(Extract from *Iris Oifigiúil*, 12 August, 1983)

DEPARTMENT OF FISHERIES AND FORESTRY

FISHERIES ACTS, 1959 to 1980

BYE-LAW No. 634, 1983

SHANNON FISHERIES REGION
(RIVER CASHEN)

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE
Wt.–9512.150.8/83.Iona Print Ltd.(572896).G.18.

AN ROINN IASCAIGH AGUS FORAOISEACHTA

NA hACHTANNA IASCAIGH, 1959 GO 1980

FODHLÍ RÉIGIÚN IASCAIGH NA SIONAINNE (ABHAINN AN CHASÁIN) Uimh. 634, 1983

I bhfeidhmiú na gcumhachtaí a thugtar dom le halt 9 (arna leasú le halt 3 den Acht Iascaigh (Leasú), 1962 (Uimh. 31 de 1962)) den Acht Iascaigh (Comhdhlúthú),1959 (Uimh. 14 de 1959), le halt 33 den Acht Iascaigh (Leasú),1962 agus leis an Ordú Iascaigh (Riarachán Roinne agus Feidhmeanna Aire a Aistriú), 1977 (I.R. Uimh. 30 de 1977) (arna n-oiriúnú leis an Ordú Iascaigh (Ainm na Roinne agus Teideal an Aire a Athrú),1978 (I.R. Uimh. 195 de 1978)), déanaimse, PÁDRAIG Ó TUATHAIL, Aire Iascaigh agus Foraoiseachta leis seo an Fodhlí seo a leanas:

1. Fodhlí Réigiún Iascaigh na Sionainne (Abhainn An Chasáin) Uimh. 634, 1983, is teideal don Ordú seo.

2. Tiocfaidh an fodhlí seo i ngníomh an 1ú lá de Lúnasa, 1983.

3. Beidh feidhm ag an bhFodhlí seo maidir le huiscí Abhainn an Chasáin idir an líne theorann leathmhíle suas an abhainn ó bhéal na habhann sin (béal atá sainmhínithe ag an Aire Iascaigh le Sainmhíniú Uimh. 117 den 10 Deireadh Fómhair, 1928, agus ar líne theorann í atá marcáilte ar an léarscáil a ghabhann leis an Sainmhíniú sin) agus líne arna tarraingt trasna na habhann ón líne bharr láin ag pointe ar a dtugtar go háitiúil Pointe Thoirealaigh Uí Chonchúir, i mbaile fearainn Rahoonagh, i mbarúntacht Oidhreacht Uí Chonchúir i gcontae Chiarraí go dtí an pointe is faide ó thuaidh den líne bharr láin i mbaile fearainn Dhoire Cuach i mbarúntacht Chlann Muiris i gcontae Chiarraí.

4. D'ainneoin aon ní i bhFodhlí Cheanntair Luimnigh (Uimh. 405 de 1930) ceadaítear leis seo, i rith na tréimhse dar tosach 7 a chlog a.m. Dé Sathairn agus dar críoch 5 a chlog a.m. ar an gcéad Luan eile ina dhiaidh sin, aon eangach a bheidh le húsáid ag iascaireacht bradán nó breac sna huiscí a bhfuil feidhm ag an bhFodhlí seo maidir leo, a bheith ar bord aon bháid nó curaigh, ar choinníoll go mbeidh an eangach stuáilte ar bord an bháid ar an slí seo a leanas:

   (a) déanfar an eangach sin a leagan ar mhaidí rámha nó ar thaca de chineál eile agus déanfar ceachtar acu, nó iad araon, a cheangal go daingean den bhád,

DEPARTMENT OF FISHERIES AND FORESTRY

FISHERIES ACTS, 1959 to 1980

SHANNON FISHERIES REGION (RIVER CASHEN) BYE-LAW No. 634, 1983

I, PADDY O'TOOLE, Minister for Fisheries and Forestry, 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, and the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order, 1977 (S.I. No. 30) of 1977) (as adapted by the Fisheries (Alteration of Name of Department and Title of Minister) Order, 1978 (S.I. No.195 of 1978)), hereby make the following Bye-law:

1. This Bye-law may be cited as the Shannon Fisheries Region (River Cashen) Bye-law No. 634, 1983.

2. This Bye-law shall come into operation on the 1st day of August, 1983.

3. This Bye-law applies to the waters of the River Cashen between the boundary line one-half mile upstream from the mouth of that river (which mouth is defined by Definition No. 117 of 10 October, 1928, by the Minister for Fisheries and which boundary line is marked on the map attached to the said Definition) and a line drawn across the river from the high water mark at a point known locally as Terence O'Connor's Point, in the townland of Rahoonagh in the barony of Iraghticonnor and county of Kerry to the most northerly point of the high water mark in the townland of Derryco in the barony of Clanmaurice and county of Kerry.

4. Notwithstanding anything contained in the Limerick District Bye-Law, No. 405, 1930, it is hereby permitted during the period commencing at 7 o'clock a.m. on Saturday and ending at 5 o'clock a.m. on the next following Monday, to have on board any boat or curragh any net for use in fishing for salmon or trout in the waters to which this Bye-law applies, provided that the net is stowed on board the boat in the following manner:

   (a) the said net shall be laid on oars or on some other form of support and either or both the said net and the support shall be lashed securely to the boat,

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The version of this Bye-law in the Irish language officially prepared is printed on the opposite page.

(b) déanfar an eangach sin a lea gan ar shlí go mbeidh an téad choirc daingnithe de dheireadh an bháid agus an líne feádóireachta daingnithe mar an gcéanna, agus beidh an eangach sin a dúradh daingnithe ar shlí a chuirfidh cosc lena haistriú gan cead an úinéara, agus

(c) ní cheadófar aon chuid den eangach sin a bheith ar sileadh ná a bheith ag dul isteach san uisce.

5. Ní cheadóidh aon ní san Fhodhlí seo ná ní dhéanfaidh sé dleathach aon eangach a úsáid nó a shealbhú nuair a bheidh an úsáid nó an sealbhú sin toirmiscthe faoi aon Reacht nó Ionstraim Reachtúil atá ann, seachas Fodhlí Cheanntair Luimnigh Uimh. 405, 1930, arna leasú leis an bhFodhlí seo.

L.S.

ARNA THABHAIRT faoi mo Shéala Oifigiúil, an 29ú lá seo de Lúnasa, 1983.

PÁDRAIG Ó TUATHAIL
Aire Iascaigh agus Foraoiseachta.

(b) the said net shall be laid so that the cork rope is secured to the stern of the boat and the leadline is similarly secured and the said net shall be so secured in a manner which prevents its being removed without the owner's permission, and

(c) no part of the said net shall be permitted to trail or enter the water.

5. Nothing in this Bye-law shall permit or render lawful the use or possession of any net where such use or possession is prohibited under any existing Statute or Statutory Instrument other than the Limerick District Bye-Law, No. 405, 1930, as amended by this Bye-law.

L.S.

GIVEN under my Official Seal, this 29th day of July, 1983.

PADDY O'TOOLE,
Minister for Fisheries and Forestry.

EXPLANATORY NOTE

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

This Bye-law permits fishermen in that part of the River Cashen between the boundary line one half mile upstream from the defined mouth of the river and a line drawn across the river from Terence O'Connor's Point to spread their nets across their boats in the manner specified in the Bye-law during the period from 7 a.m. on Saturday to 5 a.m. on the next following Monday.