

S.I. No. 573 of 2013

Wild Salmon and Sea Trout Tagging Scheme Regulations 2013

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Wild Salmon and Sea Trout Tagging Scheme Regulations 2013

I, Fergus O'Dowd, Minister of State at the Department of Communications, Energy and Natural Resources, in exercise of the powers conferred on me by sections 69 and 78 (3)(a)(v) of the Inland Fisheries Act 2010 (No. 10 of 2010) and the Energy and Natural Resources (Delegation of Ministerial Functions) (No. 2) Order 2011 (S.I. No. 631 of 2011), after consultation with Inland Fisheries Ireland, and having complied with Regulations 27 and 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), hereby make the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Wild Salmon and Sea Trout Tagging Scheme Regulations 2013.

(2) These Regulations come into operation on 1 January 2014.

Definitions

2. In these Regulations -

“Act of 1980” means Fisheries Act 1980 (No. 1 of 1980);

“Act of 1994” means Fisheries (Amendment) Act 1994 (No. 23 of 1994);

“Act of 2010” means Inland Fisheries Act 2010 (No. 10 of 2010);

“angling season” means the period of time in any year during which it is permitted to fish in the waters of any river in accordance with bye-laws;

“authorised agent” means an authorised agent (within the meaning of section 70(1) of the Principal Act) of IFI;

“blue tag” means a gill tag described in Regulation 3(3) to be attached to a fish through its gill in accordance with Regulation 3(5) lawfully caught by angling with rod and line;

“brown tag” means a gill tag described in Regulation 5(2) and (3) to be attached to a fish through its gill in accordance with Regulation 5(4);

“bye-laws” means bye-laws made under section 57 of the Act of 2010;

“CEO” means chief executive officer of IFI;

“commercial gill tag” has the meaning assigned to it by Regulation 11(8);

“commercial fishing engine” means a draft net, snap net or any other lawful fishing engine (other than rod and line);

“commercial fishing licence” means a licence authorising the use of a commercial fishing engine for the taking of salmon or sea trout;

“dealer” means the holder of a salmon dealer’s licence;

“dealer’s record book” means a record book in the form set out in Schedule 10;

“distributor” means IFI or an authorised agent or owner, occupier or a manager of a private or several fishery;

“document” includes a dealer’s record book, a tags issues register or a tags removals register;

“draft net” includes a single wall of netting attached to a floating head rope and a weighted ground rope, designed so that a bag is formed into which the catch is drafted or hauled, for the purpose of taking or fishing for, or attempting to take or to fish for, salmon or sea trout;

“farmed salmon or sea trout” includes salmon or sea trout reared entirely in captivity under an aquaculture licence and salmon or sea trout produced by means of aquaculture and imported into the State;

“fish” means wild salmon or sea trout;

“fishery district committee” has the meaning assigned to it in Regulation 9(1);

“fishing licence” means a commercial fishing licence or a rod licence or both, as the case may be;

“gill tag” means a tag described in Regulation 3(3) and (4) and attached to a fish in accordance with Regulation 3(5);

“holder of a fishing licence” includes a person who is authorised under section 67(9) (inserted by section 67 of the Act of 1980) of the Principal Act to use the fishing engine which is related to the licence;

“holder of a logbook” includes a person who is a holder of the fishing licence to which the logbook relates;

“IFI” means Inland Fisheries Ireland;

“length” in relation to a sea trout, means the distance measured in a straight line from the tip of the snout to the fork of the tail;

“logbook” means a salmon and sea trout commercial fishing logbook or a salmon and sea trout angler’s logbook;

“Principal Act” means Fisheries (Consolidation) Act 1959 (No. 14 of 1959);

“rivers” includes its waters;

“rod and line” means any rod and line capable of being used for the purpose of taking or fishing for, or attempting to take or fish for, wild salmon or sea trout;

“rod licence” has the meaning assigned to it by Regulation 4(8);

“salmon and sea trout angler’s logbook” means a logbook in the form set out in Part 2 of Schedule 5;

“salmon and sea trout commercial fishing logbook” means a logbook in the form set out in Part 1 of Schedule 5;

“salmon dealer’s licence” has the meaning assigned to it by section 154 (inserted by section 20 of the Act of 1994) of the Principal Act;

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

“sea trout” means a sea trout over 40 centimetres in length and does not include a farmed sea trout but does include a sea trout which has been released from, or has escaped from, captivity;

“snap net” includes a single wall of netting attached to a floating head rope and a weighted ground rope, designed to suspend between two boats and into which the catch is drawn, for the purpose of taking or fishing for, or attempting to take or to fish for, salmon or sea trout;

“tag” means a gill tag or a tail tag;

“tags issues register” means a register in the form set out in Schedule 7;

“tags removal register” means a register in the form set out in Schedule 8;

“tail tag” means a tag described in Regulation 20(5) to be attached to the tail of a fish by a dealer;

“total allowable catch” has the meaning assigned to it by Regulation 10(3);

“wild salmon” does not include a farmed salmon but does include a salmon which has been released, or has escaped, from captivity.

Tagging of lawfully taken wild salmon and sea trout - gill tags

3. (1) Where a person lawfully catches and retains a wild salmon or sea trout by rod and line, he or she shall attach to the fish, in accordance with paragraph (5) a blue gill tag issued to him or her under Regulation 4.

