

**DEPARTMENT OF COMMUNICATION, MARINE AND NATURAL RESOURCES  
FISHERIES ACTS, 1959 TO 2001**

**SHANNON FISHERIES REGION NO. 8 OR LIMERICK DISTRICT  
CLOSE SEASON FOR DRAFT NETTING OF TROUT ON LOUGH REE  
BYE-LAW NO. 281, 2005.**

I, Pat the Cope Gallagher, Minister of State at the Department of Communications, Marine and Natural Resources in exercise of the powers conferred on me by section 9 (as amended by section 3 of the Fisheries (Amendment) Act 1962 (No. 31 of 1962)) of the Fisheries (Consolidation) Act 1959 (No. 14 of 1959), section 33 of the Fisheries (Amendment) Act 1962, the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order 1977 (S.I. No. 30 of 1977) (as adapted by the Marine and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 307 of 2002)) and the Marine (Delegation of Ministerial Functions) (No. 2) Order 2004 (S.I. No. 703 of 2004), hereby make the following Bye-law:

1.           (1)     This Bye-law may be cited as the Shannon Fisheries Region (Close Season for Draft Netting of Trout on Lough Ree) Bye-law No. 281, 2005.  
  
              (2)     This Bye-law shall come into operation on 15 February 2005.
2.           In this Bye-law:  
  
              “draft net” means a single wall of netting attached to a floating head rope and a weighted ground rope, designed so that a bag is formed into which the catch is drafted or hauled, for the purpose of taking or fishing for, or attempting to take or to fish for trout.  
  
              a reference to “a paragraph” is to a paragraph of the Bye-law in which the reference occurs, unless it is indicated that reference to some other Bye-law is intended.
3.           (1)     Paragraph 8 (1) of the Salmon and Trout Conservation Bye-law No. 794, 2004 insofar as it applies to taking or fishing for, or attempting to take or to fish for trout with a draft net, or aiding or assisting in such taking, fishing, or attempting, shall not apply to Lough Ree in the No. 8 or Limerick District.  
  
              (2)     Notwithstanding anything contained in any Bye-law fixing the annual close season for trout in Lough Ree in the No. 8 or Limerick District it is hereby prohibited to take or to fish for, or to attempt to take or to fish for, trout with a draft net, or to aid or assist in such taking, fishing or attempting in the said part of the No. 8 or Limerick District during the period in any year commencing on 1 August and ending on 14 February.
4.           Subject to paragraph 3 (2) of this Bye-law and notwithstanding anything contained in any Bye-law varying the weekly close time, it is hereby prohibited to take or to fish for, or to attempt to take or to fish for, trout with a

draft net, or to aid or assist in such taking, fishing, or attempting, in the said waters in the No. 8 or Limerick District between 6 o'clock am on Saturday and 6 o'clock am on the next following Monday during the period commencing on 15 February and ending on 11 May.

5. It is hereby prohibited to take and retain with a draft net, in Lough Ree in the No. 8 or Limerick District any trout of less than 30 centimetres (12 inches) in length measured in a straight line from the tip of the snout to the fork of the tail.
6. Any trout taken inadvertently in contravention of paragraph 5 of this Bye-law shall be handled carefully and returned without avoidable injury to the said waters in the No. 8 or Limerick District immediately upon being taken.
7. The maximum number of draft net licences on Lough Ree, which the Shannon Regional Fisheries Board may issue in 2005, or any year thereafter for that district shall not exceed 12.
8. It is hereby prohibited -
  - (a) to have on board any boat, or
  - (b) to have in or on any vehicle, or otherwise,with the intention of taking or fishing for, or attempting to take or to fish for, trout, a draft net, during the period specified in paragraph 3 and 4 of this Bye-law.
9. The Shannon Fisheries Region (Close Season for Draft Netting of Trout on Lough Ree) Bye-law No. 279, 2004 is revoked.

GIVEN under my hand,  
10 February 2005.

  
Pat the Cope Gallagher

Minister of State at the Department of Communications,  
Marine and Natural Resources

## **EXPLANATORY NOTE**

(This Note is not part of the Bye-law and does not purport to be a legal interpretation).

This Bye-law introduces the following conservation measures on Lough Ree:

- The annual close season for draft netting of trout shall commence on 1 August and end on 14 February.
- Prohibits draft netting between 6 am on any Saturday and ending at 6 am on the next following Monday during the period commencing 15 February and ending on 11 May.
- Prohibits the taking and retention of trout less than 30 centimetres (12 inches) in length.
- The maximum number of draft net licences, which the Shannon Regional Fisheries Board may allocate in 2005 and each year thereafter shall not exceed 12.

## **FOOTNOTE**

Section 11 of the Fisheries (Consolidation) Act, 1959 as amended by Section 27 (b) of the Fisheries (Amendment) Act, 1999 provides that any person aggrieved by this Bye-law may within 28 days after its publication in the *Iris Oifigiúil*, appeal against same to the High Court.