

DEPARTMENT OF COMMUNICATIONS, ENERGY AND NATURAL RESOURCES

INLAND FISHERIES ACTS 1959 TO 2010

CONSERVATION OF SALMON AND SEA TROUT (CLOSED RIVERS)

BYE-LAW NO. C.S. 313, 2012

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 section 57 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), at the request of 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 bye-law:

1. (1) This Bye-law may be cited as the Conservation of Salmon and Sea Trout (Closed Rivers) Bye-law No. C.S. 313, 2012.

(2) This Bye-law comes into operation on 1 January 2013.
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) of the Schedule 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 (Closed Rivers) Bye-law No. C.S. 309, 2011 is revoked.

Schedule

Article 3

Fishery District (1)	River (2)
No. 1 or Dublin District	Upper Liffey (upstream of Leixlip Dam) Dargle Vartry
No. 2 or Wexford District	Avoca
No. 3 or Waterford District	Owenduff Mahon Tay
No. 4 or Lismore District	Lickey Tourig Womanagh
No. 5 or Cork District	Upper Lee
No. 7 or Kerry District	Owenshagh Finnihy Cloonee Owenreagh Emlaghmore Carhan

	<p>Emlagh Lee (Kerry) Behy</p>
<p>No. 8 or Limerick District</p>	<p>Deel Owenagarney Skivaleen Aughyvackeen Doonbeg Annageeragh Inagh Fergus Maigue Shannon (excluding Mulkear)</p>
<p>No. 9(1) or Galway District</p>	<p>Clarinbridge Knock Aille Owenboliska, Spiddal Kilcolgan</p>
<p>No. 10(2) or Bangor District</p>	<p>Owengarve Muingnabo</p>
<p>No. 11 or Ballina District</p>	<p>Brusna Leaffony Ballingen Cloonaghmore, Palmerstown</p>

No. 12 Sligo District	Grange
No. 13 or Ballyshannon District	Abbey Ballintra (Murvagh) Laghy (Stream) Erne Owenwee (Yellow R)
No. 14 or Letterkenny District	Isle (Burn) Mill Clonmany Straid Owenamarve Swilly Donagh Culoort Leannan Glenna Glenagannon
No. 17(2) or Dundalk District	Flurry

GIVEN under my hand,

20 December 2012.

Fergus O'Dowd

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 57 (7) of the Inland Fisheries Act, 2010 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.