

1989 No. 483

FISHERIES

**Fisheries Consolidated and Amendment Byelaws
(Northern Ireland) 1989**

Made 14th December 1989

Coming into operation 31st January 1990

The Fisheries Conservancy Board for Northern Ireland in exercise of the powers conferred on it under sections 26(1), 37, 70(1) and (2), 71(2)(g), 89, 95, 97, 114(1)(b) and 115(1)(b) of the Fisheries Act (Northern Ireland) 1966(a) and of every other power enabling it in that behalf, with the approval of the Department of Agriculture, hereby makes the following Byelaws:

PART I

INTRODUCTORY

Citation and commencement

1. These Byelaws may be cited as the Fisheries Consolidated and Amendment Byelaws (Northern Ireland) 1989 and shall come into operation on 31st January 1990.

Interpretation

2.—(1) In these Byelaws—

“the Act” means the Fisheries Act (Northern Ireland) 1966;

“angling” means the fishing for, taking or killing of fish by rod and line or hand line;

“bag net” means a net consisting of a single wall of netting and leader, one end fixed to the shore and running seawards to a floating fixed trap or cage of netting, enclosed on all sides, bottom and top, except at the entrance from the leader; and with one or more sets of inscales and described in the Certificate issued under the Salmon Fishery (Ireland) Act 1863(b) as a bag net;

“bait net” means a net with a single wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a bag or tail into which the catch is drafted or hauled and used for the purpose of taking freshwater fish for use as bait other than trout or rainbow trout;

(a) 1966 c. 17 (N.I.) as amended by 1968 c. 31 (N.I.) s. 1 Sch. 1

(b) 1863 c. 114 (Ireland)

- “bona fide fisherman” means a person engaged in either full-time or part-time commercial fishing;
- “braided” in relation to a net making material means the interlocking of three or more multifilament yarns so as to form a net making material;
- “coarse fishing rod licence” means a licence issued by the Board^(a) for one rod and line or hand line to fish for, take and kill eels and freshwater fish other than trout and rainbow trout;
- “coarse fish” means freshwater fish other than trout and rainbow trout;
- “commercial fishing” means fishing by persons who hold fishing licences issued by the Board (other than eel licences) to fish otherwise than by rod and line or hand line, or their agents previously authorised in writing by them;
- “defined mouth” means the mouth of a river as defined by an order made under section 16 of the Act;
- “draft net” means a net with a single wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a funnel and a bag or tail into which the catch is drafted or hauled;
- “drift net” means a net consisting of a single sheet or wall of netting loosely hung on cork and sole ropes;
- “drift net licence” means a licence issued by the Board authorising the use of drift nets for the taking of salmon in the sea;
- “drift netting” means the method of fishing described in Byelaw 54;
- “fixed tidal draft net” means a net consisting of a single sheet or wall of netting loosely hung on ground and head ropes without trap or cage and fixed at the shoreward and seaward ends and described in a Certificate issued under the Salmon Fishery (Ireland) Act 1863 as a fixed draft net;
- “foul hook” means the hooking of any salmon or freshwater fish in any part of the body other than in the mouth;
- “fresh water” means all waters exclusive of tidal waters;
- “game fishing rod licence” means a licence issued by the Board for one rod and line or hand line to fish for, take and kill salmon, freshwater fish and eels;
- “ground bait” means any material used other than on a hook for the purpose of attracting fish whilst angling;
- “hand line” means a line held in the hand to which shall be attached not more than a single baited hook;
- “hook” means a hook attached to a fishing line;
- “licence-holder” in relation to a fishing licence means the person named on the licence as being entitled to the licence;
- “maggots” means any larvae of the Order Diptera including the house fly of the Family Muscidae and the blue-bottle or blowfly of the Family Calliphoridae;

(a) The Fisheries Conservancy Board for Northern Ireland: See 1966 c. 17 (N.I.) s. 206 and 1954 c. 33 (N.I.) s. 33

- “multifilament yarn” means a yarn constructed from a group of continuous filaments each filament of which has a diameter not greater than .05 millimetres;
- “rainbow trout” means trout of the species *Salmo Gairdneri*;
- “single wall set net” means a net consisting of a single sheet or wall of netting loosely hung on cork and sole ropes and fixed in position by anchors or stakes;
- “tidal draft net” means a net used in tidal waters consisting of a single sheet or wall of netting loosely hung on ground or head ropes into which the catch is drafted or hauled;
- “tidal waters” means waters where the tide ebbs to and fro;
- “trammel net” means a single sheet or loose wall of small mesh net with a sheet or wall of large mesh net hanging on either side to enable fish swimming into the net to force the fine net through the large mesh and form a pocket in which they are trapped;
- “twisted and plied” in relation to a net making material means the forming of a net making material by wrapping a number of multifilament yarns round each other in such a way that there are not less than 100 turns per metre in the material.

