



STATUTORY INSTRUMENTS.

S.I. No. 643 of 2018



INLAND FISHERIES (FIXED CHARGE NOTICE) REGULATIONS 2018

INLAND FISHERIES (FIXED CHARGE NOTICE) REGULATIONS 2018

I, SEÁN CANNEY, Minister of State at the Department of Communications, Climate Action and Environment, in exercise of the powers conferred on me by sections 70 and 80 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 regulations:

1. These Regulations may be cited as the Inland Fisheries (Fixed Charge Notice) Regulations 2018.
2. These Regulations come into operation on 1 January 2019.
3. In these Regulations “Act of 2010” means the Inland Fisheries Act 2010 (No. 10 of 2010).
4. A contravention of Regulation 3, 5, 11(5), 12, 14(2), 15(4), 16, 17, 18, 19(1), 20(2), (3), (4) or (8), 21(1) or 22 of the Wild Salmon and Sea Trout Tagging Scheme Regulations 2018 (S.I. No. 585 of 2018) is declared to be a contravention to which section 70 of the Act of 2010 applies.
5. The form set out in Schedule 1 is prescribed for the purposes of sections 70(2) and 80(1) of the Act of 2010.
6. (1) The Bye-laws specified in Part 1 of Schedule 2 are prescribed for the purpose of section 80(1)(b) of the Act of 2010.
(2) The Bye-laws specified in Part 2 of Schedule 2 are prescribed for the purpose of section 80(1)(c) of the Act of 2010.
7. The prescribed amount of a fixed charge in a fixed charge notice under sections 70 and 80 of the Act of 2010 is €150.
8. The Inland Fisheries (Fixed Charge Notice) Regulations 2014 (S.I. No. 363 of 2014) are revoked.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th January, 2019.*

SCHEDULE 1*Regulation 4*

INLAND FISHERIES ACTS 1959 to 2017	
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(2) 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 2018.*	
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 2018.

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 2018, the Bye-law contravened taken from Schedule 2 to those Regulations or the provision of Wild Salmon and Sea Trout Tagging Regulations 2018 contravened, whichever is applicable.

*Delete as appropriate or leave blank.

SCHEDULE 2*Regulation 5*

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
Bye-law 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 or double 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,
19 December 2018.

SEÁN CANNEY,
Minister of State at the Department of Communications,
Climate Action and Environment.

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

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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