

NWIFCA Annual Meeting: 18th June 2020: 11.00 a.m.

AGENDA ITEM 7

NWIFCA MCRS BYELAW

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

Recommendation:

- 1. Receive the Report**
- 2. Approve and make the Byelaw at Annex A**

Background

1. Management of fisheries by prohibiting the removal of undersize fish is an important tool to ensure long-term, sustainable fisheries. National legislations setting MCRS does not apply to recreational fishing, therefore a byelaw specifying MCRS for all fishers is required.
2. IFCA's had a duty to enforce minimum landing sizes (MLS) for licensed species of fish under Council Regulation (EC) No 850/98. However, there was legal uncertainty about the application of EU850/98 to unlicensed fishing. Therefore the North Western and North Wales Sea Fisheries Committee (NWNWSFC) made byelaw 19 to ensure MLS applied to all fishing licensed and unlicensed in its District. Byelaw 19 sets MLS for the same list of species as in EU 850/98. Byelaw 19 was transferred to NWIFCA but still only applies only to the southern (NWSFC) area of the NWIFCA District.
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 In July 2019 850/98 was revoked and replaced by Council regulation EU 1241/2019.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 by unlicensed fishers of what under EU580/98 would have been undersize fish. 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 taking of undersize fish a draft MCRS Byelaw was received by TSB in February 2020. The byelaw follows a format and wording of byelaws made by 4 other IFCA and now submitted to Defra for confirmation.
6. TSB resolved to progress the byelaw to the full Authority as soon as possible.
7. This byelaw seeks only to restore what has been established NWIFCA fisheries regulations for many years albeit with doubt about the application of EU850/98 in the northern part of the District which has not been challenges. Therefore, 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.

CEO and HoE

28 February 2020 for cancelled March meeting updated 27 May 2020