

B Y E - L A W

entitled

**Conservation of Sea Trout and Brown Trout Angling (No. 5 or Cork District)
(Rosscarbery Bay and Roury River) Close Season Bye-Law No. 328 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 and Brown Trout Angling (No. 5 or Cork District) (Rosscarbery Bay and Roury River) Close Season Bye-Law No. 328 of 2019.

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

2. In this bye-law -

“brown trout” means fish of the non-migratory form of *Salmo trutta*,

“sea trout” means fish of the migratory form *Salmo trutta*.

3. This bye-law applies to the waters of -

- (a) that part of Rosscarbery Bay which is landward of a straight line drawn at a bearing of 45° from true north, from the most easterly point of the high water mark at Downeen Point in the townland of Downeen to the high water mark of the townland of Creggan, both in the barony of East Carbery, Western Division, County Cork, or in the waters of any river flowing into that part of Rosscarbery Bay,
- (b) that part of the estuary of the River Roury which is landward of a straight line drawn in a westerly direction from the most southerly point of the quay wall at Mill Cove, in the townland of Downeen to a point in the townland of Ballinaclogh, both in the barony of East Carbery, Western Division, County Cork, and
- (c) the River Roury and its tributaries in the No. 5 or Cork District.

4. Notwithstanding anything contained in any bye-law fixing the annual close season for angling in the waters to which this bye-law applies, a person shall not take or fish for sea trout or brown trout by rod and line during the period commencing on 13 October in any year and ending on 30 April in the following year.

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 provides for a close season for the taking of or fishing for sea trout or brown trout by rod and line from 13 October in any year to 30 April the following year. The Bye-law applies to the River Roury and its tributaries, the part of the River Roury estuary as specified in the Bye-law, the part of Rosscarbery Bay specified, and the waters of any river flowing into that part of Rosscarbery Bay.

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.