1983 No. 317

FISHERIES

Foyle Area (Angling) Regulations 1983

Made	*11th October 1983*
Coming into operation . . .	*2nd January 1984*

The Foyle Fisheries Commission, in exercise of its powers under section 13(1) of the Foyle Fisheries Act 1952(**a**), and section 13(1) of the Foyle Fisheries Act (Northern Ireland) 1952(**b**), with the approval of the Minister for Fisheries and Forestry in the Republic of Ireland(**c**) and of the Department of Agriculture for Northern Ireland(**d**) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Foyle Area (Angling) Regulations 1983, and shall come into operation on 2nd January 1984.

Interpretation

2. In these Regulations:

"bait fishing" means angling with rod and line and one single hook baited with earthworm (Lumbricus species);

"fish" means salmon, trout or rainbow trout;

"fly fishing" means angling with rod and line (other than a threadline) and one or more artificial fly hooks, but angling with a hook, cast or lure to which a weight has been added shall not be construed as fly fishing;

"gape" in relation to a fishing hook means the distance when the hook is normally aligned between the point of the hook and the shank of the hook;

"length" in relation to a fish means the measurement from the tip of the snout to the fork or cleft of the tail;

"night fishing" means angling between one hour after sunset and one hour before sunrise;

"spinning" means the use of a single rod, reel (including a fixed spool reel) and line designed to cast or throw an artificial or natural bait, except the different species of earthworm (Lumbricus species) and maggots and retrieve the bait by rewinding the line on to the drum of the reel with the bait kept in motion throughout.

Methods of angling

3. The only methods of angling which shall be permitted in waters described in the first column of Schedule 1 shall be those methods specified in the second column of that Schedule and the exercise of those methods shall be subject to any restrictions, as to the number or minimum length of fish which may be retained on any one day, which are specified in the third column of that Schedule.

(**a**) No. 5 of 1952 (Republic of Ireland)
(**b**) 1952 c. 5 (N.I.)
(**c**) *See* 1962 c. 5 (N.I.) s. 2(2)
(**d**) S.R. & O. (N.I.) 1963 No. 29 Art. 2(2) and Sch. Part II

Prohibition

4.—(1) Angling by any method is prohibited in the areas described in Schedule 2 subject to the exception mentioned therein in relation to the River Mourne.

(2) Angling with any type of float, or similar device, designed to suspend a bait or lure in water is prohibited in the waters described in Schedule 1.

(3) A person shall not in any part of the Foyle Area snatch or attempt to snatch or foul hook salmon with any kind of hook or combination of hooks covered in part or in whole with any matter or thing or uncovered and whether used with a rod and line or otherwise.

(4) No boats shall be permitted on the following waters for the purpose of angling: Loughs Ash, Lee and Moor Lough in County Tyrone.

Revocation

5. The Foyle Area (Angling) Regulations 1977(a) are hereby revoked.

Given under the Common Seal of the Foyle Fisheries Commission on 11th October 1983.

(L.S.) *J. O'Connell*

Member of the Commission appointed by the Minister for Fisheries and Forestry.

(L.S.) *R. W. McQuiston*

Member of the Commission appointed by the Department of Agriculture for Northern Ireland.

The Minister for Fisheries and Forestry hereby approves the foregoing regulations.

The Department of Agriculture for Northern Ireland hereby approves the foregoing regulations.

Sealed with the Official Seal of the Minister for Fisheries and Forestry on 13th October 1983.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 14th October 1983.

(L.S.) *J. Keohane*

A person authorised by the Minister for Fisheries and Forestry to authenticate the Official Seal of the Minister.

(L.S.) *N. E. Morrison*

Assistant Secretary.
Department of Agriculture for Northern Ireland.

