

EXPLANATORY MEMORANDUM TO

The Foyle Area and Carlingford Area (Angling) (Amendment) Regulations 2012

SR 2012 No. 458

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Foyle, Carlingford and Irish Lights Commission to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under section 13(1) of the Foyle Fisheries Act 1952 and section 13(1) of the Foyle Fisheries Act (Northern Ireland) 1952 (as amended by S.I. 1999/859 and S.I. 2007/915 (N.I. 9)) and is subject to the negative resolution procedure.

2. Description

2.1 These Regulations amend the Foyle Area and Carlingford Area (Angling) Regulations 2001 by:

- Permitting the use of bubble and fly method on specified Department of Culture, Arts and Leisure waters;
- Increasing the minimum gape of hook permitted for use while angling for salmon, sea trout or brown trout from 7mm to 12mm in the specified stretches of the Rivers Finn and Foyle;
- Prohibiting the use or attempted use of matter of vegetable origin or maggots as a bait while angling on specified Department of Culture, Arts and Leisure waters;
- Providing that on any one day only 4 fish, being either brown trout or rainbow trout, or a combination of both, may be taken by rod and line and retained on specified Department of Culture, Arts and Leisure waters;
- Increasing the minimum gape of hook permitted for use while angling for salmon, sea trout or brown trout from 7mm to 12mm in any other waters to which restrictions to angling to catch and release applies;
- Permitting fly fishing only on Lough Brickland; and
- Extending the restriction of angling to catch and release to the remainder of the River Foyle.

3. Consultation

3.1 The regulations were the subject to a full public consultation which included local stakeholders.

4. Territorial Extent and Application

5.1 This Statutory Rule applies to the Foyle Area and the Carlingford Area.

5. European Convention on Human Rights

6.1 The proposed legislation has been screened for these issues and none were identified.

6. Equality Impact

7.1 These regulations have been subject to equality screening, carried out by the Loughs Agency, which found that a full EQIA is not necessary as the proposals apply equally to, and will have no disproportionate effect on, the section 75 groups.

7. Regulatory Impact

8.1 A Partial Regulatory Impact Assessment was prepared for this instrument and circulated to stakeholders with the consultation papers.

8. Financial Implications

9.1 None.

9. Section 24 of the Northern Ireland Act 1998

10.1 These regulations comply with section 24 of the Northern Ireland Act 1998.

10. EU Implications

11.1 None

11. Additional Information

12.1 None