1977 No. 109

FISHERIES

Foyle Area (Control of Fishing) Regulations 1977

Made . . . . . 23*rd March* 1977

Coming into operation . . . 1*st June* 1977

The Foyle Fisheries Commission in exercise of its powers under section 13 of the Foyle Fisheries Act 1952(**a**) and section 13 of the Foyle Fisheries Act (Northern Ireland) 1952(**b**) with the approval of the Minister for Fisheries in the Republic of Ireland and of the Department(**c**) of Agriculture for Northern Ireland hereby makes the following regulations:

Citation and commencement

1. These Regulations may be cited as the Foyle Area (Control of Fishing) Regulations 1977 and shall come into operation on 1st June 1977.

Interpretation

2. In these regulations:—

"angling" means the use of rod and line for the purpose of taking salmon, sea trout or brown trout;

"netting" means the use of any net for the purpose of taking salmon or sea trout;

"period of suspension" means any period during which netting is suspended under these regulations;

"the River Faughan Fish Counter" means the automatic fish counter situated in the townland of Campsie in the County of Londonderry;

"the Roe Bridge River Gauge" means the river gauge situated alongside the Roe Bridge in the townland of Limavady;

"salmon" includes all fish of the salmon species and the spawn and fry thereof but does not include sea trout or the spawn and fry thereof;

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

"the Sion Mills River Gauge" means the Commission's river gauge situated immediately upstream of Sion Mills Weir in the County of Tyrone.

Suspension of netting in the River Foyle, Lough Foyle and the Sea

3.—(1) Netting shall be suspended in accordance with the provisions of regulation 9 on the River Foyle, Lough Foyle and waters seaward of Lough Foyle for a period of 48 hours outside the weekly close time if:—

(*a*) during the period 1st July to 10th July, both dates inclusive, the water level on the River Mourne rises above a reading of 20 inches on the Sion Mills River Gauge and the Commission has not counted at least 2,600 salmon by means of the Sion Mills Fish Counter during the period 1st May to 30th June, both dates inclusive;

(a) No. 5 of 1952 (Republic of Ireland)
(b) 1952 c. 5 (N.I.)
(c) Formerly Ministry: *see* 1973 c. 36 s. 40 and Sch. 5 para. 8(1)

(*b*) during the period 11th July to 31st July, both dates inclusive, the water level on the River Mourne rises above a reading of 20 inches on the Sion Mills River Gauge and the Commission has not counted at least 4,200 salmon by means of the Sion Mills Fish Counter during the period 1st May to 10th July, both dates inclusive.

(2) Netting shall be suspended in accordance with the provisions of regulation 9 on the River Foyle, Lough Foyle and the waters seaward of Lough Foyle from 0600 hours on 6th August in any calendar year until the beginning of the next annual close season if by 31st July of that year the Commission has not counted at least 6,000 salmon by means of the Sion Mills Fish Counter.

Suspension of netting in the River Roe

4.—(1) If in any calendar year the Commission has not counted, by means of the River Faughan Fish Counter, at least 650 salmon during the period 1st June to 31st July, both dates inclusive, netting shall be suspended in accordance with the provisions of regulation 9 on the River Roe for a period of 48 hours outside the weekly close time on the first occasion after 31st July in that year when the water level on the River Roe rises above a reading of 30 inches on the Roe Bridge River Gauge.

(2) Netting shall be suspended in accordance with the provisions of regulation 9 on the River Roe after 20th August in any calendar year until the beginning of the next annual close season if during the period 1st June to 15th August, both dates inclusive, in that year the Commission has not counted at least 1,200 salmon by means of the River Faughan Fish Counter.

Prohibition of netting during periods of suspension

5. Netting shall be prohibited in any waters in the Foyle Area during any period when netting is suspended on those waters under these regulations.

Suspension of angling in Rivers Mourne and Strule

6. Angling shall be suspended in accordance with the provisions of regulation 9 in the Rivers Mourne and Strule and their tributaries from 11th October in any calendar year until the beginning of the next annual close season for angling in those waters if during the period 1st May to 15th September, both dates inclusive, in that year the Commission has not counted at least 7,000 salmon by means of the Sion Mills Fish Counter.

Suspension of angling in Rivers Faughan and Roe

7. Angling shall be suspended in accordance with the provisions of regulation 9 in the Rivers Faughan and Roe and their tributaries from 11th October in any calendar year until the beginning of the next annual close season for angling in those waters if during the period 1st May to 30th September, both dates inclusive, in that year the Commission has not counted at least 1,000 salmon by means of the River Faughan Fish Counter.

Prohibition of angling

8.—(1) Angling shall be prohibited in the River Foyle during any period when netting in those waters is suspended in accordance with these regulations.

(2) Angling shall be prohibited in the Rivers Mourne, Strule, Faughan and Roe during any period when angling in those waters is suspended in accordance with these regulations.