

## Annex B - NWIFCA Potting Permit Byelaw

### Applying for Whelk Permits

***Applications for whelk permits must be made within six months from the date of confirmation of the byelaw, except vessels covered under n-o.***

- a) Category One permits will only be issued to an applicant to fish for whelks using a relevant fishing vessel of 15m overall length (OAL) or less.
- b) The provision for vessels up to 21.34m registered length in the area stated under the Cumbria Sea Fisheries Committee Byelaw 3 (Size limit of boats allowed inside the District) paragraph (ii) will not apply to vessels fishing under a whelk permit.
- c) North West Sea Fisheries Committee Byelaw 9 (Mechanically propelled vessels - maximum length), and Cumbria Sea Fisheries Committee Byelaw 3 (Size limit of boats allowed inside the District) paragraph (i) and Byelaw 15 (Vessels with a registered engine power of >221kW) still apply in their relevant parts of the District.
- d) Owners of vessels under 10m OAL without Track Record can apply for a Category One whelk permit with 400 pot limitation.
- e) Owners of vessels who can establish Track Record can apply for a Category One whelk permit with 1000 pot limitation.
- f) Applications for whelk permits must be made in writing using the Potting Permit application form, available on the NWIFCA website or from the Carnforth office.
- g) Application forms must be returned to the Carnforth office either by post or email.

### Method for Assigning Track Record for Whelk Permits

- h) Applications to establish track record for whelk potting must be made within six months from the date of confirmation of the byelaw.
- i) Applications must be made in writing using the Track Record application form, available on the NWIFCA website or from the Carnforth office.
- j) Application forms must be returned to the Carnforth office either by post or email.
- k) Track record is established once for a vessel and is not transferable between permit holders. In the case of shared ownership of a vessel, only one track record will be assigned.
- l) Evidence that will be accepted to establish Track Record must show whelk potting for the period 2015-18 only in:
  - i. 0 - 6nm in ICES rectangles 35E7, 36E6, 36E7, 37E7 and those parts of ICES rectangles 35E6 and 37E6 that fall within the NWSFC District;
  - ii. 6-12nm in ICES rectangle 37E6;
  - iii. those areas outside of the CSFC District in 38E6.
- m) The evidence must show a minimum landings of whelks of 5 tonnes.
- n) Evidence that will be accepted is:

- i. Sale notes / proof of payments for under 10m;
- ii. positional data from vessel plotter or navigation aid;
- iii. Logbooks for over 10m. VMS tracks for over 12m vessels will be cross referenced with logbooks.

Provision for Transfer of Track Record from Vessels over 15m OAL

- o) Owners of vessels over 15m OAL that can establish track record for that vessel may transfer that track record to an under 15m OAL vessel providing they are also the registered owner of the new vessel.
- p) Where track record is transferred from a vessel over 15m OAL to a vessel under 15m OAL applications for whelk permits must be made within 24 months from the date of confirmation of the byelaw.

**Explanatory Notes:**

- (1) "nautical mile" means an international nautical mile of 1,852 metres;
- (2) the area "0 - 6 nm" is defined as a distance of 6 nautical miles from the 1983 baselines;
- (3) the area "6 - 12nm" is defined as the area between 6 nm from the 1983 baselines to 12nm from the 1983 baselines;
- (4) "the 1983 baselines" means the baselines for the measurement of the breadth of the English territorial sea of the United Kingdom as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(a).

