**1961. No. 55** **[C]**

## FOYLE FISHERIES

### Foyle Area (Restriction of Netting) Regulations, 1961

REGULATIONS, DATED 20TH FEBRUARY, 1961, MADE BY THE FOYLE FISHERIES COMMISSION WITH THE APPROVAL OF THE MINISTER FOR LANDS OF THE IRISH REPUBLIC UNDER SECTION 13 OF THE FOYLE FISHERIES ACT, 1952, AND OF THE MINISTRY OF COMMERCE FOR NORTHERN IRELAND UNDER SECTION 13 OF THE FOYLE FISHERIES ACT (NORTHERN IRELAND), 1952.

The Foyle Fisheries Commission (hereinafter referred to as "the Commission") in exercise of its powers under Section 13 of the Foyle Fisheries Act, 1952, and Section 13 of the Foyle Fisheries Act (Northern Ireland), 1952, hereby makes the following regulations:—

**1.** These regulations may be cited as the Foyle Area (Restriction of Netting) Regulations, 1961.

**2.** In these regulations—

(1) the expression "the map" means the map prepared for the purpose of these Regulations upon which the Commission has affixed its seal immediately prior to the making of these Regulations, and which or a copy of which is deposited in each office of the Commission.

(2) "the Carrickmore-Grange Foyle line" means a straight line drawn across the River Foyle from the downstream extremity of the left bank ferry quay in the townland of Carrickmore and County of Donegal to the downstream extremity of the right bank ferry quay in the townland of Grange Foyle and County of Tyrone, being the line marked W-W on the map.

(3) "the tidal waters of the River Foyle" means the tidal portions of the Lough and River Foyle from the confluence of the Rivers Mourne and Finn to the defined mouth of the River Foyle.

(4) references to a river or portion of a river shall be construed as including references to all tributaries of that river or all tributaries entering that portion of the river as the case may require.

**3.**—(1) A person shall not use for the purpose of taking or with intent to take fish any net other than a landing net used solely as auxiliary to lawful angling with rod and line in the waters to which this article applies.

(2) This article applies to—

(*a*) that portion of the River Foyle (coloured yellow on the map) between the Carrickmore-Grange Foyle line and a straight line drawn across the said river at right angles to its course through the northernmost point of the townland of Corkan Isle in the County of Donegal and being respectively the lines marked W-W and X-X on the map.

(*b*) that portion of the River Foyle (coloured blue on the map) known as the Backwater, flowing to the east of the islands known as Corkan Isle and Islandmore and lying between straight lines drawn across the

said river at right angles to its course through the northernmost point of the townland of Corkan Isle and the southernmost point of the townland of Islandmore respectively.

(*c*) all that portion of the River Foyle (coloured red on the map) upstream of a straight line drawn across the said river at right angles to its course through the southernmost point of the townland of Islandmore in the County of Donegal being a line marked Y-Y on the map.

(*d*) all the tidal waters of the Rivers Finn and Mourne (coloured green on the map).

(3) The provisions of paragraph (1) of this article if not earlier revoked shall apply to the tidal waters of the River Finn until August 31st, 1965, and shall then cease to have effect in relation to the said waters.

**4.**—(1) In the tidal waters of the River Foyle between the Carrickmore-Grange Foyle line and a straight line drawn across the River Foyle from the easternmost point in the townland of Drumnashear in the County of Donegal to the northernmost point in the townland of Magheramason in the County of Tyrone being respectively the lines marked W-W and Z-Z on the map—

(*a*) no draft net or two or more draft nets joined together of greater length than one hundred and sixty yards shall be used for the purpose of taking or with intent to take fish;

(*b*) draft nets shall not be used at a lesser distance from one another than two hundred yards.

(2) In the tidal waters of the River Foyle above or upstream of the Carrickmore-Grange Foyle line being the line marked W-W on the map—

(*a*) no draft net or two or more draft nets joined together of greater length than eighty-five yards shall be used for the purpose of taking or with intent to take fish;

(*b*) draft nets shall not be used at a lesser distance from one another than one hundred yards.

(3) Nothing in this article shall be construed as authorising the use of any net whatsoever in any portion of the waters to which article 3 applies.

**5.** The Foyle Area (Restriction of Netting) Regulations, 1953, are hereby revoked.

Given under the Official Seal of the Foyle Fisheries Commission this 20th day of February, 1961.

(L.S.)

*E. O'Kelly,*
Member of the Commission
nominated by the Minister.

*Joseph Edwards,*
Member of the Commission
nominated by the Ministry.