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STATUTORY RULES OF NORTHERN IRELAND

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**2003 No. 525**

**FISHERIES**

**Fisheries Byelaws (Northern Ireland) 2003**

*Made* - - - - *10th December 2003*

*Coming into operation* *1st January 2004*

The Fisheries Conservancy Board for Northern Ireland, in exercise of the powers conferred on it by sections 26(1), 37, 51(2), 52(2), 70(1) and (2), 71(2)(g), 72(1), 89, 95, 97, 114(1)(b) and 115(1)(b) 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:

**PART I**  
**INTRODUCTORY**

**Citation and commencement**

1. These Byelaws may be cited as the Fisheries Byelaws (Northern Ireland) 2003 and shall come into operation on 1st January 2004.

**Interpretation**

2.—(1) In these Byelaws –

“the Act” means the Fisheries Act (Northern Ireland) 1966;

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

“bag net” means a net consisting of a single wall of netting and leader, one end fixed to the shore and running seawards to a floating fixed trap or cage of netting, enclosed on all sides,

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- (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.)); section 37 was substituted by section 1 of, and Schedule 1 to, the Fisheries (Amendment) Act (Northern Ireland) 1968 (1968 c. 31 (N.I.)) and was amended by Article 9 of the Fisheries (Amendment) (Northern Ireland) Order 1991 and by section 6 of the Fisheries (Amendment) Act (Northern Ireland) 2001; sections 51(2), 52(2) and 72(1) were amended by S.R. 1983 No. 100; sections 114(1)(b) and 115(1)(b) were amended by paragraph 5 of Schedule 3 to the Fisheries (Amendment) (Northern Ireland) Order 1991
- (2) Functions transferred by virtue of S.R. 1999 No. 481 Article 3 and Schedule 1

bottom and top, except at the entrance from the leader; and with one or more sets of inscales and described in a Certificate issued under the Salmon Fishery (Ireland) Act 1863<sup>(3)</sup> as a bag net;

“bait net” means a net with a single wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a bag or tail into which the catch is drafted or hauled and used for the purpose of taking coarse fish for use as bait;

“bona fide fisherman” means a person engaged in either full-time or part-time commercial fishing;

“braided” in relation to a net making material means the interlocking of three or more multifilament yarns so as to form a net making material;

“coarse fish” means freshwater fish other than trout and rainbow trout;

“coarse fishing rod licence” means a fishing licence issued by the Board for two rods and lines or hand lines to fish for, take and kill eels and coarse fish;

“commercial fishing” means fishing by persons who hold fishing licences issued by the Board (other than eel licences) to fish otherwise than by rod and line or hand line, or their agents previously authorised in writing by them;

“concessionary season fishing rod licence” means a fishing licence issued by the Board to a disabled angler, or to a person who has attained the age of 60 years, for one rod and line or hand line to fish for, take and kill salmon, trout and rainbow trout and for two rods and lines or hand lines to fish for, take and kill eels and coarse fish;

“defined mouth” means the mouth of a river as defined by an order made under section 16 of the Act;

“disabled angler” means an angler who is in receipt of a disability living allowance, attendance allowance or severe disablement allowance to which that person is entitled under the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(4)</sup>, or in receipt of a war disablement pension to which that person is entitled under the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983<sup>(5)</sup>;

“distributor” means a person through whom the Board issues certain fishing licences;

“draft net” means a net consisting of a single sheet or wall of netting loosely hung on ground and head ropes with the outer ends or wings leading to a funnel and a bag or tail into which the catch is drafted or hauled;

“drift net” means a net consisting of a single sheet or wall of netting loosely hung on cork and sole ropes;

“drift net licence” means a fishing licence issued by the Board authorising the use of drift nets for the taking of salmon in the sea;

“drift netting” means the use of a drift net;

“eel licence” means a fishing licence issued by the Board authorising the licence-holder only to fish for, take and kill eels;

“fixed tidal draft net” means a net consisting of a single sheet or wall of netting loosely hung on ground and head ropes without trap or cage and fixed at the shoreward and seaward ends and described in a Certificate issued under the Salmon Fishery (Ireland) Act 1863 as a fixed draft net;

“foul-hook” means the hooking of any salmon or freshwater fish in any part of the body other than in the mouth;

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(3) 1863 c. 114 (Ireland)

(4) 1992 c. 7

(5) S.I. 1983/883

“fresh water” means all waters exclusive of tidal waters;

“game fishing rod licence” means a fishing licence issued by the Board for one rod and line or hand line to fish for, take and kill salmon, freshwater fish and eels;

“ground bait” means any material used other than on a hook for the purpose of attracting fish whilst angling;

“hand line” means a line held in the hand to which shall be attached not more than a single baited hook;

“hook” means a hook attached to a fishing line;

“juvenile season fishing rod licence” means a fishing licence issued by the Board to a person who has not attained the age of 19 years for one rod and line to fish for, take and kill salmon, trout and rainbow trout and for two rods and lines or hand lines to fish for, take and kill eels and coarse fish;

“licence-holder”, in relation to a fishing licence, means a person named on the licence as being entitled to the licence;

“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;

“multifilament yarn” means a yarn constructed from a group of continuous filaments each filament of which has a diameter not greater than .05 millimetres;

“rainbow trout” means trout of the species *Salmo Gairdneri*;

“single wall set net” means a net consisting of a single sheet or wall of netting loosely hung on cork and sole ropes and fixed into position by anchors or stakes;

“tidal draft net” means a net used in tidal waters consisting of a single sheet or wall of netting loosely hung on ground and head ropes into which the catch is drafted or hauled;

“tidal waters” means where the tide ebbs to and fro;

“trammel net” means a single sheet or loose wall of small mesh net with a sheet or wall of large mesh net hanging on either side to enable fish swimming into the net to force the fine net through the large mesh and form a pocket in which they are trapped;

“twisted and plied” in relation to a net making material means the forming of a net making material by wrapping a number of multifilament yarns round each other in such a way that there are not less than 100 turns per metre in the material.

(2) For the purposes of Parts XVI, XVII and XIX references to a river, lough or lake include any tributary or branch of that river, lough or lake and include any loughs or lakes draining into or flowing out of or forming part of any such river, tributary or branch.

(3) In these Byelaws –

- (a) any reference 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) any 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.

