

1978 No. 405

FISHERIES

**Lough Erne Commercial Fishing Control Byelaws
(Northern Ireland) 1978**

Made 28th December 1978

Coming into operation 17th March 1979

The Fisheries Conservancy Board for Northern Ireland, in exercise of their powers under section 26 of the Fisheries Act (Northern Ireland) 1966(a) and of every other power enabling them in that behalf, with the approval of the Department(b) of Agriculture hereby make the following Byelaws:—

Citation and commencement

1. These Byelaws may be cited as the Lough Erne Commercial Fishing Control Byelaws (Northern Ireland) 1978 and shall come into operation on 17th March 1979.

Interpretation

2. In these Byelaws:

“coarse fish” means freshwater fish other than salmon, trout, rainbow trout, eels and pollen;

“commercial fishing” means fishing by persons holding fishing licences (other than eel licences) or their agents previously authorised in writing by them to fish otherwise than by rod and line or hand line;

“defined mouth” means the mouth of a river as defined by the Definitions of Mouths of Rivers Order (Northern Ireland) 1973(c).

Application

3. These Byelaws shall apply only to Upper and Lower Lough Erne.

Restrictions on commercial fishing

4.—(1) A person shall not use any long line for the purpose of taking pike or any net for the purpose of taking any coarse fish or pollen in the following areas of Upper and Lower Lough Erne:

(a) between an imaginary line drawn from the most north-westerly point of Inish Dacharneon, Lower Lough Erne through the most north-westerly point of Long Island to the nearest point on the shore of Ely Island, and an imaginary line drawn across Innishmore Viaduct thence by the southern shore of the townland of Lusty Beg to the most easterly point of the townland of Lusty Beg, thence to the most southerly point of the Island of Killygowan and thence to the nearest point on the shore in the townland of Corrad.

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

(b) Formerly Ministry: see 1973 c. 36 s. 40 and Sch. 5 para. 8(1)

(c) S.R. & O. (N.I.) 1973 No. 438 (II, p. 2613)

- (b) Within one mile of the defined mouths of the following rivers flowing into Lough Erne: the Termon River, the Waterfoot River, the Garvary River, the Ballycassidy River, the Bannagh River, the Kesh River, the Dunmany or Colebrooke River, the Cladagh or Swanlinbar River, the Arney River and the Sillees River.

(2) Within the area of Lower Lough Erne which lies westward of an imaginary line drawn from Hill's Island to Eagle Island, thence to the most westerly point of Boa Island, thence along the line of the western shore of Boa Island to the county road and thence along the line of the said county road to where the said road meets the shore of Lower Lough Erne in the townland of Rosscrannagh a person shall not use any long line for the purpose of taking pike or any net for the taking of coarse fish or pollen, save a net used for the taking of pike which is placed in the water not more than ten yards from any bed composed of emergent water plants.

Use of nets and long lines

5. Subject to Byelaw 4 it shall be lawful to take or capture coarse fish and pollen by means of nets and to use long lines for the capture of pike.

Mesh sizes

6. The meshes of any single wall set net or trammel net used for the capture of coarse fish shall not be of less size than 2 inches from knot to knot or 8 inches all round each mesh.

Length of nets

7. The maximum length of a single wall set net or trammel net used for the taking of coarse fish on Upper and Lower Lough Erne which may be used at any time by any one licensee shall be 500 yards of net as hung whether used as one or more nets.

Minimum takeable size of pike

8. A person licensed to use a net or a long line for the capture of pike shall not take or have on board any boat on or from which any such net or long line is used any pike of a size less than 24 inches (60 cms.) measured from the tip of the snout to the fork or cleft of the tail.

Restrictions on the use of boats

9. Boats used for commercial fishing shall not exceed 18 feet length overall and 5 feet 6 inches beam.

Close seasons

10.—(1) Subject to paragraph 2 the annual close season for the taking of pike by means of long lines and for the taking of coarse fish by means of single wall set nets or trammel nets and draft nets shall be from the 17th day of March to the 30th day of September in each year.

(2) There shall be no close season for the taking of coarse fish by means of bait nets where the fish taken are for use solely as bait.

Revocation

11. The Lough Erne Commercial Fishing Control Byelaws (Northern Ireland) 1977(d) are hereby revoked.

(d) S.R. 1977 No. 59 (I, p. 186)

Sealed with the Common Seal of the Fisheries Conservancy Board for Northern Ireland on 28th December 1978.

(L.S.)

Savell Hicks
Chairman

R. G. Weaver
Secretary

The Department of Agriculture hereby approves the foregoing Byelaws.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 3rd January 1979.

(L.S.)

K. F. Parkin
Senior Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Byelaws but is intended to indicate their general purport.)

These Byelaws replace the Lough Erne Commercial Fishing Control Byelaws (Northern Ireland) 1977. They extend the conservation area and lengthen the close season for commercial fishing. They also prescribe the size of mesh and length of nets to be used for the taking of coarse fish and specify the minimum takeable size for the capture of pike. They also place a limit on the size of boats which may be used for commercial fishing.