

# A simplified guide to Thames Region Fishery Byelaws and National Byelaws



ENVIRONMENT AGENCY

This booklet contains all byelaws relevant to Thames Region and the Darent and Cray in Southern Region this is because, historically these catchments formed part of the Thames Region. It covers both regional and national byelaws for anglers in Thames Region.

A national byelaw will apply in all of England and Wales: if you intend to fish outside of Thames Region you need a copy of the byelaws relevant to the area you are visiting. Please contact our regional office and we will be happy to assist you.



Byelaws by their very nature tend to be quite wordy with legal phrases and terms. For ease of use, this booklet has tried to simplify some of the terminology for a clear understanding of how a byelaw can be applied. The original legal text of the byelaws can be requested from the regional office if required.

Byelaws are the statutory rules and regulations put in place by the Environment Agency. They exist to prevent damage to fish stocks from insensitive fishing methods and ensure fisheries are sustainable for the enjoyment of current and future generations of anglers.

These byelaws apply to all types of fisheries, be they owned by angling clubs, local authorities or private individuals. Whilst owners may impose additional more stringent regulations, they are not able to dispense with any byelaw that may apply to their water. They may, for example, restrict the number of rods a coarse angler can use to two, if they feel it is in the best interest of the fishery. However, they may not remove the Agency's maximum limit and allow more than four rods to be fished.

The byelaws have been divided up into the following six sections to assist you in finding those you are interested in.



Finally, please be aware that byelaws do change from time to time. Whenever changes are made, the Agency makes every possible effort to bring them to the attention of anglers. If you are not sure of the current situation - please ask.

- 1 Application and Interpretation of the byelaws - the geographical extent of Thames byelaws and any legislation that has been used to make them.
- 2 Close Seasons and Restrictions due to Time of Year - fishing seasons and any times of year when restrictions to method or retention of catch will occur.
- 3 Equipment and Methods - any equipment specifications that would make an instrument illegal and any restrictions on fishing methods.
- 4 Lures and Baits - any bait or lure that is prohibited.
- 5 Catch - any byelaw that may apply once a fish has been caught.
- 6 The use of instruments other than Rod and Line - any byelaw that is not directly relevant to anglers but is required for eel netsmen and angling clubs, commercial fish operatives etc.

# Section 1

## Application and interpretation

Regional Byelaw 1

Application Made 23 August 1976

Confirmed and Implemented 6 June 1978



This document includes all byelaws that apply to Thames Region as dated September 2001. All Thames Byelaws apply to all Waters within Thames Region and the catchments of the Rivers Darent and Cray in Southern Region. Any entry that indicates it is a National Byelaw will apply to all waters within England and Wales.

- Throughout the Thames Region of the Environment Agency they are now enforceable by the Environment Agency whose regional office is at Kings Meadow House, Kings Meadow Road, Reading, Berkshire, RG1 8DQ Tel: 0118 9535000.
- In part of the Southern Region of the Environment Agency, namely the Darent and Cray Catchments, they are now enforceable by the Environment Agency whose regional office is at Guildbourne House, Chatsworth Road, Worthing, West Sussex, BN11 1LD, Tel: 0903 820692.

## Interpretation

Regional Byelaw 2

Application Made 23 August 1976

Confirmed and Implemented 6 June 1978

### **In this guide the following terms have the following meanings:**

- Authority means the Thames Water Authority - now Environment Agency, Thames Region
- Area means the fisheries area of the Thames Region.
- The Thames Region means all rivers, lakes, canals and drains within the catchment of the River Thames. This will include the rivers Darent and Cray and their catchments that fall within Southern Region.

The terms used in these byelaws shall have meanings ascribed to them in the Salmon and Freshwater Fisheries Act 1975, the Water Act 1989 and within Section 210 and Schedule 25 of the Water Resources Act 1991.



