

**2010 No. 2910**

**FISHERIES, ENGLAND AND WALES**

**RIVERS, ENGLAND AND WALES**

**The Licensable Means of Fishing Order 2010**

*Made* - - - - *6th December 2010*

*Laid before Parliament* *9th December 2010*

*Laid before the National Assembly for Wales* *9th December 2010*

*Coming into force* - - *1st January 2011*

The Secretary of State in relation to England and the Welsh Ministers in relation to Wales make this Order under powers conferred by sections 25(1A)(c) and 40B(1) of the Salmon and Freshwater Fisheries Act 1975(a).

**Title, commencement, application and interpretation**

1.—(1) This Order—

- (a) may be cited as the Licensable Means of Fishing Order 2010;
- (b) comes into force on 1st January 2011;
- (c) applies in relation to England and Wales;
- (d) does not apply to any part of the River Esk lying upstream of a line drawn from a point at Ordnance Survey Grid Reference NY 3245 6632 on the western bank of the River Sark in a southerly direction to a point at Ordnance Survey Grid Reference NY 3245 6503 on the coast of Cumbria.

(2) In paragraph (1) “Wales” has the meaning given in section 158 of the Government of Wales Act 2006(b).

**Licensable means of fishing**

2. The instruments specified in the right hand column of the table in the Schedule are licensable means of fishing for the species of fish specified in the left hand column of that table.

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(a) 1975 c. 51. Section 25(1A) was inserted by section 217 of the Marine and Coastal Access Act 2009 (c.23) (“the 2009 Act”). Section 40B(1) was inserted by section 222 of the 2009 Act. For the definition of “the appropriate national authority”, see section 41(1) of the Salmon and Freshwater Fisheries Act 1975. This definition was inserted by section 221(2) of the 2009 Act.

(b) 2006 c. 32.

6th December 2010

*Richard Benyon*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural Affairs

2nd December 2010

*Elin Jones*  
Minister for Rural Affairs, one of the Welsh Ministers

## SCHEDULE

Article 2

### Licensable means of fishing

<i>Fish</i>	<i>Instruments</i>
Salmon and migratory trout	Compass nets Haaf nets Draft nets Hand nets Trammel/whammel nets Wade nets (including lave and dip nets) Coracle nets T&J nets Drift nets Gill nets Seine nets

#### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order specifies additional means of fishing for the purposes of section 25(1A)(c) of the Salmon and Freshwater Fisheries Act 1975.

Fishing by such means, when used for fishing for salmon or migratory trout, requires a licence issued by the Environment Agency under section 25(1) of that Act.

An impact assessment has been prepared and placed in the libraries of both Houses of Parliament. It is available on the Defra website at [www.defra.gov.uk](http://www.defra.gov.uk) and from Welsh Assembly Government, Cathays Park Cardiff CF10 3NQ.