

ANNEX B

BYELAW 5

PERMIT TO FISH FOR COCKLES (*Cerastoderma edule*) AND MUSSELS (*Mytilus edulis*).

1. Subject to paragraph 3, no person shall fish for, attempt to fish for, take, attempt to take, remove or attempt to remove, any cockle or mussel from a fishery without having in his possession at the time, a valid permit issued pursuant to this byelaw.
2. No person shall have in their possession any article for the use in the course of or in connection with fishing in contravention of this byelaw or any cockle or mussel taken or removed from a fishery in breach of this byelaw.
3. This byelaw shall not apply to any person who fishes for, takes, or removes less than 5kg of cockles and 5kg of mussels during any calendar day, or in respect of cockles or mussels caught from a licensed fishing vessel registered in the United Kingdom.
4. Application for a permit shall be made using the printed forms available from the Committee, or from the Committee website. Forms will be made available 2 calendar months before the date each permit term begins.
5. The holder of a permit under this Byelaw shall be required to submit to the Committee, no later than the 5th 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 Committee may require.
6. A 2009/2010 permit will be valid during the period 1st September 2009 to 31st August 2010 and will be granted to an applicant on production of a 2008/2009 permit.
7. An application for a 2009/2010 permit will be considered after 1st July 2009.
8. A 2010/2011 permit will be valid during the period 1st September 2010 to 31st August 2011 and will be granted to an applicant on production of a 2009/2010 permit.
9. An application for a 2010/2011 permit will be considered after 1st July 2010.
10. A maximum of 40 2009/2010 permits and 40 2010/2011 permits will be issued to applicants who have not previously held a North Western and North Wales Sea Fisheries Committee District Wide Cockle and Mussel Permit, 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, and
 - 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, and
 - c) evidence of the applicant's National Insurance Number, and
 - d) 2 recent passport style photographs of the applicant signed on the back by the applicant, and
 - e) a Foreshore Gatherers Safety Training Certificate.
11. Applications for permits under paragraph 10 will be considered in order of receipt and permits will be issued to the first 40 applicants where eligibility in accordance with this byelaw is established.

12. A permit issued pursuant to this Byelaw is not transferable and does not permit fishing in breach of any other Byelaw or restriction.
13. Failure to produce, on the reasonable demand of a Fisheries Officer, a valid permit during any period of fishing for cockles and mussels constitutes a breach of this byelaw.
14. Failure to notify the Committee of any change of name or address during the life of a permit constitutes a breach of this byelaw.
15. This Byelaw shall come into force on 1st September 2009 and expire on the 31st August 2011.

In this byelaw:

“Foreshore Gatherers Safety Training Certificate” means a document issued by the Sea Fish Industry Authority Group Training Associations, certifying the applicant’s completion of a safety training course for intertidal shellfishing.

Explanatory note not forming part of the Byelaw: Up to 5kg of cockles and 5kg of mussels per person per day may be taken without a requirement for a permit. It is a breach of this byelaw to fish for more than 5 kg of cockles or 5kg mussels per day, anywhere within the District, without a valid permit. The Byelaw does not apply to persons using a registered commercial fishing vessel. Permits are only valid for a specified period of time, and issued on proof of identity, residency and evidence of having completed the SEAFISH GTA intertidal safety training course for shellfishing. Provision is made for 40 new entrants to the industry each year. Permits must be carried during all periods of fishing.