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	SHANNON NAVIGATION BYE LAWS, 2023.
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IWAI	<p><u>General comments</u></p> <ul style="list-style-type: none"> <li>• Any annual registration fee <u>must</u> be invested back into improving the navigation itself and in improving services for waterways users (and not for the provision of greenways, boardwalks etc. which while welcome for the general public should be funded by other means)</li> <li>• The money raised should be ring-fenced for improvement and maintenance works, separate from the current budget which also services the pension fund</li> <li>• Any annual registration fee should be payable on line with the option of quarterly / six monthly payments similar to the car tax system, with the issuing of a disc with expiry date visible. The date should run from the date of payment</li> <li>• With the additional power of the fixed penalty notice to deal with those who are in contravention of the byelaws, there is no need to remove the winter mooring fees or introduce a three-day rule in specific harbours.</li> <li>• Winter mooring should be available in specified harbours, with services provided. This would facilitate those who cruise the system continuously throughout the season and do not require a berth for 12 months of the year, something the private marinas are reluctant to do. It would also decrease the pressure of demand for private berths.</li> <li>• A six -day rule would in fact be easier to monitor and enforce as those who cruise the system over the season but who also work full time would have no worries about incurring a fixed penalty notice. This would result in lowering the administration burden on WI staff and would lessen concerns from users re losing the goodwill of WI staff into the future if an owner was one day late returning to their vessel. Users would be more likely to cruise the entire system thus bringing economic benefit to all locations visited rather than just those in their immediate cruising area</li> <li>• A great deal of concern would be allayed if WI were to consider the introduction of an independent appeals process in relation to the fixed penalties notices. Many fear the possibility of unaffordable legal costs in the event of receiving a fixed penalty notice that they feel is unwarranted. We consider this essential in any just and fair process, where issues can be debated fairly, and has benefits far beyond the enforcement of fines.</li> <li>• Similarly a sliding scale of fines, clearly defined against the relevant offence in the Bye Laws, similar to the Marine Safety Act, would be a fairer approach</li> </ul>

	<ul style="list-style-type: none"> <li>• Consideration should be given to the registration of all powered craft on the system, including those out with the scope of the annual registration fee. Their registration would be free. A simple online registration process would enable WI to keep an up to date log of vessels using the waterways. To differentiate between those obliged to pay this could be renamed an 'Annual Permit, with registration free. The same Registration System would apply to both rivers and canals.</li> <li>• A user accessible system will allow people to register any tender that is connected to their boat and changes of tender would need to be registered. Open boats &lt;7m in length registered as tenders to vessels should be included in the proposed €200 fee incurred by the main vessel</li> <li>• Speed Limits on the Navigation: There is a significant difference between 5mph (in NI) and 5km (in ROI). Should all signage not be uniform for a truly cross-border agency? Signage in 'Knots' would achieve the same restrictions in both jurisdictions; it would also be relevant to most boating speed equipment.</li> <li>• This is the perfect opportunity for WI to add a Disabled Boater clause to the Byelaws and fully support disabled citizens on our inland waterways. By simply issuing a Disabled Boater sticker to any holder of a Disabled Driver Permit the responsibility of deciding who is eligible or not is taken away and simplified. WI can then include a clause giving an advisory note to all boaters to allow disabled boaters closer access to quaysides and jetties i.e. Please give way and berthage when a holder of a 'Disabled Boater Permit' asks you.</li> </ul>
	<p><del>The Commissioners of Public works in Ireland, in exercise of the powers conferred on them by section 3 of the Shannon Navigation Act, 1990 (No. 20 of 1990), hereby make the following Bye-laws:</del></p> <p>Waterways Ireland, in exercise of the powers conferred by section 3 of the Shannon Navigation Act, 1990 (No.20 of 1990) as amended by the Maritime Safety Act, 2005 and sections 11(5) and 44 of the British-Irish Agreement Act 1999 (No.1 of 1999), and having complied with the requirements of section 3 of the Shannon Navigation Act, 1990 (No.20 of 1990), with the consent of the Department of Housing, Local Government and Heritage and, in so far as the following bye-laws relate to the charging of fees, with the consent of the Minister for Public Expenditure and Reform, hereby makes the following bye-laws.</p>
1 Citation and Commencement.	(1) These Bye-laws may be cited as the Shannon Navigation Bye-laws 2023.

	<p>(2) S.I. 70 of 1992, the Shannon Navigation (Construction of Vessels) Bye-laws 1992, S.I. No. 421 of 1994 - Shannon Navigation (Construction of Vessels) (Amendment) Bye-laws 1994, S.I. 80 of 1992, the Shannon Navigation Bye-laws 1992, S.I. No. 127 of 1991 - Shannon Navigation (Extension of Limits of Navigation) Bye-Laws 1991, S.I. No. 66 of 1994 - Shannon Navigation (Amendment) Bye-laws 1994, S.I. 314 of 1994 - Shannon Navigation (Extension of Limits of Navigation) Bye-laws 1994, S.I. 175 of 1998 - Shannon Navigation (Extension of Limits of Navigation) Bye-laws, 1998</p> <p>are hereby rescinded.</p>
	(3) These Bye-laws shall come into operation on the <b>xx xxxx, 2023</b> .
2 Interpretation.	2. (1) In these Bye-laws, except where the context otherwise requires—
	<p><b>“annual registration”</b> means the registration of relevant vessels with Waterways Ireland in accordance with Section 3(1)(m) of the Shannon Navigation Act 1990.</p>
	<p><b>“annual registration fee”</b> means the fee to be paid on an annual basis for the registration of relevant vessels with Waterways Ireland in accordance with Section 3(1)(m) of the Shannon Navigation Act 1990.</p>

IWAI A	<p><b>IWAI viewpoint</b></p> <p><b>An annual registration fee should facilitate access to all facilities all year round</b></p>
	<p>"boat" means an open or undecked punt, canoe, skiff, scull, rowing boat or other such boat designed to be propelled primarily by oars or sail and not propelled by an engine of more than <del>15</del> <b>30</b> horsepower <b>and craft exclusively engaged in angling on the Shannon Navigation;</b></p>
IWAI B	<p><b>IWAI viewpoint</b></p> <p><b>The interpretation of the words “boat” and “vessel” are needlessly complicated. Only one interpretation is needed, preferably the word ‘vessel’. Then list what is excluded from the requirement for a registration fee in Regulation 9.</b></p> <p><b>Alternatively revert to the original interpretation of the word ‘vessel’.</b></p> <p><b>‘Craft engaged exclusively in angling’ is too broad and needs further interpretation to ensure this cannot be abused</b></p> <p><b>The original proposal of 15hp should be retained</b></p>
	<p><b>“CE marking” means a marking by which a manufacturer indicates that the product is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its affixing;</b></p>
IWAI C	<p><b>CE Marking is a European Standard; will only EU marks be acceptable? This would obstruct importation from anywhere else in the world. E.g., The UK uses the Kite Mark.</b></p> <p><b>Clause needs to be expanded and be clearer, perhaps by adopting the full CE ruling.</b></p>
	<p><b>“fixed payment notice” means the notice under section 3 of the Shannon Navigation Act 1990 as amended by Section 57 of the Maritime Safety Act, 2005;</b></p>
	<p><b>“heritage boat” is a vessel or boat over 25 years old that is of significance because of its intrinsic construction or because of</b></p>

