
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 182

FISHERIES

Foyle Area (Angling) Regulations 1999

Made - - - - - *30th March 1999*

Coming into operation *14th May 1999*

The Foyle Fisheries Commission in exercise of its powers under section 13(1) of the Foyle Fisheries Act 1952(1), and section 13(1) of the Foyle Fisheries Act (Northern Ireland) 1952(2), with the approval of the Minister for the Marine and Natural Resources in the Republic of Ireland(3) and of the Department of Agriculture for Northern Ireland(4) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Foyle Area (Angling) Regulations 1999 and shall come into operation on 14th May 1999.

Interpretation

2. In these Regulations—

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

“bait fishing” means angling with rod and line and one single hook baited with one or more earthworms;

“coarse fish” means any fish other than salmon, trout or rainbow trout;

“earthworm” means any worm of the Family Lumbricidae;

“angling for coarse fish” means the use of a single rod, reel (including a fixed spool reel) line and hook to take fish other than salmonids where the length of the line to which the hook is attached has a breaking strain of less than 2.0 kg and the gape of the hook does not exceed 4 mm;

“fly fishing” means the use of a single rod, reel, fly line or blow line and a single cast carrying not more than 3 artificial or winged natural flies;

(1) No. 5 of 1952 (Republic of Ireland)

(2) 1952 c. 5 (N.I.)

(3) See 1962 c. 5 (N.I.) Section 2(2)

(4) See S.R. and O. (N.I.) 1963 No. 29 Art. 2(2) and Sch. Part II

“foul hook” means the hooking of any salmon or freshwater fish in any part of the body other than in the mouth;

“gape” in relation to a fishing hook means the distance when the hook is normally aligned between the point of the hook and the shank of the hook;

“ground bait” means any material used other than on a hook for the purpose of attracting fish whilst angling;

“hook” means a hook attached to a fishing line;

“length” in relation to fish means the measurement from the tip of the snout to the fork or cleft of the tail;

“maggots” means any larvae of the Order Diptera including the housefly of the Family Muscidae, and the blue bottle or blow fly of the Family Calliphoridae;

“night angling” means angling between one hour after sunset and one hour before sunrise;

“prawns” means those members of the Class Crustacea commonly known as prawns (whether fresh or preserved, dyed or natural colour) and any part thereof;

“salmonids” means a fish of the Family Salmonidae, including Salmon, Sea Trout, Rainbow Trout and Brown Trout;

“shrimps” means those members of the Class Crustacea commonly known as shrimps (whether fresh or preserved, dyed or natural colour) and any part thereof;

“snatch” means to deliberately foul hook or attempt to foul hook any fish; and

“spinning” means the use of a single rod, reel (including a fixed spool reel) and line designed to cast or throw an artificial or natural bait and retrieve the bait by rewinding the line onto the drum of the reel with the bait kept in motion throughout.

Methods of Angling

3. Subject to regulation 4(2) a person shall not in any waters specified in column (1) of Schedule 1 angle for fish except by a method specified in column (2) of that Schedule opposite to those waters.

Prohibitions and restrictions

4.—(1) A person shall not angle for fish in any waters of the River Roe, the River Faughan, the River Mourne and the River Foyle described in Schedule 2.

(2) A person shall not in any waters in the Foyle Area use any type of float, or a similar device, designed to suspend a bait or lure in water other than—

- (a) while angling for coarse fish; or
- (b) in conjunction with a single artificial fly while angling for salmonids.

(3) A person shall not in any waters of the Foyle Area snatch or foul hook or attempt to snatch or foul hook salmon with any kind of hook or combination of hooks whether or not covered in part or in whole with any matter or thing and whether or not used with a rod and line.

Restrictions on bait

5.—(1) A person shall not use pawns or shrimps as a bait while angling in any waters in the Foyle Area.

(2) A person shall not use any matter of vegetable origin or maggots or earthworms as a bait while spinning in any waters of the Foyle area.

(3) A person shall not use ground bait—

- (a) while angling for any fish in the waters described in Column (1) of Schedule 1;
- (b) while angling for any fish other than coarse fish in the waters described in Schedule 3.

Restrictions on use of boats

6.—(1) A person shall not use a boat for the purpose of angling on Lough Ash, Lough Braden, Lough Lee in County Tyrone or on the waters of Binevenagh Dam in County Londonderry.

(2) A person shall not use a mechanically propelled boat for the purpose of angling on Moirlough in County Tyrone.

Restrictions on number and size

7.—(1) A person shall not retain or have in his possession—

- (a) salmonids of a length less than 25£4 cm; or
- (b) more than 4 salmonids on any one day,

(2) Where a person takes any salmonid of less than the minimum length specified in paragraph (1) (a) or a salmonid in excess of the maximum number specified in paragraph (1)(b) he shall return back the salmonid to the water without avoidable injury.

Revocation

8. The Foyle Area (Angling) Regulations 1995(5) are hereby revoked.

GIVEN UNDER the Common Seal of the Foyle Fisheries Commission on 30th March 1999.

L.S.

M. Mullen
Member of the Commission appointed by the
Minister for the Marine and Natural Resources.

The Minister for the Marine and Natural Resources hereby approves the foregoing Regulations.

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Sealed with the Official Seal of the Minister for the Marine and Natural Resources on

L.S.

S. White

A person authorised by the Minister for the Marine and Natural Resources to authenticate the Official Seal of the Minister.

31st March 1999.

L.S.

J. S. Allister

Member of the Commission appointed by the Department of Agriculture for Northern Ireland

The Department of Agriculture for Northern Ireland hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on

L.S.