# Section 2

## Close Seasons and Restrictions due to Time of Year

### 1. Coarse Fish Close Season

National Byelaw 6 Phase 1 (Amended)

Confirmed 14 March 2000 (England)

Date of implementation 15 March 2000 (England)

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The annual coarse fish close season (15 March to 15 June inclusive) applies to the following waters:

- A All rivers, streams and drains\*\*
- B All waters in the Specified Sites of Special Scientific Interest and the Broads (for those within Thames Region please see appendix 1)\*

**Note:** *Eels - There is no close season on those waters where the statutory close season for freshwater fish has been dispensed with.*

- \*\* The following canals are closed in the Thames Region (refer to appendix 2 for more details)
- \* Kennet and Avon Canal downstream of confluence with River Kennet at Kintbury
- \* Lee navigation upstream of Aqueduct Lock
- \* Designated areas of the Basingstoke Canal

### 2. Rainbow Trout Close Season

National Byelaw 7 Phase 1

Confirmed 14 March 1997

Date of implementation 1 April 1997

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- There is no annual close season for fishing for rainbow trout by rod and line in all reservoirs, lakes and ponds.

### 3. Brown Trout Close Season

National Byelaw 9 Phase 1

Confirmed 14 March 1997

Date of implementation 1 April 1997

- All waters are subject to an annual brown trout close season, although dates vary according to local byelaws. For waters within Thames Region these dates are as follows:
- The annual close season for fishing for non-migratory trout with rod and line shall be from 1 October to 31 March (inclusive) for all rivers, streams, drains and canals of the Thames Region.

**This includes rainbow trout.**

Regional Byelaw 4

Confirmed 20th July 1979

### 4. Fishing for Eels with Rod and Line

Regional Byelaw 7

Made 23 August 1976

Confirmed and Implemented 6 June 1978

- There is no close season when fishing for eels with rod and line in the tidal River Thames downstream of the Thames Barrier.



## 5. Annual Salmon and Trout Close Season for Rod and Line

Regional Byelaw 3

Made 10 March 1981 1 October 1981

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- The annual close season for fishing for salmon and trout with rod and line shall be from 1 October to 31 March (inclusive).
- In any enclosed reservoir, lake or pond into which or from which fish cannot normally swim from or to other waters, the close season for fishing for trout with rod and line is 30 October to 31 of March (inclusive).



## 6. Fishing for Salmon and Trout during the Coarse Fish Close Season

Regional Byelaw 5

Made 10 March 1981

Confirmed and Implemented 1 October 1981

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- During the annual close season for coarse fish (15 March to 15 June inclusive), no person shall fish with rod and line for salmon, trout, or rainbow trout other than with an artificial fly or lure. A minnow taken in a minnow trap for use as bait in the waters from which it was taken is also permitted but requires the previous written consent of the Authority.



## 7. Early Season Catch and Release for Salmon with Rod and Line

National Salmon Byelaw 5

Confirmed 9 January 1999

Date of implementation 15 April 1999

- Any person who removes any live or dead salmon taken by rod and line from any waters or banks without the previous written authority of the Agency before the 16th day of June in any calendar year shall be guilty of an offence.

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.



## 8. Early Season Method Restriction for Salmon with Rod and Line

National Salmon Byelaw 6

Confirmed 9 January 1999

Date of implementation 15 April 1999

- Any person who fishes for, takes or attempts to fish for or take any salmon with rod and line by any means other than an artificial fly or artificial lure before the 16th day of June in any calendar year shall be guilty of an offence.

# Section 3

## Equipment and Methods

### 1. Keepnets, Keepsacks and Landing Nets

National Byelaw 5 Phase 1

Confirmed 14 March 1997

Date of implementation 1 April 1998

- 1** A person shall be guilty of an offence if, after 1 April 1998, he uses:
  - A. A landing net** with any knotted meshes or meshes of metallic material
  - B. A keepnet**
    1. with any knotted meshes or meshes of metallic material; or
    2. having any holes in the mesh larger than 25mm internal circumference; or
    3. of less than 2.0 metres in length; or
    4. with supporting rings or frames greater than 40cm apart (excluding the distance from the top frame to the first supporting ring or frame) or less than 120cm in circumference.
  - C. A keepsack**
    1. not constructed of a soft, dark coloured, non-abrasive, water permeable fabric; or
    2. having dimensions of less than 120cm by 90cm if rectangular; or
    3. 150cm by 30cm by 40cm if used with a frame or designed with the intention that a frame be used.
- 2** Any person shall be guilty of an offence if, after 1 April 1998, he retains more than one fish in a single keepsack at any time.

- 3** This byelaw shall not apply to any keepnet or keepsacks used for retaining eels which have been legally taken by instruments other than rod and line.
- 4** This byelaw was made taking account of the requirement for notification to the European Commission under Council Directive 83/189/EEC.

