

SCHEDULE 3

Articles 17 and 18

Revocations and amendment

PART 1

Secondary Legislation

Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010

1.—(1) The Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010(1) is amended as follows.

(2) In the Table in Schedule 3 (Byelaws of the former South Wales Sea Fisheries Committee), delete the rows relating to Byelaw 21 (Prohibition of night gathering of Cockles) and Byelaw 47 (Permit to Take Cockles within the Three Rivers Estuary).

(3) In the Table in Schedule 4 (Byelaws of the former North Western and North Wales Sea Fisheries Committee), delete the row relating to Byelaw 14 (Cockle Fishery – Seasonal Closure).

The Cockles and Mussels (Specified Area) (Wales) Order 2011

2.—(1) The Cockles and Mussels (Specified Area) (Wales) Order 2011(2) is amended as follows.

(2) In article 2—

- (a) omit the definition of “cockles” (“*cocos*”);
- (b) omit the definition of “specified shellfish” (“*pysgod cregyn penodedig*”).

(3) In article 3—

- (a) for “the specified shellfish” in each place it occurs, substitute “mussels”;
- (b) in paragraph (1), for “specified shellfish” substitute “mussels”;
- (c) in paragraph (2)(a), omit “five kilograms in live weight of cockles and”.

(4) In article 6(1)(a), for “the specified shellfish”, substitute “mussels”.

(5) In article 7, for “the specified shellfish” in each place it occurs, substitute “mussels”.

(6) In article 8—

- (a) in paragraph (1), for “specified shellfish” substitute “mussels”;
- (b) in paragraph (1), for “shellfish” substitute “mussels”;
- (c) in paragraph (2)—
 - (i) in sub-paragraph (a) and (d), for “specified shellfish” substitute “mussels”;
 - (ii) omit sub-paragraph (b).

(1) S.I. 2010/630. Schedule 3 has been amended by S.I. 2015/2076 (W. 312), art.7(6)(a), and S.I.2019/1042 (W. 184), art.7(3). Schedule 4 has been amended by S.I. 2011/1988 (W. 219), art 9(2), and S.I. 2012/2571 (W. 282), art 4(2), and S.I. 2015/2076 (W. 312), art 7(6)(b).

(2) S.I. 2011/1988 (W. 219).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 2

Byelaws of the former Sea Fisheries Committees

Byelaws of the former North Western and North Wales Sea Fisheries Committee

3.—(1) The Byelaws(3) of the former North Western and North Wales Sea Fisheries Committee are amended as follows.

(2) In Byelaw 12 (Restrictions on Fishing for Bivalve Molluscan Shellfish)—

- (a) omit paragraph 1 b) and the “or” following it;
- (b) after paragraph 3, insert “References in this Byelaw to bivalve molluscan shellfish do not include cockles.”

(3) In Byelaw 13 (Cockles – Minimum Size), at the end insert “This Byelaw does not apply in the Specified Area defined in article 2 of and Schedule 1 to the Cockle Management and Permitting (Specified Area) (Wales) Order 2024.”

(4) In Byelaw 13A (Cockles and Mussels – Management of the Fishery)—

- (a) omit “cockles and” and “cockles or” in each place these occur, including in the heading;
- (b) in paragraph 1, omit “cockle (*Cerastoderma edule*) or”;
- (c) in paragraph 2, omit “cockle or”.

(5) Byelaw 14 (Cockle Fishery – Seasonal Closure) is revoked.

(6) In Byelaw 16 (Shell Fishery – Temporary Closure), at the end insert “This Byelaw does not apply in relation to cockles”.

(7) In Byelaw 17 (Re-Deposit of Shellfish), omit “, and in re-depositing cockles, in accordance with this byelaw, shall spread them thinly and evenly over the beds”.

Byelaws of the former South Wales Sea Fisheries Committee

4.—(1) The Byelaws(4) of the former South Wales Sea Fisheries Committee are amended as follows.

(2) In Byelaw 13 (Shellfish – Minimum Sizes) , omit paragraph c).

(3) Byelaw 21 (Prohibition of Night Gathering of Cockles) is revoked.

(4) In Byelaw 22 (Allowance for Weighing), at the end insert “This Byelaw does not apply in relation to cockles”.

(5) In Byelaw 23 (Shellfish – Re-Deposit of)—

- (a) omit “, and in re-depositing cockles (*Cerastoderma edule*), in accordance with this Byelaw shall spread them thinly and evenly over the beds”;
- (b) at the end insert “This Byelaw does not apply in relation to cockles”.

(6) In Byelaw 24 (Temporary Closure of Shellfish Fisheries), after paragraph ii insert “This Byelaw does not apply in relation to cockles”.

(3) From 1 April 2010, the Byelaws of the former North Western and North Wales Sea Fisheries Committee have effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(3) of and Schedule 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)).

(4) From 1 April 2010, the Byelaws of the former South Wales Sea Fisheries Committee have effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(1) of and Schedule 3 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)).

(7) In Byelaw 40 (Bivalve Molluscan Shellfish - Methods of Fishing), at the end insert “This Byelaw does not apply in relation to cockles”.

(8) Byelaw 47 (Permit to Take Cockles within the Three Rivers Estuary) is revoked.

PART 3

The Burry Inlet cockle fishery

5.—(1) The Marine and Coastal Access Act 2009 (Commencement No 1, Consequential, Transitional and Savings Provision) (England and Wales) Order 2010 is amended as follows.

(2) In the Table in Schedule 3 (Byelaws of the former South Wales Sea Fisheries Committee), delete the rows relating to Byelaw 15 (Vehicle Usage in the Burry Inlet Cockle Fishery), Byelaw 16 (No Sunday Gathering), Byelaw 17 (The Licensing of Cockle Gathering in the Burry Inlet), Byelaw 18 (Daily Cockle Quota (Burry Inlet)), and Byelaw 19 (Personal Cockle Gathering – Burry Inlet).

6.—(1) The Byelaws of the former South Wales Sea Fisheries Committee are amended as follows.

(2) Byelaw 15 (Vehicle Usage in the Burry Inlet Cockle Fishery) is revoked.

(3) Byelaw 16 (No Sunday Gathering) is revoked.

(4) Byelaw 17 (The Licensing of Cockle Gathering in the Burry Inlet) is revoked.

(5) Byelaw 18 (Daily Cockle Quota (Burry Inlet)) is revoked.

(6) Byelaw 19 (Personal Cockle Gathering – Burry Inlet) is revoked.