

## NWIFCA Byelaw 4 Potting Permit Byelaw

### Flexible Permit Conditions September 2019

#### 1. Whelks

- (a) Category One permits will only be issued to an applicant who fulfils the track record requirements of fishing for whelks as defined by the NWIFCA Technical, Science and Byelaws Sub-Committee, and will be limited to the number of pots which can be fished (paragraph 1(c)).
- (b) When using a Category One permit all whelks must be placed on and passed over a riddle so that any undersize whelks can pass through the riddle prior to sorting.
- (c) A Category One permit holder may fish with a maximum of:
  - i. 1000 pots for a vessel with track record;
  - ii. 400 pots for under 10 m vessels with no track record in the District.

The following conditions apply to both Category One and Category Two permit holders:

- (d) A permit holder must not remove or retain from a fishery any whelk which has a shell length, measured along the longest part of the shell, less than the sizes in paragraph 1(d)i-iii. Any such whelk so removed or retained must be returned immediately to the sea unless the landing obligation under Article 15 of Regulation (EU) 1380/2013 requires the fish to be landed:
  - i. 55 mm in the first 12 months in which this byelaw is in force;
  - ii. 65 mm in the second 12 months in which this byelaw is in force;
  - iii. 75 mm in the third 12 months in which this byelaw is in force.
- (e) A permit holder must not use a pot to fish for whelks unless the pot consists of a rigid container with an open top through which whelks can enter.
- (f) A permit holder must not set a whelk pot that:
  - i. is not fitted with a tag issued by the Authority; or
  - ii. is fitted with a tag that has previously been notified to the Authority as lost.
- (g) A fee is payable for the replacement of a full set of tags up to a maximum of £0.10p per tag for:
  - i. the replacement of one set of lost or destroyed gear tags under a Category One permit;
  - ii. the replacement of a second or further sets of lost or destroyed gear tags under a Category Two permit.
- (h) To obtain a replacement tag in the event that a tag is lost, the permit holder must submit a written request to the Authority.
- (i) If a lost tag is subsequently found by the permit holder it must be returned within 48 hours to the Authority.

## 2. Crab and Lobster

- (a) A permit holder must not remove or retain from a fishery:
  - i. any lobster which has a carapace length, measured parallel to the mid-line from the back of either eye socket to the distal edge of the carapace, less than 87 mm;
  - ii. any edible crab which has a carapace length, measured across the broadest part of the back, less than 130 mm,

and any such crab or lobster taken shall be returned immediately to the sea unless the landing obligation under Article 15 of Regulation (EU) 1380/2013 requires the fish to be landed.

- (b) A permit holder must not fish for crab or lobster using a pot which has a chamber with an entrance designed to restrict escape, unless the pot is fitted with at least one unobstructed rigid escape gap located in the lowest part of the exterior wall of the pot or in the case of a parlour pot in the lowest part of the parlour area.
- (c) The escape gap referred to in paragraph 2(b) must be of sufficient size so that a rigid box shaped gauge 80 mm wide by 45 mm high and 100 mm long may be passed through the gap.

## 3. Norwegian lobster:

- (a) A permit holder must not remove or retain from a fishery:
  - i. any Norwegian lobster which has a carapace length, measured from the base of the eye notch to the posterior mid-dorsal edge, less than 20 mm or an overall length measured from the tip of the rostrum to the rear end of the telson less than 70 mm, and any such Norwegian lobster taken shall be returned immediately to the sea unless the landing obligation under Article 15 of Regulation (EU) 1380/2013 requires the fish to be landed.
  - ii. When using a Category One permit, any detached part of Norwegian lobster which cannot be measured in accordance with Annex IV of Council Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures;
- (b) A permit holder must not use a pot to fish for Norwegian lobster unless the pot is fitted with at least one hard eye entrance hole of maximum 80 mm diameter.