(2) For the purposes of the close season for angling references to a river, lough or lake includes any tributary or branch of that river, lough or lake and includes any loughs or lakes draining into or flowing out of or forming part of any such river or tributary.

Revocations

3. The Byelaws listed in Schedule 7 are hereby revoked.

PART II

LICENCES, DUTIES AND FEES

4. Subject to Part III of the Act there shall be payable to the Board in respect of every fishing licence a licence duty and in respect of every dealers licence a fee of such amount as shall be prescribed in Schedule 1.

5. Persons who have not attained the age of 18 years shall be exempt from the requirements to hold a fishing licence for angling but where any such person uses more than one rod and line or hand line at the same time he shall be exempt from such requirement only in respect of one rod and line or one hand line as the case may be.

6. Any person holding a Foyle Fisheries Commission Game Fishing Rod Licence for the time being in force may obtain a game fishing rod licence from the Board on payment of the amount prescribed in Schedule 1.

Issue of Drift Net Licences

7. A drift net licence shall be issued to any person who has held a drift net licence in any one of the 3 calendar years immediately preceding his application for a drift net licence.

8. If a person who has held a drift net licence dies or retires from drift netting a drift net licence shall be issued to the applicant for a drift net licence who is the longest serving crew member of the boat used for drift netting by the licence-holder who has died or retired or, failing an application from that crew member, to the crew member of that boat next in length of service who makes an application for a drift net licence and so on in length of service of crew members of that boat.

9. The Board shall maintain a register in which applications from bona fide fishermen who are not eligible to be issued with a drift net licence under Byelaw 7 or 8 shall be entered and, when on the death or retirement from drift netting of a licence-holder no application is made in accordance with the terms of Byelaw 8, persons whose names are recorded on the register shall have the opportunity, in the chronological order in which they made application, of being issued with a drift net licence.

10. A person who is eligible to be issued with a drift net licence under Byelaw 7 and who is unable to fish by means of drift netting in any calendar year shall notify the Board on or before 1st June in that year of the reason for his not making an application.

11. Where a person who is eligible under Byelaw 7 to have a drift net licence issued to him in any calendar year, fails to notify the Board in accordance with Byelaw 10 he shall cease to be eligible to have a drift net licence issued to him and the provisions of Byelaws 8 and 9 shall apply as if that person had died or retired from drift netting.

12. A drift net licence shall be issued only in accordance with the conditions set out in Byelaws 7 to 11.

13. The number of drift net licences which may be issued in any calendar year shall not exceed one for every person to whom there may be issued such licences under or by virtue of Byelaws 7, 8 and 9.

14.—(1) A drift net licence shall be valid only when used by the licence-holder or his named agent in respect of whom the licence-holder has made written request to and has received from the Board written authorisation to have that agent act in his absence.

(2) The written authorisation referred to in paragraph (1) shall specify the period or periods during which the agent shall be authorised to act in the licence-holder's absence.

(3) The agent named in the written authorisation referred to in paragraph (1) shall be present during fishing operations and the boat and fishing gear used shall be that normally used by the licence-holder.

15. The written authorisation referred to in Byelaw 14 shall be issued only when the Board is satisfied that the licence-holder is incapable of fishing as a result of illness or injury and the Board may require the licence-holder to provide such information and documentary evidence as the Board may consider necessary.

General Rules on Fishing Licences

16. On application made in such form as the Board may require the Board may issue to the person making application or renew a fishing licence in respect of any fishing engine subject to such conditions as may apply to the licence.

17. All fishing licences issued in pursuance to these Byelaws shall be valid only during the period stated thereon from the date and time of issue.

18. Fishing licences issued under these Byelaws in respect of any fishing engine shall not authorise the use of that engine for the taking of fish other than those specified on the licence.

19. All fishing licences issued under these Byelaws (other than angling licences and drift net licences) shall be valid only when used by the licence-holder or his agent previously authorised in writing by him.

20. Fishing licences issued in pursuance of these Byelaws shall be in the form and contain the conditions set out in Schedules 5 and 6 and such licences may be issued through agents approved by the Board.

21. Where a person has been convicted of any offence under the Act the Board may (subject to the provisions of these Byelaws) by resolution revoke any fishing licence held by such person or (as the case may be) refuse to issue such person a fishing licence or renew any fishing licence held by such person.

