

2014 No. 17

FISHERIES

Fisheries Regulations (Northern Ireland) 2014

Made - - - - *21st January 2014*

Coming into operation - *1st March 2014*

The Department of Culture, Arts and Leisure (**a**), makes the following Regulations in exercise of the powers conferred by sections 26(1), 37, 51(2), 52(2), 71(2)(g), 72(1), 89, 95, 114(1)(b) and 115(1)(b) (**b**) of the Fisheries Act (Northern Ireland) 1966 (**c**) and now vested in it (**d**).

PART 1

INTRODUCTORY

Citation and commencement

1. These Regulations may be cited as the Fisheries Regulations (Northern Ireland) 2014 and come into operation on 1st March 2014.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Fisheries Act (Northern Ireland) 1966;

“angling” means the fishing for, taking or killing of fish by rod and line or hand line;

“bait net” means a net with a single wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a bag or tail into which the catch is drafted or hauled and used for the purpose of taking coarse fish for use as bait;

“barbless hook” means a hook from which the barb or barbs have been removed or bent closed or which is manufactured without a barb;

“braided” in relation to a net making material means the interlocking of three or more multifilament yarns so as to form a net making material;

“catch and release”, in relation to angling for salmon means carefully handling any fish caught and causing it to be returned immediately, without avoidable injury, to the water from which it was taken;

“coarse fish” means freshwater fish other than trout and rainbow trout;

(a) Established by the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)), Article 3(1)(b).

(b) Amended by paragraph 2(5) of Schedule 2 of the Foyle and Carlingford Fisheries (NI) Order 2007 No.915 (N.I. 9)

(c) 1966 c. 17 (N.I.).

(d) S.R 1999 No. 481, Article 3 and Schedule 1.

“coarse fishing rod licence” means a fishing licence issued by the Department for two rods and lines or hand lines to fish for, take and kill coarse fish;

“commercial fishing” means fishing by persons who hold fishing licences issued by the Department authorising them or their agents previously authorised by them to fish otherwise than by rod and line or hand line;

“concessionary season fishing rod licence” means a fishing licence issued by the Department to a disabled angler, or to a person who has attained the age of 60 years, for one rod and line or hand line to fish for, take or kill salmon, trout and rainbow trout and for two rods and lines or hand lines to fish for, take and kill coarse fish;

“defined mouth” means the mouth of a river as defined by an order made under section 16 of the Act;

“disabled angler” means an angler who is in receipt of a disability living allowance, attendance allowance or severe disablement allowance to which that person is entitled under the Social Security Contributions and Benefits (Northern Ireland) Act 1992^(a), or in receipt of a war disablement pension to which that person is entitled under the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983^(b);

“distributor” means a person through whom the Department issues certain fishing licences;

“draft net” means a net consisting of a single sheet or wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a funnel and a bag or tail into which the catch is drafted or hauled;

“earthworm” means any worm of the Family *Lumbricidae*;

“eel licence” means a fishing licence issued by the Department authorising the licence-holder only to fish for, take and kill eels;

“foul-hook” means the hooking of any salmon or freshwater fish in any part of the body other than in the mouth;

“fresh water” means all waters exclusive of tidal waters;

“game fishing rod licence” means a fishing licence issued by the Department for one rod and line or hand line to fish for, take or kill salmon and take and kill freshwater fish;

“ground bait” means any material used other than on a hook for the purpose of attracting fish whilst angling;

“hand line” means a line held in the hand to which shall be attached not more than a single baited hook;

“hook” means a hook attached to a fishing line;

“juvenile season fishing rod licence” means a fishing licence issued by the Department to a person who has not attained the age of 19 years for one rod and line to fish for, take or kill salmon, trout and rainbow trout and for two rods and lines or hand lines to fish for, take and kill coarse fish;

“licence-holder”, in relation to a fishing licence, means a person named on the licence as being entitled to the licence;

“maggots” means any larvae of the Order Diptera including the house fly of the Family Muscidae and the blue-bottle or blowfly of the Family Calliphoridae;

“multifilament yarn” means a yarn constructed from a group of continuous filaments each filament of which has a diameter not greater than .05 millimetres;

“rainbow trout” means trout of the species *Salmo Gairdneri*;

“salmon” includes all fish of the salmon kind and sea trout;

“single wall set net” means a net consisting of a single sheet or wall of netting loosely hung on cork and sole ropes and fixed into position by anchors or stakes;

(a) 1992 c.7 (N.I.)

(b) S.I. 1983/883

“tidal waters” means where the tide ebbs to and fro;

“trammel net” means a single sheet or loose wall of small mesh net with a sheet or wall of large mesh net hanging on either side to enable fish swimming into the net to force the fine net through the large mesh and form a pocket in which they are trapped;

“twisted and plied” in relation to a net making material means the forming of a net making material by wrapping a number of multifilament yarns round each other in such a way that there are not less than 100 turns per metre in the material.

(2) For the purposes of Parts 15 and 16 references to a river, lough or lake include any tributary or branch of that river, lough or lake and include any loughs or lakes draining into or flowing out of or forming part of any such river, tributary or branch.

