



Exemptions Byelaw 2019

Have Your Say on the
Proposed New Byelaw

What's the purpose of this notification?

Your view is important. D&S IFCA is inviting you to have your say on a proposed new Exemptions Byelaw.

- **The formal consultation ends on 15th August 2019.**

We are directly contacting everyone on our mailing list and are giving you options on how to have your say on the potential introduction of this new Byelaw. As set out in Defra Byelaw making guidance, D&S IFCA is required to advertise the proposed byelaw and provide you with the opportunity to read it, along with the Impact Assessment that accompanies it.

You can register your support or object to the introduction of the Exemptions Byelaw 2019. The responses will be collated and considered by the D&S IFCA Byelaw and Permitting Sub-Committee (B&PSC) after the 15th August 2019.

What is the Exemptions Byelaw?

The proposed Byelaw enables the Authority to consider and potentially grant or decline permission for the conducting of an activity that would otherwise be a contravention of a Byelaw or a Permit Condition within a Byelaw that the Authority has inherited or introduced.

There are different scenarios where the Authority and stakeholders can benefit from the issuing of authorisations. This would include scientific work that could add to an existing evidence base or contribute to a longer-term data set, potential to explore new fisheries through pilot projects such as aquaculture or allow other activities such as gear recovery from a Marine Protected Area to be controlled.

The Authority has recognised that without an Exemptions Byelaw in place there could be an adverse impact on the Authority's ability to manage inshore fisheries as the opportunity to gain a better insight or understanding of the marine environment would be more restricted.

How would someone get an Exemption?

Any permission will only be issued, where in the view of the Authority, the permission does not materially detract from the Authority's duties as set out within section 153 and 154 of the Marine and Coastal Access Act 2009.

The Byelaw provides guidance regarding how any such application is considered and processed within a specified time. The application will be determined within 60 days of receipt of the application.

The Byelaw also provides the potential applicant with transparency regarding their responsibility to assemble the information or evidence as determined by the Authority so that the Authority can fully consider the application for an authorisation in accordance with the relevant paragraphs. If required, the Authority will be able to advise the potential applicant or applicants regarding the type and detail of information and evidence that must be submitted to support their application and the subsequent assessment of it.

Read More

A full text version of the above Byelaw and the associated Impact Assessment can be viewed by clicking on the links below or you can obtain a hard copy of each by contacting the office.

[Exemptions Byelaw](#) (for consultation)

[Impact Assessment](#) (consultation version).

How to Comment?

Any person wishing to comment, support or object to the confirmation of the above Byelaw must do so in writing to:

Marine Conservation and Enforcement Team,

Marine Management Organisation,

Lancaster House,

Hampshire Court,

Newcastle Upon Tyne, NE4 7YH

(or IFCAbyelaws@marinemanagement.org.uk) by 15th August 2019 and must send a copy to the Acting Chief Officer at Devon and Severn IFCA, Brixham Laboratory, Freshwater Quarry, Brixham, Devon, TQ5 8BA (or consultation@devonandsevernifca.gov.uk) .

How to follow our work?

If you are not already on our mailing list, then you can get yourself added by [contacting D&S IFCA](#). You will then be directly notified of all our consultations. You will also receive our free e-newsletter.

Keep an eye on our [consultation page](#) on our website to read about other work being done and how you can get involved and have your say.

Follow our [latest news items](#) displayed on our website or our face book page.

Explore our website [Resource Library](#) for an extensive range of our information and publications. It's all free.

What do we do with your information? – Privacy Policy

We protect any personal data that you may provide or is provided to D&S IFCA by the Marine Management Organisation. Any personal data submitted in this formal consultation will be summarised and anonymised where appropriate for documenting in reports that will be presented to the Byelaw & Permitting Sub-Committee and published on our website.

D&S IFCA has a privacy policy which can be found by visiting our website (home page) www.devonandsevernifca.gov.uk

- You can change your preferences at any time.
- We have a duty to consult with D&S IFCA Permit Holders.

You can manage your preferences by contacting D&S IFCA.