1969. No. 79 **[C]**

FISHERIES

Eel Fishing

REGULATIONS, DATED 1ST APRIL 1969, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 15 OF THE FISHERIES ACT (NORTHERN IRELAND) 1966.

The Ministry of Agriculture in exercise of the powers conferred by the Fisheries Act (Northern Ireland) 1966(**a**) as amended and extended by the Fisheries (Amendment) Act (Northern Ireland) 1968(**b**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Eel Fishing (Amendment) Regulations (Northern Ireland) 1969.

2.—(1) No person shall wilfully take, kill or destroy any undersized eels.

(2) (*a*) No licensed eel fisherman shall land or have in his custody or possession on land except for the purpose of grading immediately they are landed, any undersized eels.

(*b*) Subject to the provisions of sub-paragraph (*a*) above all undersized eels shall be returned immediately to a river or lake.

(3) No person shall have undersized eels in a keep box or other container for the holding of eels in a lake or river.

(4) (*a*) Save as permitted by paragraph (2) above no person shall buy, sell, offer or expose for sale or have in his possession any undersized eels.

(*b*) This paragraph shall not apply to

(i) Any person buying, selling, offering or exposing for sale, or having in his possession any eels in a separate container who proves that at the time when the eels were delivered to him the person so delivering the eels also delivered to him a certificate in writing signed by the licensed eel fisherman who landed all the eels in that container to the effect that such eels were not undersized.

(ii) Any person (other than a licensed eel fisherman or the holder of a dealer's licence) buying eels if he proves that the same were supplied by a person who was or whom he believes on reasonable grounds to be the holder of a dealer's licence.

(5) The provisions of this Regulation shall not apply with regard to silver eels.

(6) In this Regulation the expression

(*a*) "undersized eels" means eels of a length less than 16 inches measured from the tip of the snout to the tip of the tail;

(*b*) "licensed eel fisherman" is a person holding a valid licence from the Fisheries Conservancy Board for Northern Ireland which permits him to catch eels in nets or eel weirs or on long lines.

(**a**) 1966. c. 17 (N.I.). (**b**) 1968. c. 31 (N.I.).

3. Each keep box or other container used for the holding of eels in a lake or river shall be clearly marked in letters or figures not less than one half inch in height with the name and address of, or the licence number of the long line or net or of any series of nets used by, the owner of the box or container.

4. Part III of the Eel Fishing (Licence Duty and Limitations on Fishing) Regulations (Northern Ireland) 1967(c), made by the Ministry of Agriculture on 6th April 1967, is hereby revoked.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 1st day of April 1969.

(L.S.)

W. G. Malcolm,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

Part III of the Eel Fishing (Licence Duty and Limitations on Fishing) Regulations (Northern Ireland) 1967 provided that where, in the course of any fishing operations, any undersized eels were taken, those eels should be returned immediately to the water from which they were taken.

These Regulations now provide that all eels may be landed for grading, and any which when graded at the place of landing, are found to be undersized, shall be returned immediately to the water.

They also provide for keep boxes or containers, used for holding eels, to be clearly marked with the names and addresses, or licence numbers, of their owners.

(c) S.R. & O. (N.I.) 1967, No. 72.