(3) In these Regulations –

- (a) any reference to the size of the mesh from knot to knot in any net shall be construed as a reference to such size measured along the side of the square of the mesh taken in the clear when the net is wet; and
- (b) any reference to the size of any fish shall be construed as a reference to its length when measured from the tip of its snout to the fork or cleft of its tail.

Revocations

3. The Regulations listed in Schedule 8 are revoked.

PART 2

LICENCES, DUTIES AND FEES

General

4.—(1) Subject to regulation 14 (revocation of, or refusal to issue or renew a fishing licence), the Department may issue a fishing licence authorising any person to fish for, take or kill –

- (a) salmon;
- (b) freshwater fish;
- (c) coarse fish;
- (d) eels;
- (e) any combination of the above.

(2) A licence issued under paragraph (1) may authorise the holder to fish for, take or kill the fish to which the licence relates by means of –

- (a) any fishing engine;
- (b) a rod and line or hand line;
- (c) a bait net;
- (d) a draft net;
- (e) a single wall set net;
- (f) a trammel net.

(3) A licence issued under paragraph (1) may authorise the holder to fish for, take or kill the fish to which the licence relates in –

- (a) fresh water;
- (b) the sea and tidal waters; or
- (c) both.

(4) A licence issued under paragraph (1) shall have effect for –

- (a) the calendar year of issue;
- (b) fourteen days; or
- (c) three days.

(5) A licence issued under paragraph (1) shall be subject to the following conditions –

- (a) the licence is valid only if signed by the distributor and, in the case of an angling licence, the licence-holder;
- (b) the licence is valid only if the actual date and time that the licence is issued are entered thereon;
- (c) the licence is valid only if the surname, all forenames and the date of birth of the licence-holder are entered thereon;
- (d) the licence is issued subject to the provisions contained in the Act and in Regulations made under the Act.

(6) Paragraph (5)(a), in so far as it requires the signature of a distributor, shall not apply in the case of a concessionary season fishing rod licence issued to a disabled angler.

(7) A licence issued under paragraph (1) for angling shall be in the form set out in Schedule 1, and a licence issued under paragraph (1) for commercial fishing shall be in the form set out in Schedule 2.

(8) A licence issued under paragraph (1) may be altered at any time by the Department by notice in writing served on the holder.

(9) Subject to regulation 14, a licence issued under paragraph (1) may be renewed on application made to the Department.

5. An application for a fishing licence, or for the renewal of a fishing licence, shall be made in writing to the Department, shall be accompanied by the amount specified as the duty for that licence under regulation 6, and shall contain such particulars as the Department may require.

6. Subject to Part III of the Act, there shall be payable to the Department in respect of any fishing licence specified in column 1 of Part I or 2 of Schedule 3, the duty specified opposite thereto in column 2.

7.—(1) A person who makes an application in writing to the Department for a dealer's licence under section 114 of the Act shall forward with that application the fee prescribed in Part 3 of Schedule 3.

(2) Where the holder of a dealer's licence applies for renewal of that licence under section 115 of the Act their application shall be accompanied by the fee prescribed in Part 3 of Schedule 3.

8.—(1) Subject to paragraph (2), any person who has not attained the age of 12 years shall be exempt from the requirement to hold a fishing licence for angling.

(2) Where any such person referred to in paragraph (1) uses more than one rod and line or hand line at the same time to fish for, take or kill salmon, trout and rainbow trout, or more than two rods and lines or hand lines at the same time to fish for, take or kill coarse fish, he shall be exempt from the requirement to hold a fishing licence for angling only in respect of one rod and line or hand line or two rods and lines or hand lines, as the case may be.

9. The Department may issue one concessionary season fishing rod licence in any calendar year to a disabled angler or to a person who has attained the age of 60 years.

10. The Department shall issue a game fishing rod licence to use a single game rod to any person holding a current game fishing rod and line licence issued by the Foyle, Carlingford and Irish Lights Commission on payment to the Department of duty of the amount set out in column (2) of Part I of Schedule 3 opposite the entry "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" in column (1) of that Part.

11. Fishing licences issued under regulation 4 (2) in respect of any fishing engine shall not authorise the use of that fishing engine for the taking or killing of fish other than those specified on the licence.

12. All fishing licences issued under these Regulations (other than fishing licences for angling) shall be valid only when used by the licence-holder or their agent previously authorised in writing by them.

13. A licence issued under regulation 4, other than a concessionary season fishing rod licence issued to a disabled angler, may be issued by a distributor approved by the Department in writing in that behalf.

Revocation of, or refusal to issue or renew, a fishing licence

14.—(1) Where a person has been convicted of any offence under the Act the Department may (subject to the provisions of these Regulations) revoke any fishing licence held by such person or (as the case may be) refuse to issue such person a fishing licence or renew any fishing licence held by such person.

