STATUTORY RULES OF NORTHERN IRELAND

2014 No. 15

FISHERIES

Salmon Netting Regulations (Northern Ireland) 2014

Made - - - - 21st January 2014
Coming into operation 1st March 2014

The Department of Culture, Arts and Leisure(**1**), in exercise of powers conferred by section 26(1) of the Fisheries Act (Northern Ireland) 1966(**2**) and now vested in it, and being a department designated(**3**) for the purposes of section 2(2) of the European Communities Act 1972(**4**) in relation to the environment, in exercise of the powers conferred upon it by that section, makes the following Regulations.

PROSPECTIVE

Citation and commencement

1. These Regulations may be cited as the Salmon Netting Regulations (Northern Ireland) 2014 and come into operation on 1st March 2014.

Commencement Information
I1 Reg. 1 in operation at 1.3.2014, see **reg. 1**

Interpretation

2. In these Regulations—

"bag net" means 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 a Certificate issued under the Salmon Fishery (Ireland) Act 1863(**5**) as a bag net;

(**1**) Established by the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)), Article 3(1)(b).
(**2**) 1966 c. 17 (N.I.).
(**3**) S.I. 2008 / 301
(**4**) 1972 c. 68
(**5**) 1863 c. 114 (Ireland)

"draft net" means a net consisting of a single sheet or wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a funnel and a bag or tail into which the catch is drafted or hauled;

"drift net" means a net consisting of a single sheet or wall of netting loosely hung on cork and sole ropes;

"drift net licence" means a fishing licence authorising the use of drift nets for the taking of salmon in the sea;

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

Commencement Information

I2 Reg. 2 in operation at 1.3.2014, see **reg. 1**

Prohibition of bag nets and draft nets for salmon fishing

3. Subject to regulation 9, the use of bag nets, draft nets and tidal draft nets for fishing for salmon is prohibited.

4. A person fishing under the authority of a draft net licence for the taking of freshwater fish on Lough Neagh shall cause any salmon so taken by him to be returned immediately, without avoidable injury, to the water from which it was taken.

Commencement Information

I3 Reg. 3 in operation at 1.3.2014, see **reg. 1**

I4 Reg. 4 in operation at 1.3.2014, see **reg. 1**

Compensation

5. The Department may pay such compensation as it may determine by notice, in writing, to a person who has held a bag net, drift net, draft net or tidal draft net licence in any one of the 3 calendar years immediately preceding the coming into operation of these Regulations and who has suffered loss of income in respect of salmon fishing.

6. Before making any determination under regulation 5, the Department may require the licence holder to provide such evidence of his loss of income as it thinks fit.

Commencement Information

I5 Reg. 5 in operation at 1.3.2014, see **reg. 1**

I6 Reg. 6 in operation at 1.3.2014, see **reg. 1**

Appeals

7. Where a licence holder is aggrieved by a determination made under regulation 5, he may appeal to the county court within a period of 28 days beginning with the date on which the date on which the notice of determination was sent to him.

8. On hearing an appeal under regulation 7, the county court shall determine the amount of compensation as though it were a determination under regulation 5.