

North Western Inshore Fisheries and Conservation Authority

MARINE AND COASTAL ACCESS ACT 2009 (c.23)

NWIFCA BYELAW 2 - NORTH WIRRAL FORESHORE BIVALVE MOLLUSCS

The Authority for the North Western Inshore Fisheries and Conservation District in exercise of its powers under sections 155 and 156 of the Marine and Coastal Access Act 2009 makes the following byelaw for that District.

Interpretation

1. In this byelaw
 - (a) “the Authority” means the North Western Inshore Fisheries and Conservation Authority (NWIFCA) as defined in articles 2 and 4 of the North Western Inshore Fisheries and Conservation Order 2010 (S.I. 2010/2200);
 - (b) “the District” means the North Western Inshore Fisheries and Conservation District as defined in articles 2 and 3 of S.I. 2010/2200;
 - (c) “fishery” means any area of sea, seabed, exposed estuary, seashore, or other marine environment in any part of the District;
 - (d) “bivalve molluscan shellfish” means any species of mollusc belonging to the class Bivalvia;
 - (e) “fish for or remove” and “fishing” includes all activities related to fishing by hand of bivalve molluscan shellfish including harvesting, taking, moving and transporting.

Prohibitions

2. A person must not fish for or remove any bivalve molluscan shellfish from within the area defined in the schedule.
3. A person must not have in their possession any article for use in the course or connection with fishing bivalve molluscan shellfish within the area defined in the schedule.

Exceptions

4. This byelaw does not apply to a person fishing for cockles or mussels under a permit issued pursuant to the North Western Inshore Fisheries and Conservation Authority Byelaw 3 - Permit to Fish for Cockles (*Cerastoderma edule*) and Mussels (*Mytilus edulis*).
5. This byelaw does not apply to a person fishing under a permit issued pursuant to the North Western Inshore Fisheries and Conservation Authority “Restrictions on the use of a dredge byelaw 2017”.

6. This byelaw does not apply to any person performing an act that would otherwise constitute an offence against this byelaw if that act was carried out in accordance with a written permission issued by the Authority for scientific, management, stocking or breeding purposes.

Review

7. The Authority must review this byelaw no less than once every three years.

Revocation

8. The NORTH WIRRAL FORESHORE BIVALVE MOLLUSC EMERGENCY BYELAW 2020 made by the North Western Inshore Fisheries and Conservation Authority on 3rd June 2020 in exercise of its power under section 157 of the Marine and Coastal Access Act 2009 and in force immediately before the making of this byelaw is hereby revoked.

I hereby certify that the above byelaw was made by the Authority at its meeting on the 10th December 2020.

.....Date

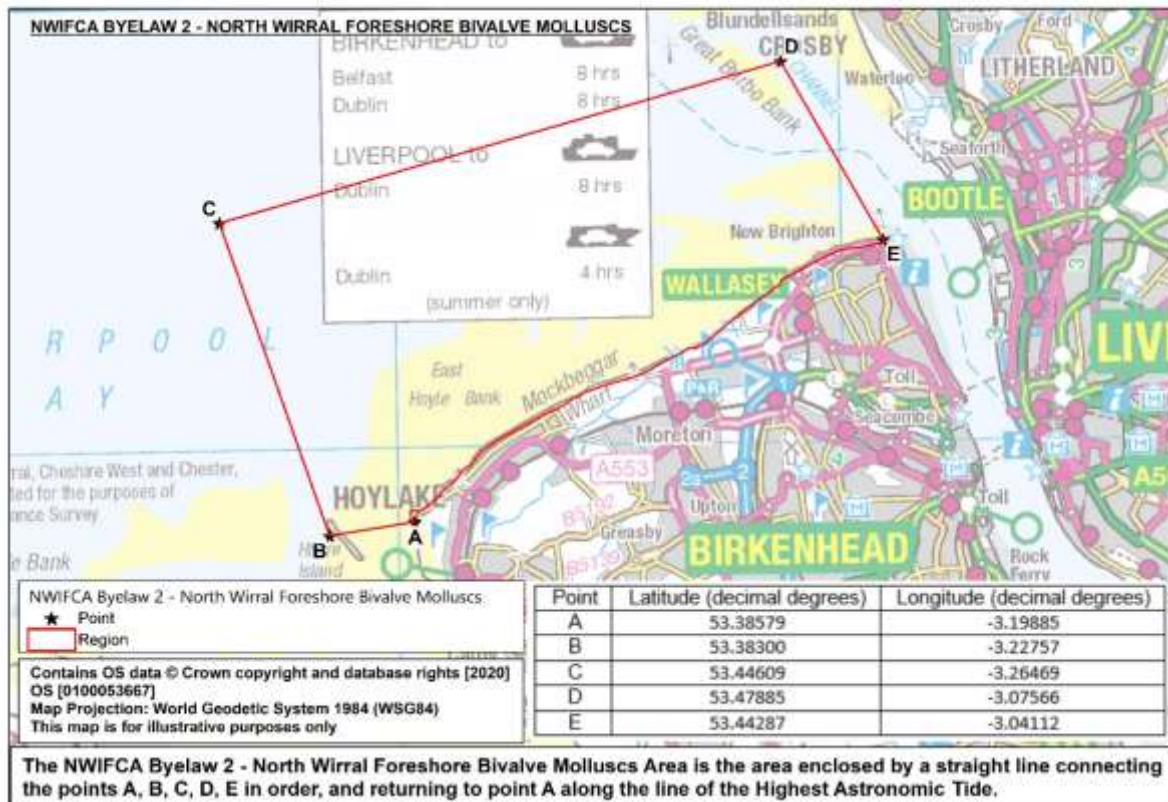
Dr Stephen Atkins; Chief Executive Officer; North Western Inshore Fisheries and Conservation Authority; 1 Preston Street, Carnforth, Lancashire, LA5 9BY

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power conferred by section 155(4) of the Marine and Coastal Access Act 2009 confirms the NWIFCA Byelaw 2 - North Wirral Foreshore Bivalve Molluscs made by North Western Inshore Fisheries and Conservation Authority on 10th December 2020.

.....Date

A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food and Rural Affairs

Schedule



Explanatory Note

(This note does not form part of the byelaw)

The NWIFCA Byelaw 2 - North Wirral Foreshore Bivalve Molluscs prohibits any person from taking or removing any species of bivalve mollusc from a defined area of the foreshore along the north Wirral coast.

There are exemptions for persons fishing for cockles or mussels under regulations of two separate byelaws, or for a person with a written permission from the Authority removing bivalves for scientific, management, stocking or breeding purposes.