(2) Subject to the provisions of these Regulations, where, in consideration of compensation paid or payable by the Department, a person who holds or is eligible to hold a fishing licence consents to the revocation of the licence or eligibility for it and undertakes to make no further applications for a fishing licence of a particular class, the Department shall revoke that licence or (as the case may require) refuse to renew it and shall refuse to issue such person a fishing licence of the class which he has undertaken not to apply for.

PART 3

APPEALS TO THE MAGISTRATES COURT AGAINST THE REFUSAL OF THE DEPARTMENT TO ISSUE OR RENEW A FISHING LICENCE

15. Where the Department proposes to revoke a fishing licence or refuse to issue or renew a fishing licence, it shall give to the licence-holder or the person applying for issue or renewal of a fishing licence (in this Part referred to as “the applicant”) at least 14 days prior notice in writing of its intention so to do, and before revoking the fishing licence or refusing to issue or renew a fishing licence shall consider any representations in relation thereto made by or on behalf of the licence-holder or, as the case may be, the applicant before the expiration of the time specified in the notice.

16. Where the Department revokes a fishing licence or refuses to issue or renew a fishing licence, it shall serve on the person whose fishing licence has been revoked or (as the case may be) the applicant notice of the revocation or refusal to issue or renew the fishing licence, and shall inform such person of their right of appeal under this Part and of the time within which the appeal may be brought.

17. Where the Department revokes a fishing licence or refuses to issue or renew a fishing licence, the person to whom notice under regulation 16 has been given may appeal to the magistrates court within 14 days beginning with the date on which such notice is served on them.

18. An appeal under this Part shall be initiated by notice to be signed by the appellant or their agent and sent to the magistrates court and the Department.

19. Where on an appeal under this Part, the magistrates court reverses the Department’s decision, the Department shall forthwith issue to the appellant or renew the fishing licence in respect of which the application was made, or (as the case may be) restore the fishing licence which was revoked.

20. Regulations 15 to 19 shall not apply where the licence-holder or applicant has, in consideration of compensation paid or payable by the Department, consented to the revocation of

the licence or (as the case may be) undertaken not to make any further applications for a fishing licence of the class the issue or renewal of which has been applied for.

21. When a fishing licence has been revoked under these Regulations the licence-holder shall within 14 days of a request sent from the Department to do so, return the licence together with any copies thereof, to the Department.

PART 4

COARSE FISHING ROD LICENCES

22. A coarse fishing rod licence shall be valid only on waters listed in Schedule 4.

23. A person fishing under the authority of a coarse fishing rod licence shall cause any salmon, trout or rainbow trout taken by them to be returned immediately without avoidable injury to the water from which it was taken.

PART 5

USE OF SINGLE WALL SET NETS, TRAMMEL NETS, DRAFT NETS AND BAIT NETS

24. Subject to the provisions of the Act, these Regulations and to conditions on any fishing licences, single wall set nets, trammel nets, draft nets and bait nets may be used for the taking of freshwater fish other than trout or rainbow trout –

- (a) on Upper and Lower Lough Erne other than those areas mentioned in Regulation 38; and
- (b) on Lough Neagh.

25. Subject to the provisions of the Act, these Regulations and to conditions contained in any fishing licences, single wall set nets or trammel nets may be used on Lough Neagh for the taking of trout.

PART 6

GENERAL RESTRICTIONS ON THE USE OF FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE

26. A person shall not use for the purpose of taking or with intent to take freshwater fish, any net made from synthetic fibres (except a landing net used solely as an auxiliary to lawful angling) which contains any material not constructed of either two or more multifilament yarns twisted and plied together or three or more multifilament yarns braided together.

27. A bait net shall not exceed 50 metres in length and shall have a mesh of not more than 6.5 millimetres from knot to knot or 26 millimetres to be measured all round each mesh.

28. A bait net shall not be used for catching salmon, trout or rainbow trout, and any such fish caught or taken in a bait net shall be returned immediately without avoidable injury to the water from which it was taken.

29. The mesh of the wings of any draft net for use in fresh water for the taking of freshwater fish shall be of a size not less than 21 millimetres from knot to knot or 84 millimetres to be measured all round each mesh and the mesh of the tail of such draft net (which tail shall not exceed 2.5 metres in length) shall be of a size not less than 6 millimetres from knot to knot or 24 millimetres to be measured all round each mesh.

PART 7

RESTRICTIONS ON THE USE OF FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE ON LOUGH NEAGH AND UPPER AND LOWER LOUGH ERNE

