



**Eastern
Inshore Fisheries and Conservation Authority**

MARINE AND COASTAL ACCESS ACT 2009 (c. 23)

Shrimp Permit Byelaw 2018

The Authority for the Eastern Inshore Fisheries and Conservation District in exercise of its powers under section 155 of the Marine and Coastal Access Act 2009 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) “bottom towed gear” means any fishing gear designed to be towed, dragged or pushed through the water whilst in contact with the seabed;
 - c) “Category One Permit” means a shrimp permit granted for fishing for shrimps for commercial purposes or from a registered fishing vessel within The Wash and North Norfolk Coast Special Area of Conservation;
 - d) “Category Two Permit” means a shrimp permit granted for fishing for shrimps for commercial purposes or from a registered fishing vessel within the District except within The Wash and North Norfolk Coast Special Area of Conservation;
 - e) “the 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;

- f) “experience requirements” means criteria which determine whether or not a person can fish under the authority of a shrimp permit which relate to having appropriate experience fishing in relevant fisheries and knowledge, certification and expertise to undertake fishing activity in accordance with best practice;
- g) “fishing” 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; and catching, taking or removing sea fisheries resources;
- h) “fishing for commercial purposes” means fishing for sea fisheries resources for sale or reward;
- i) “fishing gear” includes any nets, pots, ropes, anchors, surface markers, lines, dredges, grabs, rakes or other implements used for the purposes of fishing;
- j) “flexible permit conditions” means any of the conditions attached to permits in accordance with paragraphs 19 to 21 of this byelaw;
- k) “named representative” means a person who has been granted permission to fish from a vessel by the owner of that vessel, and has been nominated by the owner of that vessel;
- l) “owner” means the majority shareholder of a vessel as recorded on the certificate of registry for that vessel granted under the Merchant Shipping Act 1995 (c.21) and the Merchant Shipping (Registration of Ships) Regulations 1993 (SI 1993/3138), or the certificate of registry for that vessel in the Channel Islands or Isle of Man;
- m) “registered fishing vessel” means a vessel registered under Part II of The Registry of Shipping and Seaman as governed by the provisions of the Merchant Shipping Act 1995 and the Merchant Shipping (Registration of Ships) Regulations 1993, or in the Channel Islands or Isle of Man; and in respect of which there is a valid fishing licence issued under the Sea Fish (Conservation) Act 1967 (c.84);
- n) “shrimp” means an organism of the species *Pandalus montagui* (commonly known as pink shrimp) or of the genera *Crangon* (including *Crangon crangon*, commonly known as brown shrimp) or *Palaemon*;

- o) “shrimp permit” means a Category One Permit or a Category Two Permit;
- p) “shrimp permit scheme policy” means the document which sets out the course or principle of action in relation to the management of shrimp fisheries under this byelaw which is adopted and agreed by the Authority;
- q) “shrimp return form” means a form issued by the Authority pursuant to paragraph 23;
- r) “vessel” means a ship, boat, raft or watercraft of any description and includes non-displacement craft, personal watercraft, seaplanes and any other thing constructed or adapted for floating on or being submerged in water (whether permanently or temporarily) and a hover craft or any other amphibious vehicle, used or capable or being used as a means of transportation on water;
- s) “vessel monitoring device” means equipment which is carried on board a vessel and will electronically record at least the location of the vessel and the date and time of each record, the records of which are automatically provided to the Authority by electronic means including via a third party independent of the person fishing;
- t) “The Wash and North Norfolk Coast Special Area of Conservation” means the area as set out in Schedule 2.

- 2. Co-ordinates used in this byelaw are measured from WGS 84 datum. WGS 84 means the World Geodetic System as revised in 1984 and 2004.

Commencement

- 3. This byelaw comes into force on the date on which it is confirmed by the Secretary of State.