	its association with the commercial, cultural, economic, industrial, military, political, social or other history of the country.
IWAI D	<p><b>IWAI Viewpoint</b></p> <p>Should be termed ‘heritage vessel’ for consistency with interpretations. This interpretation needs to be further defined. In addition, the use of the word ‘country’ implies only Irish vessels be considered heritage vessels. A similar approach to heritage vessels should be taken as is taken to vintage cars. They are not subjected to the same rigours of testing but it is the obligation of the owner to maintain the vehicle to a standard acceptable for use. Some heritage vessels may struggle to achieve the more stringent requirements of some of these regulations</p>
	“ <b>natural heritage area</b> ” means an area that has been designated as such by way of a Natural Heritage Order under Section 18 of the Wildlife (Amendment) Act 2000, or that, pending a decision by the Minister under section 17 or 18 of that Act, is subject of a notice under section 16 of that Act;
	"the navigation" means the Shannon navigation;
IWAI E	<p><b>IWAI Viewpoint</b></p> <p>These byelaws also need to include an interpretation for what is ‘Shannon Property’, similar to what is in the Canal Byelaws, as to talk about vehicles parking or caravans/tents in/on the navigation does not make sense (Regulations 20 and 21)</p>
	“ <b>passenger ship</b> ” means a vessel carrying more than 12 passengers or having on board more than 12 passengers for the purposes of carriage and includes a vessel carrying more than 12 persons to or from their place of work, or having on board more than 12 persons for the purposes of such carriage, and owned by

	or on hire to their employer and a vessel registered outside the State and carrying more than 12 passengers between places in the State, or having on board more than 12 passengers for the purposes of such carriage, but does not include such a vessel carrying passengers to or from the State or having passengers on board for the purposes of such carriage, a fishing vessel or a ferry boat working in chains;
	“ <b>personal watercraft</b> ” (PWC) means a craft of less than 4 metres in length which uses an internal combustion engine having a water jet pump as its primary source of propulsion, and which is designed to be operated by a person or persons sitting, standing or kneeling on, rather than within the confines of, a hull.
	“ <b>special area of conservation</b> ” means a site of Community importance designated by a Member State pursuant to Article 4(4) of the Habitats Directive through a statutory, administrative or contractual act, or any combination thereof, where the necessary conservation measures are applied for the maintenance or restoration, at a favourable conservation status, of either or both the natural habitats and the populations of the species for which the site is designated;
	“ <b>special protection area</b> ” means an area classified pursuant to Article 4(1) or 4(2) of the Birds Directive as a special protection area;
	“ <b>suitable personal flotation device</b> ” as defined in S.I. No. 400/2018 - Pleasure Craft (Personal Flotation Devices and



	<p>Operation) (Safety) (Amendment) Regulations 2018 means a personal flotation device which—</p> <p>(a) is sufficient to give a person using it a positive buoyancy in waters which are likely to be encountered where the vessel on which it is required to be used or to be available for use is reasonably likely to be,</p> <p>(b) is appropriate to the body weight of the person who is to wear it, and</p> <p>(c) has on it either—</p> <p>(i) the CE conformity marking consisting of the initials ‘CE’ taking the form shown in the specimen in Annex II of Regulation (EC) 765/2008 of 9 July 2008<sup>1</sup>, or</p> <p>(ii) the mark of conformity in the form of the symbol set out in Annex I to Council Directive 2014/90/EU of 23 July 2014<sup>2</sup>.”.</p>
	<p>“<b>vessel</b>” means every description of craft including ship, barge, personal watercraft, sailing vessel, decked pleasure craft, seaplane but does not include a boat.</p>
<b>IWAI F</b>	<b>See IWAI viewpoint B above</b>
	<p>“<b>Waterways Ireland</b>” in accordance with the British Irish Agreement Act 1999, Annex 1 Part 1 and Annex 2 Part 1, Waterways Ireland has responsibility for the management, maintenance and development principally for recreational purposes of the Shannon Navigation, Shannon Erne Waterway and Ulster Canal.</p>

5 Prohibition of unregistered vessels.	5. (1) The owner of a vessel shall not keep or navigate or cause to be navigated or authorise permit or assist in the navigation of the vessel unless the vessel is registered.
IWAI 5(1)	<p>This clause now appears to effectively prohibit vessels visiting from other jurisdictions, including NI, from entering the Shannon or Canals system without paying a €200 annual registration fee. If we are interpreting this correctly, then this clause is a showstopper for IWAI and will be strongly opposed by us.</p> <p>Any attempt to prevent vessels registered in NI from entering the Shannon <i>is totally unacceptable</i>. A system <i>must</i> be put in place where vessels from other jurisdictions can avail of a one-month visitor's permit, with entry and exit dates captured and fixed penalty notice used for breaches. This permit should be free or at least just a nominal fee of e.g. €20</p>
6 Registration of vessels	(2) An application for the registration of a vessel or boat shall be made to Inspectorate Office, Waterways Ireland, Athlone, Co Westmeath or online through the Waterways Ireland vessel registration system and shall be in such form as Waterways Ireland may specify.
IWAI 6(2)	Particulars to be included should be specified in an appendix to the byelaws so that they cannot be easily changed
	(4) <del>The Commissioners</del> Waterways Ireland may refuse to register a vessel if, in their opinion, the vessel does not comply with these Bye-laws or any other bye-laws under the Act or the Shannon Act or if a request under paragraph (3) in relation to the registration is not complied with.
IWAI 6(4)	This clause must be further defined to ensure it cannot be used to de-register or scrap vessels in the heritage fleet, that due to their age are unable to comply with some of these Regulations
	(6) Upon the registration of a vessel, <del>the Commissioners</del> Waterways Ireland shall issue to its owner a disc / permit number / vessel number bearing an indication that the vessel is registered and the owner shall ensure that the disc / permit number / vessel number is conspicuously displayed on the vessel

	during the period of registration but not if the vessel ceases (whether pursuant to paragraph (5) or (7)) to be registered.
<b>IWAI 6(6)</b>	<b>Any disc/permit issued on foot of the payment of the registration fee must be capable of being secured to a vessel in a visible location and should not consist of large format numbers / letters as was previously proposed</b>
	<p>(9) A Shannon Navigation “annual registration” shall be required by all vessels to cruise and navigate the Shannon Navigation.</p> <p>Vessels with an in-date Shannon Navigation annual registration may navigate the Royal canal, Grand Canal, Barrow Line and Navigation without any additional fee or charge.</p> <p>A vessel in possession of an annual Canals permit or Houseboat permit (Royal Canal, Grand Canal, Barrow Line and Navigation) may navigate on the Shannon Navigation without requirement for a Shannon Navigation annual registration.</p> <p>The “annual registration fee” as set out in Schedule 1 shall be paid.</p>
<b>IWAI 6(9)</b>	<p><b>IWAI viewpoint</b></p> <p>More clarification required of what vessels will require registering and subject to the €200 Shannon Navigation Annual Registration Fee. Owners of tenders with in excess of 30hp engines should not have to pay 2 x €200. Similarly, owners of more than one vessel subject to the registration fee should be offered a sliding scale discount. IWAI suggest a registration fee of €100 for a second vessel owned by the same person or a larger engine tender.</p>
<b>IWAI 6(9)</b>	<b>As the Registration Fee of €200 is classed as Annual (i.e. 12 Months) Fee can WI confirm that shore power, water &amp; service block services would be available all year round as 12 months services would be expected when paying an “Annual”</b>