## **Revocations**

3. The Byelaws listed in Schedule 7 are hereby revoked.

## PART II

### LICENCES, DUTIES AND FEES

#### General

4.—(1) Subject to Byelaw 24, the Board may issue a fishing licence authorising any person to fish for, take and kill –

- (a) salmon, freshwater fish and eels;
- (b) eels and coarse fish;
- (c) salmon; or
- (d) eels.

(2) A licence issued under paragraph (1) may authorise the holder to fish for, take and kill the fish to which the licence relates by means of –

- (a) any fishing engine;
- (b) a rod and line or hand line;
- (c) a bait net;
- (d) a draft net;
- (e) a drift net;
- (f) a fixed tidal draft net;
- (g) a single wall set net;
- (h) a tidal draft net; or
- (i) a trammel net.

(3) A licence issued under paragraph (1) may authorise the holder to fish for, take and kill the fish to which the licence relates in –

- (a) fresh water;
- (b) the sea and tidal waters; or
- (c) both.

(4) A licence issued under paragraph (1) shall have effect for –

- (a) the calendar year of issue;
- (b) fourteen days; or
- (c) three days.

(5) A licence issued under paragraph (1) shall be subject to the following conditions –

- (a) the licence is valid only if signed by the distributor and, in the case of an angling licence, the licence-holder;
- (b) the licence is valid only if the actual date and time that the licence is issued are entered thereon;
- (c) the licence is valid only if the surname and all forenames of the licence-holder are entered thereon;
- (d) the licence is issued subject to the provisions contained in the Act and in Byelaws made under the Act.

(6) Paragraph (5)(a), in so far as it requires the signature of a distributor, shall not apply in the case of a concessionary season fishing rod licence issued to a disabled angler.

(7) A licence issued under paragraph (1) for angling shall be in the form set out in Schedule 1, and a licence issued under paragraph (1) for commercial fishing shall be in the form set out in Schedule 2.

(8) A licence issued under paragraph (1) may be altered at any time by the Board by notice served in writing on the holder.

(9) Subject to Byelaw 24, a licence issued under paragraph (1) may be renewed on application made to the Board.

5. An application for a fishing licence, or for the renewal of a fishing licence, shall be made in writing to the Board, shall be accompanied by the amount specified as the duty for that licence under Byelaw 6, and shall contain such particulars as may be required by the Board.

6. Subject to Part III of the Act, there shall be payable to the Board in respect of any fishing licence specified in column 1 of Part I or II of Schedule 3, the duty specified opposite thereto in column 2.

7.—(1) A person who makes an application in writing to the Board for a dealer's licence under section 114 of the Act shall forward with that application the fee prescribed in Part III of Schedule 3.

(2) Where the holder of a dealer's licence applies for renewal of that licence under section 115 of the Act his application shall be accompanied by the fee prescribed in Part III of Schedule 3.

8.—(1) Subject to paragraph (2), any person who has not attained the age of 12 years shall be exempt from the requirement to hold a fishing licence for angling.

(2) Where any such person referred to in paragraph (1) uses more than one rod and line or hand line at the same time to fish for, take or kill salmon, trout and rainbow trout, or more than two rods and lines or hand lines at the same time to fish for, take or kill eels or coarse fish, he shall be exempt from the requirement to hold a fishing licence for angling only in respect of one rod and line or hand line or two rods and lines or hand lines, as the case may be.

9. The Board may issue one concessionary season fishing rod licence in any calendar year to a disabled angler or to a person who has attained the age of 60 years.

10. The Board shall issue a game fishing rod licence to use a single game rod to any person holding a current game fishing rod and line licence issued by the Foyle, Carlingford and Irish Lights Commission on payment to the Board of a duty of the amount set out in column (2) of Part I of Schedule 3 opposite the entry "Amount payable by the holder of a current Foyle, Carlingford and Irish Lights game fishing rod and line licence for a game fishing rod licence" in column (1) of that Part.

11. Fishing licences issued under Byelaw 4 (2) in respect of any fishing engine shall not authorise the use of that fishing engine for the taking or killing of fish other than those specified on the licence.

12. All fishing licences issued under these Byelaws (other than fishing licences for angling and drift net licences) shall be valid only when used by the licence-holder or his agent previously authorised in writing by him.

13. A licence issued under Byelaw 4, other than a concessionary season fishing rod licence issued to a disabled angler, may be issued by a distributor approved by the Board in writing in that behalf.

### **Issue of drift net licences**

14. Subject to Byelaws 15, 16 and 17, the Board shall issue a drift net licence to any person who has held a drift net licence in any one of the 3 calendar years immediately preceding his application for such a licence.

15. Subject to Byelaw 17, where a drift net licence-holder dies or retires from drift netting the Board shall issue a drift net licence to the longest serving crew member of the boat used by that licence-holder for drift netting who has made an application for such a licence.

16. The Board shall maintain a register in which applications from bona fide fishermen who are not eligible to be issued with a drift net licence under Byelaw 14 or 15 shall be entered and, when on the death or retirement from drift netting of a licence-holder no application is made in accordance with Byelaw 15, persons whose names are recorded on the register shall, subject to Byelaw 17, have the opportunity, in the chronological order in which they made application, of being issued with a drift net licence.

17. The Board shall not issue a drift net licence to any person under Byelaws 14 to 16 in a case where a person who held a drift net licence has undertaken, in consideration of compensation paid or payable by the Department, to make no further applications for a fishing licence to use a drift net to fish for salmon.

18. A person who is eligible to be issued with a drift net licence under Byelaw 14 and who is unable to fish by means of drift netting in any calendar year shall notify the Board on or before 1st June in that year of the reason for his not making an application.

19. Where a person who is eligible under Byelaw 14 to have a drift net licence issued to him in any calendar year, fails to notify the Board in accordance with Byelaw 18 he shall cease to be eligible to have a drift net licence issued to him and the provisions of Byelaws 15 and 16 shall apply as if that person had died or retired from drift netting.

20. The number of drift net licences which may be issued in any calendar year shall not exceed one for every person to whom there may be issued such licences under or by virtue of Byelaws 14, 15 and 16.

21.—(1) A drift net licence shall be valid only when used by the licence-holder or his named agent in respect of whom the licence-holder has made written request to and has received from the Board written authorisation to have that agent act in his absence.

(2) The written authorisation referred to in paragraph (1) shall specify the period or periods during which the agent shall be authorised to act in the licence-holder's absence.

(3) The agent named in the written authorisation referred to in paragraph (1) shall be present during fishing operations and the boat and fishing gear used shall be that normally used by the licence-holder.

