STATUTORY RULES OF NORTHERN IRELAND

# 2005 No. 267

# FISHERIES

## Public Angling Estate Byelaws (Northern Ireland) 2005

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| *Made - - - -* | *16th May 2005* |
| *Coming into operation* | *4th July 2005* |

The Fisheries Conservancy Board for Northern Ireland, in exercise of the powers conferred on it by section 26(1) of the Fisheries Act (Northern Ireland) 1966(**1**) and of every other power enabling it in that behalf, with the approval of the Department of Culture, Arts and Leisure(**2**), hereby makes the following Byelaws:

### Citation and commencement

**1.** These Byelaws may be cited as the Public Angling Estate Byelaws (Northern Ireland) 2005 and shall come into operation on 4th July 2005.

### Application

**2.** These Byelaws shall apply to angling in the waters described in the first column of the Schedule.

### Interpretation

**3.** In these Byelaws –

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

"angling" means the fishing for, taking or killing of fish by rod and line or hand line;

"bait" means any material used on a hook for the purpose of attracting fish;

"earthworm" means any worm of the Family *Lumbricidae*;

"float tube" means any device or apparatus designed to hold a person vertical in the water;

"fly fishing" means the use of a single rod, reel (including a fixed spool reel), fly line or blow line and a single cast carrying not more than three artificial or winged natural flies but does not include the use of a bubble float in conjunction with artificial or winged natural flies;

(**1**) 1966 c. 17 (N.I.); section 26(1) was amended by Article 8(3) of the Fisheries (Amendment) (Northern Ireland) Order 1991 (S.I.1991/1466 (N.I. 13)) and by section 5 of the Fisheries (Amendment) Act (Northern Ireland) 2001 (2001 c. 4 (N.I.))

(**2**) Functions transferred by virtue of S.R. 1999 No. 481 Article 3 and Schedule 1

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

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

"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 blowfly of the Family *Calliphoridae*;

"shrimp fishing" means the use of a hook baited with a shrimp (Crangon species);

"spinning" means the use of a single rod, reel (including a fixed spool reel) and line to cast or throw bait and retrieve the bait by rewinding the line on to the drum of the reel with the bait kept in motion throughout;

"rainbow trout" means trout of the species *Salmo Gairdneri*;

"stocked trout" means brown or rainbow trout stocked from a fish farm;

"trolling" means the drawing of a fishing line with one or more hooks attached through the water from a moving boat;

"worm fishing" means the use of a hook baited with one or more earthworms.

**Permitted methods of angling**

**4.**—(1) Subject to the provisions of these Byelaws, the only methods of angling permitted in the waters described in the first column of the Schedule shall be those specified in the second column of the Schedule, and the use of those methods shall be subject to any restrictions as to the number or minimum length of fish which may be retained as specified in respect thereof in the third column of the Schedule or in the Fisheries Byelaws (Northern Ireland) 2003(**3**).

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

**Return of fish to water**

**5.** All brown trout, rainbow trout and sea trout in excess of the maximum number, or of less than the minimum length, which may be retained as specified in the third column of the Schedule and all carp must, without avoidable injury, be returned immediately to the water from which such fish were taken.

**Prohibition of ground bait and maggots**

**6.** Subject to the provisions of Byelaw 7, the use or possession of ground bait or maggots while angling is prohibited.

**Exception from prohibition**

**7.** The prohibition imposed by Byelaw 6 shall not apply on the Broadwater, the Colebrooke River downstream of Ballindarragh Bridge on the B514 road, Carnagh Forest Lakes, Craigavon (South) Lake, Creeve Lough, Cypress Pond, Enagh Lough, the Quoile Basin and River downstream from the disused railway bridge near Inch Abbey, Upper Lough Erne and in that part of Lower Lough Erne to the east of an imaginary line running from the nearest point on the shore of Boa Island in the townland of Pollaginnive to Hare Island and from that point on Hare Island to the most easterly point on Bess Island and to the most easterly point of Tully Point in the townland of Tully, the River

(**3**) S.R. 2003 No. 525

Lagan from 150 metres downstream of Red Bridge to Stranmillis Weir, the Lower Bann navigation canals, Lough Macronan, Lough Scolban, and the Upper River Bann from Point of Whitecoat to Lough Neagh.

**Restrictions on the use of boats and prohibition on use of float tubes**

**8.**—(1) Except on the waters specified in paragraphs (2) and (3), the use of boats for the purpose of angling is prohibited.

(2) Anglers may use boats for the purpose of angling on Lough Achork, Brantry Lough, Castlewellan Lake, Lough Corry, Craigavon (North) Lake, Craigavon (South) Lake, Lough Creeve, Upper and Lower Lough Erne, Lough Glencreawan, Lough Keenaghan, Lough Meenameen, Mill Lough (Bellanaleck), Lough Scolban, and White Lough.

(3) Only boats supplied by the Department, or its agent, shall be used for the purpose of angling on Ballykeel Lougherne, Clay Lake, Dungonnell Reservoir, Lough Money, Lough Mourne and Upper South Woodburn Reservoir.

