



## INLAND FISHERIES REGULATIONS 2017

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Statutory Document No. 2017/0053

*Fisheries Act 2012*

## INLAND FISHERIES REGULATIONS 2017<sup>1</sup>

*Laid before Tynwald:* 21 February 2017

*Coming into Operation:* 1 March 2017

The Department of Environment, Food and Agriculture makes the following Regulations under section 23, 48, 73 and 82(6) of the Fisheries Act 2012.

### PART 1

#### INTRODUCTION

#### 1 Title

These Regulations are the Inland Fisheries Regulations 2017.

#### 2 Commencement

These Regulations come into operation on 1 March 2017.

#### 3 Interpretation

(1) In these Regulations —

“**the Act**” means the Fisheries Act 2012;

“**coarse fish**” means freshwater fish other than salmon, migratory trout, trout, rainbow trout and eels;

“**coarse fishery**” means any private or commercial fishery where coarse fishing facilities are offered to recreational anglers who hold a valid licence;

“**coarse fishing**” means fishing for coarse fish in a private or commercial fishery or Eairy Dam only, which may be retained in a keep net or keepsack and returned to the water from which they were taken at the end of the fishing session;

“**coarse fishing licence**” means a licence of a class specified in regulation 5(2)(d);

“**commercial fishery**” means a fishery operated on a commercial basis which allows recreational anglers to fish by rod and line;

- “**child**” means a person who has not attained their fourteenth birthday;
- “**concessionary season reservoir licence**” means a licence of a class specified in regulation 5(2)(b);<sup>2</sup>
- “**disabled angler**” means a recreational angler who is in receipt of disability living allowance or attendance allowance payable by the Social Security Division of the Treasury, or in receipt of a war disablement pension to which that person is entitled under the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006<sup>1</sup>;
- “**eels**” means any fish of the species *Anguilla anguilla*, and includes elvers and glass eels;
- “**fishing season**” means the period of a year which is not included in the annual close season;
- “**float**” means any type of buoyancy device used in the normal course of angling;
- “**foul hook**” means the hooking of any salmon, sea trout or freshwater fish in any part of the body other than in the mouth;
- “**freshwater fish**” means any fish (other than salmon or sea trout) living in inland waters;
- “**general licence**” means a licence issued under section 8 of the Act by the Department to specific groups in specific circumstances to enable freshwater angling to take place at specified times, subject to specific conditions, as stipulated in the licence;
- “**lead**” includes any alloy or compound lead;
- “**lead weight**” means split shot or any other thing suitable for weighting fish lines made of lead, which is neither incorporated and fully enclosed in the core of a fishing line nor incorporated in the construction of a swim-feeder, a self-cocking float or a fishing lure;
- “**leader**” means the end portion of a reel-line to which the fly-hook or snell of the fly-hook is attached;
- “**licence-holder**” in relation to a fishing licence, means a recreational angler named on the licence as being entitled to the licence;
- “**migratory trout**” means trout of the species *Salmo trutta* which migrate to and from the sea, including part of any such fish;
- “**other waters fishing licence**” means a licence of a class specified in regulation 5(2)(c);
- “**private fishery**” means any waters where angling facilities are offered for the purposes of fishing to recreational anglers who hold a valid licence;
- “**private or commercial fishery**” means waters or a fishery which is either a private fishery or a commercial fishery;

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<sup>1</sup> S.I. 2006/606

“**rainbow trout**” means trout of the species *Oncorhynchus mykiss*;

“**recreational angler**” means a person who, in accordance with a licence issued under these Regulations, angles with rod and line;

“**the reservoirs**” means any of the following reservoirs —

- (a) the Ballure Reservoir;
- (b) the Clypse Reservoir;
- (c) the Cringle Reservoir;
- (d) the Kerrowdhoo Reservoir;
- (e) the Sulby Reservoir; or
- (f) the West Baldwin Reservoir,

but does not include the Block Eary Reservoir or the Eairy Dam;

“**reservoir fishing licence**” means a licence of a class specified in regulation 5(2)(a);

“**salmon**” means salmon of the species *Salmo salar*, including part of any such fish;

“**sell**” and “**sale**” include barter or exchange for goods or services;

“**young person**” means a person who has attained their 14<sup>th</sup> birthday but has not attained their 19<sup>th</sup> birthday;