22. The written authorisation referred to in Byelaw 21 shall be given by the Board only where it is satisfied that the licence-holder is incapable of fishing as a result of illness or injury and the Board may require the licence-holder to provide such relevant information and documentary evidence as it may consider necessary.

### **Issue of tidal draft net licences**

23.—(1) The maximum number of tidal draft net licences issued in any calendar year shall not exceed 2.

(2) An application for such a licence shall be received on or before 1st March in the calendar year to which the licence is to relate.

(3) Where an application for a tidal draft net licence is received from a person to whom such a licence was issued at any time during the period of 3 years ending on the last 31st December before the date of the receipt of the application, such an application shall, subject to paragraph (5), be deemed to have been received before an application received from any other person.

(4) Where the number of applications for tidal draft net licences received on or before 1st March in any calendar year exceeds 2, the licences shall, subject to paragraphs (3) and (5), be issued according to the order in which applications for those licences were received.

(5) Paragraphs (3) and (4) shall not apply to, or in relation to, an application from a person who has undertaken, in consideration of compensation paid or payable by the Department, to make no further applications for a fishing licence to use a tidal draft net to fish for salmon.

#### **Revocation of, or refusal to issue or renew, a fishing licence**

**24.**—(1) Where a person has been convicted of any offence under the Act the Board may (subject to the provisions of these Byelaws) revoke any fishing licence held by such person or (as the case may be) refuse to issue such person a fishing licence or renew any fishing licence held by such person.

(2) Subject to the provisions of these Byelaws, where, in consideration of compensation paid or payable by the Department, a person who holds a fishing licence consents to the revocation of the fishing licence and undertakes to make no further applications for a fishing licence of a particular class, the Board shall revoke that licence or (as the case may require) refuse to renew it and shall refuse to issue such person a fishing licence of the class which he has undertaken not to apply for.

### **PART III**

#### **APPEAL TO THE DEPARTMENT AGAINST THE REFUSAL OF THE BOARD TO ISSUE OR RESTORE A FISHING LICENCE**

**25.** Where the Board proposes to revoke a fishing licence or refuse to issue or renew a fishing licence, it shall give to the licence-holder or the person applying for issue or renewal of a fishing licence (in this Part referred to as “the applicant”) at least 14 days prior notice in writing of its intention so to do, and before revoking the fishing licence or refusing to issue or renew a fishing licence as aforesaid shall consider any representations in relation thereto made by or on behalf of the licence-holder or, as the case may be, the applicant before the expiration of the time specified in the notice.

**26.** Where the Board revokes a fishing licence or refuses to issue or renew a fishing licence, it shall serve on the person whose fishing licence has been revoked or (as the case may be) the applicant notice of the revocation or refusal to issue or renew the fishing licence, and shall inform such person of his right of appeal under this Part and of the time within which the appeal may be brought.

**27.** Where the Board revokes a fishing licence or refuses to issue or renew a fishing licence, the person to whom notice under Byelaw 26 has been given may appeal to the Department within 14 days from the date on which such notice is served on him.

**28.** An appeal under this Part shall be initiated by notice to be signed by the appellant or his agent and delivered or sent to the Department and the Board.

**29.** Where on an appeal under this Part, the Department reverses the Board’s decision, the Board shall forthwith issue to the appellant or renew the fishing licence in respect of which the application was made, or (as the case may be) restore the fishing licence which was revoked.

**30.**—(1) Byelaws 25 to 29 shall not apply where the licence-holder or applicant has, in consideration of compensation paid or payable by the Department, consented to the revocation of the licence or (as the case may be) undertaken not to make any further applications for a fishing licence of the class the issue or renewal of which has been applied for.

(2) Byelaws 25 to 29 shall not apply where, by virtue of Byelaw 17, the Board does not have the power to issue a drift net licence under Byelaws 14 to 16.

**31.** When a fishing licence has been revoked under these Byelaws the licence-holder shall within 14 days of receiving a request from the Board to do so, return the licence together with any copies thereof, to the Board.

## PART IV

### COARSE FISHING ROD LICENCES

**32.** A coarse fishing rod licence shall be valid only on waters listed in Schedule 4.

**33.** A person fishing under the authority of a coarse fishing rod licence shall, without avoidable injury, cause any salmon, trout or rainbow trout taken by him to be returned immediately to the water from which it was taken.

## PART V

### USE OF SINGLE WALL SET NETS, TRAMMEL NETS, DRAFT NETS AND BAIT NETS

**34.** Subject to the provisions of the Act, these Byelaws and to conditions on any fishing licences, single wall set nets, trammel nets, draft nets and bait nets may be used for the taking of freshwater fish other than trout or rainbow trout –

- (a) on Upper and Lower Lough Erne other than those areas mentioned in Byelaw 48; and
- (b) on Lough Neagh.

**35.** Subject to the provisions of the Act, these Byelaws and to conditions contained in any fishing licences, single wall set nets or trammel nets may be used on Lough Neagh for the taking of trout.

## PART VI

### GENERAL RESTRICTIONS ON THE USE OF FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE

**36.** A person shall not use for the purpose of taking or with intent to take salmon or freshwater fish, any net made from synthetic fibres (except a landing net used solely as an auxiliary to lawful angling) which contains any material not constructed of either two or more multifilament yarns twisted and plied together or three or more multifilament yarns braided together.

**37.** A bait net shall not exceed 50 metres in length and shall have a mesh of not more than 6.5 millimetres from knot to knot or 26 millimetres to be measured all round each mesh.

**38.** A bait net shall not be used for catching salmon, trout or rainbow trout, and any such fish caught or taken in a bait net shall, without avoidable injury, be returned immediately to the water from which it was taken.

**39.** The mesh of the wings of any draft net for use in fresh water for the taking of salmon or freshwater fish shall be of a size not less than 21 millimetres from knot to knot or 84 millimetres to be measured all round each mesh and the mesh of the tail of such draft net (which tail shall not exceed 2.5 metres in length) shall be of a size not less than 6 millimetres from knot to knot or 24 millimetres to be measured all round each mesh.

## PART VII

### RESTRICTIONS ON THE USE OF FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE ON LOUGH NEAGH AND UPPER AND LOWER LOUGH ERNE

- 40.** A person shall not use a single wall set net or trammel net –
- (a) for the taking of pollen in Lough Neagh or Upper and Lower Lough Erne unless it has a mesh of 27 millimetres or more from knot to knot or 108 millimetres to be measured all round each mesh;
  - (b) for the taking of perch in Lough Neagh unless it has a mesh of 27 millimetres or more from knot to knot or 108 millimetres to be measured all round each mesh;
  - (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 204 millimetres to be measured all round each mesh; or
  - (d) for the taking of trout in Lough Neagh unless it has a mesh of 57 millimetres or more from knot to knot or 228 millimetres to be measured all round each mesh.

