



Kent and Essex Inshore Fisheries and Conservation Authority

COCKLE BIOSECURITY EMERGENCY BYELAW

The Kent and Essex Inshore Fisheries and Conservation Authority, in exercise of its powers under Sections 155 and 157 of the Marine and Coastal Access Act 2009, hereby make the following byelaw.

Interpretation

1. In this byelaw-

'Authority' means the Kent and Essex Inshore Fisheries and Conservation Authority as defined in Articles 2 and 4 of the Kent and Essex Inshore Fisheries and Conservation Order 2010 (SI 2010 No 2190);

'District' means the Kent and Essex Inshore Fisheries and Conservation Authority District as defined in Articles 2 and 3 of the Kent and Essex Inshore Fisheries and Conservation Order 2010 (SI 2010 No 2190);

'cockle harvesting equipment' means any dredge or instrument used for the purpose of harvesting, riddling, sorting or grading cockles but does not include a hand rake;

'cockle harvesting season' means the time between the opening and closing of the outside area cockle fishery as approved by the Authority

'cockle harvesting vessel' means any fishing boat holding a permit issued by Kent and Essex IFCA to allow the taking of cockles

Prohibition

2. A person must not fish for or harvest cockles unless:

- (a) the person has complied with paragraphs 3 to 7; and
- (b) the person has been issued with an inspection certificate in accordance with paragraph 9.

Cockle harvesting vessel cleaning

3. A person wishing to fish for or harvest cockles using a cockle harvesting vessel during the cockle harvesting season must, prior to the start of the season, clean the cockle harvesting vessel so that no cockles or other debris remains on board the vessel.
4. A cockle harvesting vessel cleaned in accordance with paragraph 3 and which is to be inspected under paragraph 9 must not be used for the exploitation of sea fisheries resources between cleaning and inspection.

Cockle harvesting equipment cleaning

5. A person wishing to fish for or harvest cockles using cockle harvesting equipment during the cockle harvesting season must, prior to the start of the season, clean the cockle harvesting equipment so that no cockles or other debris remains on or within the cockle harvesting equipment.
6. Cockle harvesting equipment cleaned in accordance with paragraph 5 and which is to be inspected under paragraph 9 must not be used for the exploitation of sea fisheries resources between cleaning and inspection.

Use of cockle bags

7. Cockles must only be landed, stored or transported in cockle bags.
8. A person must not use a cockle bag to land, store or transport cockles unless:-
 - (a) the cockle bag has not previously been used to land, store or transport cockles;
 - (b) the cockle bag is marked with the words "KEIFCA EB 2014";
 - (c) the cockle bag was inspected in accordance with paragraph 9.

Inspections and inspection certificates

9. A person who wishes to obtain an inspection certificate for the cockle harvesting season must contact the Authority's Ramsgate office (Telephone number 01843 585310) prior to 28th August 2014 to arrange a date and location for inspection.
10. All inspections will be carried out on or between 29th September 2014 and the 1st October 2014 inclusive.
11. During the inspection, an Authority officer will inspect:
 - (a) the cockle harvesting vessel for compliance with paragraph 3;

- (b) the cockle harvesting equipment for compliance with paragraph 5;
and
- (c) cockle bags for compliance with paragraph 8

and if satisfied in relation to sub-paragraphs (a) to (c), the officer may issue the person with an inspection certificate in relation to that vessel, equipment and cockle bags.

Requirements following inspection

- 12. A person issued with an inspection certificate in relation to a cockle harvesting vessel and cockle harvesting equipment must not use that vessel and equipment for the exploitation of sea fisheries resources prior to the first use of that vessel and equipment to fish for or harvest cockles within the Kent and Essex IFCA District.
- 13. A person issued with an inspection certificate must carry the inspection certificate on board at all times whilst fishing for or harvesting cockles.

Operation of existing Authority byelaws

- 14. The provisions of this byelaw are in addition to the provisions of all other Authority byelaws.

Entry into Force

- 15. This byelaw has effect from 16th August 2014 and will remain in force (unless revoked or extended) until 15th August 2015.

Signed by the Clerk of the Kent and Essex Inshore Fisheries and Conservation Authority

Peter Sass
Clerk



Date 5 August 2014

Explanatory Note

(This note is not part of the byelaw)

This byelaw prohibits the use of vessels, equipment and bags used in cockle harvesting within the District which have not been cleaned. It also requires the vessel, gear and bags to be inspected by an Officer of the Authority and issued with an inspection certificate prior.

The purpose of this byelaw is to protect cockle stocks by the introduction of measures aimed at managing biosecurity to maintain the health and sustainability of the cockle populations within the District.

This emergency byelaw will be kept under review by Kent and Essex Inshore Fisheries and Conservation Authority and will be either replaced with a permanent byelaw, extended by 6 months, revoked, or expire.