

DEPARTMENT OF COMMUNICATIONS, MARINE AND NATURAL RESOURCES

FISHERIES ACTS 1959 TO 2006

CONSERVATION OF SALMON AND SEA TROUT BYE-LAW NO. 820, 2007

I, John Browne, 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 for 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) Order 2006 (S.I. No. 82 of 2006) and the Marine (Delegation of Ministerial Functions) (No. 4) Order 2006 (S.I. No. 543 of 2006), and having complied with the requirements of Regulation 31 of the European Communities (Natural Habitats) Regulations 1997 (S.I. No. 94 of 1997), hereby make the following bye-law:

1. (1) This Bye-law may be cited as the Conservation of Salmon and Sea Trout Bye-law No. 820, 2007.
(i) from 15 May to 31 August, more than 3 fish, or
(2) This Bye-law comes into operation on the day of its making.
(ii) from 1 September to the end of the season, more than one fish.
2. In this Bye-law - on or sea trout.

“salmon” means fish of the species *Salmo salar* (Atlantic salmon);

“sea trout” means fish of the migratory form of *Salmo trutta*, but does not include a sea trout which is 40 centimetres or less in length measured in a straight line from the tip of the snout to the fork of the tail.

3. Notwithstanding anything contained in any bye-law prohibiting the taking or having in possession of more than a specified number of salmon or sea trout, a person shall not take by rod and line more than 10 fish (being either salmon or sea trout or a combination of both) in any year.

4. Subject to Article 5, a person shall not take by rod and line -

(a) during the year 2007 from 1 January to 12 May, more than one fish,

(b) on any day in any year -

(i) from 13 May to 31 August, more than 3 fish, or

(ii) from 1 September to the end of the season, more than one fish,

being either salmon or sea trout.

5. It is prohibited for a person, in a river mentioned in column (2) opposite mention of a fishery district in column (1), of the Schedule, where he or she has taken the number of fish permitted under Article 3 or 4 to -

(1)	(2)
<p>(a) take by rod and line any salmon or sea trout from the waters of the river, unless the fish is handled carefully, not removed from and immediately returned alive, to those waters, or</p> <p>(b) use or attempt to use any fish hooks, other than single barbless hooks, or worms as bait in angling for salmon or sea trout in the waters of the river.</p>	<p>River</p> <p>Lower Lee (Martin, Shornash, Bride)</p> <p>Owengorra</p>
<p>No. 7 or Kerry District</p>	<p>Ballyvaughan</p> <p>Blackwater (Kerry)</p> <p>Waterville/Carranrough/Carrane</p> <p>Carragh</p> <p>Laurie</p> <p>Owengorra</p>
<p>No. 8 or Limerick District</p>	<p>Fenle</p> <p>Mulkear</p>
<p>No. 9(1) or Galway District</p>	<p>Carrig</p>

6. The Conservation of Salmon and Sea Trout Bye-law No. 814, 2006 is revoked.

Schedule

Article 5

Fishery District (1)	Owen River Bandon (2)
No. 4 or Lismore District	Blackwater (Munster)
No. 5 or Cork District	Bandon
No. 10(2) or Bangor District	Coomhola Lower Lee (Martin, Shornach, Bride) Feagh (Burrisillen/Srahmore) Mealagh
No. 11 or Bellina District	Owenacurra
No. 7 or Kerry District	Roughty
No. 12 or Glenties District	Blackwater (Kerry) Drum Sneem
No. 12 or Deligahammon District	Waterville/Cummeragh/Currane Caragh Laune Owenmore
No. 8 or Limerick District	Feale Mulkear
No. 9(1) or Galway District	Corrib

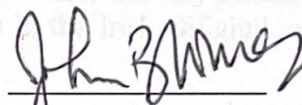
No. 9(2) or Connemara District	Cashla Screebe Ballynahinch (Owenmore)
No. 10(1) or Ballinakill District	Owenglin (Clifden) Bundorragha (Delphi) Erriff Dawros
No. 10(2) or Bangor District	Owenmore Furnace (Burrishoole/Srahmore) Feagh (Burrishoole/Srahmore) Owenduff
No. 11 or Ballina District	Moy Easkey
No. 12 or Sligo District	Ballysadare Drumcliff, Glencar
No. 13 or Ballyshannon District	Duff Drowes Eany Glen
No. 14 or Letterkenny District	Owenea Gweebarra Tullaghobegly

	Crana
	Clady
No. 17(2) or Dundalk District	Fane

GIVEN under my hand,

30th April 2007.

Section 11 of the Fisheries (Consolidation) Act, 1959 provides that any person aggrieved by this Bye-law may within 28 days after its publication apply to the High Court for an order annulling the same.



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