“**total maximum casting weight**” means all terminal tackle used in the normal course of angling, including float, spinner, lure, spoon and weight;

“**traditional fly fishing**” means fishing with a conventional fly rod, fly line, fly reel and artificial flies which satisfies the following requirements —

- (a) the rod and line must be designed for fly fishing, where the weight of the line is used to cast an artificial fly that would not be heavy enough to be cast with a spinning or casting rod; and
- (b) the rod and line must be rated in accordance with the American Fly Tackle Manufacturers (AFTM) system and the reel must be of a single action centre pin design; and

“**trout**” means brown trout of the species *Salmo trutta* which remain in inland waters and do not migrate to the sea, and includes any part of such fish.

- (2) Any reference to the size of any fish shall be construed as a reference to its length when measured from the tip of its snout to the fork or cleft of its tail.

## PART 2

### ANNUAL CLOSE SEASON, FISHING LICENCES AND DUTIES

#### 4 Annual close season

- (1) The annual close season, when it shall be unlawful to fish for, take or kill —
  - (a) salmon and migratory trout, commences on 1 November in each year and ends on 31 March in the next year, both dates inclusive;
  - (b) trout and rainbow trout in the reservoirs and commercial and private fisheries, commences on 1 February and ends on 9 March in each year;
  - (c) trout and rainbow trout in any water other than the reservoirs and commercial and private fisheries, commences on 1 October in each year and ends on 31 March in the next year; and
  - (d) eels in any water, commences on 1 October in each year and ends on 31 March in the next year.
- (2) The owner or owners of a private or commercial coarse fishery may operate a close season at his or her discretion.

#### 5 Fishing licences

- (1) For the purposes of Part 4 of the Act and subject to the provisions of these Regulations, there may be issued a fishing licence for —
  - (a) the reservoirs or a private or commercial fishery, valid for the period commencing on 10 March in each year and ending on 31 January in the next following year (or valid for a period of a week or a day during that period);
  - (b) waters other than the reservoirs or private or commercial fishery, valid for the period commencing on 1 April in each year and ending on 31 October in that year (or valid for a period of a week or a day during that part of the period ending on 30 September in that year); and
  - (c) a coarse fishery, for the period 1 January to 31 December in each year.
- (2) There are four classes of fishing licence —
  - (a) a reservoir fishing licence, which authorises a recreational angler to fish for, take or kill any trout or rainbow trout by a single rod and line only, in the reservoirs or a private or commercial fishery;
  - (b) a concessionary season reservoir fishing licence which authorises a recreational angler who is either a disabled angler or a person who

- has attained the age of 65 to fish for, take or kill any trout or rainbow trout by a single rod and line only, in the reservoirs;<sup>3</sup>
- (c) an other waters fishing licence, which authorises a recreational angler to fish for, take or kill any salmon, migratory trout, trout, rainbow trout and eels by a single rod and line only, in any waters other than the reservoirs or a coarse fishery; and
  - (d) a coarse fishing licence, which authorises a recreational angler to fish for any coarse fish in the Eairy Dam by a single rod and line only and in any private or commercial coarse fishery, but not a reservoir, by rod and line only.<sup>4</sup>
- (3) A recreational angler must not hold for any period more than one licence of the same class specified in paragraph (2).
  - (4) For the purposes of section 82 of the Act, the classes of licence specified in paragraph (2) are to be treated as licences of the same description.
  - (5) A licence specified in paragraphs (2)(a), (b) and (c) may be issued for a period of one day, one week or a season as specified in column 2 of the Schedule.

## **6 Application for issue of licences and duty payable**

- (1) A recreational angler who wishes to fish for any salmon, migratory trout, trout, rainbow trout, eels or coarse fish must apply for a licence and supply the Department with such information relating to the application for that licence and the intended fishing activities.
- (2) Subject to paragraphs (3) and (4), a recreational angler must pay to the Department in respect of, and at the time of, an application for any fishing licence specified in column 1 of Part 1, 2 or 3 of the Schedule to these Regulations, the duty specified in column 2 of that Schedule.
- (3) The duty payable in respect of a licence application under Part 4 of the Schedule is waived in respect of –
  - (a) 2 or more recreational anglers who are taking part in an event organised by the Department for the purposes of promoting angling;
  - (b) facilitators authorised by the Department to assist participating anglers at an angling event; or
  - (c) any public officer who, with the written authorisation of the Department, assists a licensed disabled angler under the care of that public officer.
- (4) Any duty payable set out in the Schedule is waived in respect of a recreational angler appointed as a fishery watcher under section 6(2) of the Act.

