

**DEPARTMENT OF COMMUNICATIONS, ENERGY AND NATURAL RESOURCES**

**FISHERIES ACTS 1959 TO 2006**

**CONSERVATION OF SALMON AND SEA TROUT (CATCH AND RELEASE)**

**BYE-LAW NO. 863, 2009**

I, Conor Lenihan, Minister of State at the Department of Communications, Energy and Natural Resources, in exercise of the powers conferred on me by section 9 (as amended by section 3 of the Fisheries (Amendment) Act 1962 (No. 31 of 1962)) of the Fisheries (Consolidation) Act 1959 (No. 14 of 1959), section 33 (as amended by section 6(2) of the Fisheries Act 1980 (No. 1 of 1980)) of the Fisheries (Amendment) Act 1962, the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order 1977 (S.I. No. 30 of 1977) (as adapted by the Communications, Marine and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 706 of 2007)) and the Energy and Natural Resources (Delegation of Ministerial Functions) Order 2009 (S.I. No. 199 of 2009) and having complied with the requirements of Regulation 31 of the European Communities (Natural Habitats) Regulations 1997 (S.I. No. 94 of 1997), hereby make the following bye-law:

1. (1) This Bye-law may be cited as the Conservation of Salmon and Sea Trout (Catch and Release) Bye-law No. 863, 2009.

(2) This Bye-law comes into operation on 1 January 2010.

2. In this Bye-law -

“catch and release” in relation to angling for salmon and sea trout in the waters of the rivers to which this Bye-law applies, means carefully handling any fish caught and immediately returning the fish alive to the waters;

“salmon” means fish of the species *Salmo salar* (Atlantic salmon);

“sea trout” means fish of the migratory form of *Salmo trutta*, but does not include a sea trout which is 40 centimetres or less in length measured in a straight line from the tip of the snout to the fork of the tail.

3. It is prohibited for a person, in a river mentioned in column (2) of the Schedule opposite mention of a fishery district in column (1) of the Schedule, to -

(a) take by rod and line any salmon or sea trout from the waters of the river, other than by catch and release, or

(b) use or attempt to use worms as bait or any fish hooks, other than single barbless hooks, in angling for salmon or sea trout in the waters of the river.

4. The Conservation of Salmon and Sea Trout Bye-law No. 846, 2008 is revoked.

## Schedule

Article 3

<b>Fishery District</b> <b>(1)</b>	<b>River</b> <b>(2)</b>
No. 3 or Waterford District	Suir including Clodiagh, Lingaun, and Blackwater Colligan
No. 9(1) or Connemara District	Lough na Furnace
No. 10(1) or Ballinakill District	Carrownisky Bunowen Owenwee (Belclare)
No. 10(2) or Bangor District	Glenamoy
No. 13 or Ballyshannon District	Eske
No. 14 or Letterkenny District	Clady
No. 17(1) or Drogheda District	Boyne
No. 17(2) or Dundalk District	Castletown

GIVEN under my hand,

17 December 2009.

Conor Lenihan

Conor Lenihan

Minister of State at the Department of Communications,  
Energy and Natural Resources.

### **EXPLANATORY NOTE**

(This is not part of the Bye-law and does not purport to be a legal interpretation).

This Bye-law provides for catch and release in respect of salmon and sea trout (over 40 cm) in the rivers mentioned in the Bye-law. The Byelaw also provides for the use of single barbless hooks and prohibits the use of worms as bait in angling for salmon and sea trout over 40 cm.

### **FOOTNOTE**

Section 11 of the Fisheries (Consolidation) Act, 1959 provides that any person aggrieved by this Bye-law may within 28 days after its publication in the Iris Oifigiúil, appeal against same to the High Court.