1990 No. 262

FISHERIES

Foyle Area (Angling) Regulations 1990

Made	*16th July 1990*
Coming into operation . .	*20th August 1990*

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 the Marine in the Republic of Ireland(**c**) and 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 1990, and shall come into operation on 20th August 1990.

Interpretation

2. In these Regulations—

"all lawful methods" means any method of angling except a method forbidden by any statutory provision for the time being in force;

"bait fishing" means angling with rod and line and one single hook baited with an earthworm;

"earthworm" means any worm of the Family Lumbricidae;

"fishing for coarse fish" means the use of a single rod, reel (including a fixed spool reel) line and hook for fish other than salmon, trout or rainbow trout where the length of line to which the hook is attached has a breaking strain of less than 2.0kg and the gape of the hook does not exceed 4mm;

"fly fishing" means the use of a single rod, reel, fly line or blow line and a single cast carrying not more than 3 artificial or winged natural flies;

"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;

"ground bait" means any material used other than on a hook for the purpose of attracting fish whilst angling;

"hook" means a hook attached to a fishing line;

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

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

"maggots" means any larvae of the Order Diptera including the house fly of the Family Muscidae and the blue-bottle or blow-fly of the Family Calliphoridae;

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

"prawns" means those members of the Class Crustacea commonly known as prawns (whether fresh or preserved, dyed or natural colour) and any part thereof;

"shrimps" means those members of the Class Crustacea commonly known as shrimps (whether fresh or preserved, dyed or natural colour) and any part thereof;

"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 and retrieve the bait by rewinding the line onto 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 Schedules 1 and 3 shall be those methods specified in the second column of those Schedules 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 those Schedules.

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) The use of prawns or shrimps as a bait when angling in the Foyle Area is prohibited.

(3) 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.

(4) The use of any matter of vegetable origin or the different species of maggots and earthworms as bait when spinning shall be prohibited.

(5) The use of ground bait is prohibited whilst fishing:—

(*a*) in the waters described in Schedule 1;

(*b*) in the waters described in Schedule 3, except when fishing for coarse fish.

(6) 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.

(7) A person shall not use a boat on the following waters for the purpose of angling: Loughs Ash, Lee and Moorlough in County Tyrone and Binevenagh Dam in County Londonderry.

Revocation

5. The Foyle Area (Angling) Regulations 1983(**a**) are hereby revoked.

GIVEN under the Common Seal of the Foyle Fisheries Commission on 25th June 1990.

(L.S.) *E. Twomey*
Member of the Commission appointed by the Minister for the Marine.

The Minister for the Marine hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Minister for the Marine on 29th June 1990.

(L.S.) *John Keohane*
A person authorised by the Minister for the Marine to authenticate the Official Seal of the Minister.

(L.S.) *J. W. Anderson*
Member of the Commission appointed by the Department of Agriculture for Northern Ireland.

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

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 16th July 1990.

(L.S.) *L. Sinclair*
Assistant Secretary
Department of Agriculture for Northern Ireland.

(a) S.R. 1983 No. 317 as amended by S.R. 1987 No. 31

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 Moorlough all in County Tyrone and Binevenagh Dam in County Londonderry	Fly fishing, spinning and bait fishing.	4 trout each with a minimum length of 25.4cm.
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	Fly fishing, spinning and bait fishing.	None.

Description of Waters	*Methods of Angling Permitted*	*Restrictions on number and minimum length of fish which may be retained on any one day*
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.		
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 3.7kg for night fishing and 6.9kg for fishing at other times and where no more than two single dressed fly hooks of normal weight spaced at least 0.61m apart are used. Bait fishing where the gape of the hook does not exceed 9mm, the breaking strain of the line does not exceed 4.6kg and the maximum length of the rod does not exceed 2.75m, provided that this method is not used for night fishing. Spinning where the gape of the hook does not exceed 7mm, the breaking strain of the line does not exceed 4.6kg and the maximum length of the rod does not exceed 2.75m provided that this method is not used for night fishing.	Salmon and trout with a minimum length of 25.4cm.

SCHEDULE 2

Fishery	*Area where angling is prohibited*
River Roe	(*a*) From and within 45.8m downstream of the weir known as O'Cahan's Rock in the townland of Deerpark, County Londonderry. (*b*) From and within 45.8m downstream of the weir known as Given's Weir in the townland of Terrydremond, County Londonderry.
River Faughan	(*a*) From and within 91.5m downstream of the weir known as Ballyarton Weir in the townland of Lettermuck, County Londonderry. (*b*) From and within 91.5m 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 of eastern bank extremity of the weir. (*c*) Downstream of the Department of the Environment's barrage in the townland of Campsie, County Londonderry, for 54.9m on the west bank and for 123.5m on the east bank of the river.
River Mourne	From and within 64.0m 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.

SCHEDULE 3

Description of Waters	*Methods of Angling Permitted*	*Restrictions on number and minimum length of fish which may be retained on any one day*
All waters in the Foyle Area except those listed in Schedule 1 and 2	All lawful methods	None

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations which revoke and replace the Foyle Area (Angling) Regulations 1983 specify the methods of angling which are permitted in certain waters in the Foyle area and provide for a minimum length and number of fish which may be retained on one day. They also specify certain stretches of river where angling is prohibited and restrict the use of boats when angling on certain waters.

The Regulations largely repeat the provisions of the 1983 Regulations but make the following changes of substance:—

(1) The use of prawns and shrimps when angling in the Foyle Area is now prohibited;

(2) the use of ground bait, except when fishing for coarse fish, is prohibited;

(3) in addition to maggots and earthworms, the use of any matter of vegetable origin when spinning is prohibited.

A person who contravenes these Regulations is guilty of an offence under section 13(6) of the Foyle Fisheries Act (Northern Ireland) 1952 for which the penalty on summary conviction is a fine not exceeding £1,000.