## PART 3

### SALMON, MIGRATORY TROUT, TROUT, RAINBOW TROUT AND EELS

#### 7 Prohibition of use of certain fishing equipment

- (1) A recreational angler must not, for the purpose of catching or killing or attempting to catch or kill any salmon, migratory trout, trout, rainbow trout or eels in any waters, use any of the following equipment —
- (a) a line any part of which has a breaking strain in excess of 4.5 kilograms (10lb) with the exception of traditional fly lines where the final tippet or leader must not exceed 4.5 kilograms (10lb);
  - (b) subject to paragraphs (2) and (3), a line with more than one hook attached; or
  - (c) a hook larger than size 6 with a maximum gape of 9mm,

nor have such equipment in their possession in such circumstances as to satisfy the court before which they are charged that they intended at the time to catch or kill any salmon, migratory trout, trout, rainbow trout or eels by means thereof.

- (2) Paragraph (1)(b) does not apply in respect of the following —
- (a) tackle comprising a leader and point fly, with one or two dropper flies attached to that leader where it was being used or was intended to be used for fly fishing only;
  - (b) the tackle known as a spinner, lure and spoon where the tackle was being used in a manner consistent only with the proper use of a spinner, lure or spoon.
- (3) Despite paragraph (1)(b), where tackle referred to in paragraph (2)(b) is used, it is permissible to use a double or a treble hook comprising 2 or 3 points on a common shaft.
- (4) For all fishing methods, the total maximum casting weight of terminal tackle shall not exceed —
- (a) in a reservoir, 15 grams;
  - (b) in a river, 20 grams.
- (5) A recreational angler must not, for the purpose of catching or killing or attempting to catch any trout or rainbow trout in the reservoirs, use a rubber worm or similar artificial bait.
- (6) A recreational angler must not use in fishing for salmon, migratory trout, trout, rainbow trout and eels, any bait on more than a single hook.
- (7) The use of any lure or bait not on or attached to a hook is prohibited.
- (8) During the months of November to January inclusive, barbless or crimped hooks must be used for fishing in the reservoirs.



## **8 Method of fishing at certain reservoirs**

A recreational angler must not fish at the Clypse Reservoir or the Kerrowdhoo Reservoir other than using a traditional fly fishing method.

## **9 Use of barbless hooks**

- (1) Despite paragraph 7(8), a single barbless or crimped hook must be used at all times when fishing a buoyant fly or other buoyant lure sub-surface on a sinking line on the reservoirs.<sup>5</sup>
- (2) In this regulation “sinking line” means any line fished below the surface of the water, with the exception of the final tippet attached to a traditional floating fly line.

## **10 Times of fishing**

A recreational angler must not fish in any reservoir except between the hours of 6.00 am, or sunrise, whichever is the later, and 30 minutes after sunset, or 10.30 pm, whichever is the earlier.

## **11 Use of bait**

- (1) A recreational angler must not use in any of the reservoirs, any live bait, worms, ground bait or organic matter, including any substance with which artificial bait may be impregnated and which is designed to disperse through the water and attract fish by sense of smell.
- (2) When fishing for salmon, migratory trout, trout, rainbow trout or eels a recreational angler must not use as bait crayfish of any species whether alive or dead, or parts thereof.
- (3) When fishing for salmon, migratory trout, trout, rainbow trout or eels a recreational angler must not use as bait roe of any fish species.

## **12 Prohibition on killing of small fish**

A recreational angler must not take from any waters any fish of a kind and size less than —

- (a) salmon, 45 cm;
- (b) migratory trout, 35cm;
- (c) trout, 25cm.

