

2001 No. 158

FISHERIES

Foyle Area and Carlingford Area (Angling) Regulations 2001

Made *6th April 2001*

Coming into operation *14th May 2001*

The Foyle, Carlingford and Irish Lights Commission, in exercise of its powers under section 13(1) (amended by section 34(3) of the British-Irish Agreement Act 1999(a)) of the Foyle Fisheries Act 1952(a) which stand transferred to it under section 34(1) of the British-Irish Agreement Act 1999, and in exercise of the powers conferred by section 13(1) of the Foyle Fisheries Act (Northern Ireland) 1952(b) and now vested in it(c) and of every other power enabling it in that behalf, with the approval of the North/South Ministerial Council, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Foyle Area and Carlingford Area (Angling) Regulations 2001 and shall come into operation on 14th May 2001.

Interpretation

2. In these Regulations—

- “angling” means the angling for, taking or killing of fish by rod and line;
- “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;
- “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*;
- “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;
- “foul hook” means the hooking of fish in any part of the body other than in the mouth;

(a) Legislation of the Republic of Ireland
(b) 1952 c. 5 (N.I.) as ended by S.I. 1999/859
(c) By S.I. 1999/859 Article 21(1)

“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 fishing” means fishing 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 foul hook any fish deliberately; 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 the reference 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 described in Schedule 2.

(2) A person shall not in any waters in the Foyle Area or the Carlingford 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 or the Carlingford Area snatch or attempt to snatch 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 prawns or shrimps as a bait while angling in any waters in the Foyle Area or the Carlingford 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 or the Carlingford 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 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 Bradan, 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 take by rod and line and retain—

(a) a salmonid of a length less than 25.4 cm;

(b) more than 4 salmonids on any one day.

(2) Where a person takes by rod and line 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 the salmonid to the water without avoidable injury.

Revocation

8. The Foyle Area (Angling) Regulations 1999(a) are hereby revoked.

Given under the Seal of the Foyle, Carlingford and Irish Lights Commission on 6th April 2001.

(L.S.)

R. J. D. Anderson
Chief Executive of the Loughs Agency

Approved by the North/South Ministerial Council on 6th April 2001.

T. P. O'Connor
Joint Secretary of the North/
South Ministerial Council

D. MacKenzie
Joint Secretary of the North/
South Ministerial Council

being persons authorised by the North/South Ministerial Council to signify approval on its behalf.

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),— | |
| (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; | Fly fishing, spinning and bait fishing. |
| (b) Sion Mills stretch being the east bank of the River Mourne extending from the footbridge at the boundary between the townland 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 and the area mentioned in paragraph 4). | <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</p> |

| <i>Description of Waters</i> | <i>Methods of Angling Permitted</i> |
|--|---|
| <p>4. River Roe from and within 280.0 metres upstream of Largy Bridge in the townlands of Largy and Ardgarvan, County Londonderry.</p> | <p>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>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> |

| <i>Fishery</i> | <i>Areas where Angling is Prohibited</i> |
|----------------|--|
| River Roe | <p>(a) Downstream of the weir known as O’Cahan’s Rock in the townland of Deerpark, County Londonderry for 45.8 metres.</p> <p>(b) Downstream of the weir known as Givens Weir in the townland of Terrydremond, County Londonderry for 45.8 metres.</p> |
| River Faughan | <p>(a) Downstream of the weir known as Ballyarton Weir in the townland of Lettermuck, County Londonderry for 91.5 metres.</p> <p>(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.</p> <p>(c) Downstream of the Department for Regional Development’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.</p> |
| River Mourne | Downstream of the weir at Sion Mills Weir in the townlands of Camus and Liggartown, County Tyrone to the boundary between the townlands of Camus and Bearney Glebe except that on the left or western side of the river angling may not take place from and within 64.0 metres downstream of the said weir. |

SCHEDULE 3

Regulation 5(3)(b)

Description of Waters

All waters in the Foyle Area and the Carlingford 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 1999. Regulation 3 specifies the methods of angling which are permitted in certain waters in the Foyle Area. Regulation 4(1) and Schedule 2 specify 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 salmon.

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; and
- (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 lift the prohibition on angling on the River Foyle between Islandmore in County Donegal and Magheramason in County Tyrone.