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OUR REF:

YOUR REF:

### **MARINE AND COASTAL ACCESS ACT 2009**

The North Western Inshore Fisheries and Conservation Authority in exercise of its powers under Section 155 of The Marine and Coastal Access Act 2009 hereby makes the following byelaw.

#### **BYELAW 2**

##### **MECHANICALLY PROPELLED VESSELS MAXIMUM-LENGTH.**

- 1 .No mechanically propelled vessel which exceeds 15 metres overall length shall be used in fishing for or taking of sea fish within that part of the District that lies between 3 and 6 nautical miles offshore as measured from the baselines.
2. No mechanically propelled vessel which exceeds 10 metres overall length shall be used in fishing for or taking of sea fish within that part of the District enclosed by a line drawn 3 nautical miles offshore as measured from the baselines.
3. This Byelaw shall not apply to the following vessels:
  - a, Vessels used for the trans-shipment and relaying of Mussels (*Mytilus edulis*) operating under permit issued by the Authority.
  - b, Vessels used for the purpose of angling by means of rod and line or handline.
4. Vessels exceeding the length restrictions described in sections 1 and 2 may be used provided that:
  - a. It can be demonstrated that the vessel held fishing entitlement for appropriate parts of the District and was built prior to the date of the of the introduction of this Byelaw.
  - b. That the owners of the vessel have obtained an authorisation permitting the use of the said vessel within the appropriate parts of the District.
5. Newly constructed or purchased vessels exceeding the length restrictions set out in sections 1 and 2 of this Byelaw may be issued with an authorisation under section 4 of this Byelaw provided that:

- a. The owner(s) 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(s) can demonstrate that the date of delivery prevented compliance with section 4 of this Byelaw.

For the purpose of this Byelaw:

The overall length of a vessel shall be that as recorded on the Certificate of Registry as issued by the Registrar of Shipping and Seamen.

The "District" referred to in this Byelaw shall be the district of the North Western Inshore Fisheries and Conservation Authority as described in Section (3) of Statutory Instrument 2010 No:2200.

*Explanatory note: In order to provide protection for important inshore nursery areas this Byelaw restricts the maximum length of mechanically propelled fishing vessels that may be used within the area enclosed by a line drawn 3 nautical miles to seaward of the baselines to 10 metres, and within that part of the District that lies between 3 and 6 nautical miles of the baseline to 15 metres overall length.*

I hereby certify that the above Byelaw was made by the Authority at its meeting on 30<sup>th</sup> September 2011

Dr. STEPHEN ATKINS  
Chief Executive