

## ANNEX A

### NWIFCA BYELAW 3

#### COCKLES (*Cerastoderma edule*) AND MUSSELS (*Mytilis edulis*)

#### FISHING REGULATIONS AND PERMIT SCHEMES.

##### **Interpretation**

1. In this byelaw:

“cockles” means the species *Cerastoderma edule* in a live state;

“mussels” means the species *Mytilis edulis* in a live state;

“the NWIFCA” means the North Western Inshore Fisheries and Conservation Authority;

“to fish” means any action or activity which captures, collects or otherwise extracts directly from its natural habitat any fish or shellfish, including but not requiring or limited to the placing of that fish or shellfish into any type of bag, sack or other container designed to facilitate its collection and prevent its escape back into its natural habitat;

“to take” means any action or activity which is designed or intended to transfer the fish or shellfish into human possession, either from the wild environment or from the possession of one human being who has fished it into the possession of another human being;

“to remove” means the act of extraction of a fish or shellfish species from a fishery by means of loading it on to a vehicle, carrying it by hand or vehicle out of the area of the fishery or by performing any other act designed to ensure it leaves the area of the fishery;

“to transport” means to move around by hand or by vehicle any fish or shellfish ;

“a fishery” means an area of sea, seabed, exposed estuary, seashore, or other marine environment in any part of the District of the NWIFCA which is inhabited with a population of a fish or shellfish species under the management of the NWIFCA;

“the District” means the geographical area under the management of the NWIFCA which is set out in The North Western Inshore Fisheries and Conservation Order SI 2010/2200;

“Foreshore Gatherers Safety Training Certificate” means a document issued by a Seafish Industry Group Training Association or a trainer approved by the NWIFCA, certifying the applicant’s completion of a safety training course for intertidal shellfishing.

##### **Fishing Regulations**

2. Subject to paragraph 8 of this byelaw no person shall:

- a) fish for or attempt to fish for;
- b) take or attempt to take;
- c) remove or attempt to remove;

- d) transport or attempt to transport;

any cockle or mussel within or from a fishery in any part of the District without the written permission of the NWIFCA or having in his possession at that time a valid permit issued pursuant to this byelaw.

- 3. No person shall have in their possession any article for use in the course of or in connection with:

- a) the fishing;
- b) the taking;
- c) the removal;
- d) the transportation;

of cockles or mussels within or from a fishery in breach of this byelaw.

- 4. No person shall have in their possession any cockle or mussel:

- a) fished;
- b) taken;
- c) removed; or
- d) transported;

within or from a fishery in breach of this byelaw.

### **Minimum Sizes**

- 5. No person shall without a valid written permission from the NWIFCA:

- a) take;
- b) remove; or
- c) transport;

within or from a fishery in any part of the District any cockle which will pass through a gauge having a square opening of 20mm measured across each side of the square or any mussel less than 45mm in length. Any such cockle or mussel fished in the course of or in connection with other fishing activities shall be immediately returned to the fishery without injury as near as possible to the place from which they were fished.

### **Fishing Methods**

- 6. No person shall without a valid written permission from the NWIFCA fish for cockles or mussels in any part of the District except:

- a) by hand or using hand-held rakes; or
- b) in the case of cockles by using craams, rakes, spades, tamps or jumbos; and

- c) by using buckets, sacks, net bags, ton bags and other such containers ordinarily used for the storage of cockles and mussels; and
- d) where in the process of fishing and prior to being placed into a container all cockles fished must be sorted immediately by means of a rigid riddle designed to ensure that retained cockles cannot pass through a 20mm square gauge.

### **Redeposit**

- 7. Any person who fishes, takes, removes or transports any shellfish, the fishing, taking, removal or transport of which is prohibited pursuant to any of these byelaws or the possession or sale of which is prohibited by or in pursuance of any act of Parliament shall immediately redeposit the same without injury as nearly as possible in the place from which they were taken or under the written authority of the NWIFCA on other suitable ground and shall in redepositing them under this byelaw spread them thinly and evenly over the beds.

### **Exception to the Requirement for a Permit for Personal Consumption**

- 8. No person shall require a permit under this byelaw to fish for, take, remove, or transport less than a total of 5kg of cockles and 5kg of mussels intended for their own personal consumption during any calendar day within or from a fishery in any part of the District which is neither closed pursuant to paragraphs 9, 10, 11 or 12 of this byelaw nor designated a Commercial Shellfish Fishery Area pursuant to paragraph 14 of this byelaw.

