1969. No. 91 **[C]**

FISHERIES

Consolidated Bye-Laws, 1969

BYE-LAWS, DATED THE 19TH MARCH 1969, MADE BY THE FISHERIES CONSERVANCY BOARD FOR NORTHERN IRELAND WITH THE APPROVAL OF THE MINISTRY OF AGRICULTURE UNDER SECTION 26 OF THE FISHERIES ACT (NORTHERN IRELAND) 1966(a).

The Fisheries Conservancy Board for Northern Ireland (hereinafter called "the Board") in exercise of its powers under section 26 of the Fisheries Act (Northern Ireland) 1966(a) (hereinafter called "the Act") and every other power enabling it in that behalf with the approval of the Ministry of Agriculture (hereinafter called "the Ministry") hereby makes the following bye-laws:

PART I

LICENCES AND DUTIES (GENERAL)

1. These Bye-laws may be cited as the Fisheries Consolidated, Amendment and Licence Duties Bye-laws (Northern Ireland) 1969.

2. These Bye-laws shall (unless otherwise specified) apply to the whole of Northern Ireland except the Londonderry area as defined by the Act.

3. Subject to section 1 of the Fisheries Amendment Act (Northern Ireland) 1968, there shall be payable to the Board in respect of every fishing licence and dealer's licence a licence duty the amount of which is prescribed in the First Schedule to these Bye-laws.

4. Persons who have not attained the age of 16 years shall be exempt from the requirement to hold a fishing licence to fish for, take or kill eels or freshwater fish by rod and line or hand line only, but where any such person uses more than one rod and line or hand line at the same time he shall be exempt from such requirement only in respect of one rod and line or hand line as the case may be.

5. Any person holding a Foyle Fisheries Commission salmon rod licence for the time being in force may obtain a game fishing rod licence from the Board on payment of the amount prescribed in the First Schedule to these Bye-laws.

6. On application made in such form as the Board may prescribe (if any) the Board may issue or renew to the person making application a licence in respect of any fishing engine subject to such conditions as the Board shall attach thereto.

(a) 1966. c. 17 (N.I.).

7. All licences issued in pursuance of these Bye-laws shall be valid only during the period stated thereon.

8. Licences issued under these Bye-laws in respect of any fishing engine shall not authorise the use of that engine for the taking of fish other than those specified on the licence.

9. All fishing licences issued under these Bye-laws other than licences to fish with rod and line or hand line shall be valid only when used by the person named thereon or his agent thereunto previously authorised in writing by him.

10. Licences issued in pursuance of these Bye-laws shall be in the form set out in the Second Schedule to these Bye-laws or form to the like effect, and such licences may be sold through agents approved by the Board.

11. Where a person has been convicted of any offence under the Fisheries Acts (Northern Ireland) 1966 and 1968 the Board may (subject to the provisions of these Bye-laws) by resolution revoke any fishing licence held by such person (or as the case may be refuse to issue to such person a fishing licence or renew any fishing licence held by such person).

PART II

APPEAL TO THE MINISTRY AGAINST THE REFUSAL OF THE BOARD TO ISSUE OR RESTORE A LICENCE

12. Where the Board proposes to revoke a fishing licence or refuse to issue or renew a fishing licence, it shall give to the holder of the fishing licence or the person applying for issue or renewal of a fishing licence (in this part referred to as "the applicant") at least 14 days prior notice in writing of its intention so to do, and before revoking the fishing licence or refusing to issue or renew a fishing licence as aforesaid shall consider any representations in relation thereto made by or on behalf of the holder of the fishing licence or the applicant before the expiration of the notice.

13. Where the Board revokes a fishing licence or refuses to issue or renew a fishing licence, it shall send by registered post or the recorded delivery service to the person whose licence has been revoked or (as the case may be) to the applicant notice of the revocation or refusal to issue or renew the fishing licence, and shall inform such person of his right of appeal under this part and of the time within which the appeal may be brought.