## 2. Use of a Gaff

National Byelaw 4 Phase 1  
 Confirmed 14 March 1997  
 Date of implementation 1 April 1997

- The use of a gaff is prohibited at all times when fishing for salmon, trout, freshwater fish or freshwater eels.

## 3. Use of Rods

National Byelaw 8 Phase 1  
 Confirmed 14 March 1997  
 Date of implementation 1 April 1997

## Summary Table

Types of fish	Rivers, streams, drains & canals	Reservoirs, lakes & ponds
Salmon Sea Trout (Migratory trout)	1 ROD	2 RODS*
Trout (Non-migratory) Char	1 ROD	2 RODS*
Coarse Fish & Eels	4 RODS*	

\* 2 licences required

- When fishing with more than one rod and line at the same time, the aggregate number must not exceed a total of four.
- When fishing with multiple rods and lines, rods must be placed such that the distance between the butts of the end rods does not exceed three metres.

*Note: The above rod limits are subject to the correct number of rod licences being held.*

- A salmon & sea trout licence authorises only one rod per licence when fishing for salmon, sea trout or trout, or two rods per licence when fishing for coarse fish and eels.
- A trout and coarse licence authorises one rod when fishing for trout or two rods when fishing for coarse fish and eels.

#### **4. Unattended Rods**

National Byelaw 10 Phase 2

Confirmed 26 May 2001

Date of implementation 27 May 2001

- Any person who leaves a rod and line with its bait or hook in the water unattended or so that the person shall be unable at any time to take or exercise sufficient control over said rod and line shall be guilty of an offence.

When fishing with multiple rods and lines, rods shall be placed such that the distance between the butts of the end rods does not exceed three metres.



## 5. The Return of Foul Hooked Fish

National Byelaw 7 Phase 2

Confirmed 26 May 2001

Date of implementation 27 May 2001

- It shall be an offence to fail to return immediately all salmon, migratory trout or trout, hooked other than in the mouth or throat, to any river, stream, drain or canal.

## 6. Prohibition on Use of Lead Weights

Regional Byelaw 19

Confirmed 29 May 1987

Date of implementation 1 June 1987

- No person shall use for taking salmon, trout, rainbow trout, freshwater fish or eels in any waters any fishing line to which is attached, directly or indirectly, any lead in the form of a lead weight.

### **This does not apply to:**

- Lead weight of 0.06 grams or less, commonly called Dust Shot (number 8)
- Lead weights greater than 28.35grams.  
This is a weight heavier than 1oz.
- For the purpose of this byelaw 'lead' includes any alloy or compound of lead. Lead-weight includes split shot or any other thing suitable for weighting fishing lines which is neither incorporated and fully enclosed in the core of a fishing line or in the construction of a swim-feeder, a self-cocking float or a fishing lure. A fishing lure is any device, including a fishing fly, which is designed to attract fish and which incorporates a fishing hook.

# Section 4

## Lures and Baits

### 1. The Use of Crayfish as Bait

National Byelaw 3 Phase 2

Confirmed 26 May 2001

Date of implementation 27 May 2001

- Any person who in fishing for salmon, trout, freshwater fish or eels, uses as bait crayfish of any species whether alive or dead, or parts thereof, shall be guilty of an offence.

This is to protect native crayfish and to prevent the spread of non-native species such as the American signal crayfish.

### 2. The Use of Live Fish for Bait

National Byelaw 8 Phase 2

Confirmed 26 May 2001

Date of implementation 27 May 2001

- Any person who takes fish for use as live bait shall be guilty of an offence unless the fish are retained at and used only in the water from which they were taken.

The taking of fish from a water to be used as live bait at another venue is now illegal. This is to prevent the spread of disease. This will include goldfish.

- This byelaw shall not apply to any fish introduced as live bait under and in accordance with a consent issued under Section 30 of the Salmon and Freshwater Fisheries Act 1975.

### 3. The Use of a Rod and Line

Regional Byelaw 10

Made 23 August

Confirmed and Implemented 6 June 1978

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- No person shall fish with rod and line having more than three separate hooks attached thereto.
- No person shall use in conjunction with rod and line any device intended to hook a fish automatically.