### **Fisheries Closure and Stock management**

- 9. No person shall without the written consent of the NWIFCA

- a) fish;
- b) take;
- c) remove; or
- d) transport.

any cockle or mussel within or from a fishery in any part of the District which has been closed by the NWIFCA in accordance with its statutory fisheries management obligations. Nothing in this byelaw shall supersede or limit the power of the NWIFCA to close fisheries or to prohibit or restrict the exploitation of fisheries in accordance with its statutory fisheries management obligations. Possession of a valid permit issued under this byelaw will not grant the right to fish, take, remove or transport cockles or mussels within or from a closed fishery or in breach of any other limit or prohibition the NWIFCA may introduce from time to time. The rights granted via a valid fishing permit issued under this byelaw may be varied or limited at the discretion of the NWIFCA from time to time in accordance with its statutory fisheries management obligations.

- 10. No person shall without the written consent of the NWIFCA fish, take, remove, transport or otherwise disturb any cockle within or from a fishery in any part of the District on or between the 1<sup>st</sup> day of May and the 31<sup>th</sup> day of August in the same year or have in their possession any cockle or mussel from a fishery area that has been closed pursuant to this byelaw.
- 11. The NWIFCA may close any cockle or mussel fishery area for management or to control the rate of exploitation of the stock on the advice of competent scientists that such action is

necessary or at its own discretion for any reason in accordance with its statutory fisheries management obligations.

12. Such closures shall normally and where possible be made for a specified period and where possible following consultation with the fishing industry. Closures shall be advertised widely such as on notices placed in the District and on the NWIFCA website.
13. The NWIFCA may from time to time set daily, weekly or monthly quotas for fishing permit holders in order to manage stocks sustainably in accordance with its statutory fisheries management obligations.

### **Commercial cockle or mussel fisheries**

14. The NWIFCA may designate defined areas of the District as "Commercial Shellfish Fisheries Areas" for periods of up to one year. The period of designation and the boundaries of each Commercial Shellfish Fisheries Area shall be advertised widely such as by notices placed in the District and on the NWIFCA's Website. In Commercial Shellfish Fisheries Areas, all fishers and ancillary workers shall have in their possession a valid permit issued pursuant to this byelaw.

### **Application for Permits**

15. The period of validity of permits shall be from 1<sup>st</sup> September in any given year to 31<sup>st</sup> of August the following year unless otherwise stated. Permits shall be annually renewable. Fees applicable for the issue and renewal of permits will be decided each year by the NWIFCA and published concurrently with the release of application forms.
16. Applications for permits pursuant to this byelaw shall be made using the printed forms available from the NWIFCA, or from the NWIFCA website. Renewal forms will be made available 2 calendar months before the date each permit term begins.
17. Applications for new permits to be issued pursuant to paragraphs 23 and 27 of this byelaw shall be made by first registering an interest with the NWIFCA in writing. If the number of applicants registering an interest exceeds the number of available permits a waiting list will be compiled on a 'first come, first served' basis and an applicant will be invited to complete an application for a new permit in the first year a new permit becomes available. Applications for new permits shall be made on the printed forms available from the NWIFCA or from the NWIFCA website and shall meet all the requirements of paragraph 23 in the case of fishing permits and paragraph 27 in the case of support worker permits.
18. A permit issued pursuant to this byelaw is not transferable and does not permit fishing, taking, removal, or transportation in breach of any other byelaw or restriction.
19. Failure to produce, on the reasonable demand of a properly warranted Officer or a Constable, a valid permit pursuant to this byelaw, constitutes a breach of this byelaw.
20. Failure to notify the NWIFCA of any change of name or address during the life of a permit constitutes a breach of this byelaw.

### **Fishing Permits**

21. The holder of a permit to fish for cockles or mussels under this byelaw shall be required to file with the NWIFCA, no later than the 5<sup>th</sup> day of the month following, such information in regard to catches and fishing effort for the previous month, under the terms of such permit, as the NWIFCA may require. Nil returns may be required. Permit holders not filing returns may have their permits revoked by the NWIFCA until returns have been filed.