	Fee. If this is not the case, the fee should be reduced and amended on a pro rata basis.
IWAI 6(9)	The additional revenue from the annual registration fee must be reinvested to maintain and improve the navigation and the services available for use by those who have paid the fee.
	10) Vessels applying for a Shannon Navigation annual registration must be in possession of at least Third-Party insurance. Proof of Insurance must be provided to Waterways Ireland.
IWAI 6(10)	<p>What is acceptable as proof of insurance and how is it to be provided? Waterways Ireland can only require evidence of insurance as per the Canals Act amended by the Heritage Bill. This does not include a copy of the certificate of insurance. Waterways Ireland need to liaise with the limited number of companies providing marine insurance in ROI and lobby them to issue insurance discs for display or a standard letter for the user to present to Waterways Ireland.</p> <p>Alternatively, If we have a user accessible Registration System, the boat owner could be obliged to update their details when their insurance policy renews. This could negate the need for insurance discs and the user could simply add new details and tick a box online.</p>
8 Maximum draft.	(2) A sailing vessel with a mast air draft of over 12 metres (40 feet) shall not navigate on any river or canal section of the navigation. Masters of sailing vessels with an airdraft of over 12 metres (40 feet) may navigate on the loughs and open water areas where there are no Over-Head Power Lines.
	(11) (a) The master of a personal watercraft (PWC) or a vessel or boat capable of a speed through the water equal to or greater than 17 knots shall take all reasonable steps to ensure that a person who has not attained the age of 16 years does not operate or control the craft.

<b>IWAI 12(11) (a).</b>	<p>While we welcome this regulation, we have concerns as to how it will be policed and enforced. Without adequate resources, it will be difficult to ensure a level playing field.</p> <p>Registering these vessels will make them far more easily identifiable for WI thus improving enforcement and safety on the water.</p>
	(11) (b) The master of a boat or vessel powered by an engine with a rating of more than 5 horsepower or 3.7 kilowatts shall take all reasonable steps to ensure that a person who has not attained the age of 12 years does not operate or control the boat or vessel.
<b>IWAI 12(11)(b).</b>	<p>This clause is not adequate. With (a) and (b) combined a 13-15yr old could be in charge of a large vessel with an engine &gt;5HP but capable of &lt;17knots e.g. a barge</p>
	(12) The landing of seaplanes on the Shannon Navigation and Shannon Erne Waterway is prohibited without permission from Waterways Ireland. Waterways Ireland may set out conditions for the operation of sea planes as it deems fit.
	(13) Waterways Ireland may designate and zone areas for use by specific types of vessels or boats and other water activities as it deems fit. Waterways Ireland may prohibit the use of specific types of boat or vessel in a specified area for a specified period as it deems fit. Where it is proposed to prohibit or restrict the access under this provision, Waterways Ireland shall place a notice to that effect in at least one newspaper circulating in the area or areas concerned. Appropriate signage at the specific areas shall be erected.
<b>IWAI 12 (13)</b>	<p>Online notification through email and social media channels must also be included and signage must be very clear, obvious and maintained in a legible condition</p>

13 Speed restrictions.	(2) (a) The propellers of a vessel or boat shall not be turned at such a speed as to cause damage to any part of the navigation or to any other vessel or boat or any other property.
IWAI 13(2)(a)	<b>This would be clearer if referenced as ‘No wake’ zones</b>
	(b) A vessel or boat shall not be navigated at a speed in excess of 5 kilometres per hour (3 knots) when within 200 metres of a bridge, quay, jetty or wharf, when in a harbour or canal or when passing within 100 metres of a moored vessel or boat.
	<p>(3) A vessel or boat shall not be navigated at a speed in excess of 5 kilometres per hour (3 knots) on the following sections of the Shannon Navigation:</p> <p>(a) Scariff River</p> <p>(b) River Suck upstream of Pollboy Lock</p> <p>(c) Inny River</p> <p>(d) Lecarrow Canal</p> <p>(e) Clondra Canal and Camlin River</p> <p>(f) Jamestown Canal</p> <p>(g) Boyle River and Boyle Canal</p> <p>(h) Lough Allen Canal</p> <p>(i) Shannon Erne Waterway</p> <p>(j) River Erne within 1km of Belturbet</p>
IWAI 13(2)(b) & 13(3)	<b>This is impractical for some vessels. Some vessels tick over speed is &gt;3 knots and they have no steerage at this speed. Also in times of high flow, this may not be adequate to make headway in river sections.</b>
16 Passage through locks and bridges.	(f) ensure that, whenever there is more than one vessel or boat in a lock at the same time, the engine of his vessel or boat is switched off as soon as it is secured in the lock and remains switched off until the lock gates are opened to allow egress of the vessels or boats.
IWAI 16(5)(f)	<b>This is not always practical. Include ‘except with permission of the lock attendant in certain circumstances’</b>

<p>17 Mooring and use of harbours.</p>	<p>(3) (a) "A boat or vessel shall not berth at any harbour, lay-by, wharf, quay, pier or other landing-place or other property of Waterways Ireland at the following locations for more than 3 consecutive days or more than a total of 5 days in any one calendar month without the permission of the Waterways Ireland:</p> <p>Belturbet,  Leitrim village,  Lough Key (Rockingham),  Carrick-on-Shannon,  Hodson Bay,  Castle Harbour Portumna,  Terryglass,  Killaloe.</p>
<p>IWAI 17(3)(a)</p>	<p>This reduction in mooring times at these harbours is unwarranted and counter-productive in terms of slow tourism and bringing economic benefits to riverside locations. In fact, IWAI feel the 5-day mooring period should be extended to 6 days to facilitate boat owners who work 5 days a week and wish to cruise the system over the length of the season, without fear of penalisation. With the introduction of the fixed penalty notice Waterways Ireland have adequate powers to deal with those overstaying their allotted time. There also needs to be allowance made for inclement weather and changes in water depths / flow.</p> <p>At the same time, the 7 days in one calendar month could be changed to a more user-friendly 8-9 days per month. This further supports cruising where you may be on a return journey and, having visited this location before while cruising, you may need to overnight for 1-2 days while you return toward base.</p> <p>This is far more in keeping with the ideals of the Shannon Master Plan.</p>

