

DEPARTMENT OF COMMUNICATIONS, MARINE AND NATURAL RESOURCES
FISHERIES ACTS 1959 TO 2006
SOUTH WESTERN FISHERIES REGION
(RIVER BANDON)
CONSERVATION OF SEA TROUT AND BROWN TROUT BYE-LAW NO. 828, 2007

I, Eamon Ryan, Minister for 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 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 South Western Fisheries Region (River Bandon) (Conservation of Sea Trout and Brown Trout) Bye-Law No. 828, 2007.

(2) This Bye-law comes into operation on the day of its making.

2. In this Bye-law -

“length” in relation to a trout, means its length measured in a straight line from the tip of the snout to the fork of the tail;

“trout” means all fish of the brown trout kind and the migratory form of sea trout (*Salmo trutta*).

3. (1) This Bye-Law applies to the waters of the River Bandon in the No. 5 or Cork District.

- (2) This Bye Law does not apply to a sea trout which is 40 centimetres or more in length.

EXPLANATORY NOTE

4. It is prohibited for a person to -

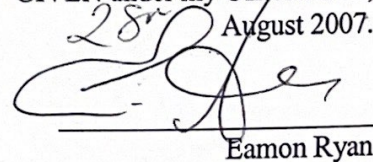
- (a) take or capture and kill any trout of less than 25 centimetres in length, from the waters to which this Bye-law applies, or
- (b) have in possession on or near those waters any such fish so taken or captured.

5. It is prohibited for a person to -

- (a) subject to Article 5 of the Conservation of Salmon and Sea Trout Bye-Law No. 820, 2007, take or capture and kill more than 4 trout, being 25 centimetres or more in length, on any day from the waters to which this Bye-law applies, or
- (b) have in possession on or near those waters more than that amount of trout so taken or captured.

6. Any trout taken inadvertently in contravention of this Bye-law must be handled carefully and returned without avoidable injury to the waters from which they have been taken.

GIVEN under my Official Seal,
28th August 2007.



Eamon Ryan
Minister for Communications,
Marine and Natural Resources

EXPLANATORY NOTE

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

This Bye-Law prohibits the taking and possession of brown trout and sea trout less than 25 centimetres in length, and provides for a daily bag limit of 4 trout per angler per day being either brown trout or sea trout (greater than 25 centimetres in length but less than 40 centimetres in length) or a combination of both.

FOOTNOTE

Section 11 of the Fisheries (Consolidation) Act, 1959 provides that any person aggrieved by this Bye-law may within 28 days after its publication in the Irish Oifigiuil, appeal against same to the High Court.