

1993 No. 155

FISHERIES

The Inshore Fishing (Prohibition of Fishing and Fishing Methods) Regulations (Northern Ireland) 1993

Made 30th March 1993

Coming into operation 31st March 1993

Whereas, in accordance with section 185A of the Fisheries Act (Northern Ireland) 1966(a), it appears to the Department of Agriculture (“the Department”) that it is desirable to —

- (a) preserve natural beauty or amenity, and
- (b) conserve flora, fauna and geological or geographical features of special interests.

Now, therefore, the Department, in exercise of the powers conferred on it by sections 19(1) and 124(1) and (2)(b) of the said Act and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Inshore Fishing (Prohibition of Fishing and Fishing Methods) Regulations (Northern Ireland) 1993 and shall come into operation on 31st March 1993.

Interpretation

2. In these Regulations—

- “the Act” means the Fisheries Act (Northern Ireland) 1966;
- “beam trawl” means a net which is constructed to capture sea fish whilst being towed along the sea bed by a fishing boat, and which has its mouth extended by a beam, bar or other rigid device;
- “Belfast Lough” means the sea area to the westward and southward of an imaginary straight line drawn from the South Briggs buoy off the coast of County Down to Black Head Light in the County of Antrim;
- “Carlingford Lough” means the sea area to the landward side of an imaginary straight line drawn from Dunany Point, County Louth, to Cranfield Point, County Down;
- “dredge” means a device with a rigid framed mouth constructed to capture various species of sea fish whilst being towed along the sea bed by a fishing boat;

(a) 1966 c. 17 (N.I.); section 185A was inserted by 1968 c. 31 (N.I.) s. 4

(b) 1966 c. 17 (N.I.); the relevant amendment to which is S.I. 1981/227 (N.I. 7) Art. 6

- “Dundrum Bay” means the sea area to the landward side of an imaginary straight line drawn from the Chapel (near Miner’s Town, County Down) at Rossglass Bay to Roaring Rock (and thence to the nearest point of mainland);
- “horse mussels” means fish of the species *Modiolus modiolus*;
- “length” means the distance between the foremost point of a fishing boat and the rudder stock;
- “Northern Ireland inshore waters” means such part of the fishery limits of the British Islands as is mentioned in Schedule 2, paragraph 14 of the Fishery Limits Act 1976(a);
- “queen scallops” means fish of the species *Chlamys opercularis*;
- “scallops” means fish of the species *Pecten maximus*;
- “seine net” means a fishing gear assembly incorporating a conical shaped net and ropes, constructed to capture sea fish by a method of encirclement;
- “Strangford Lough” means the sea area to the northwest of an imaginary straight line drawn from Killard Point to Ballyquinton Point, County Down;
- “suction dredging” means the raising from the sea bed of material, fish and shellfish with gear involving the use of a solids pump or air lift, or water jets to dig into the sea bottom; and “suction dredge” shall be construed accordingly;
- “tickler chain” means a device towed in front of a dredge for the purpose of disturbing sea fish on the sea bed;
- “trawl net” means a fishing gear assembly incorporating a conical shaped net, ropes and hardware to hold open the mouth of the net, constructed to capture sea fish whilst being towed by a fishing boat.

Prohibition of fishing and fishing methods

3. Subject to the exceptions in regulation 4:—

(1) In Belfast Lough—

- (a) the use of any trawl net or any seine net for the capture of sea fish to the westward and southward of an imaginary straight line drawn from the Flag Staff of the Royal North of Ireland Yacht Club at Cultra in the County of Down, through No. 13 channel buoy to Whiteabbey in the County of Antrim, is prohibited;
- (b) the capture of sea fish by any net is prohibited except from a fishing boat of 12.19 metres in length or less or by a net for the capture of trout, mullet or herring.

(2) In Northern Ireland inshore waters off the coasts of Counties Londonderry and Antrim the use of any trawl net or seine net for the capture of sea fish at any place within an area to the southward and westward of an imaginary straight line drawn from Fair Head, County Antrim to Bull Point, Rathlin Island and thence to the Whistling Buoy off Inishowen Head, County

Donegal is prohibited except from a British fishing boat of 15.24 metres in length or less.

(3) In Dundrum Bay the use of any trawl net or any seine net for the capture of sea fish is prohibited.