- 30.** A person shall not use a single wall set net or trammel net –
- (a) for the taking of pollen in Lough Neagh or Upper and Lower Lough Erne unless it has a mesh of 27 millimetres or more from knot to knot or 108 millimetres to be measured all round each mesh;
 - (b) for the taking of perch in Lough Neagh unless it has a mesh of 27 millimetres or more from knot to knot or 108 millimetres to be measured all round each mesh;
 - (c) for the taking of pike or bream in Lough Neagh unless it has a mesh of 51 millimetres or more from knot to knot or 204 millimetres to be measured all round each mesh; or
 - (d) for the taking of trout in Lough Neagh unless it has a mesh of 57 millimetres or more from knot to knot or 228 millimetres to be measured all round each mesh.
- 31.** A person shall not have in their possession or control on the waters of Lough Neagh or on or near the banks of the waters of Lough Neagh, a single wall set net or trammel net, for the taking of freshwater fish, with a mesh size of less than 27 millimetres from knot to knot or 108 millimetres to be measured all round each mesh.
- 32.** Each net or row of nets of a single wall set net or trammel net used for the taking of trout in Lough Neagh and each net or row of nets of a single wall set net or trammel net used for the taking of coarse fish, on Lough Neagh or Upper and Lower Lough Erne, shall be marked at each end with a float not less than 30 centimetres in diameter of a bright yellow colour projecting not less than 30 centimetres above the surface of the water.
- 33.** Each float referred to in regulation 32 shall have clearly and legibly painted or otherwise fixed thereon in figures of not less than 12 centimetres in height such number as the Department may allocate to the licence-holder (or such number as the Department may allocate to the net or row of nets of which the float shall be a mark) and at all times when the net or row of nets is in use such number shall be clearly legible.
- 34.** A person other than the licence-holder or their agent previously authorised in writing in that behalf shall not use or cause or permit to be used on any float the number referred to in regulation 33.

PART 8

ADDITIONAL AND SPECIFIC RESTRICTIONS ON THE USE OF CERTAIN NETS ON LOUGH NEAGH

- 35.** The maximum length of a single wall set net or trammel net used for the taking of trout on Lough Neagh which may be used at any time by any one licence-holder shall be 1,235 metres of net as hung whether used as one or more nets.
- 36.** A person shall not use a draft net for the taking of fish within a radius of 805 metres of the defined mouth of any river flowing into Lough Neagh.
- 37.** A person shall not use any net for the taking of freshwater fish in Toome Bay within 1,610 metres of the drainage flood gates at Toomebridge.

PART 9

ADDITIONAL AND SPECIFIC RESTRICTIONS ON THE USE OF NETS AND BOATS ON UPPER AND LOWER LOUGH ERNE

38.—(1) A person shall not use any net for the purpose of taking any coarse fish in the following areas of Upper and Lower Lough Erne –

- (a) between an imaginary line drawn from the most north-westerly point of Inish Dacharneon, Lower Lough Erne, through the most north-westerly point of Long Island to the nearest point on the shore of Ely Island, and an imaginary line drawn across the Inishmore Viaduct thence by the southern shore of the townland of Lusty Beg to the most easterly point of the townland of Lusty Beg, thence to the most southerly point of the island of Killygown and thence to the nearest point on the shore in the townland of Corrad;
- (b) within 1,610 metres of the defined mouths of the following rivers flowing into Upper and Lower Lough Erne: the Termon River, the Waterfoot River, the Garvary River, the Ballycassidy River, the Bannagh River, the Kesh River, the Dunmany or Colebrooke River, the Cladagh or Swanlinbar River, the Arney River and the Sillees River.

(2) Within the area of Lower Lough Erne which lies westward of an imaginary line drawn from Hills Island to Eagle Island, thence to the most westerly point of Boa Island, thence along the line of the western shore of Boa Island to the county road and thence along the line of the said county road to where the said road meets the shore of Lower Lough Erne in the townland of Rosscrennagh a person shall not use any net for the taking of coarse fish save a net used for the taking of pike which is placed in the water not more than 10 metres from any bed composed of emergent water plants.

39. A person shall not use a single wall set net or trammel net for the taking of coarse fish, except pollen, on Upper or Lower Lough Erne unless that net has a mesh of 63 millimetres or more from knot to knot or 252 millimetres to be measured all round each mesh.

40. The maximum length of a single wall set net or trammel net used for the taking of coarse fish on Upper and Lower Lough Erne which may be used at any time by any one licence-holder shall be 460 metres of net as hung whether used as one or more nets.

41. A boat used for commercial fishing on Upper and Lower Lough Erne shall not exceed –

- (a) 6.1 metres in length, such length to be measured from the foreside of the foremost fixed permanent structure to the aftmost part of the stern or transom; and
- (b) a beam measurement of 2.2 metres at the widest point.

PART 10

TAKEABLE SIZE AND SALE OF TROUT AND POLLEN (COMMERCIAL FISHING AND ANGLING)

42. A person shall not in the freshwater portion of any river, or in any lake, –

- (a) use a draft net under section 71(2) of the Act to take;
- (b) have on board any boat on or from which such a net was used; or
- (c) in the vicinity of such waters have in their possession,

a trout of a size less than 35.5 centimetres.

43. For the purposes of section 51 of the Act “immature” in relation to trout means such fish of a size less than 35.5 centimetres.

44. For the purposes of section 52 of the Act “undersized pollen” means pollen of a size less than 20.5 centimetres.

45. Where any draft net is used in the course of any fishing operations conducted by means of a boat used for commercial fishing and any trout of a size less than 35.5 centimetres, or pollen of a size less than 20.5 centimetres, is taken on board, the master, owner, charterer or other person in charge of the boat shall cause such trout or pollen to be returned immediately without avoidable injury, to the water from which it was taken.