(2) The holder of a commercial licence shall ensure that any wild salmon or sea trout caught and retained by, or on behalf of, the holder, in accordance with a quota decided under Regulation 11(1) applicable to the licence, by a commercial fishing engine has a commercial gill tag, issued under Regulation 11(3), attached to it in accordance with paragraph (5).

(3) A gill tag to be attached to a wild salmon or sea trout under this Regulation shall -

- (a) be made of plastic,
- (b) bear a locking device,
- (c) be at least 0.5 centimetres in width and at least 18 centimetres in length with printed details and colour as specified in subparagraph (d),
- (d) be in colour -

- (i) blue, where the fish is caught by rod and line,
 - (ii) green, where the fish is caught by draft net,
 - (iii) white, where the fish is caught by snap net, and
 - (iv) orange, where the fish is caught by any other lawful fishing engine,
- (e) bear the correct year code in which the fish was caught, and the security code and number in accordance with Schedule 1,
- (f) other than where the fish is caught by rod and line, bear the code for the fishery district, mentioned in paragraph 1 of Schedule 1, in which the fish is caught,
- (g) bear the correct tag code and number as specified in the logbook to which the tag relates, and
- (h) be in such a condition, that it is capable of being read.
- (4) A gill tag may bear -

(a) the inscription “Inland Fisheries Ireland” or “IFI”, or

(b) a bar code,

or both such an inscription and a bar code.

(5) A gill tag shall, upon landing a fish, be firmly fastened and securely locked to the fish by attaching it through the gill opening and mouth of the fish and double locking it around the gill cover so that -

(a) the code and number of the tag face outwards, and

(b) it cannot be removed without tampering with the lock, breaking or cutting the tag or without cutting or tearing any part of the fish.

(6) A person shall not attach to a fish a gill tag that does not comply with paragraph (3).

(7) This Regulation applies to a wild salmon or sea trout caught in a river mentioned in column (2) of Schedule 2.

Distribution of blue tags to anglers

4. (1) Subject to paragraph (2), the holder of a salmon rod (annual) ordinary, juvenile or district licence shall be issued by a distributor on receipt of licence duty in any year in respect of the period from -

(a) 1 January to 11 May, with 3 blue tags, and

(b) 12 May to 30 September -

(i) with 7 blue tags, where the licence commences during the period referred to in subparagraph (a) and continues into the period referred to in this subparagraph, or

(ii) with 10 blue tags, where the licence commences during the period referred to in this subparagraph.

(2) Tags issued under paragraph (1) shall be issued in lots of 3 or 4 at such intervals in accordance with the instructions of the CEO.

(3) The holder of a salmon rod (twenty-one day) ordinary licence shall be issued by a distributor on receipt of licence duty in any year in respect of the period from -

(a) 1 January to 11 May, with 3 blue tags, and

(b) 12 May to 30 September -

(i) with 7 blue tags, where the licence commences during the period referred to in subparagraph (a) and continues into the period referred to in this subparagraph, or

(ii) with 10 blue tags, where the licence commences during the period referred to in this subparagraph.

(4) Tags issued under paragraph (3) shall be issued in lots of 3 or 4 at such intervals in accordance with the instructions of the CEO.

(5) The holder of a salmon rod (one-day) ordinary licence shall be issued by a distributor on receipt of licence duty, in any year in respect of the period from 1 January to 30 September, with one blue tag.

(6) The holder of a rod licence shall be issued with one blue tag in the period from 1 October to 12 October, for sea trout in rivers which are open under bye-laws.

(7) Notwithstanding the foregoing, where a person has been issued with blue tags in accordance with this Regulation and the person has not used any of those tags, that person is not entitled to be issued with any further blue tags until at least one of the previous issue of tags has been used.

(8) Notwithstanding the foregoing, holders of rod licences shall not be issued with -

- (a) any blue tags for which there is no total allowable catch, or
- (b) a number of blue tags which is greater than the total allowable catch,

for a river mentioned in Schedule 2.

(9) Any blue tag held by the holder of a rod licence which is lost or accidentally destroyed may be replaced by a distributor on presentation of a signed declaration of the loss or destruction made before an authorised officer who is satisfied that the tag is so lost or destroyed.

(10) In this Regulation -

“licence duty” means in relation to a rod licence, licence duty payable under section 68 of the Principal Act in respect of the licence;

“rod licence” means a licence referred to in this Regulation.

Additional tagging for anglers in certain rivers - brown tags

5. (1) In addition to the tagging requirements contained in Regulation 3, where a person lawfully catches and retains a wild salmon or sea trout by rod and line during the period from 1 January to 30 September in any year in respect of a river mentioned in column (2) of Schedule 4 that opens on or after 1 January in accordance with bye-laws, he or she shall attach to the fish in accordance with paragraph (4) a brown tag issued to him or her under Regulation 6.

(2) A brown tag to be attached to a wild salmon or sea trout under this Regulation shall -

- (a) be brown in colour,
- (b) be made of plastic,
- (c) bear a locking device,
- (d) be at least 0.5 centimetres in width and at least 18 centimetres in length with printed details as specified below,
- (e) bear the designated code for the river concerned specified in column (3) of Schedule 4,

- (f) bear the inscription “Inland Fisheries Ireland” or “IFI”;
- (g) bear the letter and numbers in accordance with Schedule 3, and
- (h) bear the designated code specified in column (3) of Schedule 4 for the river concerned.