# Section 5

## Catch

### 1. The Prohibition on Taking Undersized Fish

Regional Byelaw 8

Made 23 August 1976

Confirmed and Implemented 6 June 1978

- No person shall take away from any waters within the area any fish of a kind and of a size less than the following:

Barbel	40cm	Chub	30cm	Rudd	20cm
Bleak	10cm	Gudgeon	13cm	Tench	25cm
Bream	30cm	Perch	22cm	Brown Trout	25cm
Carp	30cm	Pike	60cm	Dace	15cm
Crucian	18cm	Roach	18cm	Grayling	25cm

The size shall be determined by measuring from the tip of the snout to the end of the tail fin.

This byelaw does NOT apply to the following:

- Any undersized freshwater fish if kept alive in a keepnet and returned alive to the water at the point of capture not later than at the conclusion of fishing.
- Any undersized freshwater fish (not exceeding twelve in any one day) for use as bait in the water from which they were taken.
- Any undersized fish for any specific purpose with the previous consent in writing of the Authority.



## 2. Bag Limits

Regional Byelaw 9

Made 23 August 1976

Confirmed and Implemented 6 June 1978

- No person without the previous consent in writing of the Authority when fishing with rod and line shall take away from any waters within the area in any one day more than two fish of which not more than one may be tench, carp, barbel, bream or pike.

### This byelaw does NOT apply to the following:

- Any enclosed reservoir, lake or pond into which or from which fish cannot normally swim from or to other waters.
- Trout, zander or eels.

The riparian owner has the right to prohibit the removal of any fish. They cannot however exceed this bag limit on waters where this byelaw applies.



### 3. Restriction on Movement of Fish

Regional Byelaw 12

Made 10 March 1981

Confirmed and Implemented 1 October 1981

- Whilst fishing or at the conclusion of fishing with rod and line, the movement or transportation of any fish by means of a keepnet or container of any kind, other than fish permitted to be transported in accordance with regional byelaws 5, 8, 9 and 12 is hereby prohibited.

### 4. The Weighing of Fish

Regional Byelaw 13

Made 23 August 1976

Confirmed and Implemented 6 June 1978

- Fish must be weighed as close as possible to the point of capture.

### 5. The Removal of Crayfish

Regional Byelaw 14

Made 23 August 1976

Confirmed and Implemented 1 October 1978

- Except with the previous consent of the Authority in writing no person shall remove crayfish from non-tidal waters.



## 6. Catching Zander

Regional Byelaw 15

Made 10 March 1981

Confirmed and Implemented 1 October 1981

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- Except with the previous written consent of the Authority any person who takes a zander by rod and line or by any other approved method of fish removal within the area shall make a written return to the Authority. This should be within 14 days and include the number of fish caught and the place of capture.

## 7. Migratory Salmonide Catch Returns

National Byelaw 3 Phase 1

Confirmed 18 December 1996.

Date of implementation 31 December 1996

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1. All licensed salmon and sea trout anglers must make a return by 1 January in the following year. This includes "Nil" returns. The return form is attached to the angler's rod licence.
2. All licensed salmon and sea trout netsmen must make monthly returns within seven days of the end of each month during the fishing season. This includes "Nil" returns. Agency Regions provide return forms to licensed netsmen.



# Section 6

## The Use of Instruments Other Than Rod and Line

### 1. The Use of Instruments Other Than Rod and Line

Regional Byelaw 6

Made 10 March 1981

Implemented 1 October 1981

- The use of any net or other instrument (not being a fixed engine) for taking salmon, trout, rainbow trout or freshwater fish is prohibited.

#### **This byelaw does not apply to:**

- A landing net being used to assist landing a fish caught with a rod and line.
- The use with the previous consent in writing of the Authority of any instrument in connection with scientific purposes, improvement or preservation of a fishery or any other purpose approved by the Authority.
- The use of any instrument by an officer of the Authority acting in his official capacity.
- The use of any net or other instrument by the owners or agents of fish farms engaged in the propagation or culture of fish as part of their business within the confines of such premises.
- The use of a minnow trap during the open season for freshwater fish, or the use of a minnow trap in accordance with Regional Byelaw 5.

## **2. The Use of Fixed Engines (including Fyke Nets and Traps)**

Regional Byelaw 17

Made 22 October 1987

Implemented 1 April 1988

The placing and use of fixed engines throughout the Authority's area is hereby authorised in the circumstances described below. A licence is required from the Environment Agency to fish for eels using these methods.

