

CONFIRMATION STATEMENT

The Environment Agency for England (EA) has applied to the Secretary of State for confirmation of the Cross Border Rivers Rod and Line (Salmon and Sea Trout) (England) Byelaws 2017 made by the EA on the 8 November 2017.

The Secretary of State, with the consent of the EA, has decided to confirm the Cross Border River Rivers Rod and Line (Salmon and Sea Trout) (England) Byelaws 2017 subject to the modifications described in this Instrument.

In exercise of its powers conferred in paragraph 2 of Schedule 26 of the Water Resources Act 1991 and now vested in him, the Secretary of State confirms the Cross Border River Rivers Rod and Line (Salmon and Sea Trout) (England) Byelaws 2017 subject to the following modifications

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Byelaw 1 – Title

In Byelaw 1, the words “(Dee and Wye)” shall be inserted after the word “Line”.

Byelaw 2 – Application

In Byelaw 2, for the second paragraph, substitute -

“These Byelaws shall come into force on 8 June 2020 and shall expire on 31 December 2029.”

Byelaw 3 – Interpretation

For the wording of Byelaw 3, substitute –

“In these Byelaws unless the context otherwise requires

- (a) “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.

- (b) “artificial lure” means any device, including 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.
- (c) “bait” means worm, prawn and shrimp whether natural or artificial.
- (d) “Cross Border Rivers” means those parts of the River Dee and River Wye and their tributaries in England.
- (e) “salmon” means salmon of the species *Salmo salar* and also includes part of a salmon.
- (f) “sea trout” means any migratory (anadromous) form of the species *Salmo trutta* which are commonly known as sea trout or sewin and also includes part of a trout.
- (g) Except as provided above, or where the context otherwise requires, all words and expressions used in these Byelaws shall have the meaning assigned to them by the Salmon and Freshwater Fisheries Act 1975, the Water Resources Act 1991 and Environment Act 1995 or any statutory modifications or re-enactment thereof.”

Byelaw 6 – No bait fishing

For paragraphs (1) and (2) of Byelaw 6, substitute -

“No person shall fish for, take or attempt to fish for or take any salmon from the River Dee and its tributaries in England with rod and line by means of any bait 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 1 September up to and including the 30 September.”

Byelaw 7 – Hooks

For the wording of Byelaw 7, substitute -

“(1) No person shall fish for, take or attempt to fish for or take any salmon or sea trout with rod and line from the Cross Border Rivers except with barbless or de-barbed hooks.

(2) No person shall use more than one hook with a bait; artificial lure; or artificial fly on the River Dee and its tributaries in England 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 7 millimetres 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 7 millimetres 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.

(3) No person shall use more than one hook with an artificial lure; or artificial fly on the River Wye and its tributaries in England 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 7 millimetres 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 7 millimetres 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 artificial lure; or artificial fly be furnished with more than 3 hooks and no weight or sinker shall be attached below the artificial lure; or artificial fly

(4) No person shall fish for, take or attempt to fish for or take any sea trout with rod and line from the Cross Border Rivers 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 or less.

(5) No person shall fish for, take or attempt to fish for or take any salmon or sea trout with rod and line from the River Dee and its tributaries in England 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 7millimetres measured from the shank to the point;
- ii) a treble hook, furnished with a bait, with a gape of greater than 7 millimetres measured from the shank to the point, or
- iii) more than one treble hook furnished with a bait.

(6) No person shall fish for, take or attempt to fish for or take any salmon or sea trout with rod and line from the River Wye and its tributaries in England using 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.”

In accordance with paragraphs 1 to 3 of Schedule 26 to the Water Resources Act 1991, the Secretary of State for Environment, Food and Rural Affairs hereby confirms, with modifications, the Cross Border Rivers Rod and Line (Dee and Wye)(Salmon and Sea Trout)(England) Byelaws made by the Environment Agency on the 8th day of November 2017 pursuant to section 210 of and paragraphs 6(1)(b), 6(2)(b) and (d) of Schedule 25 to, that Act..

Confirmed by a Senior Civil Servant for and
on behalf of the Secretary of State for
Environment, Food and Rural Affairs on

Date 5 June Year 2020

A handwritten signature in black ink, appearing to be 'R. G.', is written over a horizontal dotted line.