PART III**APPEAL TO THE DEPARTMENT AGAINST THE REFUSAL OF THE BOARD TO ISSUE OR RESTORE A FISHING LICENCE**

22. Where the Board proposes to revoke a fishing licence or refuses to issue or renew a fishing licence, it shall give to the licence-holder or the person applying for issue or renewal of a fishing licence (in this Part referred to as "the applicant") at least 14 days prior notice in writing of its intention so to do, and before revoking the fishing licence or refusing to issue or renew a fishing licence as aforesaid shall consider any representations in relation thereto made by or on behalf of the applicant before the expiration of the notice.

23. Where the Board revokes a fishing licence or refuses to issue or renew a fishing licence, it shall serve on the person whose fishing licence has been revoked or (as the case may be) the applicant notice of the revocation or refusal to issue or renew the fishing licence, and shall inform such person of his right of appeal under this Part and of the time within which the appeal may be brought.

24. Where the Board revokes a fishing licence or refuses to issue or renew a fishing licence, the person to whom notice under Byelaw 23 has been given may within 14 days from the date on which such notice is served on him appeal to the Department.

25. An appeal under this Part shall be initiated by notice to be signed by the appellant or his agent and delivered or sent by registered post or the recorded delivery service to the Department and the Board within the period specified in Byelaw 24.

26. On the hearing of such appeal where the Department reverses the Board's decision, the Board shall forthwith issue to the appellant or renew the fishing licence for which the application was made by him, or (as the case may be) restore the fishing licence which was revoked.

27. When a fishing licence has been revoked under these Byelaws the person who was the licence-holder shall within 14 days of receiving a request for its return to the Board, return the licence to the Board together with any copies thereof issued to him by the Board.

PART IV

COARSE FISHING ROD LICENCES

28. A coarse fishing rod licence shall be valid only on waters listed in Schedule 2.

29. The holder of a coarse fishing rod licence must return immediately to the water from which they were taken, without avoidable injury, any salmon, trout or rainbow trout inadvertently caught by him.

PART V

FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE

30. Subject to the provisions of the Act or these Byelaws or to conditions on any fishing licences, single wall set nets, trammel nets, draft nets and bait nets may be used for the taking of freshwater fish other than trout or rainbow trout, on such areas of Upper and Lower Lough Erne except those areas designated in Byelaw 44.

31. Subject to the provisions of the Act or these Byelaws or to conditions on any fishing licences, single wall set nets, trammel nets, draft nets and bait nets may be used on Lough Neagh for the taking of freshwater fish other than trout or rainbow trout.

32. Subject to the provisions of the Act or these Byelaws or to conditions on any fishing licences, single wall set nets or trammel nets may be used on Lough Neagh for the taking of trout.

PART VI

GENERAL RESTRICTIONS ON THE USE OF FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE

33. A person shall not use for the purpose of taking or with intent to take salmon or freshwater fish, any net made from synthetic fibres (except a landing net used solely as an auxiliary to lawful angling) which contains any material not constructed of either two or more multifilament yarns twisted and plied together or three or more multifilament yarns braided together.

34. A bait net shall not exceed 50 metres in length and shall have a mesh of not more than 6.5 millimetres from knot to knot to be measured along the side of the square or 26 millimetres to be measured all round each mesh, such measurements to be taken in the clear when the net is wet.

35. A bait net shall not be used for catching salmon or trout or rainbow trout, or the fry of salmon or trout, or rainbow trout, and any such fish caught or taken in a bait net shall, without avoidable injury, be returned immediately to the water from which they were taken.

36. The mesh of the wings of any draft net for use in fresh water for the taking of salmon or freshwater fish shall be of a size not less than 21 millimetres from knot to knot to be measured along the side of the square or 84 millimetres to be measured all round each mesh, and the mesh of the tail of such draft net (which tail shall not exceed 2.5 metres in length) shall be of a size not less than 6 millimetres from knot to knot to be measured along the side of the square, or 24 millimetres to be measured all round each mesh; all such measurements being taken in the clear when the net is wet.

PART VII

RESTRICTIONS ON THE USE OF FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE ON LOUGH NEAGH AND UPPER AND LOWER LOUGH ERNE

37. A person shall not use a single wall set net or trammel net for the taking of pollen on Lough Neagh or Lough Erne with a mesh less than 25 millimetres from knot to knot or greater than 32 millimetres from knot to knot, such measurements to be taken along the side of the square of the mesh and to be taken in the clear when the net is wet.

38. Each net or row of nets of a single wall set net or trammel net used for the taking of trout in Lough Neagh and each net or row of nets of a single wall set net or trammel net used for the taking of freshwater fish other than trout and rainbow trout, on Lough Neagh or Upper and Lower Lough Erne, shall be marked each end with a float of a bright yellow colour projecting not less than 30 centimetres above the water and not less than 30 centimetres across.

