1992 No. 45

FISHERIES

Fisheries (Amendment) Byelaws (Northern Ireland) 1992

Made . . . . . *6th February 1992*

Coming into operation . . *1st March 1992*

The Fisheries Conservancy Board for Northern Ireland, in exercise of the powers conferred on it by sections 26(1), 37, 51(2), 52(2), 71(2), 72(1), 89 and 97 of the Fisheries Act (Northern Ireland) 1966(**a**) and of every other power enabling it in that behalf, with the approval of the Department of Agriculture, hereby makes the following Byelaws:

Citation and commencement

1. These Byelaws may be cited as the Fisheries (Amendment) Byelaws (Northern Ireland) 1992 and shall come into operation on 1st March 1992.

Amendment of the Fisheries Consolidated and Amendment Byelaws (Northern Ireland) 1989

2. The Fisheries Consolidated and Amendment Byelaws (Northern Ireland) 1989(**b**) shall be amended as provided in byelaws 3 to 11.

Introductory

3. In Part I, after byelaw 2(2) there shall be inserted—

"(3) In these Byelaws—

(*a*) references to the size of the mesh from knot to knot in any net shall be construed as a reference to such size measured along the side of the square of the mesh taken in the clear when the net is wet; and

(*b*) reference to the size of any fish shall be construed as a reference to its length when measured from the tip of its snout to the fork or cleft of its tail".

General restrictions on the use of fishing engines other than rod and line or hand line

4. In Part VI—

(*a*) in byelaw 34 for the words "to be measured along the side of the square" to the end there shall be substituted—

(a) 1966 c. 17 (N.I.)
(b) S.R. (N.I.) 1989 No. 483

"or 26 millimetres to be measured all round each mesh when the measurement is taken in the clear and the net is wet"; and

(*b*) in byelaw 36 for the words "to be measured along the side of the square," to the end there shall be substituted—

"or 24 millimetres to be measured all round each mesh when the measurement is taken in the clear and the net is wet.".

Restrictions on the use of fishing engines other than rod and line or hand line on Lough Neagh and Upper and Lower Lough Erne

5. In Part VII, for byelaw 37 there shall be substituted—

"**37.** A person shall not use a single wall set net or trammel net—

(*a*) for the taking of pollen in Lough Neagh or Lough Erne unless it has a mesh of 27 millimetres or more from knot to knot;

(*b*) for the taking of perch in Lough Neagh unless it has a mesh of 27 millimetres or more from knot to knot;

(*c*) for the taking of pike or bream in Lough Neagh unless it has a mesh of 51 millimetres or more from knot to knot; or

(*d*) for the taking of trout on Lough Neagh unless it has a mesh of 57 millimetres or more from knot to knot.".

Additional and specific restrictions on the use of fishing engines other than rod and line or hand line on Upper and Lower Lough Erne

6. In Part IX—

(*a*) for byelaw 45 there shall be substituted—

"**45.** A person shall not use a single wall set net or trammel net for the taking of coarse fish on Upper or Lower Lough Erne unless it has a mesh of 63 millimetres or more from knot to knot."; and

(*b*) byelaw 47 is revoked.

Takeable size and sale of trout and pollen

7. In Part X—

(*a*) for the sub-title there shall be substituted—

"TAKEABLE SIZE AND SALE OF TROUT AND POLLEN (COMMERCIAL FISHING AND ANGLING)";

(*b*) for byelaw 49 there shall be substituted—

"**49.** A person shall not in the freshwater portion of any river, or in any lake, to which section 25 of the Act applies—

(*a*) use a draft net under section 71(2) of the Act to take;

(*b*) have on board any boat on or from which such a net was used; or

(*c*) in the vicinity of such waters have in his possession,

a trout of a size less than 35.5 centimetres.";

(*c*) after byelaw 49 there shall be inserted—

"**49A.** For the purposes of section 52 of the Act "undersized pollen" means pollen of a size less than 20.5 centimetres.";