

## **EXPLANATORY MEMORANDUM TO**

### **The Foyle Area and Carlingford Area (Conservation of Eels) Regulations 2009**

**S.R. 2009 No. 379**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Foyle, Carlingford and Irish Lights Commission to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under section 13(1) of the Foyle Fisheries Act 1952 and section 13(1) of the Foyle Fisheries Act (Northern Ireland) 1952 (as amended by S.I. 1999/859 and S.I. 2007/915 (N.I. 9)) and is subject to the negative resolution procedure.

#### **2. Purpose**

- 2.1. The Loughs Agency is responsible for the conservation and protection of inland fisheries in the Foyle and Carlingford Areas. The European Eel has been cited as a species in decline, and the purpose of these regulations is to protect them by prohibiting their capture by any mode other than by rod and line, and by providing that eels caught by rod and line are immediately returned to the waters from where they were caught without avoidable injury and prohibiting the sale of eels caught by rod and line.

#### **3. Background**

- 3.1. The Eel stock in Europe is in rapid decline. The European Commission, the International Council for the Exploration of the SEA (ICES) and the European Inland Fisheries Advisory Commission (EIFAC) have all advised that urgent management action needs to be taken to protect and restore stock.
- 3.2. Given the scattered distribution of the Eel in inland and coastal waters across Europe, this can only be achieved through local management measures, integrated on a European scale to return the Eel stock to a biologically sustainable level.

#### **4. Consultation**

- 4.1. The regulations were the subject to a full public consultation which included local stakeholders.

#### **5. Equality Impact**

- 5.1. These regulations have been subject to equality screening, carried out by the Loughs Agency, which found that a full EQIA is not necessary as the proposals apply equally to, and will have no disproportionate effect on, the section 75 groups.

#### **6. Regulatory Impact**

- 6.1. A Regulatory Impact Assessment on these proposed regulations was the subject of full public and stakeholder consultation. The cost of implementation of the regulations was deemed to be negligible.

**7. Financial Implications**

7.1. None.

**8. Section 24 of the Northern Ireland Act 1998**

8.1. These regulations comply with section 24 of the Northern Ireland Act 1998.

**9. EU Implications**

9.1. Not applicable.

**10. Parity or Replicatory Measure**

10.1. Not applicable.

**11. Additional Information**

11.1. None.