

Byelaw Review Update

Consultation:

Consultation has been required to amend existing permit conditions for separate permit byelaws. The table below demonstrates the status of each:

Item	Status/Comments
Mobile Fishing Permit Conditions	All consultation phases complete – Permit conditions to be amended
Potting Permit Conditions (general)	All consultation phases complete – Permit conditions to be amended
Potting Permit Conditions (Live Wrasse Fishery – Formal Review)	All consultation phases complete – Permit conditions to be amended
Diving Permit Conditions	First phase consultation complete, final phase of consultation to be discussed and implemented in August 2018

The findings of all consultations are documented in the form of supplements that are provided to members prior to meetings. The separate supplements and the outcome of decision making are then merged into overarching Byelaw Development Reports which document the complete process in relation to each of the separate permit condition review.

- ***All documentation used for Sub-Committee meetings are posted on the members area of the D&S IFCA website.***

Meeting of the Byelaw & Permitting Sub-Committee (12th April 2018)

A packed agenda included decision making in regard to permit condition amendments for both the Mobile Fishing Permit Byelaw and also the Potting Permit Byelaw. Although permit condition changes relevant to the Live Wrasse Fishery are included within the Potting Permit Byelaw permit conditions, they were discussed as a separate item as required via the formal review of this fishery. Two items from the last agenda were deferred until the next meeting.

Resulting Actions

The decisions taken by members in regard to permit amendments now involve on-going work in preparation for implementation. As well as routine tasks such as compilation of Sub-Committee minutes and addressing the “Actions” resulting from the discussions, other work is also required. The new General Data Protection Regulations (GDPR) are also interlinked with some of the required byelaw work.

Work either complete or being completed is as follows:

- Re-drafting of multiple permit application forms with amended formatting and privacy notices
- Finalising the amended permit conditions - Mobile Fishing/Potting/Potting for Live Wrasse – (With legal assistance from Fred Howell and Mike Williams)
- Finalising the multiple annexes (charts) that are issued with the written permit conditions
- Creation of policy documentation to clarify aspects of the permit conditions
- Creation of documentation relevant to the fitting, use and potential repair of Inshore Vessel Monitoring Systems (I-VMS for mobile fishing vessels)

- Development of the new website to include on-line payment for all permits
 - Development of website to display all relevant documents
 - Development of press release/communication material to inform stakeholders
 - Completion of multiple Byelaw Development Reports in preparation for publication
 - Dispersal of amended permit conditions and annexes
 - Changes to internal systems and security (GDPR) relevant to permits issued and the processing of personal data stored and used by D&S IFCA.
- **All finalised minutes from the Sub-Committee meetings are published on the website**
 - **All draft minutes from the Sub-Committee meetings are published on the secure members area of the website**

Other Information

The new Netting Permit Byelaw came into force on 1st March 2018. A significant number of permits have been issued and the conditions of use are now being actively enforced by D&S IFCA.

A legal weakness with the legacy Application Byelaw (No. 2 - 26th February 1998) has been identified and as a result an Emergency Application Byelaw was formulated and introduced on 9th May 2018. The Emergency Byelaw is displayed on the website.

The imminent arrival of the new part-time Permitting Officer will alleviate some of the burden issuing and managing the large number of permits that are now in use to manage different fishing activities.

Next Meeting of the Byelaw & Permitting Sub-Committee

The next meeting was originally scheduled for 17th May but has been cancelled to allow enough time to complete the required work. Rather than arranging a new date, it has been suggested that the next meeting will be on the already scheduled date of 16th August.

An agenda and officer papers will be circulated in due course. The two items deferred from the last meeting will be agenda items.

- Consideration of the findings of the Three-Year Review of the Diving Permit Conditions and establishing focussed items for the final phase of consultation

A supplement documenting the findings of the first phase “open” consultation has already been produced. Members will be able to discuss the findings and identify focussed items for another six-week period of consultation. The outcome of the completed process may lead to amended permit conditions for Diving.

- Consideration of a Managing Hand Working Fishing Activity Planning Document.

Version 1 of this planning document has already been circulated to members of the Sub-Committee. At the request of members, a second version (slightly modified with amended terminology) is being prepared. This planning document, if agreed, will form the basis of much of the byelaw review work for at least the next 12 months. In addition there will be work required, including consultation to develop a permanent replacement of the Emergency Application Byelaw.

End of update – 24th May 2018.