STATUTORY RULES OF NORTHERN IRELAND

1999 No. 482

FISHERIES

Foyle Area (Close Season) Regulations 1999

Made - - - -	*26th November 1999*
Coming into operation	*31st December 1999*

The Foyle Fisheries Commission, in exercise of its powers under sections 13(1), 28(1) and 28(4) of the Foyle Fisheries Act 1952(**1**) and sections 13(1), 27(1) and 27(4) of the Foyle Fisheries Act (Northern Ireland) 1952(**2**) with the approval of the Minister for the Marine and Natural Resources in the Republic of Ireland(**3**) and of the Department of Agriculture for Northern Ireland(**4**) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Foyle Area (Close Season) Regulations 1999 and shall come into operation on 31st December 1999.

Interpretation

2. In these Regulations—

"salmon" means all fish of the salmon species including sea trout;

"netting" means fishing lawfully using a drift net or draft net in the Foyle Area under the Authority of a licence issued under the Foyle Area (Licensing of Fishing Engines) Regulations 1976; and

"Sion Mills Fish Counter" means the automatic fish counters situated at Sion Mills Weir in the County of Tyrone.

Close season

3. Subject to regulation 5 the annual close season in the Foyle Area, with the exception of the River Roe, shall be the period beginning on 1st August and ending on 14th June next following (both dates inclusive).

(**1**) No. 5 of 1952 (Republic of Ireland)
(**2**) 1952 c. 5 (N.I.)
(**3**) 1962 c. 5 (N.I.)
(**4**) S.R. & O. (N.I.) 1963 No. 29 Art. 2(2) and Sch. Part II

4. The Annual Close Season in the River Roe shall be the period beginning on 15th August and ending on 30th June next following (both dates inclusive).

Postponement of commencement of close season

5.—(1) Where the number of salmon which have migrated upstream of the Sion Mills Fish Counter during the period 1st May to 24th July, (both dates inclusive), in any year exceeds 8,000 the annual close season for netting of salmon in the River Foyle, Lough Foyle and the waters seaward of Lough Foyle will begin on the next following 8th August rather than 1st August.

(2) Where the beginning of the annual close season for netting salmon on the River Foyle, Lough Foyle and the waters seaward of Lough Foyle is postponed from 1st August to 8th August in accordance with paragraph (1), the fact shall be certified in writing by the Commission.

(3) The certificate referred to in paragraph (2) shall—

(a) be given under the hand of the Chief Executive of the Commission; and

(b) be published in such manner as the Commission sees fit not less than five days before the date on which the annual close season for netting salmon on the River Foyle, Lough Foyle and the waters seaward of Lough Foyle would apart from paragraph (1) have otherwise begun.

Revocation

6. The Foyle Area (Close Season) Regulations 1993(**5**) are hereby revoked.

Given under the Common Seal of the Foyle Fisheries Commission on 26th November 1999.

L.S.

M. Mullan
Member of the Commission appointed by the
Minister for the Marine and Natural Resources

The Minister of the Marine and Natural Resources hereby approves the foregoing Regulations. Sealed with the Official Seal of the Minister for the Marine and Natural Resources on 26th November 1999

L.S.

P. McHale
A person authorised by the Minister for the
Marine and Natural Resources to authenticate the
Official Seal of the Minister

(**5**) S.R. 1993 No. 290