

2010 No. 196

FISHERIES

Fisheries (Amendment) Regulations (Northern Ireland) 2010

Made - - - - *2nd June 2010*

Coming into operation - *19th July 2010*

The Department of Culture, Arts and Leisure (a), makes the following Regulations in exercise of the powers conferred by section's 26(1) and 37(1) (e) of the Fisheries Act (Northern Ireland) 1966 (b).

Citation and commencement

1. These Regulations may be cited as the Fisheries (Amendment) Regulations (Northern Ireland) 2010 and shall come into operation on 19th July 2010.

Amendment of the Fisheries Regulations (Northern Ireland) 2003

2. The Fisheries Regulations (Northern Ireland) 2003 (c) are amended as provided by regulations 3 and 4.

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

3. 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 insert before the reference to “Murloc Angling Centre, Aghalee” a reference to “McCutcheon’s Lake, Moorfields, Ballymena”;
- (b) under the heading County Antrim insert before the reference to “Raloo Fishery” a reference to “Quoilie Reservoirs, Broughshane”;
- (c) under the heading County Fermanagh insert before the reference to “Lough Coolyermer” a reference to “Castle Hume ‘Back’ Lough”;

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

(b) 1966 c. 17 (N.I.); section 26 was substituted by section 1(3) and paragraph 3(7) of Part 2 of Schedule 1 to the Public Authorities (Reform) Act (Northern Ireland) 2009 (2009 c.3 (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 by Article 9 of the Fisheries (Amendment) (Northern Ireland) Order 1991 (S.I. 1991/1466 (N.I. 13)) and by section 6 of the Fisheries (Amendment) Act (Northern Ireland) 2001 (2001 c.4 (N.I.)) and by paragraph 3(9) of Part 2 of Schedule 1 to the Public Authorities (Reform) Act (Northern Ireland) 2009.

(c) S.R. 2003 No. 525 as amended by S.R. 2004 No. 504, S.R. 2005 No. 548, S.R. 2006 No. 517, S.R. 2007 No. 471, S.R. 2008 No.318 and S.R. 2008 No. 475. By virtue of section 1(3)(b) of, and paragraph 3(1)(c) of Part 2 of Schedule 1 to, the Public Authorities (Reform) Act (Northern Ireland) 2009 references to “byelaws” in the Fisheries Act (Northern Ireland) 1966 are now to “regulations”.

- (d) under the heading County Londonderry insert before the reference to “Gauger’s Inn Fishery Lake” a reference to “Dunalis Reservoir”.

Appeals against the refusal to issue or restore a fishing licence

4. In the heading for Part III and in regulations 27, 28 and 29 for “the Department” substitute “a magistrates’ court” (a).

Sealed with the Official Seal of the Department of Culture, Arts and Leisure on 2nd June 2010.



M. Cory
A senior officer of the Department of Culture, Arts and Leisure

(a) By virtue of section 1(3)(b) of, and paragraph 3(9) of Part 2 of Schedule 1 to, the Public Authorities (Reform) Act (Northern Ireland) 2009 the reference to “the Ministry” in section 37(1)(e) of the Fisheries Act (Northern Ireland) 1966 is now a reference to “a magistrates court”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

The principal changes are as follows:–

1. The Regulations designate four waters as rainbow trout waters for the purposes of regulation 73(2)(b) of the Fisheries Regulations (Northern Ireland) 2003 which provides that there shall be no close season for angling for rainbow trout in waters so designated (regulation 3).

2. Appeals against the revocation or refusal to issue or renew a fishing licence are now to a magistrates' court instead of the Department (regulation 4).

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