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**2015**

**ENVIRONMENTAL PROTECTION**

**MARINE MANAGEMENT**

**The Inshore Fisheries and Conservation Authority Byelaws  
(Amendment) Order 2015**

*Made* - - - - - \*\*\*

*Coming into force* - - - - - \*\*\*

The Secretary of State, in exercise of the powers conferred by section 159(1)(a) and (b) of the Marine and Coastal Access Act 2009(a), makes the following Order.

The Secretary of State is satisfied that provision made by each of the byelaws listed in this Order is unnecessary, inadequate or disproportionate and in accordance with section 159(2) of the Marine and Coastal Access Act 2009 the Secretary of State has—

- (a) notified the inshore fisheries and conservation authority that made the byelaw(b), and
- (b) considered any objection made by that authority.

**Citation, commencement and interpretation**

**2.**—(1) This Order may be cited as the Inshore Fisheries and Conservation Authority Byelaws (Amendment) Order 2015 and comes into force on [insert date].

(2) In this Order “Regulation (EU) 1380/2013(c)” means the Regulation of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC.

**The Cornwall Inshore Fisheries and Conservation Authority Byelaws**

**3.**—(1) The Cornwall Sea Fisheries District Specified Fish Sizes Byelaw 2000(d) is amended as follows.

(2) At the end of paragraph 2 insert “unless the landing obligation under Article 15 of Regulation (EU) 1380/2013 requires the fish to be landed”.

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(a) 2009 c.23.

(b) By virtue of articles 6 and 7 of the Marine and Coastal Access Act 2009 (Transitional and Savings Provisions) Order 2011 (S.I. 2011/603) certain byelaws made by local fisheries committees, or made by the Environment Agency exercising the powers of a local fisheries committee, that were in force immediately before 1st April 2011 now have effect as if comprised in byelaws made by an inshore fisheries and conservation authority relating to the same district.

(c) OJ No. L354, 28.12.2013, p.22.

(d) Made by the Committee for the Cornwall Sea Fisheries District on [insert date] and confirmed by the Minister of Agriculture, Fisheries and Food on 16th May 2001.

(3) The Environment Agency Byelaws for the Regulation of Bass Size in the Cornish Estuaries 2002(a) are revoked.

(4) The Cornwall Sea Fisheries District Bass Fishery Byelaw 2011(b) is revoked.

#### **The Southern Inshore Fisheries and Conservation Authority Byelaw**

4.—(1) The Southern Sea Fisheries District Skates and Rays – Minimum Size Byelaw(c) is amended as follows.

(2) At the end of paragraph (b), substitute the full stop for a comma and after that paragraph insert—

“unless the landing obligation under Article 15 of Regulation (EU) 1380/2013 requires the fish to be landed.”.

#### **The North Western Inshore Fisheries and Conservation Authority Byelaw**

5.—(1) The North Western and North Wales Sea Fisheries District Joint Committee Byelaw 19(d) is amended as follows.

(2) At the end of paragraph (2) in byelaw 19 insert “unless the landing obligation under Article 15 of Regulation (EU) 1380/2013 requires the fish to be landed”.

#### **The Kent and Essex Inshore Fisheries and Conservation Authority Byelaw**

6.—(1) The Kent and Essex Sea Fisheries District Byelaw relating to Minimum Sizes for Grey Mullet, Skates and Rays(e) is amended as follows.

(2) At the end of paragraph 1 of the byelaw, after the word “below” insert “unless the landing obligation under Article 15 of Regulation (EU) 1380/2013 requires the fish to be landed”.

Signed by authority of the Secretary of State

Date

*Name*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural Affairs

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- (a) Made by the Environment Agency on 14th June 2002 and confirmed by the Secretary of State for Environment, Food and Rural Affairs on 6th November 2002.
- (b) Made by the Committee for the Cornwall Sea Fisheries District on 26th June 2009 and confirmed by the Secretary of State for Environment, Food and Rural Affairs on 23rd March 2011.
- (c) Made by the Committee for the Southern Sea Fisheries District on 20th October 1994 and confirmed by the Minister of Agriculture, Fisheries and Food on [insert date].
- (d) Made by the Joint Committee for the North Western and North Wales Sea Fisheries District on 12th September 2008 and confirmed by the Secretary of State for Environment, Food and Rural Affairs on 24 July 2009.
- (e) Made by the Local Fisheries Committee for the Kent and Essex Sea Fisheries District on 30th April 1997 and confirmed by the Minister of Agriculture, Fisheries and Food on 17 October 1997.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the byelaws of four inshore fisheries and conservation authorities (IFCAs) to ensure there is no conflict between byelaws which prohibit the removal of specified fish from certain English fisheries and the landing obligation contained in Article 15 of Regulation (EU) 1380/2013.

This Order also revokes two byelaws which prescribe minimum sizes for bass as these provisions have been superseded by stricter EU minimum conservation reference sizes for bass.