1983 No. 143

FISHERIES

Foyle Area (Control of Netting) (Amendment) Regulations 1983

Made	*1st June 1983*
Coming into operation —	
Regulations 1, 2(1) and 2(2)	*18th June 1983*
Regulations 2(3) and 2(4)	*1st June 1984*
Regulation 2(5)	*1st June 1985*

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 and of the Department of Agriculture for Northern Ireland, hereby makes the following regulations:—

Citation and commencement

1. These Regulations may be cited as the Foyle Area (Control of Netting) (Amendment) Regulations 1983 and shall come into operation as follows:—

(*a*) This Regulation and Regulations 2(1) and 2(2), shall come into operation on 18th June 1983.

(*b*) Regulations 2(3) and 2(4) shall come into operation on 1st June 1984.

(*c*) Regulation 2(5) shall come into operation on 1st June 1985.

Amendment to Foyle Area (Control of Netting) Regulations 1981

2. The Foyle Area (Control of Netting) Regulations 1981(**c**) shall be amended as follows:—

(1) In Regulation 2 there shall be inserted at the appropriate places following the alphabetical order of the Regulations the following additional definitions:

"braided" means the interlacing of 3 or more multifilament yarns so as to form a net making material;

"multifilament yarn" means a yarn constructed from a group of continuous filaments each filament of which has a diameter not greater than 0.05 mm;

"registered length" in relation to a boat means the length from the forepart of the stem to the aft side of the head of the stern post or foreside of the rudder stock;

"several fishery" means any fishery lawfully possessed and enjoyed as such under any title whatsoever, being a good and valid title at law, exclusively of the public by any person or persons whether in navigable waters or in waters not navigable, and whether the soil covered by such waters be vested in such person or persons or in any other person;

"twisted and plied" means the forming of a net making material by wrapping a number of multifilament yarns round each other in such a way that there are not less than 100 turns per metre of the material.

(2) In Regulation 4(2) there shall be inserted the following additional sub-paragraph:—

(**a**) No. 5 of 1952 (Republic of Ireland)
(**b**) 1952 c. 5 (N.I.) as amended by 1962 c. 5 (N.I.) section 2(2)
(**c**) S.R. 1981 No. 169

(*f*) the tidal waters of the River Roe so long as this sub-paragraph shall not apply to the owner of a several fishery.

(3) For Regulation 8 there shall be substituted:—

"**8.**—(1) No twine used in the making up of a drift net used in the Foyle Area shall have a diameter less than 0.83 mm.

(2) No drift net or part of a drift net containing more than 30 meshes measured vertically between the float rope and the sole rope of the net shall be carried on any boat or used for the purpose of taking or with intent to take salmon or trout in the Foyle Area.".

(4) After Regulation 13 there shall be added the following Regulation:—

Length of Boats

13A.—(1) Subject to paragraph (2) it shall be unlawful to use or attempt to use in the Foyle Area a boat exceeding 12.2 metres in registered length for the purpose of drift netting for salmon or trout or attempting to drift net for salmon or trout.

(2) Paragraph (1) of this Regulation shall not apply to any boat which exceeds 12.2 metres in registered length, so long as it remains the property of the holder of a drift net licence in whose ownership it was on the date of the coming into operation of this Regulation.

(5) For Regulation 18 there shall be substituted:—

"**18.** A person shall not use for the purpose of taking or with intent to take salmon or trout in the Foyle Area any net made from synthetic fibres, other than a landing net used solely as an auxiliary to lawful angling with rod and line, which contains any material not constructed or either 2 or more multifilament yarns twisted and plied together or 3 or more multifilament yarns braided together.".

Given under the Common Seal of the Foyle Fisheries Commission on the 1st June 1983.

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 3rd June 1983.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 7th June 1983.

(L.S.) *P. Kerin*
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.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Foyle Area (Control of Netting) Regulations 1981 which control and restrict netting for salmon or trout in the Foyle Area.

They prohibit the netting of fish, other than with a landing net used solely as an auxiliary to lawful angling with rod and line, in the tidal waters of the River Roe except by the owner of a several fishery.

With effect from 1st June 1984 the Regulations also restrict to 30 meshes the depth of netting which may be used for drift net fishing and with effect from the same date introduce a restriction on the size of boats which may be used for the purpose of netting for salmon or trout in the Foyle Area. Provision is made for the continued use of existing boats which exceed the specified maximum length of 12.2 metres while they remain the property of the current licence holder.

With effect from 1st June 1985 the Regulations further restrict the materials which may be used in the construction of commercial fishing nets for the capture of salmon or trout. The effect of this further restriction will be that 2 types of net in common use will from 1st June 1985 be banned, namely, a multi-strand monofilament and single throw monoply which is also known as super nylon or Japanese netting.

This is in addition to the existing ban on the use of monofilament netting.

1983 No. 144

Road Races (Bushmills Kart Race) Order (Northern Ireland) 1983

This Order, being of a temporary character, is not printed at length in this volume.

1983 No. 145

Road Races (Holywood Hill Climb) Order (Northern Ireland) 1983

This Order, being of a temporary character, is not printed at length in this volume.