

2012 No. 458

FISHERIES

**The Foyle Area and Carlingford Area (Angling) (Amendment)
Regulations 2012**

Made - - - - - *12th December 2012*

Coming into operation - *31st January 2013*

The Foyle, Carlingford and Irish Lights Commission, with the approval of the North/South Ministerial Council, makes the following Regulations in exercise of the powers conferred by section 13(1) of the Foyle Fisheries Act 1952(a) and section 13(1) of the Foyle Fisheries Act (Northern Ireland) 1952(b) and now vested in it(c).

Citation, commencement and application

1.—(1) These Regulations may be cited as the Foyle Area and Carlingford Area (Angling) (Amendment) Regulations 2012 and shall come into operation on 31st January 2013.

(2) These Regulations apply to the Foyle Area and the Carlingford Area.

Amendment of the Foyle Area and Carlingford Area (Angling) Regulations 2001

2.—(1) The Foyle Area and Carlingford Area (Angling) Regulations 2001(d) are amended in accordance with paragraphs 2 to 7.

(2) In regulation 2 (interpretation) insert at the appropriate place—

““bubble and fly” means the use of a single rod, reel and line with a float in conjunction with a single artificial fly;”.

(3) In regulation 4 (prohibitions and restrictions) as amended in paragraph (5)(e) for “7 mm” substitute “12 mm”;

(4) In regulation 5 (restrictions on bait) as amended after paragraph (5)(f) add—

“(6) A person shall not use or attempt to use any matter of vegetable origin or maggots as a bait while angling in the waters described in paragraph 1 in column (1) of Schedule 1.”.

(5) In regulation 7(g) (restrictions on number and size)—

(a) in paragraph (1) after sub-paragraph (f) add—

“(g) more than 4 brown trout, or rainbow trout, or a combination of both on any one day in the waters described in paragraph 1 in the first column of Schedule 1.”.

(a) Legislation of the Republic of Ireland

(b) 1952 c.5 (N.I.) as amended by S.I. 1999/859 and S.I. 2007/915 (N.I. 9)

(c) S.I. 1999/859 Article 21(1)

(d) S.R.2001 No.158 to which the relevant amendments are; S.R.2004 No.75,S.R.2007 No.274,S.R.2010 No.154

(e) paragraph 5 of regulation 4 was inserted by S.R.2010 No.154

(f) paragraph 5 of regulation 5 was inserted by S.R.2010 No.154

(g) regulation 7 was substituted by regulation 4 of S.R. 2007 No.274

(b) in paragraph (3) for “7 mm” substitute “12 mm”;

(6) For Schedule 1 to the Foyle Area and Carlingford Area (Angling) Regulations 2001 substitute the Schedule 1 set out in the Schedule.

(7) For Schedule 2A(a) to the Foyle Area and Carlingford Area (Angling) Regulations 2001 substitute the Schedule 2A set out in the Schedule.

(a) schedule 2A was inserted by S.R. 2010 No.154

Given under the Seal of the Foyle, Carlingford and Irish Lights Commission on 12th December 2012.



J Pollock
Acting Chief Executive of the Loughs Agency

Approved by the North/South Ministerial Council on 12th December 2012.

S O'Neill
Joint Secretary of the
North/South Ministerial Council

C Shannon
Joint Secretary of the
North/South Ministerial Council

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

SCHEDULE

Regulation 2(6)

Schedule to be substituted for Schedule 1 to the Foyle Area and Carlingford Area (Angling) Regulations 2001

“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, Binevenagh Dam in County Londonderry and Lough Brickland in County Down.	From the shore fly fishing, bubble and fly, spinning and bait fishing and from boats on Moorlough fly fishing only. Lough Brickland fly fishing only.
2. 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 3).	<p>Fly fishing where the breaking strain of the cast shall not exceed 3.7kg for night fishing and 6.9kg for fishing at other times and where no more than two single dressed fly hooks of normal weight spaced at least 0.61m 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 and the maximum length of the rod does not exceed 2.75 m provided that this method is not used for night fishing.</p>
3. River Roe from and within 280 metres upstream of Largy Bridge in the townlands of Largy and Ardgarvan, County Londonderry.	<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>

SCHEDULE 2

Regulation 2(7)

Schedule to be substituted for Schedule 2A to the Foyle Area and Carlingford Area (Angling) Regulations 2001

“SCHEDULE 2A Regulation 4(1A), 4(5), 5(5) and 7(2)

Catch and Release Waters

<i>Fishery</i>	<i>Waters from which the retention of Salmon, Sea-trout or Brown Trout is Prohibited</i>
River Finn	All waters of the River Finn which lie between an imaginary straight line drawn at right angles to the course of the river from the upstream end of the flood bank situated on the left or northern side of the river 1,073 metres downstream of the boundary between the townlands of Liscooley and Carrick in County Donegal and an imaginary straight line drawn at right angles across the river in continuation of the boundaries between the townlands of the Urney Glebe and Flushtown in County Tyrone.
River Foyle	All waters of the River Foyle which lie between imaginary straight lines drawn between Irish Grid reference points H33402,97994 and H33351,97994 and between Irish Grid reference points H33402,97994 and H33438,98104, respectively, and the defined mouth of the River Foyle.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations amend the Foyle Area and Carlingford Area (Angling) Regulations 2001 by:

- (a) permitting the use of bubble and fly method on specified Department of Culture, Arts and Leisure waters;
- (b) increasing the minimum gape of hook permitted for use while angling for salmon, sea trout or brown trout from 7 mm to 12 mm in the specified stretches of the Rivers Finn and Foyle;
- (c) prohibiting the use or attempted use of matter of vegetable origin or maggots as a bait while angling on specified Department of Culture Arts and Leisure waters;
- (d) providing that on any one day only 4 fish, being either brown trout or rainbow trout, or a combination of both, may be taken by rod and line and retained on specified Department of Culture, Arts and Leisure waters;
- (e) increasing the minimum gape of hook permitted for use while angling for salmon, sea trout or brown trout from 7 mm to 12 mm in any other waters to which restrictions to angling to catch and release applies;
- (f) permitting fly fishing only on Lough Brickland; and
- (g) extending the restriction of angling to catch and release to the remainder of the River Foyle.

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STATUTORY RULES OF NORTHERN IRELAND

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