

**NWIFCA Quarterly Meeting:
19th March 2020: 10.30 a.m.**

**AGENDA
ITEM NO.
6**

NWIFCA MCRS BYELAW

Purpose: To make NWIFCA Byelaw 1 - Minimum Conservation Reference Sizes (MCRS).

Recommendation:

- 1. Members receive the Report**
- 2. Members approve and make the Byelaw at Annex A**

Background

1. Management of fisheries by prohibiting the removal of undersize individuals is an important tool in ensuring long-term, sustainable fisheries. Legislation to specify an MCRS for relevant commercial and recreational species is required.
2. IFCA's were empowered to enforce minimum landing sizes (MLS) in relation to licensed and unlicensed fish species by Council Regulation (EC) No 850/98. To address possible legal doubt in the application of EU850/98 in respect of unlicensed fishing the North Western Sea Fisheries Committee (NWNWSFC) made byelaw 19 (now inherited by NWIFCA for the NWSFC part of the NWIFCA District) to ensure MLS applies to unlicensed fishing. Byelaw 19 sets MLS for the same list of species as in EU 850/98.
3. In July 2019 850/98 was revoked and replaced by Council regulation EU 1241/2019. The new regulation states that MCRS (MLS in 850/98) does not apply to unlicensed fishing and also fails to prohibit transshipping, landing, transporting, storing, selling or offering for sale undersize marine organisms.
4. Since the introduction of EU 1241/2019 NWIFCA has encountered an increase in landing and transport of what under EU580/98 would have been undersize fish by unlicensed fishers. There were 4 intelligence reports in the last 2 months of 2019 of landing and transport of undersize fish.
5. To maintain consistency of regulations and curtail the unlicensed taking of small fish a report of this activity and draft MCRS Byelaw were presented to the February 2020 TSB. The byelaw follows a format developed and adopted by a number of IFCA where similar impacts of the introduction of EU1241.2019 have been detected.
6. TSB resolved to progress the byelaw to the full Authority as soon as possible.
7. As this byelaw seeks only to restore what has been established fisheries regulations in this District for many years, further consultation with stakeholders is considered unnecessary at this stage. Once made, the byelaw will be subject to formal consultation under the usual byelaw making process.

**Head of Enforcement
28th February 2020**