39. Each float referred to in Byelaw 38 shall have clearly and legibly painted or otherwise fixed thereon in figures of not less than 12 millimetres in

height such number as the Board may allocate to the licence-holder (or such number as the Board may allocate to the net or row of nets of which the float shall be a mark) and at all times when the net or row of nets shall be fishing such number shall be clearly legible.

40. A person other than the licence-holder or the servant or agent previously authorised in writing by the licence-holder shall not use or cause or permit to be used on any float the number referred to in Byelaw 39.

PART VIII

ADDITIONAL AND SPECIFIC RESTRICTIONS ON THE USE OF FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE ON LOUGH NEAGH

41. The maximum length of a single wall set net or trammel net used for the taking of trout on Lough Neagh which may be used at any time by any one licence-holder shall be 1,235 metres of net as hung whether used as one or more set nets or trammel nets.

42. A person shall not use a draft net for the capture of fish within a radius of 805 metres of the defined mouth of any river flowing into Lough Neagh.

43. A person shall not use any net for the capture of salmon or freshwater fish in Toome Bay within 1,610 metres of the drainage flood gates at Toomebridge.

PART IX

ADDITIONAL AND SPECIFIC RESTRICTIONS ON THE USE OF FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE AND ON BOATS ON UPPER AND LOWER LOUGH ERNE

44.—(1) A person shall not use 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 the Inishmore 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 Killygown and thence to the nearest point on the shore in the townland of Corrad;

(b) within 1,610 metres 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 Hills 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 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 10 metres from any bed composed of emergent water plants.

45.—(1) The meshes of any single wall set net or trammel net used for the capture of coarse fish on Upper Lough Erne shall not be of less than 50 millimetres from knot to knot or 200 millimetres all round each mesh, all such measurements being taken in the clear when the net is wet.

(2) The meshes of any single wall set net or trammel net used for the capture of coarse fish on Lower Lough Erne shall not be less than 63.5 millimetres from knot to knot or 254 millimetres all round each mesh, all such measurements being taken in the clear when the net is wet.

46. 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 licence-holder shall be 460 metres of net as hung whether used as one or more nets.

47. A licence-holder, who may use a net on Upper and Lower Lough Erne for the capture of pike, shall not take or have on board any boat on or from which any such net is used any pike of a size less than 60 centimetres measured from the tip of the snout to the fork or cleft of the tail.

48. Boats used for commercial fishing on Upper and Lower Lough Erne shall not exceed 5.5 metres length such length to be measured from the foreside of the foremost fixed permanent structure to the aftmost post of the stern and 1.70 metres at the widest point.

PART X

TAKEABLE SIZE AND SALE OF TROUT (COMMERCIAL FISHING AND ANGLING)

49. A person lawfully using a draft net under section 71 of the Act shall not take or have on board any boat on or from which any such draft net is used any trout of a size less than 30 centimetres measured from the tip of the snout to the fork or cleft of the tail.

50. Where any draft net is used in the course of any fishing operations conducted by means of a boat used for commercial fishing and any trout of less than the minimum size prescribed by Byelaw 49 is taken on board, the master, owner, charterer or other person in charge of the boat shall, without avoidable injury, cause such trout to be returned immediately to the water from which the same were taken.

51. A person shall not buy, sell, offer or expose for sale or have in his possession for sale any trout of less than 30 centimetres in length.

PART XI

DRIFT NETTING AND DRAFT NETTING (METHODS OF FISHING)

52. Where a draft net or a tidal draft net is operated from the shore the only permitted manner of using the net shall be as follows, namely:—

one end of the rope of the net shall be held on the shore or bank and the net shall be shot or paid out from a boat which shall start from such shore or bank and return thereto without avoidable pause or delay, and the net shall thereupon be drawn into and landed on such shore or bank.

53. Where a draft net or a tidal draft net is operated from a boat the only permitted manner of using the net shall be as follows, namely:—

one end of the rope of the net shall be fixed to a buoy, whether anchored or not, and the net shall be shot or paid out from a boat which shall start from such buoy and return thereto without avoidable pause or delay, and the net shall thereupon be drawn into and landed on such boat.

54. The only permitted manner of using a drift net shall be as follows, namely:—

one end of the rope of the net shall be fixed to a buoy which shall not be anchored, and the net shall be shot or paid out from the boat which shall start from such buoy, and the boat and the net attached shall float or drift with the tide.