	(3) (b) A boat or vessel shall not berth at any other harbour, lay-by, wharf, quay, pier or other landing-place or other property of Waterways Ireland for more than 5 consecutive days or more than a total of 7 days in any one calendar month without the permission of the Waterways Ireland.
IWAI 17(3)(b)	As above, IWAI feel a more user-friendly rule to encourage use of the navigation would be to extend this to 6 days, to facilitate all waterways users not just those holidaying on hire boats. There also needs to be allowances for weather, water level variations etc. so the clause and 'such permission shall not be unreasonably withheld' should be added. This would also alleviate concerns re a shift in approach should Senior Management within Waterways Ireland change.
	(3) (c) The mooring periods stated above shall apply to all months of the year.
IWAI 17(3)©	<p>Anecdotal evidence is that there is insufficient berths available within the private sector. In addition, most marinas do not facilitate winter only moorings; they want berths paid for all year round.</p> <p>Given the introduction of the fixed penalty notice, WI have the facility to deal with harbour hoppers now.</p> <p>WI should retain the winter moorings but charge them an equivalent rate to private operators e.g. €100pcm. WI then cannot be deemed to be undercutting the private sector. Private marinas can charge what they want if there is no alternative available to boat owners</p> <p>Also there is a possibility 150 boats unable to get a private berth may move to Shannon Harbour and Richmond Harbour where they can moor for the winter</p> <p>WI should designate specific harbours for winter moorings and retain services to those harbours. This would, over time, necessitate an upgrade to the way services are provided and charged for, to prevent theft, but this is a long overdue upgrade.</p> <p>It is <u>essential</u> that the services are in place in these harbours prior to payment of charges being sought</p>



20 Parking of vehicles	20. (1) A person shall not park a vehicle in the navigation in such place or manner as to cause or be likely to cause danger, injury, loss or damage or to cause or be likely to cause an obstruction in, or interference with, the use of the navigation.
IWAI 20(1)	<b>See IWAI viewpoint 'C' in Interpretation section above. These byelaws also need to include an interpretation for what is 'Shannon Property', similar to what is in the Canal Byelaws, as to talk about vehicles parking or caravans/tents in/on the navigation does not make sense</b>
	(2) Where a vehicle (other than a caravan) is parked at a place in the navigation, it shall not be kept parked at that place or at a place within 500 metres of that place for a period of more than one week without the permission of <del>the Commissioners</del> <b>Waterways Ireland.</b>
IWAI 20(2)	<b>This needs to be redrafted. As it is written, you can only park your car, camper or other vehicle in a car park for one week ONCE in the lifetime of your ownership of that vehicle. In addition, why are vehicles other than caravans discriminated against? If a caravan can park there, why can a camper van not park there?</b>
	21. (1) A person shall not—
21 Caravans and temporary structures.	(a) keep a caravan, tent or other temporary structure in the navigation for more than one week in any year, or,
	(b) use as a dwelling for more than one week in any year a caravan, tent or other temporary structure placed or erected in the navigation,
IWAI 21(a) & (b)	<b>Also needs to be redrafted. If I camp in Terryglass e.g. for one week in July 2023 then I cannot camp in Belturbet for a week in the same year. Counter-productive in relation to encouraging tourism and achieving the aims in the 10yr plan and Shannon Tourism masterplan</b>
	22. A boat or vessel or other object or thing in the navigation—
23 Commercial operations in navigation.	<b>23 (1) (a) All Commercial Operations on the Shannon Navigation shall be licenced to conduct such commercial operations by Waterways Ireland. Waterways Ireland may</b>

	<p>include conditions to the Commercial Operating Licence as they deem appropriate.</p> <p>(b) Licences issued to commercial operations may contain such reasonable written conditions as Waterways Ireland deems fit including but not limited to:</p> <ul style="list-style-type: none"> <li>(a) Location</li> <li>(b) hours of operation</li> <li>(c) nature of commercial operations</li> <li>(d) safety procedures</li> <li>(e) environmental requirements</li> <li>(f) indemnity requirements</li> <li>(g) Insurance requirements</li> <li>(h) Licence fee that will be charged by Waterways Ireland</li> <li>(i) prohibited activities</li> <li>(j) Local Authority permissions required.</li> </ul>
<b>IWAI 23(1)(a)</b>	<p><b>For reasons of equity, the charges for a commercial licence should be clearly laid out in an appendix to these Byelaws</b></p> <p><b>There should also be a clause allowing occasional commercial activities by voluntary organisations and community groups for fund raising purposes.</b></p>
	<p>(c) All passenger boats, passenger ships and vessels used for commercial operations and carriage for reward shall be certified by the Marine Surveyor's Office in accordance with the Merchant Shipping Acts.</p>
	<p>(d) The Master of all passenger boats, passenger ships and vessels used for commercial operations and carriage for reward shall possess a commercial endorsement awarded by a competent authority.</p>

25 Removal, etc., of articles from navigation property.	(b) Subparagraph (a) does not apply in a case in which—
	(b) Subject to subparagraph (c), where <del>the Commissioners</del> <b>Waterways Ireland</b> propose to dispose of an object under paragraph (a), they shall serve a notice on the owner indicating that, if the object is not recovered by the owner from <del>the Commissioners</del> <b>Waterways Ireland</b> , and any amount due to <del>the Commissioners</del> <b>Waterways Ireland</b> in respect of the object under paragraph (2) is not paid to them by the owner, within 42 days of the date of the notice, <del>the Commissioners</del> <b>Waterways Ireland</b> <b>shall</b> sell the object and retain out of the proceeds of the sale so much of the amount required by paragraph (2) to be paid to them as has not been paid to them.
	(c) Subparagraph (b) does not apply in a case in which—
	(i) the owner of an object, after reasonable inquiries, is not known to or cannot be found by <del>the Commissioners</del> <b>Waterways Ireland</b> , or
	(ii) the value of the object concerned is, in the opinion of <b>Waterways Ireland</b> , less than €1,000.
	<p><b>28 (1)(a) Special Area of Conservation</b></p> <p>Several “Special Areas of Conservation” (SACs) are situated within the Shannon Navigation as designated under the <u>EU Habitats Directive</u>, transposed into Irish law by the Birds and Natural Habitats Regulations 2011 as amended.</p> <p><b>28 (1)(b) Special Protection Area</b></p> <p>Several “Special Protection Areas” (SPAs) are situated within the Shannon Navigation as classified pursuant to Article 4(1) or 4(2) of the Birds Directive 2009.</p> <p>SACs and SPAs are prime wildlife conservation sites and their wildlife and habitats are legally protected from damage.</p>

28. Protection of biodiversity, water quality, heritage, environment and prohibited activities	
	<p><b>28 (2) Protection of Biodiversity</b></p> <p>No person shall:</p> <p>(a) kill, injure or otherwise interfere with or damage any species of wildlife or habitat on navigation property which is protected under the Wildlife Amendment Act (2000) or Birds and Natural Habitats Regulations (2011).</p> <p>(b) facilitate the killing, injuring or otherwise interference with any species of wildlife on navigation property by domestic animals because of inadequate control.</p> <p>(c) destroy, damage or cut any tree, shrub or plant on any navigation property, except with the permission of the Waterways Ireland.</p> <p>(d) remove any sand, gravel or other material from the navigation without the permission of the Waterways Ireland.</p> <p>(e) light any fire which might endanger any part of the navigation property or cause nuisance to other navigation users;</p>
	<p><b>28 (3) Protection of Water Quality</b></p> <p>No person shall;</p> <p>(a) cause or permit any polluting/deleterious matter to enter the navigation which undermines/adversely impacts compliance with the biological, chemical or hydro-morphological requirements of</p>