## **13 Licence conditions in respect of a daily catch limit**

- (1) A recreational angler must not in any one day capture and kill —
  - (a) in the case of a recreational angler in possession of a reservoir fishing licence, more than 4 fish;

- (b) in the case of a recreational angler in possession of a concessionary reservoir fishing licence, more than 2 fish;
  - (c) in the case of a recreational angler in possession of a reservoir fishing licence in the months of November to January inclusive on the reservoirs, more than 2 fish;
  - (d) in the case of a recreational angler in possession of an other waters fishing licence, a maximum of 3 fish per day, of which no more than one may be a salmon or a migratory trout;
  - (e) in the case of a recreational angler in possession of an other waters fishing licence, during the month of October, one salmon or migratory trout only.
- (2) A recreational angler must not continue to fish after capturing and retaining a single salmon or migratory trout or the maximum number of any other fish referred to in paragraph (1).
- (3) For the purposes of this regulation “day” means from 00.00 hours to 24.00 hours following.

#### **14 Fishing for salmon and migratory trout in October**

Any recreational angler fishing for salmon and migratory trout in the month of October must be in possession of an other waters fishing licence which has been issued in respect of the whole season.

#### **15 Use of lead weights**

- (1) Subject to paragraph (2) a recreational angler must not use for taking any fish in any inland waters any instrument to which is attached directly or indirectly, a lead weight.<sup>6</sup>
- (2) Paragraph (1) above does not prohibit the use of a lead weight of 0.06 grams or less (no. 8 shot).<sup>7</sup>

#### **16 Closure of reservoirs**

A reservoir fishing licence does not confer on any recreational angler any right of fishing —

- (a) in any reservoir; or
- (b) in any part of a reservoir,  
where —
  - (i) the Manx Utilities Authority has closed that reservoir or part of that reservoir for fishing;
  - (ii) the Department has temporarily closed that reservoir or that part of that reservoir for fishing for the purpose of stocking or enabling the carrying out of maintenance; or

- (iii) the Department has closed that reservoir or part of that reservoir for the purpose of a specific angling event for children.

## **17 Licence conditions in respect of eels**

A recreational angler must not retain any eels.<sup>8</sup>

## **PART 4**

### **COARSE FISH**

## **18 Coarse fishing**

Fishing for coarse fish is prohibited in any waters other than private or commercial fisheries or in Eairy Dam.

## **19 Return of coarse fish**

A recreational angler may not fish for coarse fish other than by using a catch and release technique.

## **20 Use of landing nets, keep nets and keepsacks**

- (1) A recreational angler must not use —
  - (a) a keep net —
    - (i) with any knotted meshes or meshes of metallic material;
    - (ii) having any holes in the mesh larger than 25 millimetres internal circumference;
    - (iii) of less than 2.0 metres in length; or
    - (iv) with supporting rings or frames greater than 40 centimetres apart (excluding the distance from the top frame to the first supporting ring or frame) or less than 120 centimetres in circumference; or
  - (b) a keepsack —
    - (i) not constructed of a soft, dark coloured, non-abrasive, water permeable fabric;
    - (ii) having dimensions of less than 120 centimetres by 90 centimetres if rectangular; or
    - (iii) having dimensions of less than 150 centimetres by 30 centimetres by 40 centimetres if used with a frame or designed with the intention that a frame be used.
- (2) A recreational angler must not retain more than one fish in a single keepsack at any time.

**21 Prohibition of sale of coarse fish**

A recreational angler must not sell, offer or expose for sale or have in his or her possession for sale any coarse fish taken by rod and line.

**PART 5****COMMON AND MISCELLANEOUS PROVISIONS****22 Foul hooking**

- (1) A recreational angler must not use a rod and line in such a manner as is calculated to foul hook any fish.
- (2) A recreational angler must return to the water, causing the least possibly injury and as soon as practically possible, any fish which has been foul hooked.

**23 Requirement to use a landing net**

- (1) Any recreational angler fishing in any waters must be in possession of and use a landing net to remove fish from the water.
- (2) A recreational angler must not use a landing net with any knotted meshes or meshes of metallic material.

**24 Restriction on placing fish, etc. in waters**

A recreational angler must not, except with the written authority of the Department, place any fish or the fry or eggs or spawn of any such fish in any waters.

**25 Unattended rods**

A recreational angler must not leave a rod and line with its bait or hook in the water unattended or so that they are unable at any time to take or exercise sufficient control over the rod and line.