(4) In Carlingford Lough the use of any trawl net or any seine net, for the capture of sea fish, within Northern Ireland inshore waters, is prohibited.

(5) In Strangford Lough—

(a) the use of a suction dredge for the capture of sea fish is prohibited;

(b) the use of a beam trawl for the capture of sea fish is prohibited;

(c) the capture of sea fish by any net from a fishing boat greater than 15.24 metres in length is prohibited;

(d) (i) fishing or diving for scallops northwards of an imaginary line drawn from Danes Point on Castle Island through the Pole on Limestone Rock to the most northerly point of Long Island and thence in an easterly direction to the coastline of the Ards Peninsula; and

(ii) fishing or diving for scallops during the period 1st May to 31st October, both days inclusive, in any year is prohibited.

(e) the use of a dredge for the capture of sea fish other than scallops, is prohibited;

(f) the use of any trawl net for the capture of sea fish, outside the area bounded by an imaginary line drawn from Danes Point on Castle Island, through the Pole on Long Sheelagh, Mahee Point, the slipway on Reagh Island, South Rock, the most northerly point of Chapel Island, Chapel Point, the Pole on Slave Rock, the most easterly point on Sand Rock, the Pole on White Bank Pladdy, White Bank on the Ards Peninsula, Rowreagh Point Slip, the Perch on Craigyouran, Ringburr Point, the Pole on Limestone Rock and thence to the point of commencement is prohibited;

(g) the attachment of a tickler chain to a trawl net for the capture of sea fish is prohibited; and

(h) fishing for horse mussels is prohibited.

Exceptions

4. The prohibitions contained in these Regulations shall not apply to any person who is not a British citizen or to any person who is operating under the authority of and in accordance with the terms and conditions of a fish culture licence granted under section 11 of the Act or a permit granted under section 14 of the Act.

Revocation

5. The Sea Fisheries (Consolidation and Amendment) Regulations (Northern Ireland) 1972(a) are revoked.

(a) S.R. & O. (N.I.) 1972 No. 95 the relevant amendments to which are S.R. & O. (N.I.) 1973 No. 441 and S.R. 1987 No. 69

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 30th March 1993.

(L.S.)

L. Sinclair

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, which replace the Sea Fisheries (Consolidation and Amendment) Regulations (Northern Ireland) 1972, as amended, lay down certain restrictions on the use of trawl and seine nets for the capture of sea fish. They also introduce certain restrictions on the capture of sea fish and the use of fishing gear in Strangford Lough.

The Regulations prohibit—

- (a) the use of any trawl net or any seine net for the capture of sea fish in a specified area of Belfast Lough and the use of any net for the capture of sea fish in the whole of Belfast Lough other than from a British fishing boat of 12.19 metres in length or less, or a net for the capture of trout, mullet or herring;
- (b) the use of any trawl net or any seine net, for the capture of sea fish in Northern Ireland inshore waters off the coast of Counties Londonderry and Antrim other than from a British fishing boat of 15.24 metres in length or less;
- (c) the use of any trawl net or any seine net for the capture of sea fish in Dundrum Bay;
- (d) the use of any trawl net or any seine net, for the capture of sea fish in the Northern Ireland inshore waters of Carlingford Lough; and
- (e) In Strangford Lough:—
 - (i) the use of any suction dredge or any beam trawl for the capture of sea fish;
 - (ii) the capture of sea fish by any net from a fishing boat greater than 15.24 metres in length;
 - (iii) fishing or diving for scallops in specified areas and at specific times of the year;
 - (iv) the use of any dredge for the capture of sea fish other than scallops;
 - (v) the use of any trawl nets for the capture of sea fish in specific areas;
 - (vi) the attachment of tickler chains to trawl nets for the capture of sea fish; and
 - (vii) fishing for horse mussels.

The Regulations do not apply to any person who is not a British citizen or to any person operating under the authority of and in accordance with the terms and conditions of a fish culture licence or a permit granted by the Department of Agriculture under sections 11 and 14 respectively of the Fisheries Act (Northern Ireland) 1966, as amended.

Contravention of these Regulations is an offence under section 124(3) of the Act. The penalty is a fine on summary conviction not exceeding level 5 on the standard scale (£2,000).

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**Road Races (Garron Point Hill Climb) Order
(Northern Ireland) 1993**

This Order, being of a temporary character, is not printed at length in this volume.