**41.** A person shall not have in his possession or control on the waters of Lough Neagh or on or near the banks of the waters of Lough Neagh, a single wall set net or trammel net, for the taking of salmon or freshwater fish, with a mesh size of less than 27 millimetres from knot to knot or 108 millimetres to be measured all round each mesh.

**42.** Each net or row of nets of a single wall set net or trammel net used for the taking of trout in Lough Neagh and each net or row of nets of a single wall set net or trammel net used for the taking of coarse fish, on Lough Neagh or Upper and Lower Lough Erne, shall be marked at each end with a float not less than 30 centimetres in diameter of a bright yellow colour projecting not less than 30 centimetres above the surface of the water.

**43.** Each float referred to in Byelaw 42 shall have clearly and legibly painted or otherwise fixed thereon in figures of not less than 12 centimetres in height such number as the Board may allocate to the licence-holder (or such number as the Board may allocate to the net or row of nets of which the float shall be a mark) and at all times when the net or row of nets is in use such number shall be clearly legible.

**44.** A person other than the licence-holder or his servant or agent previously authorised in writing in that behalf shall not use or cause or permit to be used on any float the number referred to in Byelaw 43.

## PART VIII

### ADDITIONAL AND SPECIFIC RESTRICTIONS ON THE USE OF CERTAIN NETS ON LOUGH NEAGH

**45.** The maximum length of a single wall set net or trammel net used for the taking of trout on Lough Neagh which may be used at any time by any one licence-holder shall be 1,235 metres of net as hung whether used as one or more nets.

**46.** A person shall not use a draft net for the taking of fish within a radius of 805 metres of the defined mouth of any river flowing into Lough Neagh.

**47.** A person shall not use any net for the taking of salmon or freshwater fish in Toome Bay within 1,610 metres of the drainage flood gates at Toomebridge.

## PART IX

### ADDITIONAL AND SPECIFIC RESTRICTIONS ON THE USE OF NETS AND BOATS ON UPPER AND LOWER LOUGH ERNE

**48.**—(1) A person shall not use any net for the purpose of taking any coarse fish in the following areas of Upper and Lower Lough Erne –

- (a) between an imaginary line drawn from the most north-westerly point of Inish Dacharneon, Lower Lough Erne, through the most north-westerly point of Long Island to the nearest point on the shore of Ely Island, and an imaginary line drawn across the Inishmore Viaduct thence by the southern shore of the townland of Lusty Beg to the most easterly point of the townland of Lusty beg, thence to the most southerly point of the island of Killygown and thence to the nearest point on the shore in the townland of Corrad;
- (b) within 1,610 metres of the defined mouths of the following rivers flowing into Upper and Lower Lough Erne: the Termon River, the Waterfoot River, the Garvary River, the Ballycassidy River, the Bannagh River, the Kesh River, the Dunmany or Colebrooke River, the Cladagh or Swanlibar River, the Arney River and the Sillees River.

(2) Within the area of Lower Lough Erne which lies westward of an imaginary line drawn from Hills Island to Eagle Island, thence to the most westerly point of Boa Island, thence along the line of the western shore of Boa Island to the county road and thence along the line of the said county road to where the said road meets the shore of Lower Lough Erne in the townland of Rosscrannagh a person shall not use any net for the taking of coarse fish save a net used for the taking of pike which is placed in the water not more than 10 metres from any bed composed of emergent water plants.

**49.** A person shall not use a single wall set net or trammel net for the taking of coarse fish, except pollen, on Upper or Lower Lough Erne unless that net has a mesh of 63 millimetres or more from knot to knot or 252 millimetres to be measured all round each mesh.

**50.** The maximum length of a single wall set net or trammel net used for the taking of coarse fish on Upper and Lower Lough Erne which may be used at any time by any one licence-holder shall be 460 metres of net as hung whether used as one or more nets.

**51.** A boat used for commercial fishing on Upper and Lower Lough Erne shall not exceed –

- (a) 6.1 metres in length, such length to be measured from the foreside of the foremost fixed permanent structure to the aftmost part of the stern or transom; and
- (b) a beam measurement of 2.2 metres at the widest point.

## PART X

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

**52.** A person shall not in the freshwater portion of any river, or in any lake, –

- (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.

**53.** For the purposes of section 51 of the Act “immature” in relation to trout means such fish of a size less than 35.5 centimetres.

**54.** For the purposes of section 52 of the Act “undersized pollen” means pollen of a size less than 20.5 centimetres.

**55.** Where any draft net is used in the course of any fishing operations conducted by means of a boat used for commercial fishing and any trout of a size less than 35.5 centimetres is taken on board, the master, owner, charterer or other person in charge of the boat shall, without avoidable injury, cause such trout to be returned immediately to the water from which it was taken.

## PART XI

### MODE OF USE OF DRIFT NETS AND DRAFT NETS

**56.** Where a draft net or a tidal draft net is operated from the shore the only permitted mode of using such net shall be as follows, namely –

one end of the rope of the net shall be held on the shore or bank and the net shall be shot or paid out from a boat which shall start from such shore or bank and return thereto without avoidable pause or delay, and the net shall thereupon be drawn into and landed on such shore or bank.

**57.** Where a draft net or a tidal draft net is operated from a boat the only permitted mode of using the net shall be as follows, namely –

one end of the rope of the net shall be fixed to a buoy, whether anchored or not, and the net shall be shot or paid out from a boat which shall start from such buoy and return thereto without avoidable pause or delay, and the net shall thereupon be drawn into and landed in such boat.

**58.** The only permitted mode of using a drift net shall be as follows, namely –

one end of the rope of the net shall be fixed to a buoy which shall not be anchored, and the net shall be shot or paid out from a boat which shall start from such buoy, and the boat and the net attached shall float or drift with the tide.

## PART XII

### RESTRICTIONS ON THE DIMENSIONS OF DRAFT NETS AND DRIFT NETS AND ON THE USE OF BOATS FOR DRIFT NETTING

**59.** A person shall not use for fishing a draft net or a tidal draft net of greater length than 120 metres as measured along the head rope of the net.