22. Subject to all other provisions of this byelaw, a permit to fish for cockles or mussels shall include the right to take, remove and transport those cockles or mussels within and from a fishery in any part of the District.
23. Holders of a permit to fish for cockles or mussels under this byelaw in any given year shall be entitled to renew the permit for next year up to one year after the permit term has expired.
24. A maximum of 10 permits per year to fish for cockles or mussels under this byelaw shall be issued to applicants who have not held a NWIFCA Byelaw 3 permit in the previous year on production of:
- a) evidence of the applicant's identity, containing photograph and signature, such as a valid passport; or a driving licence with photo;
  - b) evidence of the applicant's address, such as a utility bill issued in the preceding 4 months of application or a current tenancy agreement;
  - c) evidence of the applicant's National Insurance Number;
  - d) 2 recent passport style photographs of the applicant signed on the back by the applicant;
  - e) the applicant's valid Foreshore Gatherers Safety Training certificate or proof of the successful completion of an equivalent safety training course. Equivalence is determined at the discretion of the NWIFCA; and
  - f) Payment of the designated fee.

### **Transitional Arrangements**

25. Holders of NWIFCA Byelaw 5 fishing permits for 2011/2012 shall be entitled to renewal of that permit under this byelaw.
26. Permits to fish for cockles and mussels for the year 2012/2013 shall be issued to new applicants under the rules set out in NWIFCA Byelaw 5 and to the number of new applicants specified by that byelaw. No permits to fish for cockles and mussels shall be issued to new applicants under this byelaw for the year 2012/2013.
27. Persons who provide evidence that they have in the past held a valid Cumbria Sea Fisheries Committee Byelaw 21 or 23 cockle or mussel fishing permit and have in the past been engaged in commercial fishing activities in a specified region or regions within the district formerly administered by the Cumbria Sea Fisheries Committee shall be eligible to apply to the NWIFCA for written permission to continue to fish in any fisheries within that region or regions.

### **Support worker permit**

28. Commercial organisations trading in cockles and mussels may apply to the NWIFCA for permits for specified members of staff who they wish to perform ancillary trading activities within a cockle or mussel fishery which would constitute taking, removing or transporting cockles or mussels within or from a fishery such as driving transport vehicles, transporting shellfish, weighing shellfish etc. The NWIFCA will issue up to a maximum of 6 support worker permits to each commercial organisation upon receipt of complete applications on production of:

- a. The names, contact details, national insurance numbers and proof of right to work of the members of staff. Proof of identity of those members of staff containing photograph and signature, such as a valid passport; or a driving licence with photo and proof of address of those members of staff, such as a recent utility bill;
  - b. Proof from the annual accounts or annual report of the organisation's trade in cockles or mussels;
  - c. Evidence that the organisation holds a Gangmaster Licensing Authority licence for shellfish operations;
  - d. Proof that the members of staff work under contracts and details of the duties they will perform in the shellfish fishery;
  - e. Two recent passport style photographs of the members of staff signed and dated on the back by the members of staff;
  - f. Valid Foreshore Gatherers Safety Training certificates for each of the members of staff or proof of the successful completion of an equivalent safety training course. Equivalence is decided at the discretion of the NWIFCA; and
  - g. Payment of the relevant fee.
29. A permit to perform ancillary trading activities shall not confer any rights to fish, attempt to fish or to directly assist another in fishing activities.

#### **Use of boats**

30. No holder of a permit to fish for cockles or mussels shall use a boat to access shellfish beds in order to fish for, take, remove or transport cockles or mussels without having their fishing permit endorsed as a boat user by the NWIFCA. The NWIFCA will endorse permits as boat users on production of evidence that the holder has completed training of an equivalent standard to the courses provided by Seafish in Sea Survival, First aid and Health and Safety at Sea. Equivalence is decided at the discretion of NWIFCA.
31. No person shall be granted an endorsement as a boat user unless they have in their possession a serviceable life jacket and the boat is equipped with a serviceable VHF radio, global positioning equipment, marine distress flares and an adequate anchor with a means of effective deployment.

#### **Revocation of Permits**

32. On conviction of an offence under this byelaw the NWIFCA shall revoke any permit held under this byelaw of the person convicted and they will lose the right to renew that permit.