PART XII

RESTRICTIONS ON THE DIMENSIONS OF DRIFT NETS AND DRAFT NETS
AND ON THE USE OF BOATS FOR DRIFT NETTING

55. A draft net and a tidal draft net shall not be of a greater length than 120 metres as measured along the head rope of the net.

56. A person shall not use for the capture of salmon in the sea any drift net containing more than 45 full meshes measured vertically between the top rope and the bottom rope of the net.

57. A person shall not use for the capture of salmon in the sea any drift net of greater length than 1,375 metres or any number of drift nets joined together in such a way that their total length shall be greater than 1,375 metres.

58. A person shall not have on board any vessel used for drift net fishing for salmon in the sea;

- (a) any drift net of greater length than 1,375 metres;
- (b) any number of drift nets joined together in such a way that their total length is greater than 1,375 metres;
- (c) any number of drift nets which, if they were joined together, would have a total length greater than 1,375 metres;

- (d) any drift net or part thereof containing more than 45 full meshes measured vertically between the top rope and the bottom rope of the net.

59.—(1) Subject to the provisions of paragraph (2) all boats used for drift net fishing shall be fishing boats registered in Northern Ireland under the Merchant Shipping Act 1988.

(2) Paragraph (1) shall not apply to boats used by fishermen resident outside Northern Ireland who have held drift net licences in any one of the 3 years immediately preceding the date of application for a drift net licence to be issued in accordance with these Byelaws.

(3) Boats used for drift netting shall not exceed 12.2 metres in registered length, such length to be measured from the foreside of the foremost fixed permanent structure to the aftmost post of the rudder, or on a boat not having a rudder post, to the foreside of the rudder stock at the point where the rudder stock passes out of the hull, or on a boat where there is no rudder post or rudder stock the measurements shall be to the aftmost part of the stern or transom.

PART XIII

RESTRICTIONS ON SALMON FISHING IN TIDAL WATERS

60. A person (other than the owner of a several fishery within the limits thereof) shall not use for the purpose of taking or with intent to take salmon any net within or upstream of the defined mouth of the Dundrum River or in Dundrum Inner Bay.

61. A person shall not fish by means of a drift net within 805 metres of any fixed engine used in accordance with section 74 of the Act.

62. A person shall not fish by means of a drift net within 1,610 metres of the defined mouths of the Rivers Bush and Lower Bann.

63. A person shall not fish by means of trawl a net within 805 metres of any fixed engine used in accordance with section 74 of the Act.

PART XIV

RESTRICTIONS ON METHODS OF FISHING FOR SALMON AND FRESHWATER FISH

64. A person shall not knowingly or wilfully foul-hook or attempt to foul-hook any salmon or freshwater fish.

65. A person shall not use any instrument or device whatsoever, whether used with or as an auxiliary to a rod and line or hand line or otherwise, in a manner likely or calculated to foul-hook any salmon or freshwater fish.

66. A person shall not retain any salmon or freshwater fish which has been foul-hooked whether accidentally or otherwise.

67. Any foul-hooked salmon or freshwater fish shall, without avoidable injury, be returned immediately to the water from which it was taken.

68. A person shall not use ground bait or maggots whilst angling on the rivers listed in Schedule 3 and where the prohibition applies to part of a river the prohibition shall also apply to all upstream tributaries, branches, streams or any other watercourses which flow into or form part of that river.

PART XV

RESTRICTIONS ON NUMBERS AND WEIGHTS OF PIKE TO BE TAKEN BY ANGLING

69. A person shall not take and keep more than two pike per day when angling.

70. Any pike weighing 4 kilogrammes or over taken whilst angling must be returned alive as soon as possible to the water from which it was taken.

PART XVI

CLOSE SEASONS FOR ANGLING

71. Save as hereinafter provided the annual close season for angling for salmon, trout and rainbow trout in all waters shall be from 31st October in each year to the last day of February in the next following year.

72. In that part of Lough Melvin which lies in the County of Fermanagh the close season for angling for salmon, trout and rainbow trout shall be from 30th September in each year to 31st January in the next following year.

73. In Upper and Lower Lough Erne and all rivers entering therein, the River Erne and in the River Bush and all rivers entering therein, the close season for angling for salmon, trout and rainbow trout shall be from 30th September in each year to the last day of February in the next following year.

74. In all waters listed as Rainbow Trout Waters in Schedule 4 of these Byelaws there shall be no close season for angling for rainbow trout.

PART XVII

CLOSE SEASONS AND TIMES FOR FISHING OTHER THAN BY ROD AND LINE OR HAND LINE

75. A person shall not fish for, take or kill salmon with a fishing engine other than rod and line or hand line in the sea and tidal waters from 15th September in any year to 17th March in the next following year.