**60.** A person shall not use for the taking of salmon in the sea any drift net containing more than 45 full meshes measured vertically between the top rope and the bottom rope of the net.

**61.** A person shall not use for the taking of salmon in the sea any drift net of greater length than 1,375 metres or any number of drift nets joined together in such a way that their total length is greater than 1,375 metres.

**62.** A person shall not have on board any boat used for fishing for salmon in the sea –

- (a) any drift net of greater length than 1,375 metres;
- (b) any number of drift nets joined together in such a way that their total length is greater than 1,375 metres;
- (c) any number of drift nets which, if they were joined together, would have a total length greater than 1,375 metres;
- (d) any drift net or part thereof containing more than 45 full meshes measured vertically between the top rope and the bottom rope of the net.

**63.**—(1) Subject to the provisions of paragraph (2) a boat shall not be used for drift netting unless it is a fishing vessel registered under the Merchant Shipping (Registration of Ships) Regulations 1993(6) and having a port of choice (within the meaning of those Regulations) in Northern Ireland.

(2) Paragraph (1) shall not apply to a boat used by a fisherman resident outside Northern Ireland who has held a drift net licence in any one of the 3 calendar years immediately preceding the date of application for a drift net licence to be issued in accordance with these Byelaws.

(3) A boat used for drift netting shall not exceed 12.2 metres in length, such length to be measured from the foreside of the foremost fixed permanent structure to the aftmost part of the stern or transom.

## PART XIII

### RESTRICTIONS ON SALMON FISHING IN TIDAL WATERS

**64.** A person (other than the owner of a several fishery within the limits thereof) shall not use for the purpose of taking or with the intent to take salmon any net –

- (a) within or upstream of the defined mouth of the Dundrum River or in Dundrum Inner Bay; or
- (b) within the area of Strangford Lough north west of an imaginary line drawn from Ballyquintin Point to Killard Point.

**65.** A person shall not use a drift net or trawl net within 805 metres of any fixed engine used in accordance with section 74 of the Act or of any fixed engine used under the authority of a licence granted under section 76 or 77 of the Act.

**66.** A person shall not use a drift net within 1,610 metres of the defined mouths of the Rivers Bush and Lower Bann.

## PART XIV

### RESTRICTIONS ON METHODS OF FISHING FOR SALMON AND FRESHWATER FISH

**67.** A person shall not knowingly or wilfully foul-hook any salmon or fresh-water fish.

**68.** A person shall not use any instrument or device whatsoever, whether used with or as an auxiliary to a rod and line or hand line or otherwise, in a manner likely or calculated to foul-hook any salmon or freshwater fish.

**69.** Any person who foul-hooks any salmon or freshwater fish whether accidentally or otherwise shall, without avoidable injury, cause it to be returned immediately to the water from which it was taken.

**70.** A person shall not use ground bait or maggots whilst angling on the rivers listed in Schedule 5 and where the prohibition applies to part of a river the prohibition shall also apply to all upstream tributaries, branches, streams or any other watercourses which flow into or form part of that river.

**71.** A person shall not use live fish as bait on a hook for the purpose of attracting and taking fish whilst angling in fresh water.

## PART XV

### RESTRICTIONS ON NUMBERS AND WEIGHTS OF PIKE TO BE TAKEN BY ANGLING

72. Where any person, whilst angling takes –
- (a) any pike in excess of 2 on any day; or
  - (b) any pike weighing 4 kilogrammes or over,

then he shall, without avoidable injury, cause such pike to be returned immediately to the water from which it was taken.

## PART XVI

### ANNUAL CLOSE SEASONS FOR ANGLING FOR SALMON OR TROUT

73.—(1) Subject to paragraph (2), it shall be unlawful to fish for or take salmon, trout or rainbow trout with rod and line during the period beginning on 1st November in any year and ending on the last day of February in the next following year, both dates inclusive.

- (2) Paragraph (1) shall not apply –
- (a) to the waters mentioned in Byelaws 74 to 76;
  - (b) in the case of rainbow trout, to the waters mentioned in Schedule 6.

74. In that part of Lough Melvin which is situate in County Fermanagh it shall be unlawful to fish for or take salmon, trout or rainbow trout with rod and line during the period beginning on 1st October in any year and ending on 31st January in the next following year, both dates inclusive.

75. In Upper and Lower Lough Erne and all rivers flowing into those loughs and in the River Erne it shall be unlawful to fish for or take salmon, trout or rainbow trout with rod and line during the period beginning on 1st October in any year and ending on the last day of February in the next following year, both dates inclusive.

76. In the River Bush and all rivers flowing into it it shall be unlawful to fish for or take salmon, trout or rainbow trout with rod and line during the period beginning on 21st October in any year and ending on the last day of February in the next following year, both dates inclusive.

## PART XVII

### ANNUAL CLOSE SEASONS AND CLOSE TIMES FOR COMMERCIAL FISHING

77. It shall be unlawful to fish for, take or kill salmon with a fishing engine other than rod and line in the sea and tidal waters during the period beginning on 16th September in any year and ending on 17th March in the next following year, both dates inclusive.

78. The weekly close time in the sea and tidal waters is the period commencing at 8 o'clock a.m. on each Saturday and ending at 8 o'clock on the then next following Monday.

79.—(1) Subject to paragraph (2), it shall be unlawful to fish for, take or kill salmon or trout with a fishing engine other than rod and line in fresh water during the period beginning on 20th August in any year and ending on the last day of February in the next following year, both dates inclusive.

(2) Paragraph (1) shall not apply in the River Bush where it shall be unlawful to fish for, take or kill salmon or trout with a fishing engine other than rod and line during the period beginning on 16th September in any year and ending on 17th March in the next following year, both dates inclusive.

**80.** A person shall not have any net for the taking of salmon, trout or any coarse fish on board any boat in any waters during the annual close season or weekly close time for salmon, trout or that coarse fish.

**81.** A person shall not, on Lough Neagh –

- (a) take any coarse fish except pollen with a fishing engine, other than rod and line, during the period beginning on 1st March in any year and ending on 31st May in the same year, both dates inclusive; or
- (b) take any coarse fish with a fishing engine, other than rod and line, during the period commencing at 6 o'clock a.m. on any Saturday and ending 6 o'clock a.m. on the then next following Monday.

**82.—(1)** Subject to paragraph (2), a person shall not, on Upper and Lower Lough Erne, take any coarse fish, except pollen, by means of a single wall set net, trammel net or draft net during the period beginning on 17th March in any year and ending on 17th December in that year, both dates inclusive.

