

NWIFCA Byelaw 4 Potting Permit 2020 Guidance

Registered and Licensed Fishing Vessels

Supplementary information to the byelaw and Flexible Permit Conditions 2020

Introduction:

NWIFCA Byelaw 4 Potting Permit 2020 contains a range of measures to manage any species that is fished with a pot or trap within the NWIFCA District, either now or may be in the future. The Byelaw provisions enable and specify the charging of permit fees and associated equipment for commercial and recreational permits. There are a range of conditions detailed within the byelaw itself (BC) and within the current Flexible Permit Conditions 2020 (FC).

The following information is a summary of specific byelaw provisions for Registered and Licensed Fishing Vessels including permit fees, tag charges, gear marking provisions and flexible conditions.

The document should not be regarded as a full explanation of all byelaw provisions. The Authority recommends that the information be read with reference to the full byelaw and the current Flexible Permit Conditions document. Please contact office@nw-ifca.gov.uk or speak to your local IFCO for any queries.

Summary of Byelaw Measures:

A. Permits:

1. You must have a valid permit to use a pot for fishing within the NWIFCA District (BC2).
2. You must apply for a Category One permit using the NWIFCA application form (BC12).
3. There are different types of permit depending on what potting you do, whether or not you have Shellfish Entitlement on your licence and how many pots you fish (see table below) (BC13-BC15).
4. The permit will be valid from 1st October to 30th September and will need renewing each year (BC18).
5. As it is not possible to know the exact date when the Secretary of State will sign off the byelaw, in the first year the permit will be valid for the remainder of the first 12 months to 30th September, and to the 30th September in the subsequent year (BC18).
6. You cannot sell your permit (BC18).
7. You can only transfer your permit if you are replacing your vessel for another vessel in which case the permit will leave the old vessel and be registered to the replacement vessel. No other changes are permitted. You must return your permit to NWIFCA for the changes to be made (BC 18 - BC 19).
8. You must carry the permit at all times when fishing with pots (BC2).
9. If you use a vessel to pot you must clearly display the permit sticker with the number issued with the permit (BC30), and you must not display more than one permit sticker (BC 30).
10. You must not use that vessel to haul pots not marked with that permit number (BC30).

Table 1: showing the different types of permit, pot limitations, whether or not track record is needed, whether pot tags are required, and the permit fee.

Species Fished	Shellfish Entitlement	Max number of pots (FC)	Track record needed (FC)	Tags required on pots (2020) (FC)	Permit Fee (£) (BC)	Permit Type (BC)
Whelks	n/a	Dependent on track record	Yes	Yes	200	Cat 1 - whelks
Nephrops	n/a	n/a	No	No	200	Cat 1 - nephrops
Crab and Lobster	Yes	No	No	No	200	Cat 1 - crab and lobster Class A
Crab and Lobster	Yes	25	No	Yes	50	Cat 1 - crab and lobster Class B
Crab and Lobster	No	25	No	Yes	50	Cat 1 - crab and lobster Class C

B. Gear Tags:

1. Where gear tags are required these will be issued with your permit and permit sticker along with a tag applicator (BC17).
2. Where gear tags are required every pot you set must have a tag attached. This is detailed in FC1f for whelks, and FC2c for crab and lobster.
3. You should report any tags that are lost to NWIFCA.
4. To obtain a set of replacement tags in the event that a tag is lost, you must submit a written request to the Authority. This is detailed in FC1g, FC1h for whelks, and FC2cd and FC2e for crab and lobster.
5. If you find a lost tag you must return it to NWIFCA within 48 hours (BC45). Do not use it on any pots (FC1i for whelks, FC2f for crab and lobster).

C. Marking Gear:

1. You must use a dahn or a buoy to mark the site of your pots set in strings, with a dahn or buoy at each end of the string (BC31).
2. If pots are set individually you must use a dahn or buoy to mark each individual pot (BC31).

3. Each dahn or buoy must be legibly marked with your vessel's PLN (BC32).
4. Each dahn flag must stand at least one metre above the surface of the sea (BC33).
5. When using buoys only, each buoy must be red, yellow or orange with a minimum circumference of 84cm (BC34).
6. Your gear must be correctly marked during any period it is in the water (BC35).

D. Keep Pots:

1. When using a Category One permit you can use keep pots, which must be legibly marked with your vessel's PLN (BC41).

E. Returns:

1. You must send NWIFCA correct landings returns for the previous month's fishing using the NWIFCA forms by 15th of each month (BC37). You must complete and return a Nil Return if you do not fish in that month (BC37).

F. Individual Species Regulations:

Minimum Conservation Reference Sizes (MCRS), pot limitations, catch restrictions, bait restrictions, technical measures and gear restrictions, spatial and time restrictions, and number of permits issued are covered under the Flexible Permit Conditions in order to have the increased flexibility to change them should there be evidence in the future to do so and that it was necessary for sustainable management of the fisheries.

The following measures are in place in 2020.

If you pot for crab and lobster:

1. You must not remove or retain from a fishery:
 - (a) a V-notched lobster;
 - (b) a mutilated lobster;
 - (c) a berried hen;and any such crab or lobster must be returned immediately to the fishery without further injury (BC4).
2. The MCRS for crab and lobster have not changed from previous: 87mm for lobster and 130mm for brown crab (FC2h).
3. You must have an escape gap in each pot you use (FC2i). The size and position of the escape gap is described in the Flexible Permit Conditions (FC2i and FC2j):
 - i. 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;
 - ii. 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.

4. If you fish with a Class A permit there is no pot limitation and you do not have to tag your pots (FC).
5. If you fish with a Class B or Class C permit you are limited to 25 pots (FC2a and FC2b) and have to tag each pot with a NWIFCA issue tag (FC2c).

If you pot for Norwegian lobster (nephrops):

1. The MCRS for nephrops has not changed from previous: 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 (FC3a).
2. You must not remove or retain any detached part of a nephrops which cannot be measured to determine the size of the full animal (FC3a).
3. You 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 (FC3b).

If you pot for whelks:

1. You must establish track record as defined by NWIFCA TSB to be eligible for a whelk permit (FC1a).
2. NWIFCA have issued set eligibility criteria for establishing track record for the initial issue of permits.
3. NWIFCA have established a whelk track record appeals procedure for any applicants who fall just outside of the eligibility.
4. ***Applying for whelk track record and permits must be completed within 6 months from the date of submission of the byelaw for approval.***
5. Depending on your track record there is either a 1000 pot or a 400 pot limitation (FC1c).
6. All whelk pots must be tagged with a NWIFCA issue tag (FC1f).
7. You must use a riddle to sort size whelks from undersize (FC1b).
8. MCRS for whelks will increase annually over a 3 year period (FC1d):
 - i. Year One of the byelaw 55mm;
 - ii. Year Two of the byelaw 65mm;
 - iii. Year Three of the byelaw 75mm.
9. All whelk pots must consist of a rigid container with an open top through which whelks can enter (FC1e).