Department of Agriculture for Northern Ireland.
15th April 1999.

G. Lavery
Assistant Secretary

SCHEDULE 1

Regulations 3 and 5(3)(a)

<i>Description of Waters</i>	<i>Methods of Angling Permitted</i>
1. Lough Ash, Lough Bradan, Lough Lee and Moorlough all in County Tyrone and Binevenagh Dam in County Londonderry.	From the shore fly fishing, spinning and bait fishing and from boats on Moorlough fly fishing only.
2. River Mourne, County Tyrone (except that area mentioned in Schedule 2 where angling is prohibited).	Fly fishing, spinning and bait fishing.
(a) Victoria Bridge stretch being the west bank of the River Mourne from the road bridge at Victoria Bridge to the railway bridge known as Camus Railway Bridge in the townland of Seein.	
(b) (b) Sion Mills stretch being the east bank of the River Mourne extending from the footbridge at the boundary between the townlands of Carrigullin and Bearney Glebe to the boundary between the townlands of Carrigullin and Stragullin and the west bank extending from the weir at Sion Mills in the townland of Liggartown to the boundary between the townlands of Ballyfatten and Strabane Union.	Fly fishing, spinning and bait fishing.
3. River Roe and tributaries and River Faughan and tributaries (except those areas mentioned in Schedule 2 where angling is prohibited).	<p>Fly fishing where the breaking strain of the cast shall not exceed 3.7 kg for night fishing and 6.9 kg for fishing at other times and where no more than two single dressed fly hooks of normal weight spaced at least 0.61 m apart are used for night fishing.</p> <p>Bait fishing where the gape of the hook does not exceed 9 mm, the breaking strain of the line does not exceed 4.6 kg and the maximum length of the rod does not exceed 2.75 m, provided that this method is not used for night fishing.</p> <p>Spinning where the gape of the hook does not exceed 7 mm, the breaking strain of the line does not exceed 4.6 kg and the maximum length of the rod does not exceed 2.75 m provided that this method is not used for night fishing.</p>
4. River Roe. From and within 280.0 metres upstream of Largy Bridge in the townlands of Largy and Ardgarvan, County Londonderry.	Fly fishing where the breaking strain of the cast shall not exceed 3.7 kg for night fishing and 6.9 kg for fishing at other times and where no more than two single dressed fly hooks of normal

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<i>Description of Waters</i>	<i>Methods of Angling Permitted</i>
	weight spaced at least 0.61 m apart are used for night fishing.
	Bait fishing where the gape of the hook does not exceed 9 mm, the breaking strain of the line does not exceed 4.6 kg and the maximum length of the rod does not exceed 2.75 m, provided that this method is not used for night fishing.

SCHEDULE 2

Regulation 4(1)

<i>Fishery</i>	<i>Areas where Angling is Prohibited</i>
River Roe	<ul style="list-style-type: none"> (a) (a) Downstream of the weir known as O'Cahan's Rock in the townland of Deerpark, County Londonderry for 45.8 metres. (b) Downstream of the weir known as Given's Weir in the townland of Terrydremond, County Londonderry for 45.8 metres.
River Faughan	<ul style="list-style-type: none"> (a) (a) Downstream of the weir known as Ballyarton Weir in the townland of Lettermuck, County Londonderry for 91.5 metres. (b) Downstream of the weir known as Bleachgreen Weir in the townland of Ardmore, County Londonderry for 91.5 metres, measured from an imaginary straight line drawn at right angles to the course of the river through right or eastern bank extremity of the weir. (c) Downstream of the Department of the Environment's barrage in the townland of Campsie, County Londonderry, for 54.9 metres on the left or western side and for 123.5 metres on the right or eastern side of the river.
River Mourne	Downstream of the weir at Sion Mills Weir in the townlands of Camus and Liggartown, County Tyrone for 42 metres, except that on the left or western side of the river angling may not take place from and within 64 metres downstream of the said Weir.

<i>Fishery</i>	<i>Areas where Angling is Prohibited</i>
River Foyle	At that portion of the river between a straight line drawn at right angles to its course through the southernmost point of the townland of Islandmore in the County of Donegal and a straight line drawn across the river from the easternmost point in the townland of Drumnashear in the County of Donegal to the northernmost point in the townland of Magheramason in the County of Tyrone.

SCHEDULE 3

Regulation 3 and 5(2)(b)

Description of Waters

All waters in the Foyle Area except those listed in Schedules 1 and 2.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations revoke and replace the Foyle Area (Angling) Regulations 1995. Regulation 3 specifies the methods of angling which are permitted in certain waters in the Foyle Area. Regulation 4(1) specifies stretches of certain rivers where angling by any method is prohibited, regulation 4(2) restricts the use of floats and regulation 4(3) prohibits the foul hooking of any fish.

Regulation 5—

- (a) prohibits the use of prawns or shrimps as bait;
- (b) prohibits the use of certain vegetable based bait, maggots or worms while spinning;
- (c) restricts the use of ground bait.

Regulation 6 restricts the use of boats for angling on certain waters. Regulation 7 restricts the number and length of fish which may be retained in any one day.

The Regulations make the following changes of substance—

- (a) the use of an artificial fly used in conjunction with a float is now permitted;
- (b) spinning is a prohibited method of angling in a certain area of the River Roe;
- (c) angling is prohibited in a certain area of the River Foyle;
- (d) a minimum size and a daily bag limit of the number of salmonids which may be retained or which may be in a person's possession has been introduced in the Foyle Area;
- (e) the use of non-mechanically propelled boats for the purpose of angling on Moorlough is now permitted.

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