PART 11

MODE OF USE OF DRAFT NETS

46. Where a draft net is operated from the shore the only permitted mode of using such net shall be that one end of the rope of the net shall be held on the shore or bank and the net shall be shot or paid out from a boat which shall start from such shore or bank and return thereto without avoidable pause or delay, and the net shall thereupon be drawn into and landed on such shore or bank.

47. Where a draft net is operated from a boat the only permitted mode of using the net shall be that one end of the rope of the net shall be fixed to a buoy, whether anchored or not, and the net shall be shot or paid out from a boat which shall start from such buoy and return thereto without avoidable pause or delay, and the net shall thereupon be drawn into and landed in such boat.

PART 12

RESTRICTIONS ON THE DIMENSIONS OF DRAFT NETS

48. A person shall not use for fishing a draft net of greater length than 120 metres as measured along the head rope of the net.

PART 13

RESTRICTIONS ON METHODS OF FISHING FOR SALMON AND FRESHWATER FISH

49. Subject to regulation 50, the only permitted method of angling for salmon is catch and release.

50. Regulation 49 shall not apply to the waters specified in column 1 of Schedule 7, during the period specified in column 2 of that Schedule but any salmon caught in excess of the number specified in column 3 of that Schedule shall be returned immediately, without avoidable injury, to the water from which it was taken.

51. A person shall not knowingly or wilfully foul-hook any salmon or fresh-water fish.

52. A person shall not use any instrument or device whatsoever, whether used with or as an auxiliary to a rod and line or hand line or otherwise, in a manner likely or calculated to foul-hook any salmon or freshwater fish.

53. Any person who foul-hooks any salmon or freshwater fish whether accidentally or otherwise shall cause it to be returned immediately, without avoidable injury, to the water from which it was taken.

54. A person shall not use ground bait or maggots whilst angling on the rivers listed in Schedule 5 and where the prohibition applies to part of a river the prohibition shall also apply to all upstream tributaries, branches, streams or any other watercourses which flow into or form part of that river.

55. A person shall not use live fish as bait on a hook for the purpose of attracting and taking fish whilst angling in fresh water.

56. A person shall not use or attempt to use—

- (a) earthworms as bait during the period beginning with 1st February and ending with 30th June in any year; or
- (b) any hooks, other than single or double barbless hooks,

whilst angling for salmon.

PART 14

RESTRICTIONS ON NUMBERS AND WEIGHTS OF PIKE TO BE TAKEN BY ANGLING

57. Where any person, whilst angling takes –

- (a) any pike in excess of 1 on any day; or
- (b) any pike weighing 4 kilogrammes or over,

then he shall cause such pike to be returned immediately, without avoidable injury, to the water from which it was taken.

PART 15

ANNUAL CLOSE SEASONS FOR ANGLING FOR SALMON OR TROUT

58.—(1) Subject to paragraph (2), it shall be unlawful to fish for salmon or fish for or take trout or rainbow trout with rod and line during the period beginning on 1st November in any year and ending on the last day of February in the next following year, both dates inclusive.

(2) Paragraph (1) shall not apply –

- (a) to the waters mentioned in regulations 59 to 61;
- (b) in the case of rainbow trout, to the waters mentioned in Schedule 6.

59. In that part of Lough Melvin which is situated in County Fermanagh it shall be unlawful to fish for salmon or fish for or take trout or rainbow trout with rod and line during the period beginning on 1st October in any year and ending on 31st January in the next following year, both dates inclusive.

60. In Upper and Lower Lough Erne and all rivers flowing into those loughs and in the River Erne it shall be unlawful to fish for salmon or fish for or take, trout or rainbow trout with rod and line during the period beginning on 1st October in any year and ending on the last day of February in the next following year, both dates inclusive.

61. In the River Bush and all rivers flowing into it, it shall be unlawful to fish for salmon or fish for or take trout or rainbow trout with rod and line during the period beginning on 21st October in any year and ending on the last day of February in the next following year, both dates inclusive.

PART 16

ANNUAL CLOSE SEASONS AND CLOSE TIMES FOR COMMERCIAL FISHING

62.—(1) Subject to paragraph (2), it shall be unlawful to fish for, take or kill trout with a fishing engine other than rod and line in fresh water during the period beginning on 20th August in any year and ending on the last day of February in the next following year, both dates inclusive.

(2) Paragraph (1) shall not apply in the River Bush where it shall be unlawful to fish for, take or kill trout with a fishing engine other than rod and line during the period beginning on 16th September in any year and ending on 17th March in the next following year, both dates inclusive.

63. A person shall not have any net for the taking of trout or any coarse fish on board any boat in any waters during the annual close season or weekly close time for trout or that coarse fish.

64.—(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 a.m. on any Saturday and ending 6 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.

