STATUTORY RULES OF NORTHERN IRELAND

2005 No. 548

FISHERIES

Fisheries (Amendment) Byelaws (Northern Ireland) 2005

Made - - - -	*7th December 2005*
Coming into operation	*1st January 2006*

The Fisheries Conservancy Board for Northern Ireland, in exercise of the powers conferred on it by sections 26(1), 37, 51(2), 52(2), 70(1) and (2), 71(2)(g), 72(1), 89, 95, 97, 114(1)(b) and 115(1)(b) of the Fisheries Act (Northern Ireland) 1966 (**1**) and of all other powers enabling it in that behalf, with the approval of the Department of Culture, Arts and Leisure (**2**), hereby makes the following Byelaws:

Citation and commencement

1. These Byelaws may be cited as the Fisheries (Amendment) Byelaws (Northern Ireland) 2005 and shall come into operation on 1st January 2006.

Amendment of the Fisheries Byelaws (Northern Ireland) 2003

2. The Fisheries Byelaws (Northern Ireland) 2003 (**3**) shall be amended as provided in Byelaws 3 to 5.

Licence duties and fees

3. For Schedule 3 (FISHING ENGINES AND LICENCE DUTIES) there shall be substituted the following Schedule:

(**1**) 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 51(2), 52(2) and 72(1) were amended by S.R. 1983 No. 100; sections 114(1) (b) and 115 (1)(b) were amended by paragraph 5 of Schedule 3 to the Fisheries (Amendment) (Northern Ireland) Order 1991

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

(**3**) S.R. 2003 No. 525 as amended by S.R. 2004 No. 504

"SCHEDULE 3 Byelaws 6, 7 and 10

FISHING ENGINES AND LICENCE DUTIES

PART I

LICENCES TO FISH WITH ROD AND LINE AND HAND LINE

Fishing Licence *(1)*	*Duty* *(2)*
Season game fishing rod licence	£16.00
Fourteen day game fishing rod licence	£8.00
Three day game fishing rod licence	£3.50
Concessionary season fishing rod licence	£5.00
Juvenile season fishing rod licence	£2.00
Amount payable by the holder of a current Foyle, Carlingford and Irish Lights game fishing rod and line licence for a game fishing rod licence	£1.00
Season coarse fishing rod licence	£16.00
Fourteen day coarse fishing rod licence	£8.00
Three day coarse fishing rod licence for use by the holder of a three day coarse fishing permit issued by the Department of Culture, Arts and Leisure to fish in waters in which the Department has the fishing rights	£3.50

PART II

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

Fishing Licence *(1)*	*Duty* *(2)*
Licence for a draft net for the capture of salmon and freshwater fish on Lough Neagh	£117.00
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)	£16.00
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)	£16.00

Fishing Licence *(1)*	*Duty* *(2)*
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	£370.50
Licence for a tidal draft net	£307.00
Drift net licence for the taking of salmon in the sea	£307.00
Licence for a bag net used in tidal waters	£694.00

PART III

Dealer's licence	£45.50"

List of waters where there is no close season for rainbow trout

4. In Schedule 6 in the list of rainbow trout waters where there is no annual close season for angling for rainbow trout —

(a) under the heading County Antrim there shall be inserted after the reference to "Turnagrove Fishery" a reference to "Upper Pond, The Waterworks, Cavehill Road, Belfast";

(b) under the heading County Down there shall be inserted after the reference to "Hazelwood Rainbow Trout Fishery" a reference to "High Dam, Newtownards"; and

(c) under the heading County Down the reference to "Lough Cowey" shall be removed.

Annual close seasons and close times for commercial fishing

5. For Byelaw 81 there shall be substituted the following Byelaw —

"**81.**—(1) Subject to paragraph (2), a person shall not, on Lough Neagh —

(a) take any coarse fish except pollen with a fishing engine, other than rod and line, during the period beginning on 1st March in any year and ending on 31st May in the same year, both dates inclusive; or

(b) take any coarse fish with a fishing engine, other than rod and line during the period commencing at 6 o'clock a.m. on any Saturday and ending 6 o'clock a.m. on the next following Monday.

(2) Paragraph (1) (a) shall not apply to the taking of coarse fish by means of a bait net by the holder of a licence for a long line for the taking of eels where such fish are for use solely as bait."

Sealed with the Official Seal of the Fisheries Conservancy Board on 7th December 2005.

L.S.

Dr. R. Hanna
Chairman

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 7th December 2005.

L.S.

M. Cory
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 principal changes are as follows:–

1. The Byelaws increase the licence duties payable from 1st January 2006 for some fishing rod licences and some commercial fishing engines used for the taking of salmon and freshwater fish other than eels, 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 fee rates for 2006, and the size of the increases are set out below:–

	Previous Rate £	*New Rate* £	*Increase* £
Season game fishing rod licence	15.50	16.00	0.50
Fourteen day game fishing rod licence	7.50	8.00	0.50
Three day game fishing rod licence	3.50	3.50	0.00
Concessionary season fishing rod licence	5.00	5.00	0.00
Juvenile season fishing rod licence	2.00	2.00	0.00
Amount payable by the holder of a current Foyle, Carlingford and Irish Lights game fishing rod and line licence for a game fishing rod licence	1.00	1.00	0.00
Season coarse fishing rod licence	15.50	16.00	0.50
Fourteen day coarse fishing rod licence	7.50	8.00	0.50
Three day coarse fishing rod licence for use by the holder of a three day coarse fishing permit issued by the Department of Culture, Arts and Leisure to fish in	3.50	3.50	0.00

	Previous Rate £	*New Rate* £	*Increase* £
waters in which the Department has the fishing rights.			
Licence for a draft net for the capture of salmon and freshwater fish on Lough Neagh	113.00	117.00	4.00
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)	15.50	16.00	0.50
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)	15.50	16.00	0.50
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	5.00	0.00
Licence for a fixed tidal draft net	358.00	370.50	12.50
Licence for a tidal draft net	297.00	307.00	10.00
Drift net licence for the taking of salmon in the sea	297.00	307.00	10.00
Licence for a bag net used in tidal waters	671.00	694.00	23.00
Dealer's licence	44.00	45.50	1.50

2. The Byelaws designate a number of waters as rainbow trout waters for the purposes of Byelaw 73(2)(b) of the Fisheries Byelaws (Northern Ireland) 2003 which provides that there shall be no close season for angling for rainbow trout in waters so designated and remove Lough Cowey from Schedule 6 which lists those waters (Byelaw 4).

3. The Byelaws provide that the holder of a licence for a long line for the taking of eels may take coarse fish on Lough Neagh by means of a bait net during the annual close season providing that such fish taken are for use solely as bait (Byelaw 5).