Prohibitions

- 4. A person must not fish for, land or retain shrimp caught using bottom towed gear within The Wash and North Norfolk Coast Special Area of Conservation for commercial purposes or from a registered fishing vessel unless that person is:
 - a) the holder of a valid Category One Permit; or

- b) a named representative of the holder of a valid Category One Permit.
- 5. A person must not fish for, land or retain shrimp caught using bottom towed gear within the District outside of The Wash and North Norfolk Coast Special Area of Conservation for commercial purposes or from a registered fishing vessel unless that person is:
 - a) the holder of a valid Category Two Permit; or
 - b) a named representative of the holder of a valid Category Two Permit.
- 6. If fishing from a vessel, a person must not fish for shrimp under the authority of a shrimp permit unless the vessel is that named on the shrimp permit. If a person wishes to fish from a vessel different to that named on the shrimp permit, they must first obtain the agreement of the Authority. Such agreement may be given in circumstances where the permit holder, named representative or the named vessel are unable to put to sea.

Permits

- 7. The Authority may issue a shrimp permit to the owner of a registered fishing vessel or to a person fishing for commercial purposes other than from a vessel.
- 8. A vessel may be named on a maximum of one Category One Permit and one Category Two Permit.
- 9. A person without a vessel may hold a maximum of one Category One Permit and one Category Two Permit.
- 10. Any change in legal or beneficial ownership of a registered fishing vessel after the issue of the permit will result in the cancellation of any shrimp permit issued to the owner of that vessel.
- 11. Shrimp permits are not transferable between persons or vessels.
- 12. An application for a shrimp permit may only be made using printed forms available from the Authority. These forms will require applicant details. If the application relates to the use of a vessel, these forms will also require vessel details. The applicant may nominate up to two persons as their named representatives whose details must be entered on the application form.

13. Permits will be valid from the date of issue and will expire at 23:59 on the following 31 July.
14. The Authority may restrict the number of shrimp permits issued and may set criteria to restrict:
 - a) eligibility to hold or be named on a shrimp permit; and
 - b) eligibility to fish under the authority of a shrimp permitin accordance with the procedure set out in Schedule 1.
15. The Authority may suspend the issuing of Category One Permits for a period of time or for periods of time not exceeding until the following 1 August if there is an enhanced risk to stocks or if there is an enhanced risk to site integrity of The Wash and North Norfolk Coast Special Area of Conservation in accordance with the Authority's shrimp permit scheme policy.

Temporary closures of shrimp fishing activity

16. The Authority may close the shrimp fishery within The Wash and North Norfolk Coast Special Area of Conservation for a period of time or for periods of time not exceeding until the following 1 August if there is an enhanced risk to stocks or if there is an enhanced risk to site integrity of The Wash and North Norfolk Coast Special Area of Conservation in accordance with the Authority's shrimp permit scheme policy and shrimp permit holders will be notified of such in writing.

Shrimp permit fees

17. A fee will be charged for each Category One Permit which must be paid prior to the issuing of the permit. There is no fee for a Category Two Permit.
18. The fee for a Category One Permit is £100.

Flexible permit conditions

19. The Authority may attach to permits flexible conditions which fall within one or more of the categories listed in paragraph 20.
20. The flexible permit condition categories are:
 - a) vessel design restrictions;
 - b) catch restrictions;

- c) fishing gear restrictions;
 - d) fishing effort restrictions;
 - e) spatial restrictions;
 - f) time restrictions;
 - g) vessel monitoring device requirements;
 - h) experience requirements; and
 - i) catch returns.
21. The Authority may issue, vary or revoke flexible permit conditions following a review conducted in accordance with the procedure set out in Schedule 1.
22. Failure to comply with a flexible permit condition constitutes a contravention of this byelaw.

Catch returns

23. The holder of a shrimp permit must have on board shrimp return forms which will be provided by the Authority. Shrimp return forms must be completed with such information as is required by the Authority up to the day that fishing takes place. Return forms relating to the previous month must be submitted to the Authority no later than the 10th day of each month or at a frequency set out in the flexible permit conditions.
24. The information referred to in paragraph 23 may include:
- a) spatial information;
 - b) information on fishing effort;
 - c) catch data;
 - d) by-catch information;
 - e) gear information;
 - f) date and time information;
 - g) vessel information.

