

DEPARTMENT OF COMMUNICATIONS, MARINE AND NATURAL RESOURCES

FISHERIES ACTS 1959 TO 2006

SHANNON FISHERIES REGION

CONSERVATION OF SALMON AND TROUT BYE-LAW NO. 817, 2007.

I, John Browne, Minister of State at the Department of Communications, Marine 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 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 Marine and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 307 of 2002)) and the Marine (Delegation of Ministerial Functions) Order 2006 (S.I. No. 82 of 2006), the Marine (Delegation of Ministerial Functions) (No. 4) Order 2006 (S.I. No. 543 of 2006), 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:

1. This Bye-law may be cited as the Shannon Fisheries Region Conservation of Salmon and Trout Bye-law No. 817, 2007.
2. This Bye-law comes into operation on the day of its making.

3. This Bye-law applies to the following waters:

(a) the River Shannon (including its lakes and tributaries) upstream of Sarsfield Bridge in the city of Limerick, and

(b) the Rivers Maigue and Fergus and their lakes and tributaries,

in the No. 8 or Limerick District.

4. Subject to Article 5, it is prohibited for any person to take and kill by any means or have in his or her possession any fish of the salmon or trout kind of less than 20 centimetres in length measured in a straight line from the tip of the snout to the fork of the tail, in the waters to which this Bye-law applies.

5. It is prohibited to take and kill by any means or have possession of any fish of the trout kind which is -

(a) less than 25 centimetres in length measured in a straight line from the tip of the snout to the fork of the tail in the waters of -

- (i) the tributaries of Lough Derg, or
 - (ii) the River Inny between Lough Sheelin and Lough Derravaragh,
and between Lough Derravaragh and Lough Ree,
- (b) less than 30 centimetres in length measured in a straight line from the tip of the snout to the fork of the tail in the waters of Loughs Sheelin, Derravaragh, Ennel and Owel, or
- (c) less than 35 centimetres in length measured in a straight line from the tip of the snout to the fork of the tail in the waters of Lough Derg south or downstream of the bridge at Portumna in the county of Galway.

6. Notwithstanding anything contained in any bye-law fixing the annual close season, angling for trout with rod and line is prohibited in Lough Derg south or downstream of the bridge at Portumna in the county of Galway during the period 1 October each year and ending on 14 March in the next following year.

7. Any fish taken inadvertently in contravention of Article 4 or 5 must be handled carefully and returned without avoidable injury to the waters from which they have been taken.

8. The following are revoked:

- (a) the Limerick District Bye-law No. 488, 1954,
- (b) the Limerick District Bye-law No. 614, 1980, and
- (c) the Shannon Fisheries Region (LoughDerg) (Conservation of Trout) Bye-law No. 754, 1999.

GIVEN under my hand,

7 March 2007.

John Browne

John Browne

Minister of State

at the Department of Communications,

Marine and Natural Resources.

EXPLANATORY NOTE

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

This Bye-law prescribes the minimum size of trout at 35 cm which may be taken from Lough Derg south or downstream of the bridge at Portumna and prohibits angling for trout during the period 1 October each year to 14 March in the next following year. The Bye-law also provides for a minimum size of trout at 25 cm which may be taken in the waters of the tributaries of Lough Derg and incorporates the provisions of the Limerick District Bye-law Nos. 614, 1980 and 488, 1954.

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 Oifigiuil, appeal against same to the High Court.