(2) Paragraph (1) shall not apply to the taking of coarse fish by means of a bait net where such fish taken are for use solely as bait.

## PART XVIII

### PROHIBITION ON ANY PERSON HAVING UNDERSIZED PIKE OR PERCH IN THEIR POSSESSION

**83.** A person shall not take by any mode other than angling –

- (a) pike of a size less than 60 centimetres; or
- (b) perch of a size less than 16.5 centimetres.

**84.** A person shall not have on board any boat on or from which any net is used to take fish any fish referred to in Byelaw 83.

**85.** A person shall not have in his possession any fish referred to in Byelaw 83 which has been taken by a mode other than angling.

## PART XIX

### RESTRICTIONS ON THE KILLING OF SALMON

**86.** Subject to Byelaw 87, where any person whilst angling during the period from 1st March to 31st May in any year, both dates inclusive, takes a salmon, then he shall, without avoidable injury, cause such salmon to be returned immediately to the water from which it was taken.

**87.** In that part of Lough Melvin which is situate in County Fermanagh where any person whilst angling during the period from 1st February to 31st May in any year, both dates inclusive, takes a salmon in excess of one on any day, then he shall, without avoidable injury, cause such salmon to be returned immediately to the water from which it was taken.

**88.** Subject to Byelaws 89, 90 and 91, where any person whilst angling during the period from 1st June to 31st October in any year, both dates inclusive, takes a salmon in excess of two on any

day, then he shall, without avoidable injury, cause such salmon to be returned immediately to the water from which it was taken.

**89.** In that part of Lough Melvin which is situate in County Fermanagh where any person whilst angling during the period from 1st June to 30th September in any year, both dates inclusive, takes a salmon in excess of three on any day, then he shall, without avoidable injury, cause such salmon to be returned immediately to the water from which it was taken.

**90.** In Upper and Lower Lough Erne and in the River Erne where any person whilst angling during the period from 1st June to 30th September in any year, both dates inclusive, takes a salmon in excess of two on any day, then he shall, without avoidable injury, cause such salmon to be returned immediately to the water from which it was taken.

**91.** In the River Bush where any person whilst angling during the period from 1st June to 20th October in any year, both dates inclusive, takes a salmon in excess of two on any day, then he shall, without avoidable injury, cause such salmon to be returned immediately to the water from which it was taken.

Sealed with the Common Seal of the Fisheries Conservancy Board for Northern Ireland on 9th December 2003.

L.S.

*Dr. R. Hanna*  
Chairman

L.S.

*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 10th December 2003.

L.S.

*N. Carson*  
A senior officer of the  
Department of Culture, Arts and Leisure

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SCHEDULE 1

Byelaw 4(7)

Angling Licence FISHERIES CONSERVANCY BOARD FOR NORTHERN IRELAND FISHERIES ACT (NORTHERN IRELAND) 1966

LICENCE for a \_\_\_\_\_ for 20\_\_\_\_  
Surname \_\_\_\_\_  
All forenames \_\_\_\_\_  
Home address \_\_\_\_\_  
Dated this day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ hours \_\_\_\_\_ minutes am/pm  
LICENCE DUTY PAID: \_\_\_\_\_  
\*[Signed \_\_\_\_\_ Distributor]  
Signed \_\_\_\_\_ Licence-holder

Conditions

- 1. This licence is valid only if signed by the \*[distributor and] licence-holder and if the actual date and time that the licence is issued and the surname and all the forenames of the licence-holder are entered thereon.
  - 2. This licence is issued subject to the provisions contained in the Fisheries Act (Northern Ireland) 1966 and in Byelaws made under that Act.  
Copies of the Act and Byelaws can be obtained from:  
The Stationery Office, 16 Arthur Street, Belfast, BT1 4GD.
  - 3. This licence is valid \*[only for the calendar year of issue] \*[from \_\_\_\_\_ to \_\_\_\_\_].
- \* Delete as appropriate

SCHEDULE 2

Byelaw 4(7)

Commercial Fishing Licence FISHERIES ACT (NORTHERN IRELAND) 1966

LICENCE for a \_\_\_\_\_ for the year 20\_\_\_\_  
ISSUED TO: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

Dated this day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ hours \_\_\_\_\_ minutes am/pm  
LICENCE DUTY PAID: \_\_\_\_\_  
SIGNED: \_\_\_\_\_ Distributor

Conditions

- 1. This licence is valid only if signed by the distributor and if the actual date and time that the licence is issued are entered thereon.
- 2. This licence is issued subject to the provisions contained in the Fisheries Act (Northern Ireland) 1966 and in Byelaws made under that Act.  
Copies of the Act and Byelaws can be obtained from:  
The Stationery Office, 16 Arthur Street, Belfast, BT1 4GD.
- 3. This licence is valid only for the calendar year of issue.

SCHEDULE 3

Byelaws 6,7 and 10

**Fishing Engines and Licence Duties**

**PART I**

**LICENCES TO FISH WITH ROD AND LINE AND HAND LINE**

<i>Fishing licence</i>	<i>Duty</i>
(1)	£ (2)
Season game fishing rod licence ... ..	15·00
Fourteen day game fishing rod licence ... ..	7·50
Three day game fishing rod licence ... ..	3·50
Concessionary season fishing rod licence ... ..	5·00
Juvenile season fishing rod licence ... ..	2·00
Amount payable by the holder of a current Foyle, Carlingford and Irish Lights Commission game fishing rod and line licence for a game fishing rod licence ... ..	1·00
Season coarse fishing rod licence ... ..	15·00
Fourteen day coarse fishing rod licence ... ..	7·50
Three day coarse fishing rod licence for use by the holder of a three day coarse fishing permit issued by the Department of Culture, Arts and Leisure to fish in waters in which the Department has the fishing rights ... ..	3·50

**PART II**

**LICENCES FOR FISHING ENGINES OTHER THAN ROD AND LINE OR HAND LINE**

<i>Fishing licence</i>	<i>Duty</i>
(1)	£ (2)
Draft net for the capture of salmon and freshwater fish on Lough Neagh ... ..	101·00
Draft net for the capture of freshwater fish other than trout and rainbow trout on Lough Erne ... ..	65·50
Draft net for use in freshwater other than Lough Neagh or Lough Erne ... ..	255·50