(a) S.R. 1977 No. 110

SCHEDULE 1

Description of Waters	*Methods of Angling Permitted*	*Restrictions on number and minimum length of fish which may be retained on any one day*
1. Loughs Ash, Braden, Lee and Moor Lough all in County Tyrone.	Fly fishing, spinning and bait fishing.	4 fish with a minimum length of 25.4 cm.
2. River Mourne, County Tyrone (except those waters mentioned in Schedule 2 where angling is prohibited)		
(*a*) Liskey stretch being the east bank of the River Mourne extending from the boundary between the townlands of Knockroe and Liskey to the road bridge in the townland of Liskey.	Fly fishing, spinning and bait fishing.	None.
(*b*) Victoria Bridge stretch being the west bank of the River Mourne from the road bridge at Victoria Bridge to the railway bridge known as Camus Railway Bridge in the townland of Seein.	Fly fishing, spinning and bait fishing.	None.
(*c*) Sion Mills stretch being the east bank of the River Mourne extending from the footbridge at the boundary between the townland of Carrigullin and Bearney Glebe to the boundary between the townlands of Carrigullin and Stragullin and the west bank extending from the weir above Sion Mills in the townland of Liggartown to the boundary between the townlands of Ballyfatten and Strabane Union.	Fly Fishing, spinning and bait fishing.	None.
3. River Roe and tributaries and River Faughan and tributaries (except those areas mentioned in Schedule 2 where angling is prohibited).	Fly fishing where the breaking strain of the cast shall not exceed 3.7 kg for night fishing and 6.9 kg for fishing at other times and where no more than two single dressed fly hooks of normal weight spaced at least 0.61 m apart are used. Bait fishing where the gape of the hook does not exceed 9 mm the breaking strain of the line does not exceed 4.6 kg and the maximum length of the rod does not exceed 2.75 m, provided that this method is not used for night fishing. Spinning where	Fish with a minimum length of 25.4 cm.

Description of Waters	*Methods of Angling Permitted*	*Restrictions on number and minimum length of fish which may be retained on any one day*
	the gape of the hook does not exceed 7 mm, the breaking strain of the line does not exceed 4.6 kg and the maximum length of the rod does not exceed 2.75 m provided that this method is not used for night fishing.	

SCHEDULE 2

Fishery	*Area where angling is prohibited*
River Roe	(*a*) From and within 45.8 m downstream of the weir known as O'Cahan's Rock in the townland of Deerpark, County Londonderry. (*b*) From and within 45.8 m downstream of the weir known as Given's Weir in the townland of Terrydremond, County Londonderry.
River Faughan	(*a*) From and within 91.5 m downstream of the weir known as Ballyarton Weir in the townland of Lettermuck, County Londonderry. (*b*) From and within 91.5 m downstream of the weir known as Bleachgreen Weir in the townland of Ardmore, County Londonderry, measured from an imaginary straight line drawn at right angles to the course of the river through the right or eastern bank extremity of the weir. (*c*) Downstream of the Department of the Environment's barrage in the townland of Campsie, County Londonderry, for 54.9 m on the west bank and for 123.5 m on the east bank of the river.
River Mourne	From and within 64.0 m downstream of the weir known as Sion Mills Weir in the townlands of Camus and Liggartown, County Tyrone, with the exception that angling may take place from the right or eastern bank.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations which replace the Foyle Area (Angling) Regulations 1977 specify the methods of angling which are permitted in certain waters and provide for a minimum length and number of fish which may be retained on any one day. They also specify certain stretches of river where angling is prohibited and restrict the use of boats for angling on certain waters.

The Regulations largely repeat the provisions of the 1977 Regulations but make the following changes of substance:—

(i) "spinning" has been redefined to exclude the use as bait of earthworms and maggots (Regulation 2);

(ii) angling at Binevenagh Dam, County Londonderry, is no longer regulated; and

(iii) angling is now prohibited for 64 metres downstream of the weir known as Sion Mills Weir in the townlands of Camus and Liggartown, County Tyrone, except that angling may take place from the right or eastern bank (Regulation 4(1) and Schedule 2).

Contravention of these Regulations is an offence against the Foyle Fisheries Acts for which the penalty on summary conviction is a fine not exceeding £500. In the case of a continuing offence, a further fine may be imposed not exceeding £50 for every day during which the offence is continued after conviction.