(3) A brown tag may bear a bar code.

(4) A brown tag shall, on landing a fish, be firmly fastened and securely locked to the fish by attaching it through the gill opening and mouth of the fish and double locking it around the gill cover so that -

- (a) the code and number of the tag face outwards, and
- (b) it cannot be removed without tampering with the lock, breaking or cutting the tag or without cutting or tearing any part of the fish.

(5) A person shall not attach to a fish a brown tag that does not comply with paragraph (2).

Distribution of brown tags to anglers

6. (1) Subject to paragraph (2), the holder of a salmon rod ordinary licence shall be issued by a distributor with such number of brown tags as are in accordance with the instructions of the CEO.

(2) The holder of a salmon rod ordinary licence shall not be issued with a number of brown tags which is greater than the number of wild salmon or sea trout which he or she may lawfully take with rod and line during the period for which the licence is in force.

(3) Any brown tag held by the holder of a salmon rod ordinary licence which is lost or accidentally destroyed may be replaced by a distributor on presentation of a signed declaration of loss or destruction made before an authorised officer who is satisfied that the tag is so lost or destroyed.

Notice to distributors relating to brown tags

7. (1) The CEO shall issue a notice to distributors in respect of the issue of brown tags for a river mentioned in Schedule 4.

(2) A notice under this Regulation shall -

- (a) specify the procedures to be followed in relation to the issuing of brown tags, entries into log books, registers, return of brown tags, replacement of brown tags and issue of second and subsequent brown tags, and
- (b) be issued and published in such manner as the CEO decides.

Restrictions on issue to distributors of brown tags

8. (1) Subject to this Regulation, the CEO shall issue brown tags to distributors based on estimated demand in any one month for a river mentioned in column (2) of Schedule 4 opposite mention, in column (1) of that Schedule, of a fishery district.

(2) The total number of brown tags that may be issued to distributors in respect of a river shall not exceed the total allowable catch for the river.

(3) The CEO shall not issue to distributors more than 25 per cent of the total number of brown tags available for any river at any one time, except where due to seasonal variations he or she considers it appropriate to do so.

(4) The CEO shall ensure that brown tags in relation to each river in a fishing district are issued to distributors sequentially and for specified periods for issue to licence holders.

(5) The CEO may require distributors to return unused tags at the end of the period for which they were issued before issuing a distributor with a further allocation of brown tags.

Fishery district committees

9. (1) There continues in being in relation to each fishery district a committee (“fishery district committee”) to be known as “The _____ Fishery District Committee” (the name of the fishery district being inserted).

(2) Each fishery district committee shall perform, as regards the fishery district in relation to which it is established, the functions assigned to a fishery district committee by Regulation 10(1).

(3) A fishery district committee shall consist of -

- (a) such persons as the CEO considers appropriate and who are representative of commercial fishermen, salmon rod anglers and rated occupiers in the fishery district of the committee and who in total number not more than 8, and
- (b) a representative of An Bord Iascaigh Mhara nominated by it,

appointed annually for a period of 12 months by IFI.

Total allowable catch - fishing licences

10. (1) Subject to paragraph (2), the CEO, after consultation with the fishery district committee concerned, shall decide the allocation of the total allowable catch applicable to a river between the holders of commercial fishing licences and rod and line fishing licences, as he or she sees fit.

(2) The CEO in deciding the allocation of a total allowable catch under paragraph (1) shall provide the Minister with his or her reasons for the allocation decided.

(3) In this Regulation “total allowable catch” means the maximum number of gill tags (if any) specified in column (3) of Schedule 2 that may be issued in respect of wild salmon and sea trout which may be lawfully taken by the holders of fishing licences in a river mentioned in column (2), opposite mention of a fishery district in column (1), of Schedule 2.

Quotas - commercial fishing licences

11. (1) The CEO, in accordance with paragraph (2) -
- (a) shall decide the quota applicable to the holder of a commercial fishing licence in respect of a river of a fishery district referred to in Schedule 2,
 - (b) may decide to vary the quota applicable to the licence, and
 - (c) shall inform the licence holder of the applicable quota or any variation of it.
- (2) The total sum of the quota decided under paragraph (1) by the CEO for a fishery district mentioned in column (1) of Schedule 2 in respect of a river mentioned in column (2) of Schedule 2 opposite mention of the district shall not exceed the total allowable catch for the river.
- (3) In accordance with a decision made under paragraph (1) the CEO shall cause the appropriate number of commercial gill tags to be issued to the holders of commercial fishing licences in respect of the rivers concerned.

(4) Any commercial gill tag held by the holder of a commercial fishing licence, which is lost or accidentally destroyed, may be replaced by the CEO where he or she has been informed immediately of the loss or destruction and is satisfied that the tag is so lost or destroyed.

(5) The holder of a commercial fishing licence who has been issued with commercial gill tags under paragraph (3) shall surrender -

(a) any tag which has not been used by him or her during the annual season for which it was issued, or

(b) at the request of the CEO such number of tags contained in the request,

to an authorised officer.