14. Where the Board revokes a fishing licence or refuses to issue or renew a fishing licence, the person to whom notice under Bye-law 13 hereof has been given may within fourteen days from the date on which such notice is served on him appeal to the Ministry.

15. An appeal under this part shall be initiated by notice to be signed by the appellant or his agent and delivered or sent by registered post or the recorded delivery service to the Ministry and the Board within the period specified in Bye-law 14 hereof.

16. On the hearing of such appeal where the Ministry reverses the Board's decision the Board shall forthwith issue to the appellant or renew the fishing licence for which the application was made by him or, as the case may be, restore the fishing licence which was revoked.

17. When a licence has been revoked under these Bye-laws the person who was the holder of the licence shall within 14 days of receiving a request for its return to the Board, return the licence to the Board together with any copies thereof issued to him by the Board.

PART III

COARSE FISHING ROD LICENCES

18. A coarse fishing rod licence (as prescribed in the First Schedule to these Bye-laws) shall be valid only on waters which shall be designated from time to time by Bye-laws of the Board as coarse fishing waters on which a coarse fishing rod licence may be used.

19. The holder of a coarse fishing rod licence must return immediately to the water from which they were taken, without avoidable injury, any salmon, trout or rainbow trout inadvertently caught by him.

PART IV

FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE

20. Subject to the conditions specified in the Act and these Bye-laws and on any licences issued thereunder, single wall trammel or set nets, draft nets and bait nets (as prescribed in the First Schedule to these Bye-laws) may be used for the taking of freshwater fish other than trout or rainbow trout, and long lines may be used for the capture of pike, on such areas of Upper and Lower Lough Erne and on such other lakes draining into Upper and Lower Lough Erne as the Board, with the approval of the Ministry, may by Bye-law designate as waters where specified kinds of fishing (other than by rod and line or hand line) may take place.

21. Subject to the conditions specified in the Act and these Bye-laws and on any licences issued thereunder, single wall trammel or set nets, draft nets and bait nets (as prescribed in the First Schedule to these Bye-laws) may be used on Lough Neagh for the taking of freshwater fish other than trout.

22. Subject to the conditions specified in the Act and these Bye-laws and on any licences issued thereunder, single wall trammel or set nets (as prescribed in the First Schedule to these Bye-laws) for the taking of trout may be used on Lough Neagh.

23. Subject to the conditions specified in the Act and these Bye-laws and on any licences issued thereunder, a fishing weir may be used on the River Bann at The Cutts, Coleraine, for the taking of salmon.

24. Subject to the conditions specified in the Act and these Bye-laws and on any licences issued thereunder draft nets and drift nets (as prescribed in the First Schedule to these Bye-laws) may be used for the taking of salmon in tidal waters.

Restrictions on the use of Fishing Engines other than rod and line or hand line.

25. No person shall use for the purpose of taking or with intent to take salmon or freshwater fish any net, other than a landing net used solely as an auxiliary to lawful angling with rod and line or hand line, which contains any mesh made of a single filament of synthetic material.

26. No person shall use a single wall set net or trammel net for the taking of pollen on Lough Neagh or Lough Erne with a mesh less than one inch from knot to knot or greater than one and one-quarter inches from knot to knot, such measurements to be taken along the side of the square of the mesh and to be taken in the clear when the net is wet.

27. The maximum length of a single wall set net or trammel net used for the taking of trout in Lough Neagh which may be used at any time by any one licensee shall be 1350 yards of net as hung whether used as one or more nets.

28. Each net or row of nets of a single wall set net or trammel net used for the taking of trout in Lough Neagh shall be marked at each end with a float projecting not less than 4 inches above the water and not less than 4 inches across.

29. Each float referred to in Bye-law 28 shall have clearly and legibly painted or otherwise fixed thereon in figures of not less than one half inch in height such number as the Board may allocate to the licensee of the net (or such number as the Board may allocate to the net or row of nets of which the float shall be a mark), and at all times when the net or row of nets shall be fishing such number shall be clearly legible.

30. No person other than the licensee or the servant or agent previously authorised in writing of the licensee shall use or cause or permit to be used on any float the number referred to in Bye-law 29.