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<i>Fishing licence</i>	<i>Duty</i>
(1)	£ (2)
Single wall set net or trammel net for the capture of trout or rainbow trout in Lough Neagh per 91 metres (100 yards) ... ..	14·00
Single wall set net or trammel net for the taking of freshwater fish other than trout or rainbow trout, per 91 metres (100 yards) ... ..	14·00
Bait net for the taking of freshwater fish other than trout or rainbow trout for use as bait – per net ... ..	4·50
Fixed tidal draft net ... ..	338·50
Fixed tidal draft net which operates in the estuary of a river upstream of the defined mouth ... ..	1,532·00
Tidal draft net ... ..	280·50
Drift net for the taking of salmon in the sea	280·50
Bag net used in tidal waters ... ..	634·00
Salmon box or crib ... ..	762·50

**PART III**

Dealer’s licence ... ..	£42·00
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SCHEDULE 4

Byelaw 32

**List of Waters on which a Coarse Fishing Rod Licence is Valid**

*County Antrim:*

Loughs Beg, Duncan’s Dam, Neagh, Portmore, Victoria Park Lake, Waterworks Reservoir and unnamed lake known as Willis’s Lake off the Upper Malone Road; the Lagan Canal, the River Lagan from Shaw’s Bridge to a line five metres downstream of the seaward extremity of, and parallel to, the Lagan Bridge and the Navigation Canal Cutts on the Lower River Bann; and on the Lower River Bann as follows: –

- (a) from the eel weir at Toome downstream to Portglenone Bridge;
- (b) from the signpost 160 metres downstream of Portglenone Bridge downstream to the upper end of the Navigation Canal leading to Portna Locks;
- (c) from Agivey Bridge downstream to railway bridge at Drumaheglis;
- (d) from the boundary between Kilrea and Claragh Townlands for 350 metres downstream of Kilrea Bridge to Movanager Weir, (i.e. south end C933133 to north end C926160);
- (e) from immediately upstream of the Bann Bridge at Kilrea for approximately 300 metres.

*County Armagh:*

Loughs Camlough, Carnagh, Clay, Craigavon City Park Lakes South Lake, Derryadd, Derrylileagh, Doogary, Edenderry, Enagh, Gall, Gibsons, Gilly, Gullion, Kiltirbid, Kiltybane, Lisleitrim, Lurgan Park Lake, Marlacoo, Mullaghmore, Patrick, Ross and Shark; the Lagan Canal and the Newry Canal. The River Bann between Knock Bridge and Lough Neagh, and the River Blackwater between Blackwatertown Bridge and Lough Neagh.

*County Down:*

Loughs Aghery, Ballyherly, Ballymartin, Ballyrone, Ballywillin, Begney, Bow, Carrigullion, Clea, Dairy, Glastry, Henney, Heron, Hunshigo, Jericho, Long, McAuleys, Mann, Money, Monlough, Montgomery's, Pollramer Lake, Seaforde, Shark and Tullynagee; the Newry Canal, the Broadwater (Lagan Canal), the River Quoile from the railway cutting near Inch Abbey to the new barrage gates, and the Quoile Basin between the Old Lock Gates and the new Drainage Gates.

*County Fermanagh:*

Loughs:

- (a) all of Upper Lough Erne and that part of Lower Lough Erne south and east of an imaginary line drawn from the mouth of the Ballinamallard River on the northern shore to the nearest point of the shore opposite Castlehume on the southern shore;
- (b) Lower Lough Erne, provided the angling is from the shore and all island shores;
- (c) all Loughs draining into Upper and Lower Lough Erne, except the following for which a game fishing rod licence is required; Loughs Achork, Coolyermer, Coole (Castlecoole), Corranny, Corry, Drumcose, Eshcleagh, Eyes, Glencreawan, Keenaghan, Meenameen, Mill Lough (Bellanaleck), Navar, Parkhill, and White Lough (Irvinestown).

Rivers:

- (a) the Woodford River, the Sillees River and the Swanlinbar River from Thompson's Bridge to Upper Lough Erne;
- (b) the Colebrooke River between Ballindarragh Bridge and where the Colebrooke River flows into Upper Lough Erne;
- (c) the Arney River from the old Arney Bridge to where the Arney River flows into Upper Lough Erne.

*County Londonderry:*

Lough Beg, Lough Neagh and the Navigational Canal Cutts on the Lower River Bann; and on the Lower River Bann as follows:

- (a) from the eel weir at Toome downstream to Portglenone Bridge;
- (b) from the signpost 160 metres downstream of Portglenone Bridge downstream to the upper end of the Navigation Canal leading to Portna Locks;
- (c) from Agivey Bridge downstream to railway bridge at Drumaheglis;
- (d) from the boundary between Kilrea and Claragh Townlands about 350 metres downstream of Kilrea Bridge to Movanager Weir (i.e. south end C933133 to north end C926160);
- (e) from immediately upstream of the Bann Bridge at Kilrea for approximately 300 metres.

*County Tyrone:*

Loughs Augher, Ballynakilly, Ballysaggart, Black, Carrick, Cranslough, Creeve, Enagh, Friary, Fymore, Legane, Macronan, Mullaghmore, Mullygruen, Nacrilly, Screeby, Tullygiven and Wood; the River Blackwater between Blackwatertown Bridge and Lough Neagh.

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## SCHEDULE 5

Byelaw 70

### **List of Rivers on which the use of Ground Bait or Maggots is prohibited whilst Angling**

1. Agivey.
2. Ballinamallard upstream from Ballycassidy Bridge on the B.3 Road.
3. Ballinderry (County Tyrone and County Londonderry) upstream from the footbridge over the River in the Townland of Lower Mullan.
4. Ballymoney.
5. Blackwater (County Armagh and County Tyrone) upstream from the bridge over the B.128 Road at Blackwatertown.
6. Callan.
7. Clady (County Londonderry).
8. Colebrooke upstream from Ballindarragh Bridge on the B.514 Road.
9. Comber.
10. Crumlin.
11. Garvary.
12. Glenavy.
13. Kesh upstream from Kesh Bridge on the A.35 Road.
14. Maine.
15. Moyola.
16. Quoile upstream from the disused Railway Bridge near Inch Abbey.
17. Ravarnette.
18. Six Mile Water upstream from the Antrim Forum in Antrim Town on the A.26 Road.
19. Torrent upstream from the B.28 road bridge.
20. Upper Bann upstream from the B.2 road crossing.