#### **Entry into Force and Repeal of Legacy Byelaws**

33. This Byelaw shall come into force on 1<sup>st</sup> September 2012 (30 June 2012). NWIFCA Byelaw 5 Permit to fish for cockles and mussels is revoked on the day this byelaw comes into force.
34. The following byelaws are repealed on the day that this byelaw comes into force:
- a) NWSFC byelaw 5: Cockle and mussel permit scheme;

- b) NWSFC byelaw 14 and CSFC byelaw 16: Cockle seasonal closures;
- c) NWSFC byelaws 13 and 15 and CSFC byelaws 5 and 6: Minimum landing sizes for cockles and mussels;
- d) NWSFC byelaw 17 and CSFA byelaw 12: Redeposit of shellfish taken illegally; and
- e) NWSFC byelaw 17 and CSFC byelaw 18: Shellfish management allowing defined areas to be closed for defined periods for stock management reasons.
- f) That part of the byelaws relating to mussels made by the Board of Conservators for the Dee Fishery District.

## **Explanatory Notes to byelaw 3 not forming part of the byelaw**

### **General guidance**

*The purpose of Byelaw 3 is to control the exploitation of shellfish fisheries of cockles and mussels to ensure catches remain at a sustainable level and are obtained by sustainable fishing methods. As cockle and mussel fishing can be highly lucrative depending on price variations the NWIFCA has concluded a permit scheme is necessary to limit the number of fishermen and consequently the number of cockles gathered, along with the methods they use. The resulting byelaw is one which on the face of it appears rather complex, however this is regrettably necessary to regulate a very varied fishery. A wide range of different people wish to exploit shellfish resources in the NWIFCA district and in different ways. This varies from local people, who wish to occasionally gather a single meal, to large scale shellfish buyers, who wish to buy thousands of tons of shellfish in a season. The NWIFCA remains committed to supporting the traditional hand shellfish fisheries that have existed in the region for hundreds of years and to promoting the sustainable development of the marine environment of the region. The NWIFCA firmly believes the detailed requirements set out in this byelaw are necessary to balancing these sometimes competing considerations.*

### **Paragraph 1**

*The byelaws which existed under the regimes of the North Western and Cumbrian Sea Fisheries Committees have in the past chosen to use a number of words: fish, take, remove and transport, all to describe what to an outsider would appear to be the same activity of 'fishing' for shellfish. Anyone familiar to the industry will understand that fishing for shellfish is not like conventional fishing and actually many people would use the word gathering rather than fishing. The regulatory difficulty posed by the intertidal shellfish fisheries is that some of the activities involved would not fit neatly within the traditional conception of fishing. Therefore there is the risk that an individual is able to claim that an activity they are caught performing without permission, which although necessary to gather shellfish, does not constitute fishing. The NWIFCA has therefore been at pains to define the words used and to present them in conjunction with one another so as to cover any and all activities which are normally performed by someone seeking to gather shellfish. To a fisherman familiar with the industry the message is clear: anything you know to be part of gathering cockles or mussels is prohibited without a permit. If you are new to the fishing of shellfish the simple meaning of fish, take, remove and transport is that together they cover all of the skilled and manual tasks required to gather, collect, bag, store, load and transport on a trailer, quad bike or boat cockles and mussels.*

### **Paragraph 2**

*The simple and clear message of Paragraph 2 is that in ordinary circumstances, if you wish to fish or collect or gather, whatever word you chose to use, cockles or mussels to earn a wage or of a quantity greater than for your personal use, you will require a permit issued under this byelaw and following the application procedures it sets out. It should also be noted that the attempt to fish without a permit is also an offence under this byelaw before anything has been caught. If you do have a permit you must carry it at all times when you are engaging in fishing activities. The written permission of the NWIFCA to fish will only usually be granted for scientific or other management purposes.*

#### **Paragraph 3-4**

*It will also be an offence under this byelaw if you do not have a permit and you are found with fishing equipment used or designed to fish for cockles and mussel in a situation where it is clear you were intending to fish even before you have actually done so. Equally where you are returning from a fishing trip and you are found to have a catch of cockles and mussels but no permit you can be prosecuted under this byelaw.*

#### **Paragraph 5**

*There are minimum sizes of cockles and mussels which can legally be gathered: 20mm in any direction for cockles and 45mm in length for mussels. The NWIFCA understands the difficulty of ensuring that no cockle or mussel in a large catch is undersize and will normally only prosecute an offence under this paragraph where more than 10% of a large catch is undersize. However, this paragraph should be read in combination with paragraph 6(d) which requires that a rigid riddle is used to sort sized cockles from undersized BEFORE cockles are placed in a bag, bucket or any other container. If the requirement of 6(d) is not met then Officers of the NWIFCA will be far more likely to prosecute even low percentages of undersize cockles in a catch in addition to the fishing methods offence.*

