



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 6

MANAGEMENT OF INSHORE FISHERIES

CHAPTER 1

INSHORE FISHERIES AND CONSERVATION AUTHORITIES

Byelaws

156 Provision that may be made by byelaw

- (1) The provision that may be made by a byelaw under section 155 includes provision falling within any one or more of the Heads set out in—
 - (a) subsection (3) (prohibition or restriction of exploitation of sea fisheries resources),
 - (b) subsection (4) (permits),
 - (c) subsection (5) (vessels, methods and gear),
 - (d) subsection (6) (protection of fisheries for shellfish),
 - (e) subsection (7) (monitoring of exploitation of resources);
 - (f) subsection (8) (information).
- (2) In the following provisions of this section “specified” means specified in the byelaw.
- (3) Head 1 is provision prohibiting or restricting the exploitation of sea fisheries resources, including—
 - (a) provision prohibiting or restricting such exploitation in specified areas or during specified periods;
 - (b) provision limiting the amount of sea fisheries resources a person or vessel may take in a specified period;

Status: This is the original version (as it was originally enacted).

- (c) provision limiting the amount of time a person or vessel may spend fishing for or taking sea fisheries resources in a specified period.
- (4) Head 2 is provision prohibiting or restricting the exploitation of sea fisheries resources without a permit issued by an IFC authority, including—
- (a) provision for the charging of fees for permits;
 - (b) provision enabling conditions to be attached to a permit;
 - (c) provision enabling an IFC authority to limit the number of permits issued by it.
- (5) Head 3 is—
- (a) provision prohibiting or restricting the use of vessels of specified descriptions;
 - (b) provision prohibiting or restricting any method of exploiting sea fisheries resources;
 - (c) provision prohibiting or restricting the possession, use, retention on board, storage or transportation of specified items, or items of a specified description, that are used in the exploitation of sea fisheries resources;
 - (d) provision for determining whether such items are items of a specified description.
- (6) Head 4 is provision for and in connection with the protection of fisheries for shellfish, including—
- (a) provision requiring shellfish the removal or possession of which is prohibited by or in pursuance of any Act to be re-deposited in specified localities;
 - (b) provision for the protection of culch and other material for the reception of the spat or young of shellfish;
 - (c) provision requiring such material to be re-deposited in specified localities;
 - (d) provision constituting, within an IFC district, a district of oyster cultivation for the purposes of subsection (2)(c) of section 16 of the [Sea Fisheries \(Shellfish\) Act 1967 \(c. 83\)](#) (which prohibits the sale of oysters between certain dates);
 - (e) provision directing that section 17(2) of that Act (which affords a defence to a person charged with an offence under that section) does not apply.
- (7) Head 5 is provision for and in connection with the monitoring of exploitation of sea fisheries resources, including—
- (a) provision requiring vessels to be fitted with specified equipment;
 - (b) provision requiring vessels to carry on board specified persons, or persons of a specified description, for the purpose of observing activities carried out on those vessels;
 - (c) provision requiring specified items, or items of a specified description, that are used in the exploitation of sea fisheries resources to be marked in such manner as may be specified.
- (8) Head 6 is provision requiring persons involved in the exploitation of sea fisheries resources in an IFC district to provide the authority for the district with specified information.