



**Eastern  
Inshore Fisheries and Conservation Authority**

**MARINE AND COASTAL ACCESS ACT 2009**

**Eastern IFCA Whelk Byelaw 2015**

The Authority for the Eastern Inshore Fisheries and Conservation District in exercise of its powers under sections 155, 156 and 158 of the Marine and Coastal Access Act 2009 hereby makes the following byelaw for the District.

**Interpretation**

1. In this byelaw
  - a. 'the Authority' means the Eastern Inshore Fisheries and Conservation Authority as defined in Articles 2 and 4 of the Eastern Inshore Fisheries and Conservation Order 2010 (SI 2010/2189);
  - b. 'District' means the Eastern Inshore Fisheries and Conservation District as defined in Articles 2 and 3 of the Eastern Inshore Fisheries and Conservation Order 2010 (SI 2010 No 2189);
  - c. 'fishing' for the purpose of this byelaw includes: digging for bait; the shooting, setting, towing and hauling of fishing gear; gathering sea fisheries resources by hand or using a hand operated implement; catching, taking or removing sea fisheries resources and fish shall be construed accordingly.
  - d. 'fishing gear' for the purpose of this byelaw includes: any nets, pots, ropes, anchors, surface markers, lines, dredges, grabs, rakes or other implements used or deployed during fishing.
  - e. 'whelk' means the marine gastropod *Buccinum undatum*;
  - f. 'whelk pot' means a pot or trap set for the purpose of catching whelks and which ordinarily consists of a weighted, rope or plastic container with an open top through which whelks can enter but are restricted in escaping by a mesh covering the opening;

## **General provisions**

2. It is prohibited to fish for whelks within the District unless under the authority of a permit issued under the Eastern IFCA Permitting Byelaw which is also endorsed for whelks.

## **Prohibitions**

3. It is prohibited to set whelk pots within the District unless whelk pots are marked with tags provided by the Authority.
4. The whelk permit tags shall not be transferrable and must be surrendered to the Authority immediately if no longer required by the person to whom they are issued.
5. Lost tags must be reported to the Authority within 21 days of the loss. Claims for replacement of less than 10% of tags or those issued to the holder of a Category Two Permit issued under the Eastern IFCA permitting byelaw 2015 will be considered by the Chief Executive Officer or Deputy Chief Executive Officer. Claims for more than 10% of tags for Category One Permit holders as issued under the Eastern IFCA Permitting Byelaw 2015 will be considered by an Authority Panel made up of Chairman, Vice Chairman and Chief Executive Officer or Deputy Chief Executive Officer. Appeal may be made to the full Authority if an applicant feels that their claim has not been properly dealt with. The re-issue or replacement of tags will be at a cost of 30 pence per tag.
6. It is prohibited for any person to fish for whelks using a whelk pot fitted with a tag which has previously been reported as lost.
7. It is prohibited to use fishing gear of any other description other than a whelk pot in fishing for whelks within the District.
8. It is prohibited to set whelk pots within the District unless each string of whelk pots is marked as follows;
  - a. Buoys of any description but which are of sufficient size and shape to be clearly visible must be present at each end of a string of pots; and
  - b. Buoys must be marked with the permit number of the permit issued under the Eastern IFCA Permitting Byelaw 2015 in such a way that they are clearly visible; and
  - c. Where the endorsement is associated with a relevant fishing vessel, buoys must be marked with the Port Letters and Numbers of that vessel; and

- d. Buoys must set so as to remain fully afloat and visible at all states of tide;

### **Endorsement charges**

9. A fee will be charged for each endorsement to fish for whelks, granted under the Eastern IFCA Permitting Byelaw which will be payable prior to the issuing of an endorsement. Charges will differ depending on the associated permit to which the endorsement is issued and are as follows;
  - a. For endorsement issued in association with a Category One permit issued under the Eastern IFCA Permitting Byelaw 2015 the charge is a minimum of £50 or £0.50 per pot for endorsements over 100 pots.
  - b. For endorsement issued in association with a Category Two permit issued under the Eastern IFCA Permitting Byelaw 2015 the charge is £5 per pot.

### **Application**

10. Contravention of a prohibition constitutes a contravention of this byelaw