

En-southern Box
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Fisheries Byelaws

SOUTHERN REGION



**ENVIRONMENT
AGENCY**

These Byelaws are made in exercise of powers under Section 28(6) and Schedule 3 of the Salmon and Freshwater Fisheries Act 1975 and derived from the Southern Water Authority Byelaws 1985, 1987, 1989, and The National Rivers Authority Close Season Byelaws 1995.

1. Interpretation

- (a) Under the Transitional Provisions of the Water Act 1989, Environment Act 1995 and associated Orders references in these Byelaws to the Southern Water Authority, The National Rivers Authority and the Authority are shown below as the Environment Agency or the Agency.
- (b) Other expressions shall have the meaning assigned to them by Section 41(1) of the Salmon and Freshwater Fisheries Act 1975.

2. Application of Byelaws

These Byelaws shall apply to the Southern Region of the Environment Agency with the exception of the Catchment of the Rivers Darent and Cray in Kent where Thames Region Byelaws apply.

3. Returns of Salmon and Migratory Trout Taken

Any person fishing for salmon or migratory trout within the Southern Region Fisheries Area shall by the last day of November in each year make a true return in the form set out in the Schedule to these Byelaws to the Agency containing full particulars of the number, weight and place of capture of salmon and migratory trout taken by him within the Southern Region Fisheries Area in each month during the year, or a statement that he has caught no such fish.

4. Annual Close Season for Salmon (Rod and Line)

The annual Close Season for fishing for salmon with rod and line shall be the period between October 2 and January 17 following.

5. Annual Close Season for Migratory Trout (Rod and Line)

The annual Close Season for fishing for migratory trout with

possible or:

- (b) with the previous consent in writing of the Agency (which may be given subject to such conditions as the Agency thinks fit), takes any undersized trout for a scientific purpose or for the purpose of protecting, improving or replacing stocks of fish;
- (c) being the owner or occupier of a fish farm (or the servant or agent of any such owner or occupier) takes any undersized trout from that fish farm.

12. Annual Close Season for Salmon and Migratory Trout (Netting)

The annual Close Season for fishing for salmon and migratory trout otherwise than with rod and line, shall be the period between July 31 and February 15 following.

13. Weekly Close Time for fishing for Salmon and Migratory Trout other than with Rod and Line

The weekly Close Time for fishing for salmon and migratory trout otherwise than with rod and line, shall be the period between the hour of 6.00 on Saturday morning and the hour of 6.00 on the following Monday morning.

14. Kind of nets that may be lawfully used for Salmon and Migratory Trout

The length, size and description of nets, and the manner for using the same (not being fixed engines) which may be lawfully used for taking salmon or migratory trout in the Southern Region Fisheries Area shall be as follows:

Draft or Seine Nets:

Such nets shall be unarmoured nets, consisting of a single sheet or wall of netting not more than 185 metres in length measured along the headrope when wet, and not more than 7.5 metres in depth and shall be used by holding one end of the net on the shore or bank, and by shooting the net from a boat which shall start from such shore or bank, and return without delay to the shore or bank from which it started, and then drawing the net on to such shore or bank.

15. Night Netting

The use in any inland water in the Southern Region Fisheries Area of any net for the taking of fish except a landing net or eel net between the expiration of the first hour after sunset and the commencement of the last hour before sunrise is hereby prohibited.

16. Numbering of Nets

Each licence for a net shall be distinguished by a number. The label issued by the Agency with each licence and bearing the number of such licence, shall be attached and shall be maintained attached, to the headrope of the net for the use of which the licence is granted.

17. Carrying of Unlicensed Nets

The carrying in a boat or vessel whilst being used in fishing for salmon or trout of any unlicensed net, other than a landing net, or of any licensed net which does not have attached to it the label prescribed in Byelaw 16 is hereby prohibited.

18. Fixed Engines

'The placing and use of fyke nets and other fixed engines is hereby authorised in the circumstances described below:'

- (a) Fyke nets may be placed and used for the purpose of taking eels subject to the following conditions:
 - (i) The net and leader 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.
 - (ii) The leader length shall not exceed 10 metres and its height shall not be greater than the net aperture.
 - (iii) The net aperture shall not exceed 1 metre at its widest point.
 - (iv) Each net placed and used alone or each string of nets shall be attached to a buoy.
- (b) Traps other than fyke nets may be placed and used for the purpose of taking eels subject to the following conditions.

