

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

**FISHERIES ACTS 1959 TO 2010**

**AVOCA RIVER SYSTEM (CATCH AND RELEASE)**

**BYE-LAW NO. 890, 2011**

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 Avoca River System (Catch and Release) Bye-law No. 890, 2011.
- (2) This Bye-law comes into operation on 1 January 2012.
2. In this Bye-law -

“Avoca River System” includes all the waters that drain the area upstream of the mouth of the Avoca as defined in Definition No. D. 120 No. 2 or Wexford District which was made by the then Minister for Lands and Fisheries on 10 April 1931;

"sea trout" means the migratory form of *Salmo trutta* which is 40cm or less in length, measured in a straight line from the tip of the snout to the fork of the tail.

3. Notwithstanding anything contained in any other Bye-law, it is prohibited for any person to take by means of rod and line any sea trout from the waters of the Avoca River System unless such sea trout is handled carefully and immediately returned alive to the waters from which it is taken.
  
4. A person angling for sea trout in accordance with Article 3 shall not use or attempt to use worms as bait or any fish hooks, other than single barbless hooks.

GIVEN under my hand,  
21 December 2011.

Fergus O'Dowd  
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 of any sea trout under 40cm by means of rod and line from the Avoca System (as defined in Definition No. D. 120 No.2 or Wexford District, Volume XX111 of the Statutory Rules, Orders and Regulations 1922-1938 (Fisheries)) unless such sea trout is handled carefully and immediately returned alive to the waters from which it is taken. The Bye-law also prohibits the use of worms as bait and any fish hooks other than single barbless hooks in angling for sea trout under 40cm.

## **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 Irish Oifigiúil, appeal against same to the High Court.