

B Y E - L A W

entitled

**Conservation of Sea Trout (No. 7 or Kerry District) (Waterville Area) Bye-Law No. 971
of 2019**

To be made by Seán Canney, Minister of State
at the Department of Communications,
Climate Action and Environment

I, Seán Canney, Minister of State at the Department of Communications, Climate Action and Environment, in exercise of the powers conferred on me by section 57 of the Inland Fisheries Act 2010 (No. 10 of 2010) (as adapted by the Communications, Energy and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2016 (S.I. No. 421 of 2016)) and the Communications, Climate Action and Environment (Delegation of Ministerial Functions) Order 2018 (S.I. No. 472 of 2018) hereby make the following bye-law:

1. (1) This bye-law may be cited as the Conservation of Sea Trout (No. 7 or Kerry District) (Waterville Area) Bye-Law No. 971 of 2019.

(2) This bye-law comes into operation on 9 May 2019.

2. In this bye-law “sea trout” means fish of the migratory form *Salmo trutta L.* and includes all forms of trout caught in the sea.

3. This bye-law applies to that part of the sea eastward of a line drawn from the most westerly point of Bolus Head to the most westerly point of Lamb’s Head, all in the County of Kerry, and to all the waters discharging in to it.

4. Notwithstanding anything contained in any bye-law, it is prohibited for any person to take a sea trout by means of any fishing engine or by rod and line in the waters to which this bye-law applies unless the sea trout is handled carefully and immediately returned alive to the waters from which it is taken.

5. It is prohibited for any person to have in his or her possession or control on or near the waters to which this bye-law applies any sea trout taken from those waters which is not alive.

GIVEN under my Hand,

9 May 2019.

Seán Canney, Minister of State at
the Department of Communications,
Climate Action and Environment.

EXPLANATORY NOTE

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

The Bye-law prohibits the taking of sea trout by any means in the Waterville area of Co. Kerry as specified in the Bye-law. Catch and release is, however, permitted. The Bye-law also prohibits any person to have in their possession or control on or near the waters to which this Bye-law applies any sea trout taken from those waters which is not alive.

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.