

2004 No. 74

FISHERIES

Fisheries (Amendment) Byelaws (Northern Ireland) 2004

Made - - - - - *2nd March 2004*

Coming into operation *29th March 2004*

The Fisheries Conservancy Board for Northern Ireland, in exercise of the powers conferred on it by sections 26(1), 37(1), 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 Culture, Arts and Leisure(b), hereby makes the following Byelaws:

Citation and commencement

1. These Byelaws may be cited as the Fisheries (Amendment) Byelaws (Northern Ireland) 2004 and shall come into operation on 29th March 2004.

Amendment of the Fisheries Byelaws (Northern Ireland) 2003

2. The Fisheries Byelaws (Northern Ireland) 2003(c) shall be amended as provided in Byelaw 3.

3. For Parts II and III of Schedule 3 (licences for fishing engines other than rod and line or hand line, and dealer's licence) there shall be substituted the following Parts –

(a) 1966 c. 17 (N.I.); section 26(1) was amended by Article 8(3) of the Fisheries (Amendment) (Northern Ireland) Order 1991 (S.I. 1991/1466 (N.I. 13)) and by section 5 of the Fisheries (Amendment) Act (Northern Ireland) 2001 (2001 c. 4 (N.I.)); section 37 was substituted by section 1 of, and Schedule 1 to, the Fisheries (Amendment) Act (Northern Ireland) 1968 (1968 c. 31 (N.I.)) and was amended by Article 9 of the Fisheries (Amendment) (Northern Ireland) Order 1991 and by section 6 of the Fisheries (Amendment) Act (Northern Ireland) 2001; sections 114(1)(b) and 115(1)(b) were amended by paragraph 5 of Schedule 3 to the Fisheries (Amendment) (Northern Ireland) Order 1991

(b) Functions transferred by virtue of S.R. 1999 No. 481 Article 3 and Schedule 1

(c) S.R. 2003 No. 525

“PART II

LICENCES FOR FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE

<i>Fishing Licence</i>	<i>Duty</i>
(1)	£ (2)
Licence for a draft net for the capture of salmon and freshwater fish on Lough Neagh	110-00
Licence for a single wall set net or trammel net for the capture of trout or rainbow trout in Lough Neagh per 91 metres (100 yards).....	15-00
Licence for a single wall set net or trammel net for the taking of freshwater fish other than trout or rainbow trout, per 91 metres (100 yards)	15-00
Licence for a bait net for the taking of freshwater fish other than trout or rainbow trout for use as bait – per net	5-00
Licence for a fixed tidal draft net	348-50
Licence for a tidal draft net	289-00
Drift net licence	289-00
Licence for a bag net used in tidal waters	653-00

PART III

Dealer’s licence	£43-00”.
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Sealed with the Common Seal of the Fisheries Conservancy Board for Northern Ireland on 27th February 2004.

(L.S.)

Dr. R. Hanna
Chairman

(L.S.)

K. A. Simpson (Mrs.)
Secretary

The Department of Culture, Arts and Leisure hereby approves the foregoing Byelaws.

Sealed with the Official Seal of the Department of Culture, Arts and Leisure on 2nd March 2004.

(L.S.)

N. Carson
A senior officer of the Department of Culture, Arts and Leisure

EXPLANATORY NOTE

(This note is not part of the Byelaws.)

These Byelaws amend the Fisheries Byelaws (Northern Ireland) 2003.

The Byelaws increase the duties payable for commercial fishing licences, other than eel licences, together with the fee payable for a licence which authorises the holder to buy and sell salmon, trout and eels (Byelaw 3).

The new licence duties and fee, and the size of the increases, are set out below: –

	<i>Previous Rates £</i>	<i>New Rates £</i>	<i>Increase £</i>
Draft net for the capture of salmon and freshwater fish on Lough Neagh	101.00	110.00	9.00
Single wall set net or trammel net for the capture of trout or rainbow trout in Lough Neagh per 91 metres (100 yards)	14.00	15.00	1.00
Single wall set net or trammel net for the taking of freshwater fish other than trout or rainbow trout per 91 metres (100 yards)	14.00	15.00	1.00
Bait net for the taking of freshwater fish other than trout or rainbow trout for use as bait – per net	4.50	5.00	0.50
Fixed tidal draft net	338.50	348.50	10.00
Tidal draft net	280.50	289.00	8.50
Drift net for the taking of salmon in the sea	280.50	289.00	8.50
Bag net used in tidal waters	634.00	653.00	19.00
Dealer's licence	42.00	43.00	1.00

Duties will no longer be payable in respect of licences for the following fishing engines –

- (a) draft net for the capture of freshwater fish other than trout and rainbow trout on Lough Erne;
- (b) draft net for use in freshwater other than Lough Neagh or Lough Erne; and
- (c) salmon box or crib.

In addition, the enhanced duty payable in respect of a licence for a fixed tidal draft net which operates in the estuary of a river upstream of the defined mouth will no longer be payable.

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