(6) A request under paragraph (5)(b) may be made generally to holders of commercial fishing licences or individually to such a licence holder by such written means as the CEO decides.

(7) Where the CEO issues commercial gill tags under paragraph (3), he or she shall, within the period of 7 days from the issue of the tags, record details of the tag allocation, including information on the date of tag issue, the number of tags and tag codes

issued to the holder of a commercial fishing licence and the identifying code number of the licence.

(8) In this Regulation -

“commercial gill tag” means a gill tag which is green, white or orange in colour as appropriate to the commercial fishing engine concerned, as described in Regulation 3(3)(d)(ii), (iii) or (iv), respectively, to be attached in accordance with Regulation 3(5) to a wild salmon or sea trout lawfully caught by the fishing engine;

“quota” means the maximum number of salmon and sea trout that the holder of a commercial fishing licence may catch and retain under this Regulation from a river mentioned in Schedule 2.

Cessation of commercial fishing and surrender of untagged fish where tags are exhausted

12. (1) Where -

- (a) a person being the holder of a commercial fishing licence, captures more fish than the number of commercial gill tags that he or she has in his or her possession, he or she shall cease to fish, and any fish, in excess of the number permitted to be captured, that have been captured

by him or her, to which he or she cannot attach to such a tag, before so ceasing shall, if alive and uninjured, be returned immediately to the water, or

- (b) the excess number of fish cannot be so returned, he or she shall report this and remove the untagged fish from the boat on which they were caught and surrender them to IFI on landing.

(2) Where a person does not surrender the fish to an authorised officer of IFI in accordance with paragraph (1)(b), the fish may be seized by an authorised officer of IFI.

Performance of CEO's functions by other persons

13. The CEO may perform any of his or her functions under these Regulations through or by any of IFI's officers or employees or any other person duly authorised by IFI in that behalf and nominated by the CEO.

Fish capture cards

14. (1) The CEO may require distributors to issue a fish capture card (in such form as he or she decides) together with each gill tag issued to the holder of a salmon rod ordinary licence.

(2) Where the holder of a salmon rod licence captures any fish at any time, the holder shall enter details of -

- (a) the river or lake where the fish was captured,
- (b) the date of capture of the fish,
- (c) the number of fish captured and killed, and
- (d) his or her rod licence number,

on a fish capture card and post or deliver the card to IFI at one of its offices mentioned in Schedule 6.

(3) The CEO may require a holder of salmon rod ordinary licence fishing in a fishery district to give details of the number of fish captured by the holder, date of capture, and the river from which they were captured together with his or her licence number by means of a telephone number, an electronic mail or a facsimile address provided by or on behalf of the CEO to the holder.

(4) The holder of a salmon rod or primary licence shall comply with a requirement made of him or her under paragraph (3).

(5) A telephone number, an electronic mail or a facsimile address under paragraph (3) may be provided by publishing the number or address and the details to be given in a notice to the licence holder, prominently displayed in the fishery district concerned or published in a newspaper published in and circulating in the fishery district concerned.

(6) In this Regulation “fish capture card” means a card issued by IFI under paragraph (1).

Logbooks

15. (1) IFI shall issue a salmon and sea trout commercial fishing logbook to the holder of a commercial fishing licence.

(2) A salmon and sea trout angler’s logbook shall be issued by IFI or an authorised agent to the holder of a salmon rod ordinary licence.

(3) A logbook shall relate to one fishing licence only.

(4) The holder of a logbook shall have the logbook in his or her possession when fishing for wild salmon or sea trout under the fishing licence to which the logbook relates.

(5) Logbooks shall be in the form set out in Schedule 5.

Entries of events into logbooks

16. (1) Where a wild salmon or sea trout is captured, or captured and released alive to the waters in which it is taken -

- (a) by the holder of or on foot of a commercial licence, the holder of the licence shall make or cause to be made an entry of the event in the salmon and sea trout commercial logbook immediately upon the capture and tagging under these Regulations, or
- (b) by the holder of a salmon rod ordinary licence, the holder shall make an entry of the event in his or her salmon and sea trout angler's logbook immediately upon the capture and tagging under these Regulations, or the capture and release, of the fish.

(2) Where a wild salmon or a sea trout is sold by or on behalf of the holder of a salmon and sea trout commercial fishing logbook, the holder of the logbook shall enter the name and address of the purchaser of the fish into the logbook.

Surrender of completed logbooks and unused tags to CEO

17. (1) The holder of a salmon and sea trout commercial fishing logbook shall, in the manner set out in the logbook, deliver the logbook completed in accordance with Regulation 16(1)(a) together with all unused tags issued to him or her under Regulation 3 to the CEO at one of the offices of IFI set out in Schedule 6, within the period of 7 days commencing on the day after the last day of the relevant fishing season.

(2) The holder of a salmon and sea trout angler's logbook shall, in the manner set out in the logbook, deliver the logbook completed in accordance with Regulation 16(1)(b) together with all unused tags issued to him or her under Regulations 4 and 6 to the CEO at one of the offices of IFI set out in Schedule 6, not later than 19 October of the year to which they relate.

(3) Where delivery for the purposes of paragraph (2) is by post, the holder of the salmon and sea trout angler's logbook concerned should obtain a certificate or other proof of posting and retain it for 12 months from the date of posting.