## SCHEDULE 6

Byelaw 73(2)

### **Rainbow Trout Waters where there is no Annual Close Season for Angling for Rainbow Trout**

#### *County Antrim:*

Cornmill Fishery  
Craigmore Fishery, Randalstown  
Cranogue Fishery  
Dalways Lake  
Kilgad Fishery  
North Woodburn Reservoir  
Potterswall Reservoir

Raloo Fishery  
Springwater Meadow Lakes 1 and 2  
Straid Lake  
Tildarg Fishery  
Turnagrove Fishery  
Woodford Farm Fishery

*County Armagh:*

Craigavon City Park North Lake  
Islandderry Lake, Dromore Road, Lurgan  
Lisanoe Lake

*County Down:*

Altnadue Lough  
Ash Cottage Fishery  
Ballydugan Lake  
Ballygrangee Fishery  
Ballywillwill Lake, Annsborough  
Bridgewater Fishery  
Carrickmannon Lake  
Lough Cowey  
Lough Creevy  
Dairy Fishery Pond  
Derryleckagh Lake  
Drum Lough  
Finnebrogue Fisheries  
Gibson's Lough  
Gilford Fishery  
Gills Lough, Tullywest  
Hazelwood Rainbow Trout Fishery  
Hillsborough Lake  
Hoggs Lough, Tullywest  
Kernan Lake  
Lower Ballysallagh Reservoir  
Lower Conlig Reservoir  
Magheralagan Lake  
Marybrook Fisheries  
Lough Money  
Montalto Lake  
Movilla Lake  
Portavoe Reservoir

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Shane’s Lough  
 The Egg Cup, Dundrum  
 Tonaghmore Reservoir  
 Trench Farm Pond  
 Waterfall Lodge Trout Fishery

*County Fermanagh:*

Lough Coolyermer

*County Londonderry:*

Ballylagan Lake  
 Ballyrashane Reservoir  
 Gauger’s Inn Fishery Lake  
 Loughinsholin Put and Take Fishery  
 Moorbrook Lodge, Castlerock  
 Springwell Fishery  
 Turnaface Fishery  
 Washing Lough of Manor Golf and Fishing Club

*County Tyrone:*

Altmore Fishery  
 Annaginny Stillwater Trout Fishery  
 Aughadarragh Fishery  
 194 Caledon Road, Aughnacloy  
 Ballagh Lake  
 Dungannon Park Lake  
 Eskragh Lough  
 Hazelden Fisheries  
 Martray Lough  
 Rectory Lodge Trout Fishery  
 White Lough

SCHEDULE 7

Byelaw 3

**Revocations**

<i>Byelaws Revoked</i>	<i>References</i>
Fisheries Byelaws (Northern Ireland) 1997	<a href="#">S.R. 1997 No. 425</a>
Fisheries (Amendment) Byelaws (Northern Ireland) 1999	<a href="#">S.R. 1999 No. 12</a>
Fisheries (Amendment No. 3) Byelaws (Northern Ireland) 2000	<a href="#">S.R. 2000 No. 364</a>

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<i>Byelaws Revoked</i>	<i>References</i>
Fisheries (Amendment) Byelaws (Northern Ireland) 2001	<a href="#">S.R. 2001 No. 433</a>
Fisheries (Amendment) Byelaws (Northern Ireland) 2002	<a href="#">S.R. 2002 No. 11</a>
Fisheries (Amendment No. 2) Byelaws (Northern Ireland) 2002	<a href="#">S.R. 2002 No. 274</a>
Fisheries (Amendment No. 3) Byelaws (Northern Ireland) 2002	<a href="#">S.R. 2002 No. 371</a>
Fisheries (Amendment) Byelaws (Northern Ireland) 2003	<a href="#">S.R. 2003 No. 271</a>

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## EXPLANATORY NOTE

*(This note is not part of the Byelaws.)*

These Byelaws revoke and replace with amendments the Fisheries Byelaws (Northern Ireland) 1997.

The principal changes are as follows: –

1. The definitions of “coarse fishing rod licence” and “concessionary season fishing rod licence” are amended to provide that each of the licences covers the use of two rods and lines or hand lines to fish for, take and kill eels and coarse fish (Byelaw 2).

2. The definition of “juvenile season fishing rod licence” is amended to provide that the licence covers the use of two rods or hand lines to fish for, take and kill eels and coarse fish. The definition is also amended to provide that the licence also covers the use by a person under 12 years of age of more than one rod and line or hand line to fish for, take or kill, salmon, trout and rainbow trout, or more than two rods and lines or hand lines to fish for, take and kill eels and coarse fish (Byelaw 2).

3. A new definition of “distributor” is inserted (Byelaw 2).

4. Byelaw 4 makes express provision for –

- (a) the issue of a licence authorising persons to fish for, take and kill various types of fish;
- (b) the types of fishing engine that can be used under the licence;
- (c) the waters in which fishing may be authorised under the licence;
- (d) the duration of a licence;
- (e) the conditions to which the licence is subject;
- (f) the form of an angling licence and commercial fishing licence; and
- (g) the alteration of a licence and its renewal.

5. The Byelaws amend the licence duties payable from 1st January 2004 for fishing with rod and line or hand line for salmon and freshwater fish (Byelaw 6 and Part I of Schedule 3).

6. Byelaw 9 limits the number of concessionary season fishing rod licences that may be issued to a disabled angler or to a person who has attained the age of 60 years to one in any calendar year.

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The new licence fee rates for 2004, and the size of the increases or decreases, where applicable, are set out below: –

	<i>Previous Rates</i>	<i>New Rates</i>	<i>Increase+ or Decrease –</i>
	£	£	£
Season game fishing rod licence	21.50	15.00	– 6.50
Fourteen day game fishing rod licence	10.50	7.50	– 3.00
Three day game fishing rod licence	5.00	3.50	– 1.50
Concessionary season fishing rod licence	5.00	5.00	0.00
Juvenile season fishing rod licence	2.00	2.00	0.00
Amount payable by the holder of a current Foyle, Carlingford and Irish Lights Commission game fishing rod and line licence for a game fishing rod licence	1.00	1.00	0.00
Season coarse fishing rod licence	8.00	15.00	+ 7.00
Fourteen day coarse fishing rod licence	4.00	7.50	+ 3.50
Three day coarse fishing rod licence for use by the holder of a three day coarse fishing permit issued by the Department of Culture, Arts and Leisure to fish in waters in which the Department has the fishing rights	2.00	3.50	+ 1.50