



## **CONSULTATION DOCUMENT**

# **PROPOSED FOYLE AREA AND CARLINGFORD AREA (EXEMPTION FROM ANGLING LICENCE FEES) REGULATIONS 2015**



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## **CONSULTATION DOCUMENT**

### **INTRODUCTION**

This Consultation Document sets out proposals by the Loughs Agency to introduce Regulations setting out those persons who can receive angling licences which are exempt from the normal fee charges. Licences are a necessity to be permitted to fish those waters of the Foyle and Carlingford Areas as they permit the carrying of a fishing rod which can be used for angling. These Regulations are made under section 13(1) of the Foyle Fisheries Act 1952 and the Foyle Fisheries Act (Northern Ireland) 1952 as amended.

The consultation document is available on the Loughs Agency website at [www.loughs-agency.org](http://www.loughs-agency.org).

### **PURPOSE**

These regulations aim to permit the issuing of angling licences which are exempt from fees in the Foyle and Carlingford areas. These fee-exempt angling licences will be available for specified groups of people meaning the



will not need to pay for a fishing licence in the Foyle and Carlingford areas. Additionally, this regulation will further improve the Loughs Agency's capacity for angling development along with the Foyle Area (Complimentary Angling Permit) (River Finn and River Foyle) Regulations 2014.

These regulations propose to:

1. Permit the Loughs Agency to issue fee-exempt angling licences.
2. Allows the Loughs Agency to issue fee-exempt angling licences to staff and managers of a school, pupils of a school, or carers of disabled pupils of a school.
3. Allows the Loughs Agency to issue fee-exempt angling licences to persons or bodies which have entered into a written contract with the Commission to provide promotional events.
4. Allows the Loughs Agency to issue fee-exempt angling licences to persons who have been appointed under Section 55 of the Foyle Fisheries Act (Northern Ireland) 1952 or Section 56 Foyle Fisheries Act 1952 and have had returns made on their behalf in accordance with Section 55(8) of the Foyle Fisheries Act (Northern Ireland) 1952 or Section 56(8) Foyle Fisheries Act 1952, and in the form prescribed by the Foyle Area and Carlingford Area (Private River Watcher Annual Returns) Regulations 2015.

## **BACKGROUND**

Schedule 1 of the North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999 entrusts the Loughs Agency with the “promotion of development of Lough Foyle and Carlingford Lough, for commercial and recreational purposes”. Part of the objectives for the



development of regulations which permit the issue of fee-exempt angling licences is to further encourage the uptake and promotion of angling through making it more accessible, especially to younger people.

Section 13(1) of the Foyle Fisheries Act 1952 and the Foyle Fisheries Act (Northern Ireland) 1952 provide the legislative background to this regulation. Section 13 of the 1952 Acts (as amended) allows the Loughs Agency to:

- Make such regulations as appear to the Commission to be expedient for the management, conservation, protection and improvement of the fisheries of the Foyle Area and the Carlingford Area.

Furthermore Section 13(2) states that:

- Regulations made by the Commission under this section may provide for charging in respect of any fishing licence, tag or other document issued or varied by the Commission such fees, payable at such time and in such manner, as may be prescribed.

In addition to this Section 13(2A) states that:

Regulations made by virtue of subsection (2) may—

- (a) provide for charging concessionary fees in such cases as may be prescribed;
- (b) provide for exemption from payment of the prescribed fees in such cases as may be prescribed.

## **OVERVIEW OF THE PROPOSED REGULATION**

The proposed Regulation allows for the legitimate issue of angling licences which are exempt from the normal prescribed charges for angling licences for waters in the Foyle and Carlingford area by the Loughs Agency on behalf



of the governments of the Republic of Ireland and Northern Ireland. It restricts their issue to schools (pupils, staff, managers, and carers for disabled pupils), those persons or bodies who have entered into a formal contract to deliver or manage promotional events for of the Agency, and persons who have been appointed under Section 55 of the Foyle Fisheries Act (Northern Ireland) 1952 or Section 56 Foyle Fisheries Act 1952 and have had returns made on their behalf in accordance with Section 55(8) of the Foyle Fisheries Act (Northern Ireland) 1952 or Section 56(8) Foyle Fisheries Act 1952, and in the form prescribed by the Foyle Area and Carlingford Area (Private River Watcher Annual Returns) Regulations 2015.