**9.** Mechanically propelled boats, other than electrically powered boats, shall not be used for the purpose of angling except on Upper and Lower Lough Erne and Craigavon (North) Lake.

**10.** A float tube shall not be used for the purpose of angling.

**Restrictions on trolling**

**11.** Trolling is prohibited except on Upper and Lower Lough Erne.

**12.** For the purpose of trolling on Upper and Lower Lough Erne the number of fishing rods and lines or hand lines which may be used shall not exceed –

(a) four in the case of a boat occupied by two or more persons; and

(b) two in the case of a boat occupied by one person.

**Prohibition on angling in certain areas**

**13.**—(1) Angling shall be prohibited in the River Bush –

(a) between the two metal posts coloured yellow on both banks immediately downstream and upstream of the Salmon Leap Falls; and

(b) in Bushmills, between Church Street road bridge and the metal post coloured yellow on both banks immediately upstream of the hydrographic flow gauge upstream of the Salmon Research Station.

(2) Angling shall be prohibited in the following areas of the Quoile Basin –

(a) the western shore from Shooter's Island to the new Barrier; and

(b) the eastern shore from Steamboat Quay to the most southerly point of Castle Island.

**Times for angling**

**14.**—(1) On that section of the River Bush between a point 457 metres downstream of the Lower Road Bridge, Bushmills and the crest of the Salmon Leap Falls angling shall be permitted only between 0800 hours and either one hour after sunset or 2200 hours whichever is earlier.

(2) Angling shall be permitted only between the hours of 0800 and 2200 on the undermentioned waters:

Copeland Reservoir;

Lough Mourne;

Stoneyford Reservoir;

Lower South Woodburn Reservoir;

Middle South Woodburn Reservoir;

North Woodburn Reservoir; and

Upper South Woodburn Reservoir.

**Revocations**

**15.** The following Byelaws are hereby revoked –

(a) The Angling (Department of Agriculture Waters) Byelaws (Northern Ireland) 1989(**4**);

(b) The Angling (Department of Agriculture Waters) Amendment Byelaws (Northern Ireland) 1992(**5**);

(c) The Angling (Department of Agriculture Waters) Amendment Byelaws (Northern Ireland) 1994(**6**); and

(d) The Angling (Department of Agriculture Waters) (Amendment No. 2) Byelaws (Northern Ireland) 1994(**7**).

Sealed with the Common Seal of the Fisheries Conservancy Board for Northern Ireland on 12th May 2005.

*R. J. Hanna*
Chairman

*K. A. Simpson (Mrs.)*
Secretary

The Department of Culture, Arts and Leisure hereby approves the foregoing Byelaws.
Sealed with the Official Seal of the Department of Culture, Arts and Leisure on 16th May 2005.

*M. J. Cory*
A senior officer of the
Department of Culture, Arts and Leisure

(**4**) S.R. 1989 No. 482
(**5**) S.R. 1992 No. 357
(**6**) S.R. 1994 No. 40
(**7**) S.R. 1994 No. 314

SCHEDULE

Byelaws 2, 4 and 5

| *Department of Culture, Arts and Leisure waters* | *Methods of angling* | *Restrictions on number or minimum length of fish which may be retained on any one day in respect of each rod and line or hand line fished under permit (other than those applying under any other current Board Byelaws)* |
|---|---|---|
| **Co. Antrim** | | |
| Altnahinch | Fly fishing, spinning and worm fishing. | Four stocked trout with a minimum length of 25.4 cm. |
| Ballymoney River | Fly fishing, spinning and worm fishing. | Four brown trout or sea trout with a minimum length of 25.4 cm. |
| Broadwater | All lawful methods. | |
| River Bush and tributaries | | |
| (a) (a) On the River Bush between a point 457m downstream of the Lower Road Bridge, Bushmills and Church Street road bridge. | Fly fishing, shrimp fishing, spinning and worm fishing; excepting that spinning shall be permitted only when the water level rises and obscures the colour red on the marker posts which are located between the points referred to in paragraph (a) of the first column. | Minimum length of 25.4 cm for brown trout. |
| (b) (b) On the River Bush between immediately upstream of the hydrographic flow guage upstream of the Salmon Research Station and the Salmon Leap Falls. | Fly fishing, spinning and worm fishing; except that spinning shall be permitted only when the water level rises and obscures the colour red on the marker posts which are located between the points referred to in paragraph (b) of the first column. | Minimum length of 25.4 cm for brown trout |
| (c) (c) On the River Bush between the crest of the Salmon Leap Falls and Bellisle Bridge and on the Stracam River between its confluence with the River Bush and Dervock. | Fly fishing, spinning and worm fishing but fly fishing only from 1st March – 30th June.<br><br>Worm fishing shall be permitted from 1st March until 30th June provided only that a single hook of size 2 or greater is used. Such a hook shall be one on which the barb is turned to face towards the | Minimum length of 25.4 cm for brown trout. |