	<p>the EU Water framework Directive (2000/60/EC) and European Communities (Water Policy) Regulations 2003 (S.I. No 722 / 2003).</p> <p>(b) cause or permit any deleterious matter to enter the navigation, or deposit or cause to be deposited waste oil or any offensive matter on any part of the navigation property.</p> <p>(c) cause or permit any deleterious matter to enter the navigation, contrary to the Local Government (Water Pollution) Act 1977 and the Fisheries Amendment Act.</p> <p>(d) discharge any water into the <del>canals</del> ( <b>typo – navigation</b>), other than water used for the purpose of cooling the engines of boats, or from sinks, wash-hand basins and showers on vessels or boats (grey water), except under licence from Waterways Ireland;</p> <p>(e) discharge any sewage, bilge oil or other soiled water (black water) into the canals or navigation;</p> <p>(f) wash any animal in the navigation or any motor car or other vehicle or any article or thing upon any part of the navigation, this bye laws does not prohibit the washing of boats and vessels for aesthetical and maintenance reasons.</p> <p>(g) wash or discharge from any agricultural machinery or discharge slurry or effluent associated with agricultural activity.</p> <p>(h) empty the contents of any composting toilet system into the navigation or onto navigation property.</p> <p>(i) extract any water from or discharge any water into the navigation without a licence of Waterways Ireland.</p>
IWAI 28(3)(e)	<p>IWAI believes that the failure of the competent authorities (WI/Local Authorities etc) to provide or ensure the provision of</p>

	<p>adequate &amp; reliable infrastructure for the emptying of holding tanks on all parts of our waterways has led to this bye-law becoming discredited over time. Stories of vessels travelling long distances to empty holding tanks because pump-outs do not exist, are not functioning or in some cases were never commissioned are common. IWAi encourages members to comply with this byelaw but, given the state of the pump-out network, understands why many boat owners are reluctant or unable to do so.</p> <p>It is essential that WI ensure a fully equipped and functioning pump out system for the emptying of holding tanks before this Byelaw comes into force. An adequate number of Pump Out stations must be distributed evenly along the Shannon and must be maintained in good working order. A lead in period that would allow the necessary upgrade to the pump out system, would also allow time for owners to finance and arrange for the retrofitting of holding tanks or other means, where no holding tank exists.</p> <p>In addition to pump out facilities, there must be facilities to empty cassette toilets as these may be the only option for some boats.</p>
	<p><b>28 (5) Prevention of Waste</b></p> <p>As Waterways Ireland has adopted the principles of Leave No Trace no person shall—</p> <p>(a) deposit or leave any litter on any part of the navigation in contravention of the Waste Management Act 1996 and the Litter Pollution Acts.</p>
IWAi 28(5)	<p>To support this Regulation it is essential that WI, in co-operation with Local Authorities, provide waste and recycling services at harbours. Technology can be used to ensure access to bins is by waterways users only. It is not feasible for</p>

	<p>waterways users to keep 2 or 3 weeks waste on board until they return home, as this attracts vermin</p>
	<p><b>28 (7) Holding of events on Waterways Ireland property</b></p> <p>No person shall;</p> <p>(a) hold any event on Waterways Ireland property or on the Shannon Navigation without the permission of Waterways Ireland.</p> <p>(b) Waterways Ireland may set whatever requirements regarding insurance, risk assessment, safety management plan, waste management, indemnity of Waterways Ireland, Appropriate Assessment for environmental protection, Health and Safety procedures as it deems necessary.</p> <p>(c) Organisers of events shall have due regard to biosecurity measures to prevent the spread of invasive species on Waterways Ireland property or the Shannon Navigation.</p>
IWAI 28(7)	<p>We need clarity of what constitutes an ‘Event’. How many boats travelling together make an event? Events can also be static.</p> <p>With WI permission, the 5/6 day rule should be expanded to facilitate specific events that require a longer time span in a specific area</p>
	<p><b>28 (8) Diving and underwater activities on the Shannon Navigation</b></p> <p>(a) Underwater diving shall be prohibited on the Shannon Navigation without permission from Waterways Ireland.</p>

	<p>(b) Vessels and boats operating in support to a diving operation shall display the “A” flag of the International Code of Signals, in a suitable position and high enough to be visible from all directions.</p> <p>(c) All vessels and boats shall keep at a sufficient distance from a vessel or boat displaying the “A” flag of the International Code of Signals.</p>
IWAI 28(8)	<p>This byelaw is not workable and is unenforceable. There is no clear definition of ‘diving’. While we accept that there has to be control of diving on sites of archaeological interest, this prevents a diver going down to just unfoul a prop, retrieve lost gear or for search and rescue.</p> <p>Diving on protected sites should be banned. But how will Sub Aqua Clubs operate within this Regulation. Outlawing an entire water sport is not acceptable.</p>
	<p><b>29 (9) Prohibited Activity on Waterways Ireland property</b></p> <p>No person shall—</p> <p>(a) bathe or swim in any lock, harbour or dock on the navigation, except with the permission of Waterways Ireland.</p> <p>(b) destroy, damage or deface any notice placed by Waterways Ireland, or with their permission, on any part of the navigation property.</p> <p>(c) destroy, damage or unlawfully remove any lifesaving equipment from any part of the navigation property.</p> <p>(d) permit any animals to cause damage to Waterways Ireland property, or nuisance to navigation users.</p>



	<p>(e) permit a dog to be unleashed on any Waterways Ireland property or permit any dog to cause a nuisance to navigation users.</p> <p>(f) leave any dog faeces or fouling on navigation property.</p> <p>(g) erect any advertising sign or hoarding on any part of the navigation property, except with the written permission of Waterways Ireland.</p> <p>(h) cause an obstruction to navigation by leaving in place any nets, wires or other objects across the navigation.</p> <p>(i) cut adrift any boat or vessel moored on the navigation.</p> <p>(j) go aboard any boat or vessel on the navigation without the permission of the owner of that boat except as is necessary to moor or move another boat or to gain access to another boat or vessel, or in case of an emergency.</p> <p>(k) leave open any gate or rail used as a fence, or part of a fence, on any part of the navigation property.</p> <p>(l) Use any bicycle, tricycle or powered personal transporter in a manner that endangers or causes a nuisance to themselves and other users of any greenway.</p> <p>(m) Exceed a speed of 15 kilometres per hour on any bicycle, tricycle or powered personal transporter while using any greenway.</p> <p>(n) Ride or walk any horse, pony or equine animal on any greenway without the permission of Waterways Ireland.</p> <p>(o) Burn fuels in vessel stoves that causes the emission of smoke, fumes or causes air quality deterioration.</p>
IWAI 29(9)(a)	<p><b>This byelaw is also unenforceable. How will this be policed in summer months? When the weather is good, there are swimmers in every harbour. Jumping from and swimming near bridges is more problematic. Regulating vessel speed around harbours is more effective.</b></p> <p><b>This does highlight the huge lack of designated swimming spots throughout the Inland Waterways. You are far more likely to encounter a sign stating NO SWIMMING than you are to find one stating IT'S SAFE TO SWIM HERE. WI need to</b></p>