31. Until the first day of March 1971 the Board may, if it thinks fit, permit the licensee of a single wall set net or trammel net for the taking of trout in Lough Neagh to use a net with

a mesh of a less size than that permitted by section 72(1)(*b*) of the Act. So however that any such permission shall not extend to the use of a net with a mesh of less size than one and one-half inches from knot to knot to be measured along the side of the square or six inches to be measured all round each mesh, such measurement being taken in the clear when the net is wet.

32. A bait net shall not exceed fifty yards in length and shall have a mesh of not more than one-quarter inch from knot to knot to be measured along the side of the square or one inch to be measured all round each mesh, such measurements to be taken in the clear when the net is wet.

33. A bait net shall not be used for catching salmon or trout or the fry of salmon or trout, and any such fish caught or taken in a bait net shall be returned immediately, without avoidable injury, to the water from which they were taken.

34. Baits used on long lines for the capture of pike shall not be of less length than four inches, and the use of worms on long lines for the capture of pike is not permitted.

35. The mesh of the tail (which shall not exceed 8 feet in length) of any draft net for use in freshwater for taking salmon and freshwater fish shall be of a size not less than one-quarter inch from knot to knot to be measured along the side of the square or one inch to be measured all round each mesh, such measurements being taken in the clear when the net is wet.

36. No person licensed to use any draft net under section 71 of the Act shall take or have on board any boat on or from which any such draft net is used any trout of a size less than twelve inches measured from the tip of the snout to the fork or cleft of the tail.

37. Where any draft net is used in the course of any fishing operations conducted by means of a fishing boat, and any trout of less than the minimum size prescribed by Bye-law 36 hereof is taken on board, the master, owner, charterer or other person in charge of the boat shall cause such trout to be returned immediately, without avoidable injury, to the waters from which it was taken.

38. On Lough Neagh no person shall use any net for the capture of salmon or freshwater fish in Toome Bay within one mile of the drainage flood gates at Toomebridge.

39. If a draft net or a tidal draft net be operated from the shore the manner of using such a net shall be as follows, namely:

One end of the rope of the net shall be held on the shore or bank, and the net shall be shot or paid out from a boat which shall start from such shore or bank and return thereto without avoidable pause or delay, and the net shall thereupon be drawn into and landed on such shore or bank.

40. If a draft net or a tidal draft net be operated from a boat the manner of using such a net shall be as follows, namely:

One end of the rope of the net shall be fixed to a buoy, whether anchored or not, and the net shall be shot or paid out from a boat which shall start from such buoy and return thereto without avoidable pause or delay, and the net shall thereupon be drawn into and landed on such boat.

41. A draft net and a tidal draft net shall not be of a greater length than 130 yards as measured along the head rope of the net.

42. No person shall use for the capture of salmon in tidal waters any drift net of greater length than 1500 yards or any number of drift nets joined together in such a way that their total length shall be greater than 1500 yards.

43. The manner of using a drift net shall be as follows, namely:

One end of the rope of the net shall be fixed to a buoy which shall not be anchored, and the net shall be shot or paid out from a boat which shall start from such buoy, and the boat and the net attached shall float or drift with the tide.

44. No person shall fish by means of a drift net within one-half mile of any fixed engine used in accordance with section 74 of the Act.

45. No person shall fish by means of a drift net within one mile of the defined mouths of the Rivers Bush and Lower Bann.

46. No person shall fish by means of a trawl net within one-half mile of any fixed engine used in accordance with section 74 of the Act.

47. No person shall buy, sell, offer or expose for sale or have in his possession for sale any trout of under 12 inches in length.

PART V

CLOSE SEASONS

Angling.

48. Save as hereinafter provided the annual close season for angling for salmon, trout and rainbow trout in all waters shall be from the 31st day of October in each year to the last day of February in the next following year.

49. In that part of Lough Melvin which lies in the County of Fermanagh and all rivers entering therein the close season for angling for salmon, trout and rainbow trout shall be from the 15th day of October in each year to the 31st day of January in the next following year.