EITHER

- (a) they consist of an implement USED ON OR BEFORE the 1st day of March 1988 fixed to the bed of an inland water such that eels may be separated from the body of the water by a system of bars, grids or meshes and from which the trapped eels are prevented from escaping.

OR

- (b) they consist of any other implements subject to the following conditions:
- (i) there shall be no leader
 - (ii) the dimensions shall not exceed 2.0 x 0.75 x 0.75 metres
 - (iii) 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.
- (c) Owners of fish farms and their agents and employees in the normal course of business may use any fixed engine, within the confines of their fish farms, for taking or facilitating the taking of salmon or trout (including rainbow trout) reared on the premises, or freshwater fish or eels.
- (d) Officers of the Agency, and other persons with the previous written consent of the Agency, may 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 Agency's area.

In this Byelaw unless the context otherwise requires:

'Fixed engine' shall have the same meaning as in the Salmon and Freshwater Fisheries Act 1975; 'Freshwater fish' shall have the same meaning as in the Salmon and Freshwater Fisheries Act 1975; 'Inland water' has the same meaning as in the Water Resources Act 1991.

- (b) the use of a licensed net for salmon or migratory trout;
- (c) the use with previous consent in writing of the Agency of any instrument in connection with:
 - (i) stocking, restocking or breeding fish
 - (ii) scientific purposes
 - (iii) improvement or preservation of a several fishery
 - (iv) any other purpose approved by the Agency
- (d) the use of any instrument by an officer of the Environment Agency acting in his official capacity.

10. (a) Prohibition on use of lead weights

- (i) Subject to paragraph (ii) below, no person shall on or after June 1, 1987 use for taking salmon, trout, freshwater fish or eels in any waters within the Southern Region Fisheries Area any fishing line to which is attached, directly or indirectly, any lead in the form of a lead weight.
- (ii) Paragraph (i) above does not prohibit the use of a lead weight of 0.06 grams or less, or of more than 28.35 grams.

Interpretation

For the purposes of this Byelaw: "lead" includes any alloy or compound of lead; "lead weight" means split shot or any other thing suitable for weighting fishing lines which is neither incorporated and fully enclosed in the core of the fishing line, nor incorporated in the construction of a swim-feeder, self-cocking float or a fishing lure; "fishing lure" means any device, including a fishing fly, which is designed to attract fish and which incorporates a fishing hook.

11. Taking of Undersized Trout

No person shall take any trout of a size less than hereinafter specified: migratory trout 38cm; non-migratory trout 23cm. The size shall be measured from the tip of the snout to the fork or cleft of the tail when the fish is laid flat.

PROVIDED that this Byelaw shall not apply to any person who:

- (a) takes any undersized trout unknowingly or unintentionally if he at once returns it to the water with as little injury as

rod and line shall be the period between October 31 and May 1 following.

6. **Annual Close Season for Non-Migratory including Rainbow Trout (Rod and Line)**

- (a) The annual Close Season for fishing for non-migratory trout with rod and line shall be the period between October 31 and April 3 following. EXCEPT THAT
- (b) There shall be no annual Close Season for rainbow trout in enclosed reservoirs, lakes and ponds containing rainbow trout only.

7. **Annual Close Season for Freshwater Fish**

The annual Close Season for fishing for freshwater fish in rivers, streams, drains and canals, and in all waters in the Specified Sites of Scientific Interest shall be the statutory period that is the period from and including the 15th day of March to and including the 15th day of June following. On all other waters there shall be no statutory Close Season for freshwater fish. A list of Specified Sites of Scientific Interest may be obtained from any Area Fisheries Officer of the Environment Agency.

8. **Prohibited Modes of Fishing**

During the annual Close Season for freshwater fish (the period between March 14 and June 16) no person shall fish with rod and line for salmon, migratory trout or non-migratory trout (including rainbow trout), other than with an artificial fly or lure, without the previous consent of the Agency in writing.

9. **Prohibited Instruments**

The use of any instrument (not being a fixed engine) for taking salmon, trout or freshwater fish is hereby prohibited. Provided that this Byelaw shall not apply to:

- (a) the use of rod and line (which shall not be left unattended) and a landing net, gaff (consisting of plain metal hook without a barb); or taylor used as auxiliary to angling with rod and line;

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