

DEPARTMENT OF COMMUNICATIONS, ENERGY AND NATURAL RESOURCES

FISHERIES ACTS 1959 TO 2006

CONSERVATION OF SALMON AND SEA TROUT (CLOSED RIVERS)

BYE-LAW NO. C.S. 304, 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 (Closed Rivers) Bye-law No. 304, 2009.

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

2. In this Bye-law -

“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) opposite mention of a fishery district in column (1) of the Schedule, notwithstanding anything contained in any bye-law fixing the annual close season, to take, or attempt to take, by rod and line any salmon or sea trout from the waters of the river.

4. The Conservation of Salmon and Sea Trout Bye-law No. C.S. 301, 2008 is revoked.

Schedule

Article 3

Fishery District (1)	River (2)
No. 1 or Dublin District	Liffey Dargle Vartry
No. 2 or Wexford District	Avoca Owenavorrhagh Slaney
No. 3 or Waterford District	Barrow and Pollmounty Corrock Owenduff Mahon Tay
No. 4 or Lismore District	Bride Lickey Tourig Womanagh

<p>No. 5 or Cork District</p>	<p>Upper Lee Glengarriff Adrigole</p>
<p>No. 7 or Kerry District</p>	<p>Blackwater (Kerry) Owenshagh Finnihy Owenascaul Feohanagh Cloonee Owenreagh Emlaghmore Carhan Behy Emlagh Milltown Lee (Kerry) Kealincha Lough Fada</p>
<p>No. 8 or Limerick District</p>	<p>Deel Owenagarney Skivileen Aughyvackeen</p>

	<p>Doonbeg</p> <p>Annageeragh</p> <p>Inagh</p> <p>Fergus</p> <p>Maigue</p> <p>Shannon (excluding Mulkear)</p>
No. 9(1) or Galway District	<p>Clarinbridge</p> <p>Knock</p> <p>Aille</p> <p>Owenboliska, Spiddal</p> <p>Kilcolgan</p>
No. 10(2) or Bangor District	<p>Owengarve</p> <p>Muingnabo</p>
No. 11 or Ballina District	<p>Brusna</p> <p>Leaffony</p> <p>Ballinglen</p> <p>Cloonaghmore, Palmerstown</p>
No. 12 or Sligo District	<p>Grange</p>
No. 13 or Ballyshannon District	<p>Abbey</p> <p>Ballintra (Murvagh)</p>

	<p>Laghy (Stream)</p> <p>Bungosteen</p> <p>Erne</p> <p>Oily</p> <p>Owenwee (Yellow River)</p>
<p>No. 14 or Letterkenny District</p>	<p>Isle (Burn)</p> <p>Mill</p> <p>Clonmany</p> <p>Straid</p> <p>Owennamarve</p> <p>Glenna</p> <p>Swilly</p> <p>Donagh</p> <p>Glenagannon</p> <p>Culoort</p> <p>Lackagh</p> <p>Leannan</p> <p>Tullaghobegly</p> <p>Ray</p> <p>Bracky</p>
<p>No. 17(2) or Dundalk District</p>	<p>Flurry</p> <p>Glyde</p> <p>Dee</p>

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 prohibits the taking or attempting to take by rod and line salmon and sea trout over 40 cm in the rivers specified in the Bye-law.

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 Irish Oifigiúil, appeal against same to the High Court.