50. In Upper and Lower Lough Erne and all rivers entering therein or flowing therefrom the close season for angling for salmon, trout and rainbow trout shall be from the 15th day of October in each year to the last day of February in the next following year.

51. In all waters which may be designated by Bye-law of the Board, with the approval of the Ministry, as rainbow trout waters there shall be no close season for angling for rainbow trout.

52. For purposes of the annual close seasons for angling, in these Bye-laws a river, lough or lake includes any tributary of that river, lough or lake and includes any loughs or lakes draining into or forming part of any such river or tributary.

53. Save as in these Bye-laws provided, there shall be no close season for angling for freshwater fish or eels.

Other than rod and line or hand line.

54. No person shall fish for, take or kill salmon with a fishing engine other than rod and line or hand line in the sea and tideways between the 15th September in any year and the 17th March in the next following year.

55. No person shall fish for, take or kill salmon or trout with a fishing engine other than rod and line or hand line in freshwater between 19th August in any year and the last day of February in the next following year, save and excepting the River Bush, in which river the close season shall be from the 15th day of September in any year to the 17th day of March in the next following year.

56. No person shall fish for, take or kill salmon or trout with a fishing engine other than rod and line or hand line in the sea or tidal portion of a river between 8.0 a.m. on each Saturday and 8.0 a.m. on the next following Monday.

57. No person shall have any net for the capture of salmon, trout or pollen on board any boat in any waters during the annual or weekly close season for salmon, trout or pollen.

PART VI

SAND WASHING

58. No person shall, without the written consent of the Board, discharge into any waters any effluent from a sand or gravel washing plant.

59. An application to the Board for its consent under Bye-law 58 shall be in writing and contain a statement of:—

(*a*) The maximum quantity and composition of the effluent which it is proposed to discharge during any one day.

(*b*) The highest rate at which it is proposed to discharge the effluent.

(*c*) The exact location of the proposed plant and outfall of the effluent.

(*d*) The proposed method of disposal or treatment of the effluent.

60. On application for consent under Bye-law 59 the Board may grant its consent subject to such conditions as it may impose, which conditions may include conditions as to:—

(*a*) The composition, volume or rate of discharge of effluent from the land or premises to which the application relates.

(*b*) The provision of facilities for taking samples of the effluent.

61. Where a discharge is made into waters without the consent of the Board, the Board may, if it thinks fit, serve on the person making the discharge a notice specifying any such conditions as the Board might have imposed under Bye-law 60 on an application under Bye-law 59 for the consent for making the discharge. Where such a notice has been served the Board shall be deemed to have given its consent under Bye-law 60 subject to the conditions specified in the notice.

62. No conditions imposed under Bye-law 60 shall take effect until the expiration of a period of one month beginning with the giving of consent under Bye-law 60, or, as the case may be, the service of a notice under Bye-law 61.

63. The Board may revoke or vary any condition imposed or deemed to be imposed by it under this part of these Bye-laws. Such revocation or variation of conditions shall be notified in writing to the owner of the plant concerned provided that no variation of conditions shall take effect until the expiration of a period of one month from the date of notification.

64. Any person who

(*a*) discharges or permits to be discharged any effluent in contravention of Bye-law 58, or

(*b*) having obtained or being deemed to have obtained the consent of the Board subject to any conditions, discharges or permits to be discharged any effluent in such manner as to constitute a breach of the conditions laid down under Bye-law 60,

shall be guilty of an offence.

PART VII

INTERPRETATION

65. In these Bye-laws

"Bag net" is a net consisting of a single wall of netting and leader, one end fixed to the shore and running seawards to a floating fixed trap or cage of netting, enclosed on all sides, bottom and top, except at the entrance from the leader; and with one or more sets of inscales and described in the Certificate issued under the Salmon Fishery (Ireland) Act 1863 as a Bag Net.

"Bait net" is a net with a single wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a bag or tail into which the catch is drafted or hauled.