#### **Paragraph 6**

*No mechanical gear can be used to fish for cockles or mussels, the hand gathering process is traditional, effective and more sustainable, having less environmental impact. 6(d) requires the use of a RIGID RIDDLE. Some fishermen have in the past used nets to wash and sort but the NWIFCA has found these are far less effective in sorting sized from undersized and consequently has found it necessary to introduce a rigid riddle requirement.*

#### **Paragraph 7**

*NWIFCA officers have the power to order a fisherman to put back a catch if it is illegally fished due to lack of a permit, fishing methods, minimum sizes or bed closure or fished in breach of any other legal requirement. They can also seize such catches as evidence or in order to put them back themselves.*

#### **Paragraph 8**

*The NWIFCA recognises that for the local community the shellfish of the region are a traditional and valuable source of food and so has left an exception in order that individuals wishing to can gather less than 5kg of cockles and 5kg of mussels per day can do so without a permit. They must still comply with minimum size and hand fishing requirements. They are also not permitted to fish in any cockle or mussel bed which is closed to fishing. Due to problems with clashes with commercial fishing and the needs of clear enforcement it has also become necessary to limit this exception where there is commercial fishing occurring. Under paragraph 14 some areas, including whole fisheries, may now be designated commercial areas where ALL fishermen will require a permit to fish and this exception will not apply. Fishing in one of these areas without a permit, even for less than 5kg of cockles or mussels will be a prosecutable offence.*



### **Paragraph 9-13**

*Under the Marine and Coastal Access Act 2009 the NWIFCA has wide responsibilities and wide powers to ensure sustainable fishery management. This will include the right to close the bed at its own discretion for reasons such as the impact on the environment, stock management, public health and safety. In such cases even those with permits will be unable to fish. The NWIFCA may also need to modify the right to fish granted by permits to ensure stocks are properly managed by limiting catches per fisherman or limiting fishing times or locations, or any other such measure that might become necessary. Having a permit will not give you an absolute right to fish if the NWIFCA needs to modify the right for the good of the industry and the environment. These decisions will normally be based on sound scientific and commercial advice where it is available. All such closures, quotas and modifications will be well publicised and, if possible, be open to public consultation. There will be a regularly seasonal closure of cockle fisheries from 1st May to 31<sup>st</sup> August every year during which time it will be illegal to fish for cockles.*

### **Paragraph 14**

*As mentioned above the NWIFCA will now have the power to designate certain areas of its District as areas primarily devoted to commercial fishing. It will be a prosecutable offence to engage in any fishing or related activities in one of these areas without a permit and the 5kg exception will not apply. Fishing for your own consumption is still permitted, but you must have a permit.*

### **Paragraph 15-19**

*These paragraphs cover the general administration of the permit scheme. The key point is that permits are renewable for all those who held one the previous year but must be renewed every year. If you allow there to be a full year's gap between start date, which will always be 1<sup>st</sup> September regardless of when you renew during a year, and attempted renewal then you will be unable to renew and will have to reapply through the procedure for new applicants.*

*This may sounds rather restrictive, but regrettably it is intended to be so. The NWIFCA is of the opinion that at the present levels there at best, enough, and at worst, too many people currently seeking to commercially fish for cockles and mussels in its District. The restrictive scheme is very much designed to stabilise numbers with an aim of medium to long term reduction in the number of permits issued.*

*Therefore the procedure for obtaining a newly issued permit will involve first registering an interest by writing to the NWIFCA as it is all but inevitable that new applicants will have to wait on a waiting list for a number of years before they are issued a permit. The NWIFCA does not recommend incurring the expense of completing the Safety Training Course until an applicant has establish the number ahead of them on the waiting list and the likely number of years until they will receive a permit. If anyone has any questions regarding the procedure for applying for permits then they should contact the Officers of the NWIFCA at the offices at 1 Preston Street, Carnforth.*

*Permits are obtained for a named individual and cannot be transferred to another.*

*Holders of permits are legally obliged to ensure the NWIFCA has an up to date address to contact them with notices regarding changes in fishing regulations.*

*Holders of permits are required to carry them at all times when fishing and to show them to any properly warranted Officer, which can include NWIFCA Officers, Police, Officers of the GLA and Environment Agency and any other enforcement officer who may become involved in the management of the industry.*

