



STATUTORY INSTRUMENTS.

S.I. No. 76 of 2013.



INLAND FISHERIES (FIXED CHARGE NOTICE) REGULATIONS 2013

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I, FERGUS O'DOWD, Minister of State at the Department of Communications, Energy and Natural Resources, in exercise of the powers conferred on me by sections 70 and 80 of the Inland Fisheries Act 2010 (No. 10 of 2010) and the Energy and Natural Resources (Delegation of Ministerial Functions) (No. 2) Order 2011 (S.I. No. 631 of 2011), hereby make the following regulations:

1. These Regulations may be cited as the Inland Fisheries (Fixed Charge Notice) Regulations 2013.

2. In these Regulations "Act of 2010" means the Inland Fisheries Act 2010 (No. 10 of 2010).

3. It is declared that section 70 of the Act of 2010 applies in respect of a contravention of Regulations 3, 4, 15, 16, 17, 20, 21, 22(2), 22(3), 22(4), 22(5), 22(6), 22(7) or 22(8) of the Wild Salmon and Sea Trout Tagging Scheme Regulations 2012 (S.I. No. 556 of 2012).

4. The form set out in Schedule 1 is prescribed for the purposes of sections 70(2) and 80(1) of the Act of 2010.

5. The Bye-laws specified in Schedule 2 are prescribed for the purposes of paragraphs (b) and (c) of section 80(1) of the Act of 2010.

6. The prescribed amount of a fixed charge to be specified in a fixed charge notice under sections 70 and 80 of the Act of 2010 is €150.

7. The Inland Fisheries (Fixed Charge Notice) (No. 2) Regulations 2011 (S.I. No. 706 of 2011) are revoked.

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 8th March, 2013.

SCHEDULE 1

Regulation 4

INLAND FISHERIES ACTS 1959 to 2010	
FIXED CHARGE NOTICE IN RELATION TO AN ALLEGED OFFENCE	F No.
Inland Fisheries Ireland	
To	Address
It is alleged that you have committed an offence at ¹ on 20.....	
1. under section ² of the Fisheries (Consolidation) Act 1959.*	
2. under section 57(3) of the Inland Fisheries Act 2010 in respect of a contravention of Bye-law No., ³ .*	
3. under section 69(6)(a) of the Inland Fisheries Act 2010 in respect of a contravention of Regulation of the Wild Salmon and Sea Trout Tagging Scheme Regulations 2012 (S.I. No. 556 of 2012).*	
A prosecution in respect of the alleged offence specified at No. ⁴ above will not be instituted during the period of 21 days beginning on the date of this notice if during the period you pay to Inland Fisheries Ireland at the sum of €150, together with this notice, either personally or by post.	
Authorised Officer	Dated 20.....
Nature of alleged contravention or offence ⁵ :	
.....	
.....	

¹Insert the place where the offence is alleged to have been committed.

²Insert the relevant section number taken from Part 1 of Schedule 6 to the Inland Fisheries Act 2010.

³Insert the number of the relevant Bye-law of a type referred to in Part 2 of Schedule 6 to the Inland Fisheries Act 2010, or the relevant Bye-law specified in Schedule 2 to the Inland Fisheries (Fixed Charge Notice) Regulations 2013.

⁴Insert number 1, 2, or 3, as appropriate.

⁵Insert the nature of the alleged contravention taken from Schedule 6 to the Inland Fisheries Act 2010, Regulation 3 of the Inland Fisheries (Fixed Charge Notice) Regulations 2013, the Bye-law contravened taken from Schedule 2 to those Regulations or the provision of S.I. No. 556 of 2012 contravened, whichever is applicable.

*Delete as appropriate or leave blank.

SCHEDULE 2

Part 1
Tagging of Nets and Numbering of Boats for Salmon or Trout Fishing Bye-law No. 583, 1976
Prohibition on the Use of Live Fish as Bait in Fresh Water Bye-law No. 592, 1977
Control of Fishing for Coarse Fish in Fresh Water Bye-law No. 595, 1977
Conservation of Pike Bye-law No. 809, 2006
Conservation and Prohibition on the Sale of Coarse Fish Bye-law No. 806, 2006
Part 2
Prohibiting the having on board any boat a drift net, draft net, snap net or other fishing engine other than rod and line.
Prohibiting the use of any lure other than artificial fly in angling for any kind of fish with rod and line.
Prohibiting the use of prawn, shrimp, any other crustacean or artificial forms thereof as bait in angling.
Prohibiting the taking, killing or having in possession a fish of any kind which is less than a specified length.
Prohibiting the taking or having in possession more than a specified number of any kind of fish.
Prohibiting the taking, having in possession or control, selling or offering for sale any sea trout.
Prohibiting the fishing, or attempting to fish, for bass.
Prohibiting the taking, killing or having in possession a fish taken by rod and line and hooked other than in the mouth.
Prohibiting or restricting trolling and or the use of more than a specified number of rods by a person at any one time.
Prohibiting the taking of salmon and sea trout by means of any net or rod and line in specified waters.
Prohibiting angling with rod and line in specified waters.
Prohibiting the taking of salmon and sea trout by means of rod and line, prohibiting the use of any fish hooks other than single barbless hooks and a prohibition on the use of worms as bait in angling in specified fishery districts.
Conserving the taking of salmon or trout with draft nets.
Prohibiting the use of drift nets, snap nets or other fishing engines.
Prohibiting the use of specified bait.

GIVEN under my hand,
28 February 2013.

FERGUS O'DOWD,
Minister of State at the Department of Communications,
Energy and Natural Resources.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These regulations provide for a system of on-the-spot fines to be administered by Inland Fisheries Ireland as applies to fisheries legislation. The form of notice of an on-the-spot fine is set out in the Schedule to the Regulations.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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