Revocations

25. The byelaw with the title 'BYELAW XII. Shrimp and prawn fishing' made by North Eastern Sea Fisheries Committee in exercise of its powers under the Sea Fisheries Regulation Act 1966 and which was in force immediately before the making of this byelaw is revoked such as it applied within the District.

I hereby certify that the above byelaw was made by Eastern Inshore Fisheries and Conservation Authority at their meeting on 18 July 2018.



Julian Gregory

Chief Executive Officer


Eastern Inshore Fisheries and Conservation Authority

6 North Lynn Business Village, Bergen Way, Kings Lynn, Norfolk PE30 2JG

The Secretary of State for Environment, Food and Rural Affairs in exercise of the powers conferred by section 155(3) and (4) of the Marine and Coastal Access Act 2009, confirms the Shrimp Permit Byelaw 2018 made by the Eastern IFCA on 18 July 2018.

Date: 31/05/2022

A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food and Rural Affairs.



Colin Faulkner

Deputy Director,

External Fisheries Negotiations & Trade Policy

Schedule 1

Procedure

1. The procedure for restricting the number of shrimp permits issued and setting criteria to restrict the eligibility for a shrimp permit as referred to in paragraph 14, or issuing, varying or revoking flexible permit conditions as referred to in paragraph 21, (in this Schedule, 'the proposed changes') must include the following steps:
 - a) acquisition of relevant available evidence including:
 - i. scientific and survey data, and scientific advice provided by the Authority, the Centre for Environment, Fisheries and Aquaculture Sciences or such other persons as the Authority thinks fit;
 - ii. advice given by Natural England or other external authorities, organisations, persons or bodies as the Authority thinks fit; and
 - iii. information from any other relevant source including that which is relevant to effective enforcement;
 - b) consultation by such methods as the Authority considers appropriate with such stakeholders, organisations and persons as appear to the Authority to be representative of the interests likely to be substantially affected by the proposed changes; and
 - c) undertaking an impact assessment relating to the proposed changes.
2. The Authority must review flexible permit conditions and restrictions of the issuing of shrimp permits no less frequently than every four years.
3. The review of flexible permit conditions or restrictions on the issuing of shrimp permits will be in accordance with the steps set out in paragraph 1 of this schedule.
4. Where restrictions on the issuing of permits or flexible permit conditions are issued, maintained, varied or revoked shrimp permit holders will be notified in writing.