76. A person shall not fish for, take or kill salmon or trout with a fishing engine other than rod and line or hand line in freshwater from 19th August in any year to the last day of February in the next following year, save and except

in the River Bush, in which river the annual close season shall be from 15th September in any year to 17th March in the next following year.

77. A person shall not fish for, take or kill salmon or trout with a fishing engine other than rod and line or hand line in the sea or tidal waters between 0800 hours on each Saturday and 0800 hours on the next following Monday.

78. A person shall not have any net for the capture of salmon, trout or pollen on board any boat in any waters during the annual close season or weekly close time for salmon, trout or pollen.

79.—(1) Subject to paragraph (2) the annual close season for the taking of coarse fish on Upper and Lower Lough Erne by means of single wall set nets or trammel nets and draft nets shall be from 9th March to 30th September in each year.

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

Sealed with the Common Seal of the Fisheries Conservancy Board for Northern Ireland on 8th December 1989.

(L.S.) *R. T. Jordan* Chairman

(L.S.) *R. G. Weaver* Secretary

The Department of Agriculture hereby approves the foregoing Byelaws.

Sealed with the Official Seal of the Department of Agriculture on 14th December 1989.

(L.S.) *L. Sinclair* Assistant Secretary

SCHEDULE 1

Byelaws 4 and 6

Fishing Engines and Licence Duties

PART I

Licences to fish with rod and line and hand line

<i>Fishing Licence</i>	<i>Duty</i>
	£
Season game fishing rod licence ...	14·00
Fifteen day game fishing rod licence ...	9·70
Additional amount payable by the holder of a Foyle Fisheries Commission season game fishing rod licence to use a single game rod ...	11·20
Season coarse fishing rod licence ...	5·40
Fifteen day coarse fishing rod licence ...	3·70
Three day coarse fishing rod licence for use only by the holder of a three day coarse fishing permit issued by the Department of Agriculture to fish in waters in which that Department has the fishing rights ...	1·10

PART II

Licences for fishing engines other than rod and line or hand line

<i>Fishing Engine</i>	<i>Duty</i>
	£
Draft net for the capture of salmon and freshwater fish on Lough Neagh ...	66·20
Draft net for the capture of freshwater fish other than trout and rainbow trout on Lough Erne ...	43·00
Draft net for use in freshwater other than Lough Neagh or Lough Erne ...	167·60
Single wall set net or trammel net for the capture of trout in Lough Neagh, per 91 metres (100 yards) ...	9·15
Single wall set net or trammel net for the taking of freshwater fish other than trout and rainbow trout, per 91 metres (100 yards) ...	9·15
Bait net for the taking of freshwater fish other than trout and rainbow trout for use as bait — per net ...	2·90
Long line for the capture of pike on Lough Erne ...	18·30
Fixed tidal draft net ...	221·70
Fixed tidal draft net which operates in the estuary of a river upstream of the defined mouth ...	1,005·30
Tidal draft net ...	184·20
Drift net for the taking of salmon in the sea ...	184·20
Bag net used in tidal waters ...	416·00
Salmon box or crib ...	500·40

PART III

Dealer's Licence ...	£27·70
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List of Waters on which a Coarse Fishing Rod Licence is Valid

Co. Antrim:

Loughs Beg, Neagh and Portmore, the Lagan Canal, the River Lagan from Shaw's Bridge to Stranmillis Weir and the Navigation Canal Cutts on the Lower River Bann; and on the Lower River Bann as follows:—

- (a) From the eel weir at Toome downstream to Portglenone Bridge;
- (b) From the signpost 160 metres downstream of Portglenone Bridge downstream to the upper end of the Navigation Canal leading to Portna Locks;
- (c) From Agivey Bridge downstream to the northern end of South Derryheglis Woods.

Co. Armagh:

Loughs Camlough, Carnagh, Clay, Derryadd, Derrylileagh, Doogary, Edenderry, Enagh, Gall, Gibsons, Gilly, Gullion, Kilturbid, Kiltybane, Lisleitrim, Marlacoo, Mullaghmore, Patrick, Ross and Shark; the Lagan Canal, the Newry Canal and Lurgan Park Lake. The River Bann between Knock Bridge and Lough Neagh and the River Blackwater between Blackwatertown Bridge and Lough Neagh.

Co. Down:

Loughs Aghery, Ballyroney, Ballywillin, Begny, Bow, Carrigullion, Clea, Dairy, Derryleckagh, Henney, Hunshigo, Jericho, Long, Money, Monlough, Seaforde and Shark; the Newry Canal and the Broadwater (Lagan Canal) and the Quoile Basin between the Old Lock Gates and the new Drainage Gates.

