

DEPARTMENT OF THE MARINE

FISHERIES ACTS 1959 TO 1991

CONSERVATION OF SEA TROUT BYE-LAW NO. 682, 1993

I, Gerry O'Sullivan, Minister of State at the Department of the Marine, 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), and Section 50 of the Fisheries Act, 1980 (No. 1 of 1980)) of the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959), Section 33 of the Fisheries (Amendment) Act, 1962 and the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order, 1977 (S.I. No. 30 of 1977) (as adapted by the Tourism, Fisheries and Forestry (Alteration of Name of Department and Title of Minister) Order, 1987 (S.I. No. 82 of 1987)), and the Marine (Delegation of Ministerial Functions) Order, 1993 (S.I. No. 42 of 1993), hereby make the following Bye-Law:

1. This Bye-law may be cited as the Conservation of Sea Trout Bye-law No. 682 of 1993.
2. This Bye-law shall cease to have effect on 31st December, 1993.
3. In this Bye-law —

“sea trout” means the migratory form of *Salmo trutta* L. and includes all forms of trout caught in the sea.

“the Fishery Districts” mean all of the Galway, or No. 9(1) District and all of the Connemara, or No. 9(2) District and all of the Ballinakill, or No. 10(1) District and that part of the Bangor or No. 10(2) District east of a line drawn due south through Achill Head, as defined in Section 19 of the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959).

4. It is hereby prohibited for any person to take sea trout by means of any net or rod and line in the Fishery Districts unless such sea trout are immediately returned to the water from which they were taken.
5. It is hereby prohibited for any person to have in his possession or control within the Fishery Districts any dead sea trout.
6. It is hereby prohibited for any person to sell or offer for sale within the Fishery Districts any sea trout.
7. In a prosecution under Article 6. of this Bye-law it shall be a defence for the defendant to show that the sea trout to which the prosecution relates was captured, taken or killed outside the Fishery Districts.

Given under my hand this 25th day of
May, 1993

GERRY O'SULLIVAN
Minister of State at the Department of
the Marine

EXPLANATORY NOTE

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

This Bye-law prohibits:

the retention, possession, or sale of sea trout in the area specified in the Bye-law.

FOOTNOTE

Section 11 of the Fisheries (Consolidation) Act 1959 provides that any person aggrieved by this Bye-law may, within twenty eight days after 25th May 1993, appeal against the same to the High Court.