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## **ANNEX B**

### **BYELAW 2**

#### **VESSEL MAXIMUM LENGTH**

#### **Interpretation**

1. In this byelaw;
  - a) "the Authority" means the North Western Inshore Fisheries and Conservation Authority as defined in Articles 2, 4 and 5 of the North Western Inshore Fisheries and Conservation Order 2010;
  - b) "the District" means the North Western Inshore Fisheries and Conservation District as defined in Articles 2 and 3 of the North Western Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No:2200)
  - c) "the baselines" means the baselines as defined in Article 3 of the North Western Inshore Fisheries and Conservation Order 2200 (S.I. 2010 No:2200).
  - d) "overall length" has the same meaning as in the Merchant shipping (Registration of Ships) Regulations 1993 (SI 1993/3138);

#### **Prohibitions**

2. No vessel which exceeds 15 metres overall length shall be used in fishing for or taking of sea fisheries resources within that part of the District that lies between 3 and 6 nautical miles offshore as measured from the baselines.
3. No vessel which exceeds 10 metres overall length shall be used in fishing for or taking of sea fisheries resources within that part of the District enclosed by a line drawn 3 nautical miles offshore as measured from the baselines.
4. This Byelaw shall not apply to the following vessels:-
  - a) Vessels used in the fishing, dredging, transport or relaying of Cockle (*Cerastoderma edule*) or Mussels (*Mytilus edulis*) while such vessels are operating under permit issued by the Authority.

- b) Vessels used solely for the purpose of angling by means of rod and line or handline.
- c) Any person performing an act that would otherwise constitute an offence against this Byelaw, if that act was carried out in accordance with a written permission issued by the North West Inshore Fisheries and Conservation Authority permitting that act for scientific, stocking or breeding purposes.

## **Exemptions**

- 5. Vessels exceeding the length restrictions described in sections 2 and 3 may be used provided that:-
  - a) It can be demonstrated to the satisfaction of the Authority that the vessel held fishing entitlement for appropriate parts of the District and was built prior to the date of the introduction of this Byelaw and.
  - b) That the owner(s) of the vessel have obtained an authorisation permitting the use of the vessel within the appropriate parts of the District.
- 6. Newly constructed or purchased vessels exceeding the length restrictions set out in paragraphs 2 and 3 may be issued with an authorisation under paragraph 5 provided that:-
  - a) The owner can demonstrate that prior to the date of this Byelaw being made, they had entered into an enforceable financial commitment to construct or purchase such a vessel and.
  - b) The owner can demonstrate that the date of delivery prevented compliance with paragraph 5 of this Byelaw.

## **Revocation of Legacy Byelaws**

Cumbria SFC Byelaws 3 and NWSFC Byelaw 9 are revoked.

### *Explanatory note (This note does not form part of the byelaw)*

*In order to provide protection for important inshore nursery areas this Byelaw restricts the maximum length of fishing vessels built after the date of the introduction of this Byelaw that may be used within the area enclosed by a line drawn 3 nautical miles to seaward of the baselines to 10 meters overall length, and within that part of the District that lies between 3 and 6 nautical miles of the baselines to 15 meters overall length and maintains the fishing entitlements of existing vessels built prior to the introduction of this byelaw.*