**Fyke nets may be placed and used for the purpose of taking eels subject to the following conditions:**

1. The net and leader shall be constructed of a material with a mesh size not less than 19mm and not greater than 23mm internal diameter, if knotless.
2. The leader length shall not exceed 10 metres and its height shall not be greater than the net aperture.
3. The net aperture shall not exceed 1 metre at its widest point.
4. Each and every net shall be marked with an identity tag, previously obtained from the Authority, which shall be fixed to the top of the front ring at the junction with the leader.
5. Each net placed and used alone or each string of nets shall be attached to a buoy on which shall be clearly displayed the number of the licence relating thereto issued by the Authority.

Traps may be placed and used for the purposes of taking eels subject to the following conditions:

1. There shall be no leader.
  2. The dimensions shall not exceed 2.0 x 0.75 x 0.75 metres.
  3. They shall be constructed of a material with a mesh size not less than 19mm and not greater than 36mm full stretched mesh, if knotted, and not less than 12mm and not greater than 23mm internal diameter, if knotless.
  4. All traps shall be marked with an identity tag, previously obtained from the Authority, which shall be fixed to the top front of the trap.
  5. All traps shall be attached to a buoy on which shall be clearly displayed the number of the licence relating thereto issued by the Authority.
- Owners of fish farms and their agents and employees in the normal course of their business may use any fixed engine, within the confines of their fish farms, for taking or facilitating the taking of salmon, trout, rainbow trout, freshwater fish or eels.
  - Officers of Authority, and other persons with the previous written consent of the Authority are permitted to use any fixed engine for taking or facilitating the taking of salmon, trout, rainbow trout, freshwater fish or eels for scientific purposes or for the better management, protection, preservation and improvement of any fisheries in the Authority's area.



The following points **MUST** be read in conjunction with this byelaw:

1. A fyke net is defined as any instrument employing a leader.
2. The licence covers all waters in the Authority's area, including enclosed waters, upstream of the Yantlet Line which is an imaginary line across the River Thames between the City or Crowe Stone, Southend and The London Stone, Isle of Grain.
3. A licence **DOES NOT CONFER A RIGHT TO FISH IN ANY WATERS**. The permission of the riparian owner and/or fishing rights owner is required before any fishing is commenced. In the Thames tideway permission of the riparian owner - the Port of London Authority (PLA) - will automatically be sought by copying your application to them.
4. As the riparian owner, and the Authority responsible for navigation, the PLA will not permit fyke net fishing on the main River Thames upstream of Tower Bridge. Under the powers of the Thames Conservancy Act, 1932, subsequent Acts and/or byelaws made thereunder the Authority will not permit the placing or using of fyke nets in the River Thames from a point 293 yards downstream of Teddington weir (the limit of PLA jurisdiction) to Cricklade.

All fishing must be done within the conditions laid down in these byelaws, and those laid down by the PLA.



## Notes

1. Unless permission in writing is obtained from the Authority it is an offence to use any explosive substance, any poison or other noxious substance, or any electrical device with the intent thereby to take or destroy fish (Salmon and Freshwater Fisheries Act, 1975 Section 5).
2. A person guilty of an offence against the byelaws shall be liable on summary conviction to a fine on level 4, currently not exceeding £2500.

## Warning

Discarded fishing tackle kills - fishing hooks, shot and line are dangerous to wildlife.







BYELAW	DATES
National Byelaw 6 Coarse Fish Close Season	15 March - 15 June inclusive
National Byelaw 7 Rainbow Trout Close Season	Abolished for enclosed waters
National Salmon Byelaw 5	
Regional Byelaw 4 Rainbow Trout Close Season	1 October - 31 March inclusive
Regional Byelaw 3 Annual Salmon and Trout Close Season (excluding Rainbow Trout)	1 October - 31 March inclusive

- During the coarse fish close season (15 March - 15 June inclusive) all other permitted fishing on rivers, streams and canals may only be undertaken if the following is used:



## ADDITIONAL INFORMATION

Rivers, streams and any canal or stillwater that is listed as a SSSI.

This includes reservoirs, lakes and ponds.

Any salmon caught by rod and line up to and including 16 June must be released back into the water where it was caught.

This refers to all rivers, streams, drains and canals.

This does not include fish in any enclosed reservoir, lake or pond.

- A Artificial Fly, or
- B Lure (including spinner), or
- C With a minnow caught in a minnow trap from waters in which fishing is to take place, UNLESS written consent has been issued from the Agency.













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