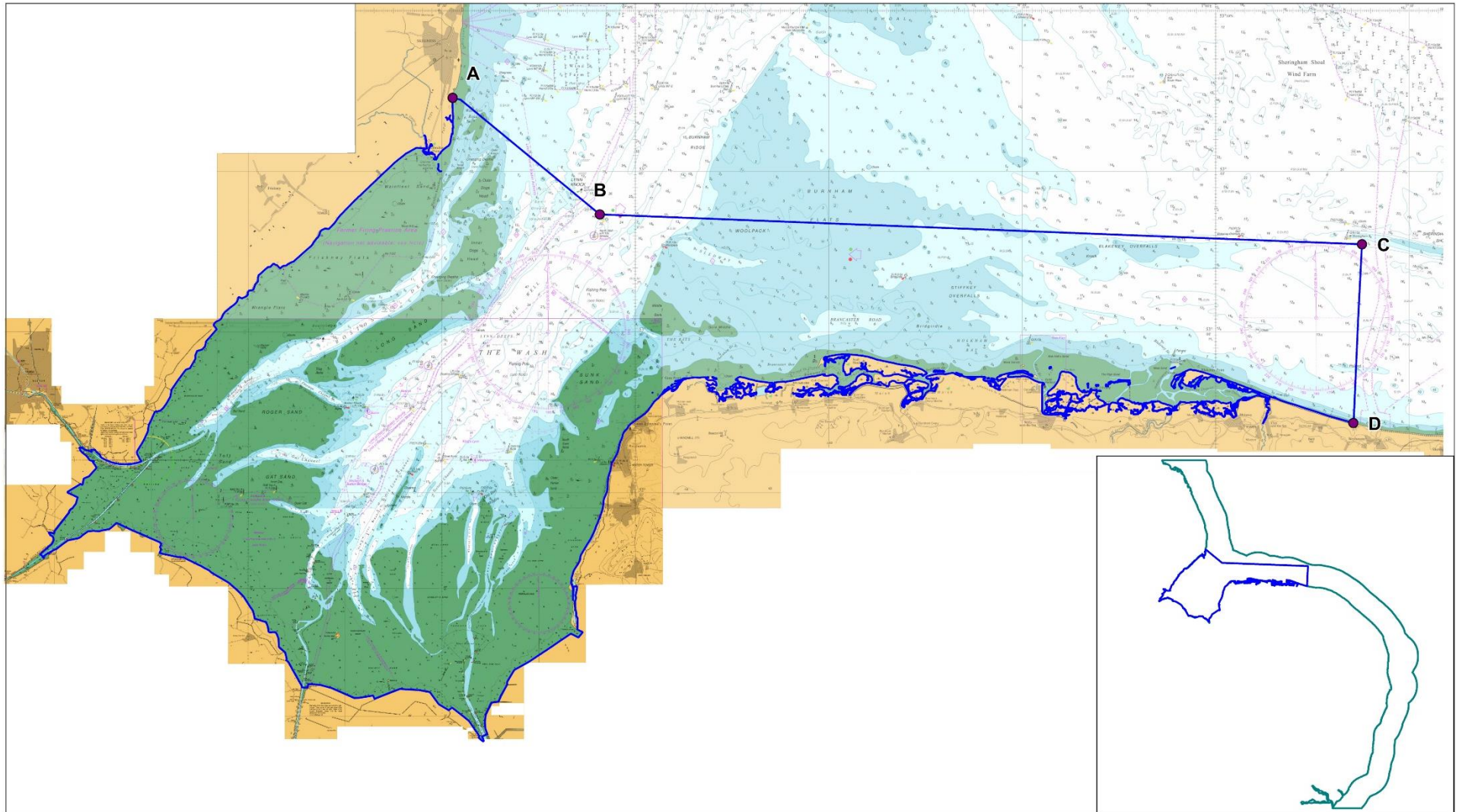
Schedule 2

The Wash and North Norfolk Coast Special Area of Conservation

The following table sets out the co-ordinates of The Wash and North Norfolk Coast Special Area of Conservation as referred to in paragraph 1(t) of the byelaw.

The Wash and North Norfolk Coast Special Area of Conservation is defined by a boundary drawn by the series of straight lines connecting points A to D and a line connecting point D to A which follows the land boundary which is to be taken as mean high water springs.

Point	Latitude	Longitude
A	53° 07.29' N	00° 20.55' E
B	53° 03.66' N	00° 28.16' E
C	53° 02.73' N	01° 07.55' E
D	52° 57.16' N	01° 07.10' E



The Wash and North Norfolk Coast SAC

- Eastern IFCA - district boundary
- The Wash and North Norfolk Coast Coast SAC boundary
- Co-ordinate points

Not to be used for navigation – for illustrative purposes only

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Date:02/09/2019
 Drawn by:SC
 Projection: Lat Long WSG84
 EMS boundary:JNCC download -
 UK_SACs_withMarineComponents_2103821

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Explanatory Note

(This note does not form part of the byelaw)

This byelaw requires people who fish for shrimps using bottom towed gear within the District to obtain a shrimp permit. A Category One Permit is required to fish for shrimps within The Wash and North Norfolk Coast Special Area of Conservation. A Category Two Permit is required to fish for shrimps in the remainder of the District. Shrimp fishers are also required to fish in accordance with any flexible permit conditions issued by the Authority and to complete catch return forms which must also be submitted to the Authority.

Shrimp permits expire at 23:59 on 31 July each year and a fee is payable to the Authority for the issuing of a shrimp permit which is £100 for a Category One Permit. No fee is payable for a Category Two Permit.

This byelaw enables the Authority to limit the number of shrimp permits which will be issued; issue, vary and revoke criteria to determine which applicants are eligible for a shrimp permit; issue, vary and revoke flexible permit conditions; and temporarily close shrimp fisheries.