**26 Offences**

Where a recreational angler —

- (a) contravenes a provision of these Regulations; and
- (b) that contravention is not an offence under the Act,

the recreational angler commits an offence under these Regulations and is liable on summary conviction to a fine not exceeding £1,000.

**PART 6**

## REVOCATION

**27 Revocation**

The following Regulations are revoked —

- (a) Inland Fisheries Regulations 2011<sup>2</sup>;
- (b) Inland Fisheries (Amendment) Regulations 2013<sup>3</sup>;
- (c) Inland Fisheries (Amendment) Regulations 2014<sup>4</sup>;
- (d) Inland Fisheries (Amendment) (No.2) Regulations 2014<sup>5</sup>; and
- (e) Inland Fisheries (Amendment) Regulations 2015<sup>6</sup>.

**MADE 6TH FEBRUARY 2017**

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<sup>2</sup> SD0762/11

<sup>3</sup> SD0326/13

<sup>4</sup> SD 2014/0083

<sup>5</sup> SD 2014/0325

<sup>6</sup> SD 2015/0339

**SCHEDULE**

Regulation 6

**LICENCE FEES****PART 1<sup>9</sup>****RESERVOIRS**

<b>Column 1</b>	<b>Column 2</b>
<i>Reservoir fishing licence</i>	<i>Fee</i>
	<b>10 March each year to 31 January in the following year</b> £
Adult - Season reservoir licence	262.50
Adult - 1 week reservoir licence	94.50
Adult - 1 day reservoir licence	21.06
Young Person – season reservoir licence	100.00
Young Person – 1 week reservoir licence	41.50
Young Person – 1 day reservoir licence	12.08
Child – season reservoir licence	Free
Concessionary season reservoir licence	185.50

**PART 2<sup>10</sup>****OTHER WATERS**

<b>Column 1</b>	<b>Column 2</b>
<i>Other waters fishing licence</i>	<i>Fee</i>
	<b>1 April to 31 October each year</b> £
Adult – season other waters licence	87.50
Young Person – season other waters licence	35.50
Child – season other waters licence	Free
	<b>1 April to 30 September each year</b> £
Adult – 1 week other waters licence	35.50
Adult – 1 day other waters licence	14.43
Young person – 1 day other waters licence	9.62

**PART 3<sup>11</sup>****COARSE FISHING**

<b>Column 1</b> <i>Coarse fishing licence</i>	<b>Column 2</b> <i>Fee</i>
	<b>1 January to 31 December each year</b> <b>£</b>
Adult - annual coarse fishing licence	15.00
Child – annual coarse fishing licence	Free

**PART 4<sup>12</sup>****GENERAL LICENCES, PERMITS OR AUTHORISATIONS**

	<b>Charge (daily rate per angler)</b>			<b>Minimum charge</b>
	<b>Adult £</b>	<b>Young Person £</b>	<b>Child £</b>	<b>£</b>
Coarse fishing	1.92	1.92	Free	62.00
Trout and Rainbow Trout on IOM Government Reservoirs	21.06	12.08	Free	210.50
Salmonid fish and eels – other waters	14.43	9.62	Free	145.00

**Note:** A free child's licence is only valid until the child has attained their fourteenth birthday, irrespective of the date of issue and/or the date within the relevant fishing season. A young person's licence is only valid until that young person has attained their nineteenth birthday, irrespective of the date of issue and/or the date within the relevant fishing season

## ENDNOTES

### Table of Endnote References

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<sup>1</sup> The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.

<sup>2</sup> Definition of “concessionary reservoir licence” replaced by definition of “concessionary season reservoir licence” by SD2017/0265.

<sup>3</sup> Subpara (b) amended by SD2017/0265.

<sup>4</sup> Subpara (d) substituted by SD2017/0265.

<sup>5</sup> Para (1) amended by SD2017/0265.

<sup>6</sup> Para (1) amended by SD2017/0265.

<sup>7</sup> Para (2) amended by SD2017/0265.

<sup>8</sup> Reg 17 substituted by SD2017/0265.

<sup>9</sup> Table in Part 1 substituted by SD2023/0266.

<sup>10</sup> Table in Part 2 substituted by SD2023/0266.

<sup>11</sup> Table in Part 3 substituted by SD2023/0266.

<sup>12</sup> Table in Part 4 substituted by SD2023/0266.