*In order to administer its permit schemes in what is a lucrative industry the NWIFCA has found it has become necessary to charge a fee for the issue of permits. The intention is this should be £500 in the first year and rise each year in line with inflation to be judged by the Consumer Price*

*Index or another relevant inflation measure. The NWIFCA recognises there will not be an exploitable fishery but that fishermen will have paid a fee to ensure they can continue to renew the permit year on year. In such cases the NWIFCA intends to use its discretion to reduce the permit fee for the following year up to a maximum of 80%.*

### **Paragraph 19-26**

*The permit scheme for fishing is the normal scheme under which you need to have a permit if you wish to gather cockles or mussels. There is a list of evidence and proof required in order to have a permit issued, this information will be clear on the application forms and anyone can contact the offices of the NWIFCA if they have any questions on this point.*

*Holders of fishing permits can and sometimes will be required to report to the NWIFCA the weight of shellfish they gather each month during the fishing season. This will assist the NWIFCA in regulating exploitation of stocks and to manage the fishery to try to maintain commercially viable catches. This requirement to report catches will include the requirement for those who have not engaged in any fishing activities or who have not caught anything to report that information to the NWIFCA.*

*In transitioning from the old permit scheme to this new one, the NWIFCA recognises it is incorporating the geographical regions of 2 previous authorities, and that it is limiting numbers of new permits further than before. The intention is that in the first year: 2012/2013, 40 new permits will be issued as they would have been under the old byelaw. Fishermen wishing to fish in the Cumbrian district who have previously fished for cockles or mussels but have not previously been subject to a restricted permit scheme in that district will be invited to write to the NWIFCA. On production of evidence of holding a Cumbrian SFC unrestricted permit to fish for cockles and mussels and evidence of previous fishing activities the NWIFCA intends in most cases to grant a life permission to fish in the areas of the Cumbrian district the individual has previously fished. This permission will still be subject to fisheries closures, fishing method, minimum sizing and any other fisheries management restrictions as the NWIFCA has in force at any time.*

### **Paragraph 27-28**

*The scheme for permits to act as a support worker is an innovation of the NWIFCA to respond to a particular quirk of the cockling industry. It has become the practice of large shellfish buyers in the region to beach large fishing vessels on cockle beds in order to weigh and buy the catches of the fishermen on the bed as they fish. This often includes sending workers round on quad bikes to collect the sacks of cockles prepared by the fishermen for sale. The way the NWIFCA has framed this byelaw, all of these activities would ordinarily require a cockle fishing permit. Clearly this would be too restrictive given the limited number of fishing permits available to new workers.*

*A support worker permit can therefore be obtained by application of a commercial organisation in relation to SPECIFIC, NAMED members of staff to carry out such ancillary activities to the purchase of cockles. These permits are not transferable between members of staff and are subject to a number of evidential requirements detailed in byelaw 27. Notably these include the requirement that the organisation or a manager in the organisation holds a GLA Gangmaster's license and that the members of staff be employees working under a contract with specific duties.*

*These permits DO NOT AND CANNOT grant the right to engage in the primary fishing activities. Any action to gather, sort or containerise cockles or mussels prior to them being placed in a sack or container ready for sale by a fisherman will be an offence if the individual holds only a support work licence. Although designed to accommodate the specific practices of the large buyers of cockles the regime is open to mussel fisheries should any similar practice be adopted, and to any organisation trading in cockles or mussels of any size, so as not to inhibit market access to smaller businesses. A maximum of 6 support worker permits will be issued to any single organisation. It is a legal requirement that any individual engaging in any of the activities detailed above holds a support worker or fishing permit.*

**Paragraph 29-30**

*New opportunities presented by offshore cockle and mussel beds have shown the potential that small as well as large boats will be used to attempt to fish for shellfish. However, seagoing navigation is not an activity which is suitable for inexperienced amateurs and those without training. The NWIFCA has therefore stipulated a number of safety training and gear requirements before it will allow fishermen to use boats to access cockle or mussel beds, to transport cockles and mussels, or to carry out any activities related to fishing for cockles or mussels. Using a boat even to get to a cockle bed will mean meeting the requirements of paragraphs 29 and 30. Failure to do so and have a fishing permit endorsed with a boat user stamp will be a prosecutable offence.*

**Paragraph 31**

*The NWIFCA will revoke the permit of anyone convicted of any offence under this byelaw. A revoked permit cannot be renewed and to obtain a new permit a fisherman will have to apply for a new permit.*