65.—(1) Subject to paragraph (2), a person shall not, on Upper and Lower Lough Erne, take any coarse fish, except pollen, by means of a single wall set net or trammel net during the period beginning on 1st March in any year and ending on 30th November in the same year, both dates inclusive.

(2) Paragraph (1) shall not apply to the taking of coarse fish by means of a bait net where such fish taken are for use solely as bait.

PART 17

PROHIBITION ON ANY PERSON HAVING UNDERSIZED PIKE OR PERCH IN THEIR POSSESSION

66. A person shall not take by any mode other than angling –

(a) pike of a size less than 60 centimetres; or

(b) perch of a size less than 16.5 centimetres.

67. A person shall not have on board any boat on or from which any net is used to take fish any fish referred to in regulation 66.

68. A person shall not have in their possession any fish referred to in regulation 66 which has been taken by a mode other than angling.

Sealed with the Official Seal of the Department of Culture, Arts and Leisure on 21st January 2014.

(L.S.)

C. Smith
A senior officer of the Department of Culture, Arts and Leisure

SCHEDULE 1

Regulation 4(7)

Angling Licence

FISHERIES ACT (NORTHERN IRELAND) 1966

Angling Licence

<i>Type of licence required</i>	<i>Duty</i>	<i>Duty Paid</i>	<i>Initials</i>	<i>Subject to local regulations</i>
Season game fishing licence				Valid:
Fourteen day game fishing licence				Valid: From To
Three day game fishing licence				Valid: From To
Concessionary season fishing rod licence				Valid:
Juvenile season fishing rod licence				Valid:
Foyle, Carlingford and Irish Lights game fishing licence endorsement				Valid:
Season coarse fishing rod licence				Valid: From To
Fourteen day coarse fishing rod licence				Valid: From To
Three day coarse fishing rod licence				Valid: From To

Surname: _____ All forenames: _____

Home address: _____ Date of Birth: _____

Dated this day of 20 at hours minutes am/pm

LICENCE DUTY PAID:

*[Signed _____ Distributor]

Signed _____ Licence-holder

Conditions

1. This licence is valid only if signed by the *[distributor and] licence-holder and if the actual date and time that the licence is issued and the surname, all the forenames and date of birth of the licence-holder are entered thereon.
2. This licence is issued subject to the provisions contained in the Fisheries Act (Northern Ireland) 1966 and in Regulations made under the Act.
3. This licence is valid *[only for the calendar year of issue] *[from to]

*Delete as appropriate

SCHEDULE 2

Regulation 4(7)

Commercial Fishing Licence

FISHERIES ACT (NORTHERN IRELAND) 1966

Commercial Fishing Licence

LICENCE for a _____ for 20 _____

ISSUED TO: _____

ADDRESS: _____

Dated this _____ day of 20 _____ at _____ hours _____ minutes am/pm

LICENCE DUTY PAID:

SIGNED: _____ Distributor

Conditions

1. This licence is valid only if signed by the distributor and if the actual date and time that the licence is issued are entered thereon.
2. This licence is issued subject to the provisions contained in the Fisheries Act (Northern Ireland) 1966 and in Regulations made under the Act.
3. This licence is valid only for the calendar year of issue.

SCHEDULE 3

Regulations 6, 7 and 10

Fishing Engines and Licence Duties

PART 1

LICENCES TO FISH WITH ROD AND LINE AND HAND LINE

<i>Fishing Licence</i> (1)	<i>Duty</i> (2)
Season game fishing rod licence	£17.00
Fourteen day game fishing rod licence	£9.00
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	£17.00
Fourteen day coarse fishing rod licence	£9.00
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 2

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

<i>Fishing Licence</i> (1)	<i>Duty</i> (2)
Licence for a draft net for the capture of freshwater fish on Lough Neagh	£130.00
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)	£17.00
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)	£17.00
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

PART 3

Dealer's licence

£50.50

SCHEDULE 4

Regulation 22

List of Waters on which a Coarse Fishing Rod Licence is Valid

County Antrim:

Loughs Beg, Duncan's Dam, Neagh, Portmore, Victoria Park Lake, Waterworks Reservoir and unnamed lake known as Willis's Lake off the Upper Malone Road; the Lagan Canal, the River Lagan from Stranmillis Weir to one hundred and fifty metres downstream of Red Bridge, the Navigation Canal Cutts on the Lower River Bann; and on the Lower River Bann as follows:—

- (a) from the eel weir at Toome downstream to Portglenone Bridge;
- (b) from the signpost 160 metres downstream of Portglenone Bridge downstream to the upper end of the Navigation Canal leading to Portna Locks;
- (c) from Agivey Bridge downstream to railway bridge at Drumaheglis;
- (d) from the boundary between Kilrea and Claragh Townlands for 350 metres downstream of Kilrea Bridge to Movanager Weir, (i.e. south end C933133 to north end C926160);
- (e) from immediately upstream of the Bann Bridge at Kilrea for approximately 300 metres.