(4) In paragraph (1) "fishing season" means the period during which commercial fishing for wild salmon or sea trout may take place.

Reporting lost or destroyed logbooks

18. (1) The holder of a logbook shall report any loss or accidental destruction of the logbook, as soon as possible, to an office of IFI referred to in Schedule 6 and the logbook

may be replaced by the CEO, on presentation to him or her of a declaration made in accordance with paragraph (2).

(2) Where an authorised officer is satisfied on information given to the officer by the holder of a logbook that that logbook is lost or accidentally destroyed, the holder may make and sign a declaration to that effect.

Requirements relating to distribution of blue and brown tags and logbooks - tags issue register

19. (1) A distributor who has possession of blue and brown tags and salmon and sea trout anglers' logbooks for issue to the holder of a rod licence shall -

- (a) keep them in a secure place,
- (b) enter the code and number of any tag being issued to a person in the logbook held by, or being issued to, that person,
- (c) keep and maintain a tags issues register to record, in particular, the code and number of any tag which he or she issues and the serial number of the logbook in which he or she has entered the code and number in accordance with paragraph (b),

- (d) enter a record in the tags issues register of the code and number of any tag (the first and last numbers of a series will suffice) issued to any person and the serial number of the logbook in which he or she has entered the code and number in accordance with paragraph (b), and
- (e) return all tags held in stock to IFI no later than 31 October each year or such other day as may be specified from time to time by IFI.

(2) Information kept in a tags issues register by a person referred to in paragraph (1) may also be kept by the person by means of any mechanical or electronic device, whether or not stored, maintained or preserved in a legible form.

(3) An authorised officer may request a person referred to in paragraph (1) to produce for examination by the officer the tags issues register kept and maintained by the person or any extract of it or any tags or logbooks in his or her possession.

(4) In this section “tags issues register” means a register containing the details in the form set out in Schedule 7.

Tail tags - requirement of dealers

20. (1) IFI shall issue tail tags to dealers for the purposes of this Regulation.

(2) A dealer shall keep and maintain a tags removals register and a dealer's record.

(3) A dealer who removes a tag from a wild salmon or sea trout at the time of processing shall -

(a) retain the tag together with the record of the purchase of the fish, shall complete the tag removals register kept by him or her in respect of the tag and the fish, and

(b) deliver all such tags, records and registers to the relevant office of IFI mentioned in Schedule 6 on the first Tuesday in December of each year and on any other day that may be specified from time to time by IFI.

(4) A dealer who imports a wild salmon or sea trout into the State shall -

(a) notify IFI before the fish is imported,

(b) attach to the fish, within a period which may be specified from time to time by IFI, a tail tag issued to him or her under this Regulation by IFI by firmly fastening the tag to and securely locking it on the fish by attaching it around the tail of the fish with one end being passed

through the locking device and pulled until the tag is securely in place that it cannot be removed without tampering with the lock, breaking or cutting the tag or without cutting or tearing any part of the fish, and

- (c) complete the dealer's record book, containing the details set out in the form in Schedule 10, in respect of such fish in particular by entering a record of the code and number of the tail tag which he or she attaches to the fish.

(5) A tail tag to be attached to a fish shall -

- (a) be yellow in colour,
- (b) be made of plastic and bear a locking device,
- (c) have a cable tie type tag with flag to allow printed details,
- (d) be a minimum of 19 centimetres in length with printed details as specified below, and
- (e) bear the codes and numbers set out in, and in accordance with, Schedule 9.

(6) A tail tag may bear -

(a) the inscription “Inland Fisheries Ireland” or “IFI”, or

(b) a bar code,

or both such an inscription and bar code.

(7) Any tail tag held by a dealer which is lost or accidentally destroyed, may be replaced by IFI where IFI has been informed immediately of the loss or destruction and is satisfied that the tag is so lost or destroyed.

(8) A person shall not attach a tail tag to a fish that does not comply with paragraph (5).

(9) In this Regulation “processing” in relation to a wild salmon or sea trout, means -

(a) smoking, marinating or cooking the fish,

(b) in the case of a fish tagged with a gill tag, removing the viscera, and the head or tail of the fish and freezing it,

- (c) removing the viscera and cutting any steaks, cutlets or other portions of the fish.

Persons engaged in catering

21. (1) A person, other than a dealer, who removes a tag that is attached to a wild salmon or sea trout which he or she has lawfully purchased shall -

- (a) retain the tag together with a record of the date of the purchase of the fish, a record of the date of the removal of the tag and if applicable the statement of the fisherman obtained under section 163A(2)(b) (inserted by section 20 of the Act of 1994) of the Principal Act for a period of 3 months, and
- (b) give to an authorised officer all such tags and records in his or her possession when requested by the officer to do so.

(2) This Regulation does not apply to any wild salmon or sea trout which is purchased *bona fide* by or on behalf of a person for personal or for private leisure consumption.

Prohibitions

22. (1) Where the holder of a commercial fishing licence has taken the number of fish referred to in the quota applicable to the commercial licence under Regulation 11(1) from waters in a river, he or she shall not fish for any further wild salmon or sea trout in that river.

(2) A person shall not remove a tag that is attached to a wild salmon or sea trout in accordance with these Regulations except at the time the salmon or sea trout is processed.

