

CONFIRMATION INSTRUMENT

The Natural Resources Body for Wales (“NRW”) has applied to the Welsh Ministers for confirmation of the Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017 made by NRW on the 21 August 2017.

The Welsh Ministers with the consent of NRW, have decided to confirm the Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017 subject to the variations described in this Instrument.

In exercise of the powers conferred by paragraph 2 of Schedule 26 to the Water Resources Act 1991 and now vested in them, the Welsh Ministers confirm the Wales Rod and Line (Salmon and Sea Trout) Byelaws 2017 subject to the following variations—

1 Byelaw 2 – Application

For the final paragraph substitute—

“These Byelaws shall come into force on the 1st January 2020 and shall expire on the 31st December 2029, except for Byelaws 4 and 5 which will cease to have effect in respect of the River Usk only on 31st December 2021.”

2 Byelaw 3 – Interpretation

Byelaw 3 is substituted with—

“Byelaw 3 – Interpretation

In these Byelaws unless the context otherwise requires—

- (a) “bait” means worm, prawn and shrimp whether natural or artificial.
- (b) “Natural Resources Wales” means the Natural Resources Body for Wales.
- (c) “salmon” means salmon of the species *Salmo salar* and includes part of a

salmon.

(d) “sea trout” means any fish of the salmon family commonly known as sea trout or sewin (migratory trout) and also includes part of a sea trout.

(e) “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.

(f) “the Rod and Line Byelaws 1995” means the Byelaws regulating fishing by means of rod and line and making certain general provisions relating to fishery matters made by the National Rivers Authority Welsh Region.

(g) 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.”

3 Byelaw 4 - Catch and release with rod and line (salmon)

In the English language text, the word “catch” in the title of Byelaw 4 is substituted with “Catch”.

4 Byelaw 5 – Catch and release with rod and line (sea trout)

i) In the English language text, the word “catch” in the title of Byelaw 5 is substituted with “Catch”.

ii) In Byelaw 5(xix), the word “Arto” is substituted with the word “Artro”.

5 Byelaw 6 – Size limit (sea trout)

Byelaw 6 is substituted with—

“Byelaw 6 – Size limit (sea trout)

(1) Byelaw 7 of the Rod and Line Byelaws 1995 (Size Limits - Trout (Excluding Rainbow Trout)) is renumbered 7(1).

(2) The following paragraph shall be inserted after Byelaw 7(1) of the Rod and Line Byelaws 1995 (Size Limits - Trout (Excluding Rainbow Trout))—

“(2) 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 sea trout of a size larger than 60 centimetres with rod and line from any river or tributary in Wales shall be guilty of an offence. The size shall be ascertained by measuring from the tip of the snout to the end of the tail.

This byelaw shall not apply to any person who lawfully takes any live or dead sea trout of a size larger than 60 centimetres and returns it immediately to the water with the least possible injury.”

6 Byelaw 7 – No bait fishing

i) In the English language text, the word “no” in the title of Byelaw 7 is substituted with “No”.

ii) Byelaw 7(1) is renumbered 7(2); Byelaw 7(2) is renumbered 7(3); Byelaw 7(3) is renumbered 7(4); Byelaw 7(4) is renumbered 7(5); Byelaw 7(5) is renumbered 7(6); and Byelaw 7(6) is renumbered 7(7).

iii) The following new Byelaw 7(1) is inserted—

“(1) The following paragraphs shall be inserted after paragraph (a) of Byelaw 2 of the Rod and Line Byelaws 1995 (Interpretation) —

“(aa) “artificial fly” means a fishing fly that is primarily constructed from natural or synthetic fur and feather materials and which is designed to attract fish and which incorporates a fishing hook.

(ab) “artificial lure” means any device, including but not limited to spoons, spinners, wobblers and plugs, or artificial imitation fish baits made of any material which is designed to attract fish and which incorporates a fishing hook.

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

iv) Byelaw 7(2) is substituted with—

“(2) Paragraph (a)(1) and (2) of Byelaw 9 of the Rod and Line Byelaws 1995 (Use of Lures and Bait with Rod and Line) (Salmon and Trout) is substituted with—

“(a) Salmon and Sea Trout

(1) Subject to the provisions contained with existing fisheries byelaws affecting the River Dee; River Severn; and River Wye as amended, no person shall fish for, take or attempt to fish for or take any salmon with rod and line by means of any bait from any river or tributary in Wales.

PROVIDED that this restriction shall not apply to a person fishing by means of rod and line with a natural or artificial prawn or shrimp as bait from the 1st day of September up to and including the following dates—

- i) in the Gwynedd and West Wales Fisheries Districts and that part of the Gower Fisheries District which comprises the Rivers Tawe, Loughor, Gwendraeth Fach and Gwendraeth Fawr and their tributaries, the 7th day of October;
- ii) in the Usk Fisheries District, the 15th day of September;
- iii) in the West Wales Fisheries District, the 7th day of October;
- iv) in the rivers of the Isle of Anglesey and their tributaries, the 7th day of November;
- v) in the rivers of the Llyn Peninsula and their tributaries, the 16th day of October; and
- (vi) elsewhere (excluding the Wye Fisheries District) the 30th day of September.

