

# THE NATURAL RESOURCES BODY FOR WALES

## WATER RESOURCES ACT 1991

### THE WALES NET FISHING (SALMON AND SEA TROUT) BYELAWS 2018

The Natural Resources Body for Wales in exercise of powers vested in it by section 210 of, and paragraph 6 of Schedule 25 to, the Water Resources Act 1991 makes the following byelaws.

#### **Byelaw 1 – Title**

These Byelaws may be cited as the Wales Net Fishing (Salmon and Sea Trout) Byelaws 2018.

#### **Byelaw 2 – Application**

These byelaws shall be read in conjunction with the 1995 Salmon and Sea Trout Netting Byelaws; the 1996 National Byelaws; 2009 National Salmon Byelaws; the 2003 Salmon and Sea Trout Netting Byelaws; and the 2003 Salmon and Sea Trout Netting Byelaws (Use of Nets).

These Byelaws will apply in Wales to those rivers and their tributaries where expressly indicated.

These Byelaws will cease to have effect on the 31<sup>st</sup> December 2027

#### **Byelaw 3 – Interpretation**

In these Byelaws unless the context otherwise requires

- (a) “Natural Resources Wales” means the Natural Resources Body for Wales.
- (b) “net fishing” means those nets more particularly defined in Byelaw 5(c)(i) – (viii) of the 1995 Salmon and Sea Trout Netting Byelaws.
- (c) “sea trout” means any fish of the salmon family commonly known as sea trout or sewin, including migratory trout and also includes part of a sea trout.
- (d) “Wales” means the whole of Wales, together with such part of the territorial sea adjacent to Wales as extends for six miles from the baselines from which the breadth of that sea is measured.
- (e) Except where the context otherwise requires all words and expressions used in these Byelaws shall have the meanings assigned to them by the Salmon and Freshwater Fisheries

Act 1975, the Water Resources Act 1991 or any statutory modifications or re-enactment thereof.

#### **Byelaw 4 – annual close season**

1. The following paragraph shall be added to Byelaw 2 of the Rod and Line Byelaws 1995 (Interpretation)

(ac) “salmon” means salmon of the species *Salmo salar* and includes part of a salmon

2. For paragraph (a)(i) of Byelaw 3 of the 1995 Salmon and Sea Trout Netting Byelaws 1995 (Annual close season for salmon and migratory trout - nets and fixed engine) there shall be substituted–

“The annual close season for net fishing for salmon and sea trout from the River Towy; River Taf; River Clwyd; River Cleddau; River Nevern; River Teifi; River Dyfi; River Mawddach; River Dysynni; and River Conwy shall be the period between the 31st day of July and the 1st day of May.”.

3. Paragraphs (a)(ii) and (b) of Byelaw 3 of the 1995 Salmon and Sea Trout Netting Byelaws 1995 (Annual close season for salmon and migratory trout – nets and fishing engine) are revoked.

#### **Byelaw 5 – annual close season exceptions**

1. The following paragraphs shall be added to Byelaw 2(1) of the 2009 National Salmon Byelaws (Interpretation) below the definition of ‘the Agency’:

“The coastal waters adjacent to West Wales” means the waters within the area between a line drawn due south from Great Hill Burrows (NGR SN260079) through Carmarthen Bar and a line drawn due south from St. Govans Head (NGR SN975926).

“salmon” means salmon of the species *Salmo salar* and includes part of a salmon.

2. For paragraphs (2) to (8) Byelaw 3 of the 2009 National Salmon Byelaws (Annual close season for fishing for salmon and migratory trout other than with rod and line) there shall be substituted–

- “(2) The seine net fisheries on the River Towy and its estuary where the annual close season shall be from and including the 1st day of August to and including the 30th day of April following.
- (7) The seine net fisheries in the coastal waters adjacent to West Wales where the annual close season shall be from and including the 1st day of August to and including the 30th day of April following.
- (8) The seine net fisheries on the River Nevern and its estuary where the annual close season shall be from the and including the 1st day of August to and including the 30th day of April following.
- (9) The seine net fisheries on the River Teifi and its estuary where the annual close season shall be from and including the 1st day of August to and including the 30th day of April following.
- (10) The seine net fisheries on the River Dyfi and its estuary where the annual close season shall be from and including the 1st day of August to and including the 30th day of April following.
- (11) The coracle net fisheries on the River Towy and its estuary where the annual close season shall be from and including the 1st day of August to and including the 30th day of April following.
- (12) The coracle net fisheries on the River Taf and its estuary where the annual close season shall be from and including the 1st day of August to and including the 30th day of April following.
- (13) The coracle net fisheries on the River Teifi and its estuary where the annual close season shall be from and including the 1st day August to and including the 30th day of April following.”

**Byelaw 6 - catch and release with nets (salmon)**

For Byelaw 4 of the 2009 National Salmon Byelaws (Early season catch and release for salmon in specified net fisheries) there shall be substituted –

**“Byelaw 4 - Catch and release with nets (salmon)**

1. Subject to the provisions contained with existing fisheries byelaws affecting the River Dee; River Severn; and River Wye, as amended, any person who removes any live or dead salmon taken by means of net fishing from any river estuary or coastal water in Wales without the previous written authority of Natural Resources Wales shall be guilty of an offence.
2. This Byelaw shall not apply to any person who lawfully takes a salmon and returns it immediately to the water with the least possible injury.”