

By: Assistant Chief IFCO

To: Kent and Essex Inshore Fisheries and Conservation Authority –  
30 November 2020

Subject: Vessel Length and Engine Power Byelaw update

Classification Unrestricted

**Summary:**

This report provides members with an update on the making of the Vessel Length and Engine Power Byelaw

**Recommendations:**

This report is for **NOTING** only.

The “Vessel Length and Towed Fishing Gear Engine Power Byelaw”, was made in September 2019 by the Authority and has followed the prescribed byelaw making process of statutory consultation followed by MMO quality assurance by their legal team. The process has taken longer than usual due to the COVID-19 pandemic, however the MMO legal team have come back and suggested a small number of changes to the wording of the byelaw. On the 28 October the changes were brought to the attention of the Chairman, Vice Chairman and Clerk and the changes were discussed. The changes included:

- The title of the byelaw being simplified to “Vessel Length and Engine Power Byelaw”;
- the combining of the two exemptions; vessel length and engine power into one heading “Vessel length and engine power exemptions” rather than two separate headings.
- In the original byelaw the wording used was “prior to the making of the byelaw”. The MMO had requested that this be altered to “...the signing of the byelaw” as the byelaw does not come into force until it is signed off by the Secretary of State.
- The Impact Assessment has been slightly modified by adding in some additional information which supported the changes to the exemption clauses.

The Clerk to the IFCA advised that he did not consider that the requested changes constituted a substantive change that would undermine the original Authority decision and would improve the enforceability of the byelaw. He recommended that the changes

and reasons for this were reported back to the IFCA for noting to record that the matter had been discussed with the Chairman and Vice Chairman.

The Chairman and Vice Chairman accepted the changes made to the original byelaw and agreed that these changes were not substantive and therefore the amended byelaw did not need to return back to the full Authority.

The revised byelaw wording of the Vessel Length and Engine Power Byelaw can be seen in Appendix 1.

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