



Devon and Severn
Inshore Fisheries and Conservation Authority
MARINE AND COASTAL ACCESS ACT 2009
Size of Fishing Vessels Byelaw 2022

The Devon and Severn Inshore Fisheries and Conservation Authority in exercise of its powers under section 155(1) of the Marine and Coastal Access Act 2009 makes the following byelaw for that District.

Interpretation

1. In this Byelaw:
 - (a) “the Authority” means the Devon and Severn Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the Devon and Severn Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No.2212);
 - (b) “the District” means the Devon and Severn Inshore Fisheries and Conservation district as defined in article 3 of the Devon and Severn Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No.2212);
 - (c) “fishing” includes searching for sea fisheries resources, deploying or towing of, pushing of, or hauling of fishing gear or taking sea fisheries resources on board;
 - (d) “overall length” shall be determined by reference to the Certificate of Registry of the respective relevant fishing vessel;
 - (e) “relevant fishing vessel” means a fishing vessel:
 - i) registered under Part II of The Registry of Shipping and Seamen as governed by the provisions of the Merchant Shipping Act 1995 and the Merchant Shipping (Registration of Ships) Regulations 1993 (S.I. 1993 No. 3138), as amended from time to time, or in the Channel Islands or Isle of Man; and
 - ii) in respect of which there is a valid fishing licence issued under the Fisheries Act 2020;

- f) “sea fisheries resources” has the same meaning as set out in section 153 Marine and Coastal Access Act 2009.

Prohibitions

2. No person shall use any relevant fishing vessel that is over 14.99 metres in overall length for fishing for any sea fisheries resources within the District.
3. When transiting through the District, any relevant fishing vessel carrying fishing gear must have such gear stowed away.
4. Failure to comply with any provision of this Byelaw constitutes an offence.

Exemptions

5. This Byelaw does not apply to any person performing an act which would otherwise constitute an offence under this Byelaw, if that act was carried out in accordance with a written authorisation issued by the Authority permitting that act for maintenance, scientific, stocking or breeding purposes.

Revocation

6. The Byelaw with the title “Byelaw No 18 – Size of Vessels”, made by the Devon Sea Fisheries Committee on 19th January 1996 and confirmed by the Minister of Agriculture, Fisheries and Food on 5th June 1996, is revoked.

I hereby certify that this Byelaw was made by the Devon and Severn Inshore Fisheries and Conservation Authority at their meeting on 20th October 2022.



Matthew Mander

Chief Officer

Devon and Severn Inshore Fisheries and Conservation Authority.

Brixham Laboratory, Freshwater Quarry, Brixham, Devon, TQ5 8BA

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power conferred by section 155(4) of the Marine and Coastal Access Act 2009 confirms this Byelaw.

Signature & Date



Date:

07/05/2024

A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food and Rural Affairs.

Explanatory Note (not part of the Byelaw)

“Byelaw No 18 – Size of Vessels” made by the Devon Sea Fisheries Committee on 19th January 1996 is revoked and replaced by this Byelaw.

This Byelaw supports the management of the exploitation of sea fisheries resources and prohibits relevant fishing vessels that are over 14.99 metres in overall length, from fishing within the D&S IFC District. In addition to scientific, stocking or breeding purposes, the Byelaw enables relevant fishing vessels over 14.99 metres in overall length to undertake maintenance activity within the D&S IFC District under the conditions set out in an exemption authorised by D&S IFCA. This Byelaw will be reviewed by the Authority when necessary.