

Rationale for each paragraph of Byelaw 2

Paragraph of Byelaw	Rationale
1 (a-g)	<p>Interpretation</p> <p>Incorporates the standard definitions used in the NWIFCA SI 2200 of 2010 and definitions of engine power and overall length using SI 1993/3138</p>
2 and 3	<p>Applies a 15m LOA size limit to the 6-3nm belt and 10m LOA limit to 0-3nm</p>
4	<p>Prohibits vessels with engine power exceeding 221kw from fishing within the district (excluding those on the list) – this incorporates the legislative break in the following legislation:</p> <ol style="list-style-type: none"> 1. Cumbria byelaw 15 restricts engine power within the upper Solway to 221kw 2. Article 34 of council regulation 850/98 restricts the use of beam trawls within the UK 12nm limit to vessels with under 221kw
5	<p>Restricts the number of mobile nets that can be used by a vessel within the district to one or two in the case of fishing for shrimps/prawns. Specifically:</p> <ul style="list-style-type: none"> • Prohibits trawls to a single cod end – extending the Cumbria 13 restrictions to the whole district • Restricts beam trawling to a single beam • Restricts number of nets to two when fishing for shrimps and prawns
6	<p>Standard insertion of MMO exemption paragraph</p>
7	<p>Exempts angling from the byelaws restrictions – note the wording is intended to include long lining in the prohibitions</p>
8	<p>Exempts fishing, dredging and transport of molluscs from the byelaw restrictions:</p> <ul style="list-style-type: none"> • Rational of this is officers intend to regulate these fisheries through a separate byelaw
9-11	<p>Introduces a historic clause that vessels that can show 60days fishing within the previous 24months will be allowed to continue fishing under a permit for the lifetime of the vessel. This will allow second hand vessels to be bought and sold and still maintain the access to the fishery – thus not impacting upon the value of the asset.</p>
12	<p>Provides provisions for eventuality that a vessel is on order or built prior to the byelaw coming into force are not excluded from the fishery</p>
13 and 14	<p>Revokes legacy byelaws</p>