(3) A person shall not attach, or have attached, a tag other than a tag which has been issued to him or her under these Regulations, to any wild salmon or sea trout.

(4) A person shall not attach a tag to any fish which is not a wild salmon or sea trout.

(5) A person shall not attach to a wild salmon or sea trout a tag which has previously been attached to such a fish.

(6) A person shall not sell, offer to sell, display, import, export or tranship any wild salmon or sea trout which does not have a tag attached to it in accordance with these Regulations.

(7) A person shall not have in his or her possession any wild salmon or sea trout which are not tagged in accordance with these Regulations and which he or she knows, or in

the circumstances ought to know, should have a tag attached to them in accordance with these Regulations.

(8) A person shall not -

- (a) attach, or have attached, a tag to a farmed salmon or sea trout, or
- (b) have in his or her possession, sell, offer to sell, display, import, export or tranship any tagged farmed salmon or sea trout which he or she knows, or in the circumstances ought to know, should not have a tag attached to it.

(9) A person shall not have in his or her possession any wild salmon or sea trout which he or she knows, or in the circumstances ought to know, was taken from a river mentioned in Schedule 2 other than in accordance with the total allowable catch applicable to the river.

Non-application to certain matters

23. These Regulations do not apply to -

- (a) anything done in accordance with section 14 (inserted by section 4 of the Fisheries (Amendment) Act 1962 (No. 31 of 1962)) of the Principal Act, or
- (b) any wild salmon or sea trout lawfully caught and retained by IFI, the Marine Institute or the Electricity Supply Board other than where IFI, that Institute or that Board, as the case may be, decides to tag any wild salmon or sea trout caught and retained by it in accordance with these Regulations.

Forfeiture of fishing licence and consequential disqualification order

24. It is declared that section 78(3) of the Act of 2010 applies to an offence under section 69(6) of the Act of 2010 in respect of a failure to comply with Regulation 3 or 5 or a contravention of Regulation 22.

Penal offences

25. The contravention of, or the failure to comply with, any of the following Regulations is a penal offence:

- (a) Regulation 3;

- (b) Regulation 5;
- (c) Regulation 11(5);
- (d) Regulation 12(1);
- (e) Regulation 14(2);
- (f) Regulation 15(4);
- (g) Regulation 16;
- (h) Regulation 17(1) or (2);
- (i) Regulation 18;
- (j) Regulation 19(1);
- (k) Regulation 20(2), (3), (4) and (7);
- (l) Regulation 21(1);
- (m) Regulation 22.

Revocations

26. The Wild Salmon and Sea Trout Tagging Scheme Regulations 2012 (S.I. No. 556 of 2012) are revoked.

Schedule 1

Regulation 3

Gill tags

Angling - blue tag

Commercial fishing licences -

green - draft net

white - snap net

orange - other fishing engine

1. Fishery District codes

District (DK = Dundalk, DA = Drogheda, DN = Dublin)

District (WX = Wexford, WD = Waterford)

District (LE = Lismore, CK = Cork, KY = Kerry)

District (LK = Limerick)

District (GY = Galway, CA = Connemara, BL = Ballinakill)

District (BR = Bangor, BA = Ballina, SO = Sligo)

District (BN = Ballyshannon, LY = Letterkenny)

2. Year code

The year code shall be the last two digits of the year.

3. Security code

A two digit security code shall be added to the tags.

4. Number

Numbers shall be from 1 to the estimated maximum allocation.

Example

A draft net caught fish recorded in the Bangor district in the year 2014 should be identifiable from its tag as follows:

Tag colour green, code IFIWBR14XX and number between 1 and the maximum.

Schedule 2

Regulations 3(7), 4(8), 10 and 11

Rivers

Total Allowable Catch

Fishery district (1)	Waters of the River (2)	Proposed maximum number of tags that may be issued in respect of taking wild salmon or sea trout from river (3)
Dublin	Dargle	0
	Upper Liffey	0
	Lower Liffey (downstream of Leixlip Dam)	0
	Vartry	0
Wexford	Slaney	0
	Avoca	0
	Owenavorrhagh	0
Waterford	Barrow and Pollmounty	0
	Nore	2,214
	Suir including Clodiagh, Lingaun, and Waterford Blackwater	0
	Colligan	0
	Corock R	0
	Owenduff	0
	Mahon	0
	Tay	0

Lismore	Blackwater (Munster) including Glenshelane and Finisk	6,902
	Bride	0
	Lickey	0
	Tourig	0
	Womanagh	0
Cork	Owenacurra	45
	Lower Lee	2,177
	Bandon	752
	Ilen	711
	Mealagh	192
	Coomhola	96
	Upper Lee	0
	Glengarriff	331
	Argideen	125
	Owvane	502
	Adrigole	0
Kerry	Roughty	463
	Blackwater (Kerry)	0
	Sneem	694
	Waterville	404

Caragh}	1,170
Laune including Cottoners}	4,743
Maine}	1,639
Castlemaine Harbour ¹	1,020
Behy	0
Emlagh	0
Owenmore	211
Croanshagh (Glanmore River and Lake)	102
Sheen	103
Inny	394
Kealincha	0
Lough Fada	0
Owenshagh	0
Cloonee	0
Finnihy	0
Owenreagh	0
Emlaghmore	0
Carhan	0
Ferta	0