	acknowledge the national need and love of swimming and the huge surge in outdoor swimming in recent years.
IWAI 29(9)(o)	All fuels results in emissions of some sort, as do the boat engine(s), which affect air quality. Many people burn turf and wood in their stoves in their homes, which is allowed, so why not in their stove on their vessel. Prohibiting the burning of toxic materials, plastic and non-smokeless coal would be better. In addition, advise to adhere to Smoke Free Zoning rules i.e. reflect whatever the relevant local authority byelaw is.
	29. (1) A person may appeal to the District Court (whose decision in relation to the appeal shall be final) against—
29 Appeals.	(a) a decision by <del>the Commissioners</del> Waterways Ireland pursuant to paragraph (4) or (5) of Bye-law 6,
	(b) a condition to which a permission referred to in Bye-Law 24 is made subject pursuant to that Bye-Law, or
	(c) a decision of <del>the Commissioners</del> Waterways Ireland to refuse to grant <del>him</del> them a licence under Bye Law 23(1)(a) or Bye-law 28(3)(h) or to revoke a licence granted to <del>him</del> them under that Bye-law,
	and, on the hearing of the appeal, the District Court may make such order as it considers just.
	(2) An appeal under this Bye-Law shall be initiated by a person by his giving, within 6 weeks of the date on which the decision to which it relates was communicated to <del>him</del> them —
	(a) a notice in writing to the Clerk of the District Court for the district court district in which the place to which the permission relates is situated in which the extraction or discharge concerned occurs or would occur or in which the appellant ordinarily resides or carries on any profession, business or occupation stating the intention of the person to appeal against the decision, and
	(b) a copy of the notice to <del>the Commissioners at 51 St. Stephen's Green, Dublin 2</del> or to an authorised officer of Waterways Ireland.
	(3) The jurisdiction conferred on the District Court by this Bye-Law shall be exercised by the judge for the time being assigned to the district court district in which the place to which the

	permission relates is situated or in which the extraction or discharge concerned occurs or would occur or in which the appellant concerned ordinarily resides or carries on any profession, business or occupation.
IWAI 29(1)	<p><b>As outlined above, an independent appeals process as an intermediary step for dealing with any dispute would be a huge step in lessening opposition to the introduction of these byelaws.</b></p> <p><b>Any individual has also the right to appeal the decision of the district court to a higher court</b></p>
30 Charges.	30 (1) The master of a boat or vessel shall pay the charges specified for the use of the Shannon Navigation as set out in Schedule 1.
	30 (2) (a) The master of a boat or vessel shall ensure that any registration, permit, licence, vessel number, identification number, identification disc issued by Waterways Ireland in return for payment of charges shall be displayed in such a manner on the boat or vessel as to be legible at all times during daylight hours.
IWAI 30(2)(a)	<b>As outlined above, WI need to issue a disc with the expiry date clearly visible, similar to a vehicle tax disc, that is capable of being attached to a window in a vessel</b>
	30 (2) (b) The master of a vessel shall not place the vessel, or cause it to be placed, in a dry dock belonging to Waterways Ireland unless a charge of the amount specified in Schedule 1 (the amount of which shall be determined by reference to the estimated length of the occupancy of the dry dock by the vessel) has been paid to Waterways Ireland or arrangements for its payment, acceptable to Waterways Ireland, have been made.
	(6) Pay charges for the provision of utilities on the Shannon Navigation.

<b>IWAI 30(6)</b>	<p><b>This needs to be reworded to ‘Users of utilities shall pay charges for those utilities.</b></p> <p><b>Also an interpretation of utilities is needed in Section 2 above</b></p>
31 Services of notices.	31. A direction or requirement given in writing shall be addressed to the person concerned by name and may be served on or given to the person—
	(1) by giving a copy to the person concerned, his or her employee, servant or agent, or in the case of a partnership, by delivery of a copy to any of the partners,
	(2) by leaving a copy at the address at which the person ordinarily resides, where he or she carries on business, or, where an address for service of directions or requirements has been furnished by the person to Waterways Ireland, at that address,
	(3) by sending a copy by post in a prepaid registered envelope to the address at which the person ordinarily resides or carries on business,
	(4) if the address at which the person ordinarily resides cannot be ascertained by reasonable enquiry and the direction or requirement relates to land, premises or a boat, by delivering a copy to the land, premises or boat, or by affixing a copy in a conspicuous position on or near the land, premises or boat, or
<b>IWAI 31(4)</b>	<b>This needs to be extended to include a vessel, vehicle etc</b>
	(5) by sending a copy by means of electronic mail, to a device or facility for the reception of electronic mail located at the address at which the person ordinarily resides or carries on business or, if an electronic address for the service of a direction or requirement has been furnished by the person to Waterways

	Ireland, that electronic address, but only if the recipient's facility for the reception of electronic mail generates a message confirming the successful receipt of the electronic mail.
	(6) Where the name of the person cannot be ascertained by reasonable enquiry it may be addressed to the person using the words 'the owner' or 'the occupier'.
	33. (1) A vessel shall be equipped with bow and stern mooring lines appropriate to its tonnage and length and of sufficient length and tensile strength to moor it safely. The minimum length of such lines shall be 12 metres and their minimum diameter shall be 12 millimetres if they are made of nylon and 16 millimetres if they are made of polypropylene. A vessel shall carry at least one efficient anchor and chain (or cable or hawser) appropriate to the tonnage of the vessel. Anchors with their chains, cables or hawsers shall be stowed in such positions and shall have such other equipment as to enable them to be dropped or weighed quickly.
IWAI 33(1)	The second sentence, highlighted, in the regulation is unnecessary and is impractical for smaller vessels
	34. (1) A boat shall carry a personal flotation device for each person on board and a vessel or passenger boat shall carry a personal flotation device for each person on board and one life belt.
IWAI 34(1)	This should be edited to include maintaining the devices in effective working condition
34 Life-saving equipment.	(3) (a) A vessel shall carry either
	(i) a flag of the description specified in subparagraph (b) of this paragraph which shall be flown from a pole or mast or other suitable, elevated part of the vessel if and when the vessel is in distress or
	(ii) 6 pyrotechnic distress signals and 2 buoyant smoke signals, the signal being of a type approved by the Waterways Ireland