## **DETAILS OF CONSULTATION PROCESS**

1. Responses to this Consultation Document should be received no later than 26<sup>th</sup> August 2015.
  
2. Responses and any comments about this Consultation should be either:
  - sent to Foyle Area and Carlingford Area (Exemption from Angling Licence Fees) Regulations 2015 Consultation, Loughs Agency, 22 Victoria Road, Prehen, Londonderry, BT47 2AB, (Fax Number (028) 71342720); or
  - emailed to [laura.mccready@loughs-agency.org](mailto:laura.mccready@loughs-agency.org)
  
3. Hard copies of this Consultation Document can be obtained from Loughs Agency at the above address or by telephoning Laura McCready on (028) 71342100.



4. The Consultation Document is also available on the Loughs Agency website at [www.loughs-agency.org](http://www.loughs-agency.org)
5. Copies of this document in an alternative format can be made available on request in large print, disk, Braille and audiocassette. It may also be made available in other languages on request.

## **FREEDOM OF INFORMATION**

Loughs Agency will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Agency can only refuse to disclose information in exceptional circumstances. A full copy of the Freedom of information Code of Practice is available for download or viewing at [www.loughs-agency.org](http://www.loughs-agency.org)

## **EQUALITY IMPACT AND HUMAN RIGHTS IMPLICATIONS**

The policy has been screened for section 75 groupings and there are no equality issues for any of the section 75 groups.

The Loughs Agency is of the view that the proposed legislation is compatible with the Human Rights Act 1998.

## **REGULATORY IMPACT ASSESSMENT**

A partial regulatory impact assessment is attached at Annex a. The Agency would welcome comments on the draft assessment.



## ENQUIRIES AND FURTHER COPIES

For enquiries and further copies please contact the address below:

Loughs Agency  
22 Victoria Road  
Londonderry  
Northern Ireland  
BT47 2AB

The consultation document is also available on the on the Loughs Agency website at [www.loughs-agency.org](http://www.loughs-agency.org)

John McCartney  
**Director of Conservation and Protection.**



## Consultation Responses

### 1. Name / Organisation

Title Mr  Ms  Mrs  Miss  Dr  Please tick as appropriate

Surname

Forename

### 2. Postal Address

Postcode:	Phone:	Email:





## Response Questions

Question 1: Do you agree with the proposal to permit the Loughs Agency to issue angling licences for the Foyle and Carlingford areas which are exempt from the normal payment of fees?

Question 2: Have you any comments on the proposal to allow the Loughs Agency to issue fee-exempt angling licences to staff of a school, pupils of a school, or carers of disabled pupils of a school?

Question 3: Have you any comments on the proposal to allow the Loughs Agency to issue fee-exempt angling licences to persons or bodies which have entered into a written contract with the Commission to provide promotional events?



Question 4: Have you any comments on the proposal to allow the Loughs Agency to issue fee-exempt angling licences to persons who have been appointed under Section 55 of the Foyle Fisheries Act (Northern Ireland) 1952 or Section 56 Foyle Fisheries Act 1952 and have had returns made on their behalf in accordance with Section 55(8) of the Foyle Fisheries Act (Northern Ireland) 1952 or Section 56(8) Foyle Fisheries Act 1952, and in the form prescribed by the Foyle Area and Carlingford Area (Private River Watcher Annual Returns) Regulations 2015?



Question 5: Do you have any further comments or recommendations regarding these proposals?

**Thank you for taking time to respond to this consultation.**