¹ In the event that draft net fishing takes place in the common estuary, the combined total allowable catch of the rivers Caragh, Laune and Maine contributing to the fishery is reduced to reflect the higher risk associated with meeting the individual river conservation limits simultaneously

	Owenascaul	0
	Milltown	0
	Feohanagh	0
	Lee	0
Limerick	Feale including Galey and Brick	2,872
	Mulkear	645
	Maigue	0
	Shannon River	0
	Fergus	0
	Deel	0
	Owenagarney	0
	Doonbeg	0
	Skivaleen	0
	Annageeragh	0
	Inagh	0
	Aughyvackeen	0
Galway	Corrib	6,246
	Aille (Galway)	0
	Kilcolgan	0
	Clarinbridge	0
	Knock	0
	Owenboliska (Spiddal)	0

Connemara	Cashla	379
	Screebe	57
	Ballynahinch	1,262
	Lough Na Furnace	0
Ballinakill	Erriff}	669
	Bundorragha }	330
	Common estuary ²	831
	Owenglin (Clifden)	643
	Dawros	697
	Culfin	270
	Carrownisky	0
	Bunowen	335
	Owenwee (Belclare)	45
Bangor	Srahmore (Burrishoole)	0
	Carrowmore Lake	587
	Owenduff (Glenamong }	1,846
	Owenmore	0
	Common estuary	0
	Newport (including Lough Beltra)	538

² In the event that draft net fishing takes place in the common estuary, the combined total allowable catch of the rivers Erriff and Bundorragha contributing to the fishery is reduced to reflect the higher risk associated with meeting the individual river conservation limits simultaneously.

	Glenamoy	153
	Owengarve River	0
	Muingnabo	0
Ballina	Moy	25,803
	Easkey	418
	Cloonaghmore (Palmerstown)	0
	Ballinglen	0
	Brusna	0
	Leaffony	0
Sligo	Ballysadare	3,195
	Drumcliff	151
	Garvogue (River Bonet and Lough Gill)	527
	Grange	0
Ballyshannon	Duff	305
	Drowes	2,675
	Eany	128
	Glen	219
	Owenwee (Yellow River)	0
	Erne	0
	Eske	43

	Abbey	0
	Ballintra (Murvagh R)	0
	Laghy	0
	Oily	0
	Bungosteen	0
Letterkenny	Owenea/Owentocker	936
	Gweebarra	332
	Clady	83
	Tullaghobegly	103
	Crana	160
	Gweedore (Crolly River)	417
	Ray	0
	Lackagh	0
	Leannan	0
	Bracky	0
	Owenamarve	0
	Glenna	0
	Swilly	0
	Isle (Burn)	0
	Mill	0
	Clonmany	0

	Straid	0
	Donagh	0
	Glenagannon	0
	Culoort	0
Drogheda	Boyne	0
Dundalk	Castletown	0
	Fane	411
	Glyde	201
	Dee	0
	Flurry	0

Schedule 3

Regulation 5

Brown tags

1. **Letter and number**

Each coded tag shall contain a letter followed by a number.

2. **Serial number**

Each tag shall contain a unique serial number.

Example

A fish caught on 1 May 2014 in the River Eske in the Ballyshannon District should be identifiable from its brown tag as follows:

Code “Inland Fisheries Ireland S3” and a unique serial number.

Schedule 4

Regulations 5, 7 and 8

Fishery districts and rivers to which brown tags apply

Fishery district	River	Designated code
Dundalk	Glyde	C3
Limerick	Mulkear	D3
Kerry	Sheen	F3
Kerry	Roughy	G3
Connemara	Screebe	K3
Ballinakill	Owenwee (Belclare)	Q3
Bangor	Carrowmore	R3
Ballyshannon	Eske	S3
Ballyshannon	Eany	U3
Letterkenny	Clady	W3
Letterkenny	Tullaghobegley	Y3

Schedule 5

Regulation 15

Logbooks

PART 1

Salmon and Sea Trout Commercial Fishing Logbook

Issuing Office: _____

Log Book Number: _____

Year: _____

Details of Commercial Licence Holder

Licence holder

Surname: _____

Given Names: _____

Address: _____

Licence holder's nominee

Surname: _____

Given Names: _____

Address: _____

River to be fished: _____

Licensed fishing method: _____

District to be fished as per licence: _____

Identification number of licence: _____

Type of fishing vessel and registration number: _____

Record of gill tags issues

Date of Issue	Number of tags issued	Codes and numbers of issued tags	Issuing officer's name & initials

Record of gill tags lost

*See note

Date of declaration	Number of lost tags	Codes and numbers of lost tags	Certifying officer's name & initials

*Gill tags which are lost or accidentally destroyed, may be replaced by the CEO where he or she has been informed immediately of the loss or destruction and is satisfied that the tags are so lost or destroyed.

Record of gill tags returned

Date of declaration	Number of returned tags	Codes and numbers of returned tags	Certifying officer's name & initials

Daily Fishing Effort and Catch Record

Date: _____(dd/mm/yy)

Time commenced fishing	Time completed fishing	Number of salmon captured and tagged	Number of sea trout captured and tagged	River/common estuary from which fish captured
AM/PM*	AM/PM*			

*Please delete AM or PM as appropriate or use the 24 hour clock.

