fish from 13 May to 31 August and a daily bag limit of 1 fish from 1 September to the end of the season. The Bye-law also provides for the use of single hooks and prohibits the use of worms as bait once the specified number of fish have been caught in the specified periods and revokes the existing limit Bye-law.

## **FOOTNOTE**

Section 11 of the Fisheries (Consolidation) Act, 1959 provides that any person aggrieved by this Bye-law may within 28 days after its publication in the Irish Oifigiuil, appeal against same to the High Court.