

**DEPARTMENT OF COMMUNICATIONS, MARINE AND NATURAL
RESOURCES**

FISHERIES ACTS, 1959 TO 2001

**SHANNON FISHERIES REGION
LOUGH SHEELIN CONTROL OF FISHING BYE-LAW NO. 790, 2003**

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 (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 307 of 2002)) and the Communications, Marine and Natural Resources (Delegation of Ministerial Functions) Order 2002 (S.I. No. 374 of 2002), hereby make the following Bye-law:

1. This Bye-law may be cited as the Shannon Fisheries Region – (Control of Fishing in Lough Sheelin) Bye-law No. 790, 2003.
2. This Bye –law shall come into operation on 1 May 2003.
3. In this Bye-law –

“specified waters” means all the waters of Lough Sheelin in the No. 8 or Limerick District;

“troll” means to fish from a boat, which is being rowed or mechanically propelled through water, by trailing or towing, on, in, under or through the water, a fishing line with a hook, bait or lure attached, and “trolling” shall be construed accordingly.
4. Notwithstanding anything contained in any Bye-law controlling fishing in the specified waters, a person shall not -
 - (a) use, or attempt to use, in the specified waters any insect larvae, pupae, maggots, chandlers, casters and or ground bait in fishing for any kind of fish,
 - (b) have in his or her possession on or near the specified waters any insect larvae, pupae, maggots, chandlers, casters and or ground bait,

- (c) take, in the specified waters any trout of less than 14 inches in length measured in a straight line from the tip of the snout to the fork of the tail,
 - (d) take in the specified waters on any day more than 4 trout,
 - (e) use in the specified waters more than 1 rod at any one time,
 - (f) troll during the period from 1 March to 30 April in any year, both said dates included,
 - (g) troll in the specified waters during the period from 1 May to 15 June in any year between 19.00 hours in any day and 06.00 hours the following day,
 - (h) troll from a boat being propelled by an engine during the period from 1 May to 15 June in any year between 06.00 hours and 19.00 hours on any day,
 - (i) troll from a boat being propelled by an engine during the period from 16 June to 12 October in any year between 19.00 hours in any day and 06.00 hours the following day.
5. Any trout taken inadvertently in contravention of article 4 of this Bye-law shall be handled carefully and returned without avoidable injury to the waters immediately upon being taken.

GIVEN under my hand,
this 1 day of May 2003.

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 introduces measures to control fishing in Lough Sheelin as follows:

- (a) prohibits the use or possession of any insect larvae, pupae, maggots, chandlers, casters and or ground bait on or near the waters
- (b) prohibits the taking of trout less than 14 inches in length,
- (c) prohibits a person from taking more than 4 trout in any day,
- (d) prohibits a person from using more than 1 rod at any one time,
- (e) prohibits trolling from 1 March to 30 April inclusive,
- (f) prohibits trolling from 1 May to 15 June between 19.00 hours in any day and 06.00 hours the following day,
- (g) prohibits trolling from a boat being propelled by an engine from 1 May to 15 June between 06.00 hours and 19.00 hours on any day,
- (h) prohibits trolling from a boat being propelled by an engine from 16 June to 12 October between 19.00 hours in any day and 06.00 hours the following day.

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.