County Armagh:

Loughs Camlough, Carnagh, Clay, Craigavon City Park Lakes South Lake, Derryadd, Derrylileagh, Doogary, Edenderry, Enagh, Gall, Gentle Owens, Gibsons, Gilly, Gullion, Kiltirbid, Kiltybane, Lisleitrim, Loughgall Lake, Lurgan Park Lake, Marlacoo, Mullaghmore, Patrick, Ross and Shark; the Lagan Canal and the Newry Canal. The River Bann between Knock Bridge and Lough Neagh, and the River Blackwater between Blackwatertown Bridge and Lough Neagh.

County Down:

Loughs Aghery, Ballyherly, Ballymartin, Ballyroney, Ballywillin, Begney, Bow, Carrigullion, Clea, Dairy, Glastry, Henney, Heron, Hunshigo, Jericho, Long, McAuleys, Mann, Monlough, Montgomery's, Pollramer Lake, Seaforde, Shark and Tullynagee; the Newry Canal, the Broadwater (Lagan Canal), the River Quoile from the railway cutting near Inch Abbey to the new barrage gates, and the Quoile Basin between the Old Lock Gates and the new Drainage Gates.

County Fermanagh:

Loughs:

- (a) all of Upper Lough Erne and in that part of Lower Lough Erne to the east of an imaginary line running from the nearest point on the shore of Boa Island in the townland of Pollaginnive to Hare Island and from that point on Hare Island to the most easterly point on Bess Island and to the most easterly point of Tully Point in the townland of Tully;
- (b) Lower Lough Erne, provided the angling is from the shore and all island shores;
- (c) all Loughs draining into Upper and Lower Lough Erne, except the following for which a game fishing rod licence is required; Loughs Achork, Coolymermer, Coole (Castlecoole), Corranny, Corry, Drumcose, Eshcleagh, Eyes, Glencreawan, Keenaghan, Meenameen, Mill Lough (Bellanaleck), Navar, Parkhill, and White Lough (Irvinestown).

Rivers:

- (a) the Woodford River, the Sillees River and the Swanlinbar River from Thompson's Bridge to Upper Lough Erne;
- (b) the Colebrooke River between Ballindarragh Bridge and where the Colebrooke River flows into Upper Lough Erne;
- (c) the Arney River from the old Arney Bridge to where the Arney River flows into Upper Lough Erne.

County Londonderry:

Lough Beg, Lough Neagh and the Navigational Canal Cutts on the Lower River Bann; and on the Lower River Bann as follows: –

- (a) from the eel weir at Toome downstream to Portglenone Bridge;
- (b) from the signpost 160 metres downstream of Portglenone Bridge downstream to the upper end of the Navigation Canal leading to Portna Locks;
- (c) from Agivey Bridge downstream to railway bridge at Drumaheglis;
- (d) from the boundary between Kilrea and Claragh Townlands about 350 metres downstream of Kilrea Bridge to Movanager Weir (i.e. south end C933133 to north end C926160);
- (e) from immediately upstream of the Bann Bridge at Kilrea for approximately 300 metres.

County Tyrone:

Loughs Augher, Ballynakilly, Ballysaggart, Black, Carrick, Cranslough, Creeve, Enagh, Friary, Fymore, Legane, Macronan, Mullaghmore, Mullygruen, Nacrilly, Screeby, Tullygiven and Wood; the River Blackwater between Blackwatertown Bridge and Lough Neagh.

SCHEDULE 5

Regulation 54

List of Rivers on which the use of Ground Bait or Maggots is prohibited whilst Angling

Agivey

Ballinamallard upstream from Ballycassidy Bridge on the B.3 Road.

Ballinderry (County Tyrone and County Londonderry) upstream from the footbridge over the River in the Townland of Lower Mullan.

Ballymoney.

Blackwater (County Armagh and County Tyrone) upstream from the bridge over the B.128 Road at Blackwatertown.

Callan.

Clady (County Londonderry).

Colebrooke upstream from Ballindarragh Bridge on the B.514 Road.

Comber.

Crumlin.

Garvary.

Glenavy.

Kesh upstream from Kesh Bridge on the A.35 Road.

Maine.

Moyola.

Quoile upstream from the disused Railway Bridge near Inch Abbey.

Ravarnette.

Six Mile Water upstream from the Antrim Forum in Antrim Town on the A.26 Road.

Torrent upstream from the B.28 road bridge.

Upper Bann upstream from the B.2 road crossing.

