

**EXPLANATORY MEMORANDUM TO**  
**Fisheries (Amendment) Regulations (NI) 2011**

**SR 2011 No. 324**

**1. Introduction**

- 1.1 This Explanatory Memorandum has been prepared by the Department of Culture, Arts and Leisure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2 The Statutory Rule is made under section 26(1) of the Fisheries Act (NI) 1966 and is subject to the negative resolution procedure.

**2. Purpose**

- 2.1 The purpose of these Regulations is to amend Schedule 6 of the Fisheries Regulations (NI) 2003 to include new designated Rainbow Trout Waters at mill ponds on the Green Road, Ballyclare and at Cromore Road, Portstewart, and remove Loughinisland Lake from the list of designations. Each of these amendments has been requested by the relevant fishery owner.

**3. Background**

- 3.1 Byelaw 73 (2) (b) of the Fisheries Regulations (Northern Ireland) 2003 provides that the annual close season for angling for salmon or trout shall not apply in the case of rainbow trout waters so designated, allowing the fishery to remain open throughout the year. Schedule 6 of the Regulations lists the designated rainbow trout waters and requires amendment if waters are to be added or removed.

**4. Consultation**

- 4.1 The proposals were presented to the Salmon and Inland Fisheries Forum N.I. for comment. No comments were received.

**5. Equality Impact**

- 5.1 Consideration has been given to compliance with section 75 of the Northern Ireland Act 1998. The screening exercise did not identify any equality issues.

**6. Regulatory Impact**

- 6.1 The owner of the fisheries to be designated as rainbow trout waters would be able to operate the fisheries throughout the year with no annual close season resulting in the potential for increased income through the sale of fishing permits.

- 6.2 No compliance costs have been identified for business, charities or voluntary organisations.

## **7. Financial Implications**

- 7.1 The Department is satisfied that the balance between cost and benefit in introducing these amendment regulations is justified.

## **8. Section 24 of the Northern Ireland Act 1998**

- 8.1 It is not expected that any of the amendments set out in the draft Statutory Rule will have any Section 24 implications or impact on Human Rights or European Community law. The EQIA screening did not raise any discrimination issues.

## **9. EU Implications**

- 9.1 Not applicable.

## **10. Parity or Replicatory Measure**

- 10.1 In GB, in the Environment Agency's jurisdiction, there is no annual close season for fishing for rainbow trout in all reservoirs, lakes and ponds. The annual close season for other waters is determined by local byelaws.

## **11. Additional Information**

- 11.1 Not applicable