

2010 No. 154

FISHERIES

**The Foyle Area and Carlingford Area (Angling) (Amendment)
Regulations 2010**

Made - - - - - *31st March 2010*

Coming into operation - - - - - *5th May 2010*

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 2010 and shall come into operation on 5th May 2010.
- (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 6.
- (2) In regulation 2 (interpretation) insert at the appropriate place—
- ““the defined mouth”, in relation to the River Foyle, means the mouth of that river as defined by instrument dated 8th February 1864 made under section 17 of the Salmon Fishery (Ireland) Act 1863;”(e).
- (3) In regulation 4 (prohibitions and restrictions)—
- (a) after paragraph (1) insert—
- “(1A) A person shall not retain any salmon, sea trout or brown trout taken by rod and line from the waters of the River Finn or River Foyle described in Schedule 2A.”;
- (b) after paragraph (4) add—

(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 as amended by S.R. 2004 No. 75, S.R. 2007 No. 274, S.R. 2008 No. 33 and S.R. 2009 No.381
(e) 26 & 27 Vict., c. 114. Section 17 of the Salmon Fishery (Ireland) Act 1863 was repealed by section 211 of, and Schedule 8 to, the Fisheries Act (Northern Ireland) 1966 (c.17 (N.I.)), but by virtue of section 13(4) of Foyle Fisheries Act (Northern Ireland) 1952, any instrument made under section 17 of the Salmon Fishery (Ireland) Act 1863 which was in force immediately before the date appointed by order made under section 10 of the Foyle Fisheries Act (Northern Ireland) and applied to the part of the Foyle Area which is in Northern Ireland continued in force and is deemed to be made under section 13 of that Act.

“(5) A person shall not use or attempt to use any hook other than a single barbless hook, the gape of which does not exceed 7mm while angling for salmon, sea trout or brown trout in the waters of the River Finn or River Foyle described in Schedule 2A.”.

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

“(5) A person shall not use or attempt to use any earthworm as a bait while angling for salmon, sea trout or brown trout in the waters of the River Finn or River Foyle described in Schedule 2A.”.

(5) In regulation 7 (restrictions on number and size) in paragraph (2) after “or (e)” insert “or any salmon, sea-trout or brown trout from the waters of the River Finn or River Foyle described in Schedule 2A”;

(6) After Schedule 2 (waters in which angling is prohibited) insert the Schedule set out in the Schedule.

Given under the Seal of the Foyle, Carlingford and Irish Lights Commission on 31st March 2010.



R.J.D Anderson
Chief Executive of the
Loughs Agency

Approved by the North/South Ministerial Council on 31st March 2010.

T Hanney
Joint Secretary of the
North/South Ministerial Council

M Bunting
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 inserted after Schedule 2 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 an imaginary straight line drawn at right angles to the course of the river through the southernmost point of the townland of Islandmore in County Donegal 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) prohibiting the retention of salmon, sea trout and brown trout taken by rod and line from the specified stretches of the Rivers Finn and Foyle;
- (b) prohibiting the use or attempted use of a hook other than a single barbless hook, the gape of which does not exceed 7mm, while angling for salmon, sea trout or brown trout in the specified stretches of the Rivers Finn and Foyle; and
- (c) prohibiting the use or attempted use of any earthworm as a bait while angling for salmon, sea trout or brown trout in the specified stretches of the Rivers Finn and Foyle.

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