"Coarse fishing rod licence" means a licence for one rod and line or hand line to fish for, take and kill eels and freshwater fish other than trout and rainbow trout.

"Draft net" is a net with a single wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a funnel and a bag or trail into which the catch is drafted or hauled.

"Drift net" is a net consisting of a single sheet or wall of netting loosely hung on cork and sole ropes, designed to drift freely at the surface of the sea.

"Freshwater" means all waters exclusive of tidal waters.

"Fixed tidal draft net" is a net consisting of a single sheet or wall of netting loosely hung on ground and head ropes without trap or cage and fixed at the shoreward and seaward ends and described in the Certificate issued under the Salmon Fishery (Ireland) Act 1863 as a Fixed Draft Net.

"Game fishing rod licence" means a licence for one rod and line or hand line to fish for, take and kill salmon, freshwater fish and eels.

"Hand line" is a line held in the hand to which shall be attached not more than a single bait.

"Rainbow trout" are trout of the species Salmo Gairdneri.

"Tidal draft net" is a net used in tidal waters consisting of a single sheet or wall of netting loosely hung on ground or head ropes into which the catch is drafted or hauled.

"Tidal waters" means waters where the tide ebbs to and fro.

66. The following Bye-laws and Regulations and any other Bye-laws relating to salmon and inland fishing made before the coming into operation of these Bye-laws under the Fisheries Acts (Northern Ireland) 1842-1966 are hereby revoked:

1. The Sand Washing Bye-laws (Northern Ireland) 1967 (1967, No. 54).
2. The Fishing Engines (Licence Duties) Bye-laws (Northern Ireland) 1967 (1967, No. 116).
3. The Fishing in Tidal Waters (Restrictions and Times) Bye-laws (Northern Ireland) 1967 (1967, No. 117).
4. The Prohibition of Monofilament Nets Bye-laws (Northern Ireland) 1967 (1967, No. 118).
5. Drift Netting (Control of Use) Bye-laws (Northern Ireland) 1967 (1967, No. 167).
6. The Fishing Engines (Licence Duties) No. 2 Bye-laws (Northern Ireland) 1968 (1968, No. 15).
7. The Salmon Rod Licence (Licence Duty) Bye-laws (Northern Ireland) 1968 (1968, No. 24).

8. The Annual Close Seasons (Angling for Salmon and Trout) Bye-laws (Northern Ireland) 1968 (1968, No. 25).
9. The Lough Neagh Draft Net Bye-laws (Northern Ireland) 1968 (1968, No. 100).
10. The Lough Neagh and Lough Erne Bait Net Fishing Bye-laws (Northern Ireland) 1968 (1968, No. 102).
11. The Lough Neagh Trout Single Wall Set Nets or Trammel Nets Bye-laws (Northern Ireland) 1968 (1968, No. 101).
12. Lough Erne (Prescription, Licensing and Control of Fishing Engines) Regulations 1958 (1958, No. 94).

Sealed with the Common Seal of the Fisheries Conservancy Board for Northern Ireland this 19th day of March 1969.

(L.S.) *Signed:* *William Marshall,*
Chairman.

R. G. Weaver,
Chief Inspector.

The Ministry of Agriculture hereby approves the foregoing Bye-laws.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 15th day of April 1969.

(L.S.) *Signed:* *J. V. Bateman,*
Assistant Secretary.

SCHEDULE I

Fishing Engines and Licence Duties

PART I

Licences to fish with rod and line and hand line

Fishing Licence	Duty		
	£	s.	d.
Game fishing rod licence	2	0	0
Seven day game fishing rod licence	1	0	0
Additional amount payable by the holder of a Foyle Fisheries Commission salmon rod licence to use a single game rod		10	0
Coarse fishing rod licence		10	0
Seven day coarse fishing rod licence		5	0