	and being stowed securely on board in a watertight container clearly labelled to indicate its contents and the effective life of the signals.
IWAI 34(3)(ii)	<b>Pyrotechnics are classified as an explosive in ROI. As these byelaws are for the Shannon, and with the vast improvements in technology and means of communication, this regulation is superfluous</b>
	(i) is at least 1,000 millimetres in width and 500 millimetres in height,
	(ii) is bordered at each end by a white sleeve that is 45 millimetres in width and to the outside corners of which are attached tie cords, and
	(iii) consists of a white ground with a red diagonal cross of two stripes, each of which is 75 millimetres in width and extends from diagonally opposite corners of the flag (excluding the sleeves).
	(4) (a) The master of a boat or vessel (other than a personal watercraft) of less than 7 metres length overall shall ensure that all persons wear a suitable personal flotation device while on board an open craft or while on the deck of decked craft, other than when the craft is made fast to the shore or at anchor.
	(b) The master of any boat or vessel (other than a personal watercraft), shall ensure that a person who has not attained the age of 16 years wears a suitable personal flotation device while on board an open craft or while on the deck of a decked craft other than when it is made fast to the shore or at anchor.
	(c) Every person on a personal watercraft shall always wear a suitable personal flotation device while on board or being towed in any manner by a personal watercraft.
IWAI 34(3)(ii)	<b>Needs to be edited to include 'all persons being towed on any personal device by any vessel'</b>
37 Fire extinguishers.	(2) Fire extinguishers carried on a vessel in compliance with this Bye-law shall—
	(a) <del>be in working order, and</del>  (a) be in working order, serviced every year and the service recorded on them.
IWAI 37(2)(a)	<b>Needs to revert to original wording as this is unenforceable</b>

	<p>(4) Every vessel that has an accommodation space shall have fitted onboard:</p> <p>(a) At least one CE approved Carbon Monoxide alarm shall be installed and maintained in working order.</p>
	<p>(b) At least one CE approved smoke alarm shall be installed and maintained in working order.</p>
	<p><del>12. (1) ( a ) Any liquid petroleum gas installations carried on a vessel or boat shall comply with Part 3 (Installations in boats, yachts and other vessels) of British Standard 5482: 1979 Code of Practice for domestic butane and propane gas burning installations.</del></p> <p>38 (1) Any Butane and propane gas burning installations carried on a vessel or boat shall comply with International Standards Organisation (ISO) 10239:2014 Small Craft Liquefied Petroleum Gas (LPG) systems.</p>
40. Toilets	<p>40. A toilet fitted to a boat or vessel shall be so constructed and fitted as to prevent polluting matter from being discharged or passing into the navigation.</p>
IWAI 40	<p><b>A lead in time for this Regulation is essential to allow WI to upgrade the pump out system on the navigation and boat owners to install a suitable holding tank or other equivalent measure such as cassette toilets</b></p>
41. CE Standards, Watercraft	<p>41. (1) Every vessel constructed after 2023 shall have a permanently affixed Watercraft Builder's Plate that provides the following details:</p>

Identification Plate, Importer's Plate, capacity	<ul style="list-style-type: none"> <li>- Manufacturer's details and address,</li> <li>- CE marking of conformity,</li> <li>- Watercraft design category,</li> <li>- Maximum persons capacity,</li> <li>- Manufacturer's recommended maximum load,</li> <li>- Year of manufacture</li> <li>- Propulsion Engine Identification (for a vessel with an inboard engine)</li> <li>- The maximum engine(s) power (kW) - If a recreational craft is designed to be fitted with outboard propulsion engine(s)</li> <li>- Watercraft Identification Number (WIN)</li> </ul>
	(2)(a) Propulsion Engine Requirements - Every engine must be clearly and durably marked with the following information:
	<ul style="list-style-type: none"> <li>- Engine manufacturer's name,</li> <li>- registered trade name or registered trade mark, as well as contact address and, if applicable, the name and contact address of the person adapting the engine.</li> <li>- Engine type, engine family, if applicable;</li> <li>- A unique engine serial number;</li> <li>- CE marking.</li> </ul>
IWA 41(2)(a)	<p><b>Needs to be reworded to read: Every new engine installed after 2023...</b></p> <p><b>Are owners expected to retrofit these engine ID plates?</b></p> <p><b>Amongst the significant heritage fleet, many older engines may not have these plates.</b></p>
	(b) Every propulsion engine installed in or on a vessel must meet the applicable essential safety and environmental



	requirements as laid down in European Union Directive 2013/53/EU. Any person who carries out a major modification to a propulsion engine must ensure that the modified engine is in conformity with the Directive.
IWAI 41(2)(B)	<b>Needs to be reworded to read: Every new engine installed after 2013...</b>
	(c) To ensure safe handling characteristics, a vessel shall not be fitted with a propulsion engine that is more powerful than the maximum power for which the boat or vessel is designed and constructed. All tiller-controlled outboard propulsion engines must have an emergency stopping device fitted.
IWAI 41(2)©	<b>Need to be edited to include 'and such emergency stopping device must be attached to the operator at all times by means of a kill cord or similar device</b>
	(4) The Master of a vessel shall ensure that no vessel carries onboard more passengers and crew than is permitted by the vessel's manufacturer and as stamped on the Watercraft Builder's Plate.
	(1) WHEREAS the limits of the river Finn and Ulster canal in the county of Cavan for the purposes of the Act of the British Parliament 2 and 3 Vict., c. 61, as amended, and the Shannon Navigation Act, stand fixed and determined under the first-mentioned Act as the part of the river Finn and Ulster canal in the county of Cavan;  (2) AND WHEREAS the Waterways Ireland propose by these Bye-laws to fix and determine the limits of the said river Finn and Ulster canal so as to extend the limits fixed and determined as aforesaid to include the said river Finn and Ulster canal

	<p>between the townlands of Castlesaunderson Demense in the county of Cavan and Clones in the county of Monaghan.</p> <p>(3) NOW Waterways Ireland, in exercise of the powers conferred on them by Section 39 of the Act of the British Parliament 2 and 3 Vict., c. 61 and section 3 of the Shannon Navigation Act, 1990 (No. 20 of 1990), hereby make the following Bye-laws.</p> <p>(4) The limits of the river Finn in the county of Cavan and the Ulster canal the county of Monaghan are hereby fixed and determined for the purposes of the Shannon Act and the Shannon Navigation Act, 1990 (No. 20 of 1990), as-</p> <p>(a) So much of the River Finn and Ulster Canal as is situated in the State between:</p> <p>(b) that part of the river Finn situated in the townland of Castlesaunderson Demense in the county of Cavan, and,</p> <p>(c) that part of the Ulster canal in the townland of Clones in the county of Monaghan.</p>
	<p>(1) The limits of the Inny river in the county of Longford are hereby fixed and determined for the purposes of the Shannon Navigation Act, 1990 (No. 20 of 1990), as—</p> <p>(a) the part of that river between Lough Ree and the downstream face of the Red Bridge situated in the townlands of Barnacor and Annagh in the county of Longford.</p>
	<p>(1) The limits of the river Suck in the counties of Galway and Roscommon are hereby fixed and determined for the purposes</p>