SCHEDULE 6

Regulation 58(2)

Rainbow Trout Waters where there is no Annual Close Season for Angling for Rainbow Trout

County Antrim:

Beechgrove Fisheries, Cullybackey

Cairn Farm Fly Fishery, Carrickfergus

Cornmill Fishery

Craigmore Fishery, Randalstown

Cranogue Fishery

Dalways Lake

Green Road Mill Ponds, Ballyclare

Kilgad Fishery

McCutcheon's Lake, Moorfields, Ballymena

Murloc Angling Centre, Aghalee

North Woodburn Reservoir

Potterswall Reservoir

Quoilie Reservoirs, Broughshane

Raloo Fishery

Springwater Meadow Lakes 1 and 2

Straid Lake

Tildarg Fishery

Turnagrove Fishery

Upper Pond, The Waterworks, Cavehill Road, Belfast

Woodford Farm Fishery

County Armagh:

Craigavon City Park North Lake

Drummanbeg Lake, Drumnamore Road, Armagh

Islandderry Lake, Dromore Road, Lurgan

Lisanoe Lake

County Down:

Altnadue Lough
Ash Cottage Fishery
Ballydugan Lake
Ballygrangee Fishery
Ballywillwill Lake, Annsborough
Bridgewater Fishery
Carrickmannon Lake
Cleland's Lake, Crossgar
Dairy Fishery Pond
Derryleckagh Lake
Donaldson's Lake, Holywood
Drum Lough
Finnebrogue Fisheries
Gibson's Lough
Gilford Fishery
Gills Lough, Tullywest
Hazelwood Rainbow Trout Fishery
High Dam, Newtownards
Hillsborough Lake
Hoggs Lough, Tullywest
Kernan Lake
Lough Creevy
Lough Money
Lower Ballysallagh Reservoir
Lower Conlig Reservoir
Magheralagan Lake
Marybrook Fisheries
Montalto Lake
Movilla Lake
Portavoe Reservoir
Shane's Lough
The Egg Cup, Dundrum
Tonaghmore Reservoir
Trench Farm Pond

Waterfall Lodge Trout Fishery

County Fermanagh:

Castle Hume 'Back' Lough

Lough Coolyermer

Lough Corranny

County Londonderry:

Ballylagan Lake

Ballyrashane Reservoir

Cromore Road Fishery, Portstewart

Dunalis Reservoir

Gauger's Inn Fishery Lake

Loughinsholin Put and Take Fishery

Moorbrook Lodge, Castlerock

Springwell Fishery

Stonefalls Trout Fishery, Castlerock

Turnaface Fishery

Washing Lough of Manor Golf and Fishing Club

County Tyrone:

Altmore Fishery

Annaginny Stillwater Trout Fishery

Aughadarragh Fishery

Ballagh Lake

Dungannon Park Lake

Eskragh Lough

Glenkeen Fishery, Caledon Road, Aughnacloy

Hazelden Fisheries

Martray Lough

Rectory Lodge Trout Fishery

White Lough

SCHEDULE 7

Regulation 50

List of Waters where Catch and Release for Salmon Angling does not apply

<i>List of Waters (1)</i>	<i>Dates when catch and release does not apply (2)</i>	<i>Restrictions on number of salmon which may be retained in respect of each person (3)</i>
Lough Melvin (Co. Fermanagh)	1st February to 30th September in any year (both dates inclusive)	1st February to 30th September (both dates inclusive) – 2 salmon

SCHEDULE 8

Regulation 3

Revocations

<i>Regulations Revoked</i>	<i>References</i>
Fisheries Regulations (Northern Ireland) 2003	S.R 2003 No. 525
Fisheries (Amendment No. 2) Regulations (Northern Ireland) 2004	S.R 2004 No. 504
Fisheries (Amendment) Regulations (Northern Ireland) 2005	S.R 2005 No. 548
Fisheries (Amendment) Regulations (Northern Ireland) 2006	S.R 2006 No. 517
Fisheries (Amendment) Regulations (Northern Ireland) 2007	S.R 2007 No. 471
Fisheries (Amendment) Regulations (Northern Ireland) 2008	S.R 2008 No. 318
Fisheries (Amendment No.2) Regulations (Northern Ireland) 2008	S.R 2008 No. 475
Fisheries (Amendment) Regulations (Northern Ireland) 2010	S.R 2010 No. 196
Fisheries (Amendment) Regulations (Northern Ireland) 2011	S.R 2011 No. 324
Fisheries (Amendment) Regulations (Northern Ireland) 2012	S.R 2012 No. 397

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace with amendments the Fisheries Regulations (Northern Ireland) 2003 to remove references to commercial salmon netting and licencing and to introduce mandatory catch and release for salmon angling except on those waters so designated.

The principal changes are as follows –

1. The definitions of “game fishing rod licence” and “juvenile season fishing rod licence” have been amended to provide that the licence does not necessarily permit the killing of salmon unless used on waters designated for this purpose (Regulation 2(1))

2. New definitions have been added for “catch and release” and “earthworm”. (Regulation 2(1)).

3. Definitions and references to the use, and licencing of “drift nets”, “fixed tidal draft nets” and “tidal draft nets” have been removed.

4. Angling for salmon is now on a catch and release basis only except for those waters which are listed in Schedule 7 (Regulations 49 and 50).

6. Further restrictions on permitted methods whilst angling for salmon have been introduced (Regulation 56).

© Crown copyright 2014

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

STATUTORY RULES OF NORTHERN IRELAND

2014 No. 17

FISHERIES

Fisheries Regulations (Northern Ireland) 2014

£5.75

N6043 1/2014 446043T 19585

ISBN 978-0-337-99258-2



9 780337 992582