STATUTORY RULES OF NORTHERN IRELAND

2004 No. 75

FISHERIES

Foyle Area and Carlingford Area (Angling) (Amendment) Regulations 2004

Made - - - - 20th February 2004

Coming into operation 1st April 2004

The Foyle, Carlingford and Irish Lights Commission, in exercise of its powers under section 13(1) (amended by section 34(3) of the British-Irish Agreement Act 1999(**1**) and section 5(1) of the British-Irish Agreement (Amendment) Act 2002(**1**)) of the Foyle Fisheries Act 1952(**1**) which stand transferred to it under section 34(1) of the British-Irish Agreement Act 1999, and in exercise of the powers conferred by section 13(1) of the Foyle Fisheries Act (Northern Ireland) 1952(**2**) and now vested in it(**3**) and of every other power enabling it in that behalf, with the approval of the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland, under the agreement made between those Governments on 19th November 2002(**4**) and section 5(1) of the British-Irish Agreement (Amendment) Act 2002, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Foyle Area and Carlingford Area (Angling) (Amendment) Regulations 2004 and shall come into operation on 1st April 2004.

Amendment of the Foyle Area and Carlingford Area (Angling) Regulations 2001

2. The Foyle Area and Carlingford Area (Angling) Regulations 2001(**5**) shall be amended in accordance with regulations 3 to 6.

Interpretation

3. In regulation 2 –

(**1**) Legislation of the Republic of Ireland
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(**2**) 1952 c. 5 (N.I) as amended by S.I.1999/859
(**3**) By S.I. 1999/859 Article 21(1)
(**4**) Cm 5708
(**5**) S.R. 2001 No. 158

(a) the definition of "angling for coarse fish" shall be omitted;

(b) after the definition of "snatch" omit the word "and" and insert the following definition –

""specimen pike" means –

(a) in relation to a pike captured in a river, a pike weighing 9 kilogrammes or more;

(b) in relation to a pike captured in a lake, a pike weighing 13.6 kilogrammes or more;".

Prohibitions and restrictions

4. In regulation 4(2) the words "or the Carlingford Area" shall be omitted.

Restrictions on bait

5. After regulation 5(3) there shall be added the following paragraph –

"(4) A person shall not use live fish as bait whilst angling in any fresh water in the Foyle Area or the Carlingford Area".

Restrictions on number and size

6. For regulation 7 there shall be substituted the following regulation –

"**Restrictions on number and size**

7.—(1) Subject to paragraph (3), a person shall not take by rod and line and retain –

(a) a salmonid of a length less than 25.4cm;

(b) more than 1 salmonid on any one day during the period beginning on 1st March and ending on 31st May in any calendar year (both dates inclusive); or

(c) more than 4 salmonids on any other day.

(2) Subject to paragraph (3), where a person takes by rod and line any salmonid of less than the minimum length specified in paragraph (1)(a) or a salmonid in excess of the maximum number specified in paragraph (1)(b) or (c), he shall return the salmonid to the water without avoidable injury.

(3) Paragraphs (1) and (2) shall not apply in relation to a rainbow trout.

(4) Subject to paragraph (6), a person shall not take by rod and line and retain –

(a) a pike weighing 4 kilogrammes or more; or

(b) more than 2 pike on any one day.

(5) Subject to paragraph (6), where a person takes by rod and line any pike weighing 4 kilogrammes or more or a pike in excess of the maximum number specified in paragraph (4)(b), he shall return the pike to the water without avoidable injury.

(6) Paragraphs (4) and (5) shall not apply where a person has taken a specimen pike by rod and line provided that that person has not taken and retained another specimen pike on the same day.".