

CORNWALL INSHORE FISHERIES AND CONSERVATION AUTHORITY

MARINE AND COASTAL ACCESS ACT 2009

Crustacean and Molluscan Fisheries (Vessel Specification) Byelaw 2024

The Cornwall Inshore Fisheries and Conservation Authority in exercise of the powers under section 155(1) of the Marine and Coastal Access Act 2009¹ makes the following byelaw for its District.

Commencement

1. This byelaw comes into force on the day after its confirmation by the Secretary of State.

Interpretation

2. In this byelaw:

“Authority” means the Cornwall Inshore Fisheries and Conservation Authority as defined by Articles 2 and 4 of The Cornwall Inshore Fisheries and Conservation Order 2010²;

“bow” includes the stem, forward bulwark and any permanent fixtures of a vessel, but excludes bowsprits and safety rails;

“crawfish” means a crustacean of the species *Palinurus* spp.;

“crustacean species” means lobster, crawfish, edible crab, spider crab, velvet crab and green crab;

“District” means the Cornwall Inshore Fisheries and Conservation District as defined in Article 3 of The Cornwall Inshore Fisheries and Conservation Order 2010;

“edible crab” means the species *Cancer pagurus*;

“green crab” means the species *Carcinus maenas*;

“lobster” means the species *Homarus gammarus*;

“molluscan species” means any species of mollusc;

“mono-hull vessel” means a vessel with only one hull;

“multi-hull vessel” means a vessel with two or more hulls that are connected together;

“net” means any net placed or used on or above the seabed, excluding:
(i) nets used in the construction of an otter trawl or beam trawl; or
(ii) nets used in the construction of a dredge;

¹ 2009 c.23

² S.I. 2010 No.2188

“overall length” means the distance in a straight line between the foremost part of the bow of a vessel and the aftermost part of the stern of a vessel;

“pot” means any trap, creel or similar fishing gear set or used to catch crustacean species on or above the seabed;

“spider crab” means the species *Maja* spp.;

“stern” includes the transom and any trawl ramp, bulwark and other permanent fixtures of a vessel, but excludes the rudder and rudder post;

“velvet crab” means the species *Necora puber*;

“vessel” has the same meaning as defined in section 186 of the Marine and Coastal Access Act 2009; and

“vivier tank” means a tank or storage compartment where any part of it is located below the uppermost continuous deck of the vessel and is used or capable of being used to contain crustacean species immersed in or misted by water.

Prohibition

3. A person must not use a vessel in the District to fish for crustacean species using a pot or net, where:
 - (a) the overall length of a mono-hull vessel exceeds 12 metres;
 - (b) the overall length of a multi-hull vessel exceeds 10 metres; or
 - (c) the volume of any vivier tank or combination of vivier tanks exceeds a total of 2 cubic metres.
4. A person must not fish for molluscan species in the District using a vessel that has an overall length greater than 16.46 metres.

Exemption

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

Offence

6. A person who contravenes this byelaw is guilty of an offence under section 163(1) of the Marine and Coastal Access Act 2009.

Revocation

7. The byelaw with the title “Cornwall Sea Fisheries District Shellfish Boats

Byelaw 2011" made by the Cornwall Sea Fisheries Committee on 26th June 2009 and confirmed by the Secretary of State for Environment, Food and Rural Affairs on 23rd March 2011 is revoked.

8. 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.

Amendments

9. The byelaw with the title "Cornwall Sea Fisheries District Trawling Byelaw 2011" made by the Cornwall Sea Fisheries Committee on 26th June 2009 and confirmed by the Secretary of State for Environment, Food and Rural Affairs on 23rd March 2011, is amended as follows:

In paragraph 2

(a) for "one or both" substitute "any";

(b) for "18.28 metres overall length or 221 kW engine power." substitute:

"(a) 18.28 metres overall length or 221 kW engine power; or

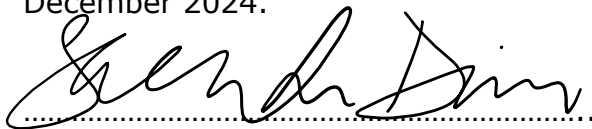
(b) 15.24 metres overall length within the district of the Cornwall Inshore Fisheries and Conservation Authority east of longitude 004° 13.40' W."

10. The byelaw with the title "Cornwall Sea Fisheries District Purse Seine and Ring Net Byelaw 2011" made by the Cornwall Sea Fisheries Committee on 26th June 2009 and confirmed by the Secretary of State for Environment, Food and Rural Affairs on 23rd March 2011 is amended as follows:

In paragraph 2, after part (b) insert:

"(bb) working a net from a vessel not exceeding 15.24 metres overall length within the district of the Cornwall Inshore Fisheries and Conservation Authority east of longitude 004° 13.40' W; or"

I certify that the above byelaw was made by the Authority at its meeting on 20th December 2024.



Date..... 20 December 2024

Samantha Davis
Chief Officer to Cornwall Inshore Fisheries and Conservation Authority
Office 2, Chi Gallos
Hayle Renewable Energy Business Park
North Quay
Hayle
Cornwall TR27 4DD

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 the Crustacean and Molluscan Fisheries (Vessel Specification) Byelaw

2024 made by the Cornwall Inshore Fisheries and Conservation Authority on 20th
December 2024.

A handwritten signature in blue ink, reading "Stephen Morgan". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Stephen Morgan, MP
Parliamentary Under Secretary of State for Environment, Food and Rural Affairs.

Date **13/09/26**

EXPLANATORY NOTE

(This note does not form part of the byelaw)

This byelaw prohibits inshore potting and netting for six crustacean species by mono-hull and multi-hull fishing vessels exceeding overall lengths of 12 metres and 10 metres, respectively. It also prohibits potting or netting for those species using vessels which have a vivier tank, or combination of vivier tanks with a volume greater than two cubic metres fitted below the main deck of the vessel.

A vessel used to fish for molluscan species must not exceed 16.46 metres overall length.

The Cornwall Sea Fisheries District Shellfish Boats Byelaw 2011 made by the Cornwall Sea Fisheries Committee on 26th June 2009 is revoked.

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

The Cornwall Sea Fisheries District Trawling Byelaw 2011 made by the Cornwall Sea Fisheries Committee on 26th June 2009 is amended to maintain a maximum 15.24m overall length for vessels trawling in the Cornwall IFC District between longitudes 004° 13.40' W and 004° 09.60' W.

The Cornwall Sea Fisheries District Purse Seine and Ring Net Byelaw 2011 made by the Cornwall Sea Fisheries Committee on 26th June 2009 is amended to maintain a maximum 15.24m overall length for vessels purse seining or ring netting in the Cornwall IFC District between longitudes 004° 13.40' W and 004° 09.60' W.