Certified Correct: _____

(licence holder or nominee signature)

Daily Disposal of Captured Fish

Date of disposal (dd/mm/yy)	Name & address of salmon dealer/hotel/guest house/restaurant/other purchaser or domestic consumption	Number of fish	
		Salmon	Sea trout

Certified correct: _____

(Licence holder or nominee signature)

PART 2

Inland Fisheries Ireland

Salmon and Sea Trout Angler's Logbook

Year: _____

(Details of salmon rod ordinary licence to be entered here)

Record of Tags

Date (dd/mm/yy)	Issued (give quantity)	Lost (give quantity)	Returned (give quantity)	Tag Codes and Numbers (give first and last in sequence)	Authorised Agent	Authorised Agent Signature

You must return all logbooks and all unused carcass tags to an IFI office mentioned below. Logbooks and unused tags may be returned by post (a business reply envelope is provided) or in person.

Offices of IFI

Inland Fisheries Ireland, 3044 Lake Drive, Citywest Business Campus, Dublin 24 Ireland.	Inland Fisheries Ireland, Teach Breac, Earl's Island, Galway, Ireland.
Inland Fisheries Ireland, Anglesea Street, Clonmel, Co. Tipperary, Ireland.	Inland Fisheries Ireland, Ardnaree House, Abbey Street, Ballina, Co Mayo, Ireland.
Inland Fisheries Ireland, Sunnyside House, Macroom, Co. Cork, Ireland.	Inland Fisheries Ireland, Station Road, Ballyshannon, Co. Donegal, Ireland.
Inland Fisheries Ireland, Ashbourne Business Park, Dock Road, Limerick, Ireland.	

Fishing and Catch Record

	Date (dd/mm /yy)	Name of River /Lake	Beat	County	Species (tick box)		Weight lbs/kgs (delete as appropriate)	Lure	Tag Code and Number (enter R if fish released)	For official use only
					Salmon	Sea Trout				
1.										
2.										
etc.										

Please record lure using the following codes: Fly (F), Spinner (S), Worm (W), Prawn/Shrimp (P), Other (O).

Certified Correct: _____

Licence holder's signature

Total days fished (including those when no fish were caught) _____.

*A Kelt is a salmon that has recently spawned and is usually in poor condition. A Baggot is a female salmon which is still full of mature eggs. A Kelt/Baggot (K) whilst recorded in the logbook will not be counted as part of the run for the current year as it relates to the previous year salmon returns.

Schedule 6

Regulations 14, 17 and 20

Offices of IFI

Inland Fisheries Ireland, 3044 Lake Drive, Citywest Business Campus, Dublin 24 Ireland.	Inland Fisheries Ireland, Teach Breac, Earl's Island, Galway, Ireland.
Inland Fisheries Ireland, Anglesea Street, Clonmel, Co. Tipperary, Ireland.	Inland Fisheries Ireland, Ardnaree House, Abbey Street, Ballina, Co Mayo, Ireland.
Inland Fisheries Ireland, Sunnyside House, Macroom, Co. Cork, Ireland.	Inland Fisheries Ireland, Station Road, Ballyshannon, Co. Donegal, Ireland.
Inland Fisheries Ireland, Ashbourne Business Park, Dock Road, Limerick, Ireland.	

Schedule 7

Regulation 19(1)

Tags Issues Register

Serial No. TG: _____ to TG _____

Year: _____

River Basin District: _____

Issuing regional board or authorised agent: _____

Agent Code _____

Date	Licence number (please include letter prefix)	Name of licence holder	Number of blue tags and brown tags issued	Codes and numbers of blue tags and brown tags (give first and last in sequence)	Name of issuer (initials will suffice)

Schedule 8

Regulation 20

Tags Removals Register

Serial No. TR: _____ to _____

Year: _____

Dealer Licence Number: _____

Dealer Name: _____

Dealer Address: _____

Date of Tag Removal	Tag Code and Number	Tag Colour	Species (if sea trout please tick box)

Schedule 9

Regulation 20(5)(e)

Tail tag

1. IFI Code:

IFI = Inland Fisheries Ireland

2. Year code:

The year code shall be the last two digits of the year.

3. Security code:

A two digit security code shall be added to the tags.

4. Number:

Numbers shall be from 1 to the expected maximum allocation.

Example:

An imported fish to the Western River Basin recorded in the year 2014 should be identifiable from its tag as follows:

Tag colour yellow, code “IFI14XX” and number between 1 and the maximum.

Schedule 10

Regulation 20(3)(c)

Dealer's Record Book

Imported Wild Salmon and Sea Trout Dealer's Record Book

Serial No. TD: _____ to _____

Year: _____

Dealer Licence Number: _____

Dealer Name: _____

Dealer Address: _____

Date of Import	Time of Import	Supplier	Number of fish notified to IFI	Number of fish imported and tagged	Codes and numbers of tail tags affixed to fish

GIVEN under my hand,

17 December 2013.

Fergus O'Dowd,

Minister of State at the Department of

Communications, Energy and Natural Resources

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These regulations provide for, among other things, the quotas of fish that can be harvested by commercial fishing engines and rod and line from those rivers identified in Schedule 2. The Regulations also provide for the use of brown tags in specified rivers which are identified in Schedule 4.