Co. Fermanagh:*Loughs*

- (a) All of Upper Lough Erne and that part of Lower Lough Erne south and east of an imaginary line drawn from the mouth of the Ballinamallard River on the northern shore to the nearest point of the shore opposite Castlehume on the southern shore;
- (b) Lower Lough Erne, provided the angling is from the shore and all island shores;
- (c) All Loughs draining into Upper and Lower Lough Erne, except the following for which a Game Fishing Rod Licence is required: Loughs Achork, Coolyermer, Coole (Castlecoole), Corranny, Corry, Drumcose, Eshcleagh, Eyes, Glencreawan, Keenaghan, Meenameen, Mill Lough (Bellanaleck), Navar, Parkhill and White Lough (Irvinestown).

Rivers

- (a) The Woodford River, the Sillees River and the Swanlinbar River from Thompson's Bridge to Lough Erne;
- (b) The Colebrooke River between Ballindarragh Bridge and where the Colebrooke River flows into Upper Lough Erne;
- (c) The Arney River from the Old Arney Bridge to where the Arney River enters Upper Lough Erne.

Co. Londonderry:

Lough Beg, Lough Neagh and the Navigation Canal Cutts on the Lower River Bann; and on the Lower River Bann as follows:—

- (a) From the eel weir at Toome downstream to Portglenone Bridge;
- (b) From the signpost 160 metres downstream of Portglenone Bridge downstream to the upper end of the Navigation Canal leading to Portna Locks;
- (c) From Agivey Bridge downstream to the northern end of South Derryheglish Woods.

Co. Tyrone:

Loughs Augher, Ballysaggart, Black, Carrick, Cranslough, Creeve, Enagh, Friary, Fymore, Legane, Martray, Mullaghmore, Mullygruen, Nacrilly, Screeby, Tullygiven, White and Wood; the River Blackwater between Blackwatertown Bridge and Lough Neagh.

List of rivers on which Maggot Fishing and the use of Ground Bait is Prohibited

1. Agivey
 2. Ballinamallard upstream of Ballycassidy Bridge on B.3 Road
 3. Ballinderry (Co. Tyrone and Co. Londonderry) upstream of the footbridge over the River in the townland of Lower Mullan
 4. Ballymoney
 5. Blackwater (Co. Armagh and Co. Tyrone) upstream from the bridge over the B.128 Road at Blackwatertown
 6. Callan
 7. Clady (Co. Londonderry)
 8. Colebrooke upstream of Ballindarragh Bridge on B.514 Road
 9. Comber
 10. Crumlin
 11. Garvary
 12. Glenavy
 13. Kesh upstream of Kesh Bridge on A.35 Road
 14. Maine
 15. Moyola
 16. Quoile upstream from the disused Railway Bridge near Inch Abbey
 17. Ravarnette
 18. Sixmilewater upstream of the Antrim Forum in Antrim Town on A.26 Road
 19. Torrent upstream of the B.28 road bridge
 20. Upper Bann upstream from the B.2 road crossing
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**List of Waters designated as Rainbow Trout Waters where there is no
Close Season for Angling for Rainbow Trout**

Cranogue Fishery, Co. Antrim
Dalways Lake, Co. Antrim
Kilgad Fishery, Co. Antrim
North Woodburn Reservoir, Co. Antrim
Straid Lake, Co. Antrim
Tildarg Fishery, Co. Antrim
Craigavon Lakes, Co. Armagh
Ballydugan Lake, Co. Down
Carrickmannon Lake, Co. Down
Lough Cowey, Co. Down
Dairy Fishery Pond, Co. Down
Kernan Lake, Co. Down
Magheralagan Lake, Co. Down
Tonaghmore Reservoir, Co. Down
Trench Farm Pond, Co. Down
Altmore Fishery, Co. Tyrone
Aughadarragh Fishery, Co. Tyrone
Dungannon Park Lake, Co. Tyrone
Ballyrashane Reservoir, Co. Londonderry
Gauher's Inn Fishery Lake, Co. Londonderry

Angling Licence

FISHERIES CONSERVANCY BOARD FOR NORTHERN IRELAND

FISHERIES ACT (NORTHERN IRELAND) 1966

Reprint to 1969

LICENCE for a _____ for 19 _____

Surname _____

Full Christian Names or other forenames _____

Home Address _____

Dated this _____ day of _____ 19 _____ at _____ hours _____ minutes am/pm o'clock

LICENCE DUTY PAID: _____

Signed _____

Distributor _____

Conditions

1. This licence is only valid if signed by the distributor and if the actual date and time that the licence is issued and the surname and full Christian or other names of the licensee are entered above.
2. This licence is issued subject to the provisions contained in the Fisheries Act (Northern Ireland) 1966 and in Byelaws under that Act.
Copies of the Act and Byelaws can be obtained from:
HM Stationery Office, 80 Chichester Street, Belfast.
3. This licence is valid only for the calendar year of issue.

