1989 No. 41

FISHERIES

Foyle Area (Rivers Finn and Foyle Angling Permits) Regulations 1989

Made . . . . . *15th February 1989*

Coming into operation . . *1st March 1989*

The Foyle Fisheries Commission, in exercise of its powers under section 13(1) and (2) of the Foyle Fisheries Act 1952(**a**) and section 13(1) and (2) of the Foyle Fisheries Act (Northern Ireland) 1952(**b**) with the approval of the Minister for the Marine in the Republic of Ireland(**c**) and of the Department of Agriculture for Northern Ireland(**d**), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Foyle Area (Rivers Finn and Foyle Angling Permits) Regulations 1989 and shall come into operation on 1st March 1989.

Interpretation

2. In these Regulations—

"angling permit" means a River Finn angling permit or a River Foyle angling permit as appropriate;

"authorised person" has the respective meanings given to it in section 54 of the Foyle Fisheries Act 1952 and section 53 of the Foyle Fisheries Act (Northern Ireland) 1952;

"eligible applicant" means an applicant who is the holder of a current Foyle Area season game fishing rod and line licence and who has not been convicted of an offence under the Fisheries Acts in the period of 12 months preceding the date of his application for an angling permit;

"Fisheries Acts" means the Foyle Fisheries Act 1952, the Foyle Fisheries Act (Northern Ireland) 1952, the Fisheries (Consolidation) Act 1959(**e**), the Fisheries (Amendment) Act 1962(**f**), the Fisheries Act (Northern Ireland) 1966(**g**) the Fisheries Act 1980(**h**) and the Fisheries Act 1987(**i**);

(**a**) No. 5 of 1952 (Republic of Ireland)
(**b**) 1952 c. 5 (N.I.)
(**c**) 1962 c. 5 (N.I.) section 2(2)
(**d**) S.R. & O. (N.I.) 1963 No. 29 Art. 2(2) and Sch. Part II
(**e**) No. 14 of 1959 (Republic of Ireland)
(**f**) No. 31 of 1962 (Republic of Ireland)
(**g**) 1966 c. 17 (N.I.)
(**h**) No. 1 of 1980 (Republic of Ireland)
(**i**) No. 32 of 1987 (Republic of Ireland)

"Foyle Area season game fishing rod and line licence" means a season game fishing rod and line licence issued in accordance with the Foyle Area (Licensing of Fishing Engines) Regulations 1976(**a**);

"River Finn angling permit" means a permit issued pursuant to regulation 5 to fish with rod and line in the waters to which regulation 3 applies;

"River Foyle angling permit" means a permit issued pursuant to regulation 5 to fish with rod and line in the waters to which regulation 4 applies.

River Finn angling permit

3.—(1) A person shall not fish with rod and line for salmon or trout in the waters of the River Finn to which this regulation applies unless he is the holder of a River Finn angling permit issued in accordance with these Regulations.

(2) This regulation applies to those waters of the River Finn which lie between a line drawn at right angles across the river from the upstream end of the flood bank situated on the left or northern side of the river two-thirds of a mile downstream of the boundary between the townlands of Liscooley and Carrick in County Donegal and a line drawn at right angles across the river in continuation of the boundary between the townlands of Urney Glebe and Flushtown in County Tyrone.

River Foyle angling permit

4. A person shall not fish with rod and line for salmon or trout on any part of the River Foyle unless he is the holder of a River Foyle angling permit issued in accordance with these Regulations.

Conditions relating to issue of angling permits

5.—(1) An application for a River Finn or River Foyle angling permit shall be made to the Commission and shall be accompanied by a current Foyle area season game fishing rod and line licence and the appropriate permit fee prescribed in paragraph (3).

(2) The Commission may issue a River Finn or River Foyle angling permit to an eligible applicant on payment of the appropriate permit fee prescribed in paragraph (3).

(3) The fee for a River Finn angling permit shall be £7 inclusive of value added tax and the fee for a River Foyle angling permit shall be £5 inclusive of value added tax.

Production of angling permit

6. A person fishing with rod and line for salmon or trout in any part of the waters to which regulation 3 or 4 applies or who is going to or returning from fishing for salmon or trout in those waters shall on demand by any authorised person produce an angling permit in his name, valid at the time of such demand, and shall allow such authorised person to inspect such angling permit.

(**a**) S.R. 1976 No. 362 as amended by S.R. 1985 No. 341 and S.R. 1987 No. 467

Revocation

7. The Foyle Area (Rivers Finn and Foyle Angling Permits) Regulations 1973(**a**) are hereby revoked.

Given under the Common Seal of the Foyle Fisheries Commission on 20th January 1989.

(L.S.) *E. Twomey*
Member of the Commission appointed by the Minister for the Marine

(L.S.) *J. W. Anderson*
Member of the Commission appointed by the Department of Agriculture for Northern Ireland.

The Minister for the Marine hereby approves the foregoing Regulations

The Department of Agriculture for Northern Ireland hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Minister for the Marine on 10th February 1989.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 15th February 1989.

(L.S) *Raphael Kelly*
A person authorised by the Minister for the Marine to authenticate the Official Seal of the Minister

(L.S.) *L. Sinclair*
Assistant Secretary
Department of Agriculture for Northern Ireland.

(**a**) S.R. & O. (N.I.) 1973 No. 133

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations which replace the Foyle Area (Rivers Finn and Foyle Angling Permits) Regulations 1973, prohibit a person fishing with rod and line for salmon or trout in the River Foyle and those parts of the River Finn to which the Regulations apply unless he is the holder of a River Foyle angling permit or, as the case may be, a River Finn angling permit. The Regulations provide for the issue of such permits.

The Regulations also increase the fee for a River Finn angling permit from £2 plus value added tax to £7 and the fee for a River Foyle angling permit from £1 plus value added tax to £5. The new fees are inclusive of value added tax. Regulation 6 provides for production and inspection of angling permits.