	<p>of the Shannon Act and the Shannon Navigation Act, 1990 (No. 20 of 1990), as the part of that river between the river Shannon and the East Bridge in the town of Ballinasloe and county of Galway together with the part of the branch of the said river Suck in the said town of Ballinasloe between a point 120 metres south of the said East Bridge and a point 80 metres east of St. Michael's Church in the said town of Ballinasloe.</p>
	<p>(2) The limits of the river Boyle in the county of Roscommon are hereby fixed and determined for the purposes of the Shannon Act and the Shannon Navigation Act, 1990 (No. 20 of 1990), as—</p> <p>(a) the part of that river between Lough Key and the downstream face of Drum Bridge situated in the townlands of Drum and Deerpark in the county of Roscommon, and</p> <p>(b) the part of the branch of that river in the townlands of Tawneytaskin and Deerpark in the county of Roscommon between a point 420 metres downstream from the said Drum Bridge and a point 200 metres east of National Primary Route N4 in the said townland of Deerpark</p>
<p>42. Extension of limits of the Shannon navigation – River Finn and Ulster Canal</p>	<p>(3) The southern limits of the River Shannon (including the branch thereof known as the river Abbey in the city of Limerick) are hereby fixed and determined for the purposes of the Shannon Act and the Shannon Navigation (No. 20 of 1990), as the upstream face of Mallow Street Bridge (which connects the parish of St. Nicholas with the parish of St. Michael) in the city of Limerick.</p>

43. Extension of limits of the Shannon navigation – River Inny	<p>(4) The limits of the Shannon Erne Waterway and the Erne and Lough Oughter navigation are hereby fixed and determined for the purposes of the Shannon Act and the Shannon Navigation Act, 1990 (No. 20 of 1990), as—</p> <p>(a) so much of the Shannon Erne Waterway as is situated in the State. The Shannon Erne Waterways means the navigation connecting the river Shannon at a point near Leitrim in the county of Leitrim and Upper Lough Erne at the mouth of the Woodford River near Belturbet in the county of Cavan and passing through Ballinamore in the county of Leitrim and Ballyconnell in the county of Cavan together with the locks, harbours, wharfs, landing places, piers, quays, weirs and other works and land therein or connected therewith.</p> <p>(b) The Erne and Lough Oughter navigation shall be deemed to be part of the Shannon navigation. The Erne and Lough Oughter navigation means the navigation between —</p> <ul style="list-style-type: none"> <li>- the Foalies Cut connecting Upper Lough Erne with the River Erne,</li> <li>- that part of Upper Lough Erne that is situated north-west of the Foalies Cut and between the Foalies Cut and the land frontier of the State, and</li> <li>- the River Erne upstream from Upper Lough Erne and the quay on that river at Kilconny, Belturbet in the county of Cavan</li> </ul>
44. Limits of Shannon Navigation	<p><b>Schedules</b></p> <p>(1) Schedule 1 setting forth charges.</p> <p>(2) Schedule 2 specifying the form of the Fixed Payment Notice.</p>

<p style="text-align: center;"><b><u>Schedule 1</u></b></p> <p style="text-align: center;"><b>Charges</b></p>		
Reference Number  (i)	Amount of charge  (ii)	Subject matter of charge  (iii)
1	€200	Shannon Navigation “annual registration” fee
2	Pay a fee of €80 per day.	Occupation by a vessel of a Waterways Ireland dry dock on the Shannon navigation.
3	Heritage boats may be granted use of dry docks facilities for major works once every 20 years and may be charged at 50% of the fees at (2). This may be granted subject to availability for a maximum period of 12 weeks and with prior agreement from Waterways Ireland.	Heritage vessels & boats entering dry dock for inspection, survey or repairs.

<p style="text-align: center;"><b><u>Schedule 2</u></b></p> <p style="text-align: center;"><b>SHANNON NAVIGATION ACT 1990, SHANNON NAVIGATION BYE LAWS 2023</b></p> <p style="text-align: center;"><b>FIXED PAYMENT NOTICE</b></p> <p>Waterways Ireland</p> <p>.....</p> <p>To.....</p> <p>Address.....</p> <p>.....</p> <p>It is alleged that you have committed an offence under Section 3 of the Shannon Navigation Act 1990, Shannon Navigation Bye Laws 2023.</p> <p>at <i>[insert description of the location or address where the offence is alleged to have been committed]</i> .....</p> <p>on <i>[insert date and description of alleged offence]</i> .....</p> <p>in contravention of the Shannon Navigation Act 1990, Shannon Navigation Bye Laws 2023, in the particulars of the offence set forth below.</p> <p>A prosecution in respect of the alleged offence will not be instituted during the period of 21 days beginning on the date of this notice, if during that period you pay to Waterways Ireland, The Docks, Athlone, Co Westmeath, N37 RW26 the sum of €150 accompanied by this notice. Payment can be made by bank draft / postal order or by credit card.</p> <table border="0"><tr><td>Nature of the alleged offence</td><td>Relevant section of the Acts</td></tr><tr><td>Acting in breach of the Shannon Navigation Bye Laws 2023, <i>[specify the bye-law(s)]. [Insert particulars of the offence alleged contrary to the bye-laws]</i></td><td>Section 3 of the Shannon Navigation Act 1990.</td></tr><tr><td>.....</td><td></td></tr><tr><td>.....].</td><td></td></tr></table> <p>Dated this .... day of ..... 20...</p> <p>Signed: _____</p> <p style="padding-left: 100px;">Authorised officer, Waterways Ireland</p>		Nature of the alleged offence	Relevant section of the Acts	Acting in breach of the Shannon Navigation Bye Laws 2023, <i>[specify the bye-law(s)]. [Insert particulars of the offence alleged contrary to the bye-laws]</i>	Section 3 of the Shannon Navigation Act 1990.	.....		.....].	
Nature of the alleged offence	Relevant section of the Acts								
Acting in breach of the Shannon Navigation Bye Laws 2023, <i>[specify the bye-law(s)]. [Insert particulars of the offence alleged contrary to the bye-laws]</i>	Section 3 of the Shannon Navigation Act 1990.								
.....									
.....].									
<p style="text-align: center;"><b><u>Consent to the making of these Bye Laws</u></b></p>									

The Minister for Public Expenditure and Reform, in so far as they relate to the charging of fees, consents to the making of the foregoing Bye-laws.

GIVEN under my Official Seal,

\_\_\_\_\_ 2023

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Minister for Public Expenditure and Reform.

The Minister for Housing, Local Government and Heritage, consents to the making of the foregoing Bye-laws.

GIVEN under my Official Seal,

\_\_\_\_\_ 2023

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Minister for Housing, Local Government and

Heritage.

GIVEN under the Official Seal of Waterways Ireland,

\_\_\_\_\_ 2023

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#### EXPLANATORY NOTE

Section 3 of the Shannon Navigation Act, 1990 empowers Waterways Ireland to make bye-laws for the care, conservation, management, control and maintenance and the regulation of the use of the Shannon Navigation and in relation to the restoration, repair, improvement, extension and development thereof. The Shannon Navigation Bye-laws, 2023 contain the detailed provisions prescribed by Waterways Ireland.