(2) No person shall before the 1st day of May fish for, take or attempt to fish for or take any sea trout with rod and line by

means of any bait from any of the following rivers and their tributaries without the previous written authority of Natural Resources Wales—

- i) River Tywi
- ii) River Taf
- iii) Western Cleddau
- iv) River Teifi
- v) River Dyfi
- vi) River Rhymney
- vii) Eastern Cleddau
- viii) River Usk
- ix) River Tawe
- x) River Loughor
- xi) River Gwendraeth
- xii) River Aeron
- xiii) River Ystwyth
- xiv) River Dysynni
- xv) River Taff
- xvi) River Ely
- xvii) River Afan
- xviii) River Neath
- xix) River Artro
- xx) River Glaslyn
- xxi) River Dwyryd
- xxii) River Seiont
- xxiii) River Nevern.””

v) Byelaw 7(3) is substituted with—

“(3) Paragraph (a)(3) of Byelaw 9 is revoked.”

vi) Byelaw 7(4) is substituted with—

“(4) Paragraph (a)(4) of Byelaw 9 is substituted with—

“(4) No person shall fish for, take or attempt to fish for or take any salmon or migratory trout with rod and line by the use of a float in conjunction with any artificial fly or lure in the Wye Fisheries District.””

vii) In the Welsh language text, in Byelaw 7(5), the word “paragraffau” is substituted with the word “paragraff”.

viii) In the Welsh language text, Byelaw 7(6) is substituted with—

“(6) Ar ôl paragraff (a)(5) o Is-ddeddf 9, bydd y canlynol yn cael ei gynnwys —

“(5A) No person shall fish for, take or attempt to fish for or take any salmon or migratory trout by means of any lure other than an artificial fly weighing less than 5 grams and then only without any weight being attached directly or indirectly to the fishing line in the Usk Fisheries District between the 2nd day of March and the 1st day of June following.””

ix) Byelaw 7(7) is substituted with—

“(7) Paragraph (a)(7) of Byelaw 9 is substituted with—

“(7) No person shall fish for, take or attempt to fish for any non-migratory trout with rod and line by any means other than natural earthworm or artificial fly in the Usk Fisheries District at any time.””

7 Byelaw 8 – Hooks

Byelaw 8 is substituted with—

“Byelaw 8 - Hooks

(1) Byelaw 10(a) of the Rod and Line Byelaws 1995 is substituted with—

“(a) Barbless or de-barbed hooks

(1) Subject to the provisions contained with existing fisheries byelaws affecting the River Dee; River Severn; and River Wye as amended no person shall fish for, take or attempt to fish for or take any salmon or sea trout with rod and line from any river or tributary in Wales except with barbless or de-barbed hooks.

(2) Subject to the provisions contained within existing fisheries byelaws affecting the River Dee; River Severn; and River Wye as amended no person shall use more than one hook with a bait; artificial lure; or artificial fly unless—

- i) On artificial lures, the use is restricted to one single hook only to a maximum gape of 13 millimetres measured from the shank to the point PROVIDED that this restriction to one single hook shall not apply to wobblers, plugs or artificial imitation fish baits which are allowed up to a maximum of 3 single hooks;
- ii) On artificial flies with a gape greater than 7mm measured from the shank to the point, the use is restricted to one single or one double hook;
- iii) On artificial flies with a gape not greater than 7mm measured from the shank to the point, the use is restricted to a maximum of 2 hooks with a maximum of 4 points,

and in no case shall any bait; artificial lure; or artificial fly be furnished with more than 3 hooks and no weight or sinker shall be attached below the bait; artificial lure; or artificial fly.

(aa) Single hooks

Subject to the provisions contained with existing fisheries byelaws affecting the River Dee; River Severn; and River Wye as amended no person shall fish for, take or attempt to fish for or take any sea trout

with rod and line from any river or tributary in Wales by means of any bait furnished other than by a single worm baited on a single barbless or de-barbed hook with the gape of any such hook measured from the shank to the point restricted to 8 millimetres.”

(2) After paragraph (b) of Byelaw 10 insert—

“(c) Treble hooks

No person shall fish for, take or attempt to fish for or take any salmon or sea trout with rod and line from any river in Wales excluding the River Dee; River Severn; and River Wye using—

- i) an artificial fishing lure (including an artificial fly) furnished with one or more treble hooks EXCEPT an artificial fly with a gape of not greater than 7mm measured from the shank to the point;
- ii) a bait furnished with a treble hook with a gap of greater than 7mm measured from the shank to the point, or
- iii) a bait furnished with more than one treble hook.”

8 Byelaw 10 – Fishing near obstructions

The following Byelaw is inserted after Byelaw 9—

“Byelaw 10 – Fishing near obstructions

Byelaw 13(a)(2)(iii)(b) of the Rod and Line Byelaws 1995 (Fishing near Obstructions in the West Wales Fisheries District) is revoked.”

Lesley Griffiths

Minister for Environment, Energy and Rural Affairs, one of the Welsh Ministers

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

12 December 2019