PART II

Licences for fishing engines other than rod and line or hand line

Fishing Engine	Duty		
	£	s.	d.
Draft net for the capture of salmon and freshwater fish on Lough Neagh	10	0	0
Draft net for the capture of freshwater fish other than trout and rainbow trout on Lough Erne	6	5	0
Draft net for use in freshwater other than Lough Neagh or Lough Erne	12	10	0
Single wall set net or trammel net for the capture of trout in Lough Neagh per 100 yds.	1	5	0
Single wall set net or trammel net for the taking of freshwater fish other than trout and rainbow trout per 100 yds.	1	5	0
Bait net for the taking of freshwater fish other than trout and rainbow trout for use as bait—per net		6	0
Long lines for the capture of pike on Lough Erne	1	0	0
Fixed tidal draft net	25	0	0
Tidal draft net	18	15	0
Drift net used in tidal waters	18	15	0
Bag net used in tidal waters	62	10	0
Salmon box or crib	75	0	0

PART III

Dealers' licence	£1 0s. 0d.

SCHEDULE II

Format of Licences

FISHERIES CONSERVANCY BOARD FOR NORTHERN IRELAND
FISHERIES ACT (NORTHERN IRELAND) 1966

LICENCE FOR A (*Description of Engine*) FOR (*Year*)

ISSUED TO: .....
(*Name*)

OF: .....
(*Address*)

this (*Date*) day of (*Month*) 19 (*Year*) at (*Time*) hours
a.m.
(*Time*) Minutes ——
p.m.

Licence Duty Paid (*Amount*)

Signed: ..... Distributor.
(*Name*)

(This licence is only valid if the date and time have been entered, and the licence signed by the distributor)

CONDITIONS

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EXPLANATORY NOTE

(This note is not part of the Bye-laws but is intended to indicate their general purport.)

These Bye-laws consolidate and amend the Bye-laws made under the Fisheries Acts 1842-1966 and add new Bye-laws which are made necessary by the passing of the Fisheries Amendment Act (Northern Ireland) 1968.

1969. No. 92 **[C]**

ULSTER SAVINGS CERTIFICATES

Eleventh Issue

REGULATIONS, DATED 16TH APRIL 1969, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 15(1) OF THE EXCHEQUER AND FINANCIAL PROVISIONS ACT (NORTHERN IRELAND) 1950.

The Ministry of Finance in exercise of the powers conferred upon it by Section 15(1) of the Exchequer and Financial Provisions Act (Northern Ireland) 1950(**a**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Ulster Savings Certificates (Eleventh Issue) (Amendment) Regulations 1969.

(2) These Regulations shall be construed as one with the Ulster Savings Certificates Regulations 1962 to 1968(**b**) and those Regulations and these Regulations may be cited together as the Ulster Savings Certificates Regulations 1962 to 1969.

2. In paragraph (*g*) of Schedule 3 to the Ulster Savings Certificates Regulations 1962 as amended(**c**), (which Schedule prescribes the maximum number of Certificates which may be held), for the words "One thousand" there shall be substituted the words "One thousand, five hundred".

3. These Regulations shall come into operation on the 18th day of April 1969.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 16th day of April 1969 in the presence of

(L.S.) *D. C. B. Holden,*
Second Secretary.

EXPLANATORY NOTE

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

These Regulations further amend the Ulster Savings Certificates (Eleventh Issue) Regulations 1966. Their effect is to increase the maximum permitted holding of Ulster Savings Certificates of the Eleventh Issue from 1,000 unit Certificates (£1,000) to 1,500 unit Certificates (£1,500) as from 18th April 1969.

(**a**) 1950. c. 3.
(**b**) S.R. & O. (N.I.) 1962, No. 36; 1963, No. 83; 1964, No. 59; 1964, No. 113; 1964, No. 210; 1965, No. 192; 1965, No. 195; 1966, No. 25; 1966, No. 46; 1966, No. 100; 1967, No. 33; 1967, No. 74; 1967, No. 227; 1967, No. 271; 1968, No. 55; 1968, No. 62.
(**c**) S.R. & O. (N.I.) 1962, No. 36; 1963, No. 83; 1964, No. 59; 1966, No. 46; 1967, No. 74; 1968, No. 62.