Commercial Fishing Licence

FISHERIES ACT (NORTHERN IRELAND) 1966

LICENCE for a _____ for the year 19

ISSUED TO: _____

OF: _____

this day of 19 at _____ hours _____ minutes am/pm

LICENCE DUTY PAID: _____

SIGNED: _____ Distributor.

Conditions

1. This licence is only valid if the date and time have been entered and the licence signed by the Distributor.
2. This licence is issued subject to the provisions contained in the Fisheries Act (Northern Ireland) 1966 and in Byelaws made under that Act.

Copies of the above Act and Byelaws can be obtained from:
HM Stationery Office, 80 Chichester Street, Belfast.

3. The licence is valid only for the calendar year of issue.

Revocation

<i>Byelaws Revoked</i>	<i>References</i>
Fisheries Consolidated, Amendment and Licence Duties Bye-laws (Northern Ireland) 1969	S.R. & O. (N.I.) 1969 No. 91
Lough Neagh Restricted Area (Netting) Bye-laws (Northern Ireland) 1969	S.R. & O. (N.I.) 1969 No. 196
Float Size Bye-Laws (Northern Ireland) 1970	S.R. & O. (N.I.) 1970 No. 310
Draft Net (Mesh Size) Bye-Laws (Northern Ireland) 1971	S.R. & O. (N.I.) 1971 No. 159
Dundrum Inner Bay (Prohibition of Netting for Salmon) Bye-Laws (Northern Ireland) 1972	S.R. & O. (N.I.) 1972 No. 341
Drift Net Licence Limitation Bye-Laws (Northern Ireland) 1973	S.R. & O. (N.I.) 1973 No. 79
Angling Close Season Byelaws (Northern Ireland) 1975	S.R. 1975 No. 302
Foul Hooking Byelaws (Northern Ireland) 1976	S.R. 1976 No. 57
Drift Net Dimension Byelaws (Northern Ireland) 1977	S.R. 1977 No. 65
Net Making Materials Byelaws (Northern Ireland) 1977	S.R. 1977 No. 75
Lough Erne Commercial Fishing Control Byelaws (Northern Ireland) 1978	S.R. 1978 No. 405
Drift Netting Control Byelaws (Northern Ireland) 1984	S.R. 1984 No. 168
Fisheries (Licence Exemption) Byelaws (Northern Ireland) 1984	S.R. 1984 No. 394
Coarse Fishing Rod Licences Byelaws (Northern Ireland) 1986	S.R. 1986 No. 110
Drift Net Licence Control Byelaws (Northern Ireland) 1986	S.R. 1986 No. 112
Fisheries (Coarse Fishing and Rainbow Trout) Byelaws (Northern Ireland) 1989	S.R. 1989 No. 349
Angling (Restriction of Methods of Angling) Byelaws (Northern Ireland) 1989	S.R. 1989 No. 350
Fisheries (Licence Duties) Byelaws (Northern Ireland) 1989	S.R. 1989 No. 418

EXPLANATORY NOTE

(This note is not part of the Byelaws.)

These Byelaws revoke and remake with amendments the Fisheries Consolidated, Amendment and Licence Duties Bye-Laws (Northern Ireland) 1969 as amended.

The principal changes of substance are:—

- (a) a reduction in the commercial fishing season for pike in Lough Erne from 1st October to 17th March to 1st October to 9th March in each year (Byelaw 79);
- (b) the provision whereby long lining for pike was permitted in certain areas of Upper and Lower Lough Erne has been revoked and the use of long lines for the capture of pike is now totally prohibited in Lough Erne;
- (c) the introduction of a mesh size of 63.5 millimetres from knot to knot or 245 millimetres all round each mesh for single wall set nets and trammel nets for the taking of coarse fish in Lower Lough Erne (Byelaw 45(2));
- (d) the introduction of a bag limit for pike of 2 pike per angler per day (Byelaw 69);
- (e) the prohibition on the use of ground bait now applies to all materials used as such (Byelaw 68);
- (f) any pike weighing 4 kilogrammes or over taken by rod and line or hand line must be returned to the water (Byelaw 70);
- (g) the introduction of a separate form of licence for angling and commercial fishing with conditions attaching to the licence (see Byelaw 20 and Schedules 5 and 6);
- (h) byelaws relating to sand washing are now revoked as this is now dealt with under the Water Act (Northern Ireland) 1972.