

DEPARTMENT OF COMMUNICATIONS, MARINE AND NATURAL RESOURCES

FISHERIES ACTS 1959 TO 2006

CONSERVATION OF SALMON AND SEA TROUT

BYE-LAW NO. C.S. 290, 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. C.S. 290, 2007.

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

2. In this Bye-law -

“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. 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, notwithstanding anything contained in any bye-law fixing the annual close season, to take, or attempt to take, by rod and line any salmon or sea trout from the waters of the river.

4. The Conservation of Salmon and Sea Trout Bye-law No. C.S. 287, 2006 is revoked.

Schedule

Fishery District (1)	River (2)
No. 1 or Dublin District	Vartry Dargle
No. 2 or Wexford District	Avoca Owenavorrhagh
No. 3 or Waterford District	Black Water Corrock Owenduff Pollmounty Linguan Clodiagh Mahon Tay Barrow Colligan

No. 4 or Lismore District	<p>Lickey</p> <p>Finnisk</p> <p>Glenshelane</p> <p>Tourig</p> <p>Womanagh</p> <p>Bride</p>
No. 5 or Cork District	<p>Argideen</p> <p>Owvane</p> <p>Adrigole</p> <p>Upper Lee</p> <p>Glengarriff</p>
No. 7 or Kerry District	<p>Owenshagh</p> <p>Finnihy</p> <p>Owenascaul</p> <p>Feohanagh</p> <p>Kealinchá</p> <p>Ardgroom, Lough Fadda</p> <p>Cloonee</p> <p>Owenreagh</p> <p>Emlaghmore</p> <p>Cottoners</p> <p>Emlagh</p> <p>Milltown</p> <p>Lee (Kerry)</p> <p>Croanshagh</p>

	<p>Sheen</p> <p>Maine</p> <p>Carhan</p> <p>Ferta</p> <p>Behy</p> <p>Inny</p>
No. 8 or Limerick District	<p>Brick</p> <p>Galey</p> <p>Deel</p> <p>Owenagarney (Ratty)</p> <p>Skivileen</p> <p>Aughyvackeen</p> <p>Doonbeg</p> <p>Annageeragh</p> <p>Inagh</p> <p>Fergus</p> <p>Maigue</p> <p>Shannon (excluding Mulkear)</p>
No. 9(1) or Galway District	<p>Clarinbridge</p> <p>Knock</p> <p>Aille</p> <p>Owenboliska, Spiddal</p> <p>Kilcolgan</p>
No. 9(2) or Connemara District	<p>Stream, Lough Nafurnace</p>

No. 10(1) or Ballinakill District	<p>Culfin</p> <p>Carrownisky</p>
No. 10(2) or Bangor District	<p>Owengarve</p> <p>Muingnabo</p>
No. 11 or Ballina District	<p>Brusna</p> <p>Leaffony</p> <p>Ballinglen</p> <p>Cloonaghmore, Palmerstown</p>
No. 12 or Sligo District	<p>Grange</p> <p>Garravogue River Estuary, Lough Gill</p> <p>(Bonnet)</p>
No. 13 or Ballyshannon District	<p>Abbey</p> <p>Ballintra (Murvagh)</p> <p>Laghy (Stream)</p> <p>Owenwee Yellow River</p> <p>Oily</p> <p>Bungosteen</p> <p>Eske</p> <p>Erne</p>
No. 14 or Letterkenny District	<p>Bracky</p> <p>Isle (Burn)</p> <p>Mill</p> <p>Clonmany</p> <p>Straid</p> <p>Owentocker</p>

	Owennamarve Glenna Swilly Donagh Glenagannon Culoort Lackagh Leannan Gweedore (Crolly River) Ray
No. 17(1) or Drogheda District	Boyne
No. 17(2) or Dundalk District	Flurry Glyde Dee

GIVEN under my hand,
30 April 2007.

John Browne
John Browne,
Minister of State at the
Department of
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 or attempting to take by rod and line salmon and sea trout over 40 cm. The Bye-law also provides for the closure of the river Black Water in Waterford and incorporates the provisions of the existing close rivers Bye-law No. C.S. 287, 2006.

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.