

## **Hand Gathering (Restrictions & Permitting) Byelaw 2021**

### **Frequently Asked Questions (FAQ's)**

#### **Why is Sussex IFCA introducing this new byelaw?**

Sussex IFCA has a duty to manage the exploitation of sea fisheries resources within the Sussex District in a sustainable way. Species exploited through hand gathering activities form an important component of our sea fisheries resources, this Byelaw will promote the sustainable management of these resources. We also have a duty to promote the conservation objectives of Sussex's Marine Protected Areas. Where it is recognised that hand gathering activities have the potential to impact on Marine Protected Areas, we have introduced regulations to manage and monitor this activity.

#### **What is hand gathering?**

"Hand gathering" means collecting marine animals or plants by hand or with the use of handheld implements. Under these regulations, it does not include fishing with hooks and lines used with a fishing rod, handlines, or spearfishing in the sea.

#### **Who does the Hand Gathering Byelaw apply to?**

If you collect any animals or plants from the shoreline in the Sussex District, then this guidance is relevant to you. Please check the rules, available on the [regulations page](#) of Sussex IFCA's website. It is your responsibility to understand them if you are hand gathering.

#### **What equipment can I use to hand gather?**

You can use handheld implements providing they are not of a powered mechanical nature, including push, scoop and drop nets. You must not use chemicals or electrical devices to help collect shellfish deep in sediments.

#### **What am I allowed to hand gather in Sussex?**

The Byelaw specifies which groups of animals and plants can and cannot be gathered. Some are named by species and some in broader taxonomic groups. You should know what you are intentionally gathering and be able to identify it before removing it from its natural environment.

Animals that can be hand gathered:

- Lobster (*Homarus gammarus*)
- Crabs
- Mollusc shellfish, except for piddock (Pholadidae) and native oyster (*Ostrea edulis*);
- Prawns or shrimps;
- Marine worms (Annelida);
- Sand eels (Ammodytidae);
- Stranded dead fish of any species;

Plants that can be hand gathered:

- Seaweeds (macro algae), **except** kelp species (*Laminaria digitata* and *Sacchorina latissimi*)
- Glasswort (*Salicornia* species); and
- Sea-blite (*Suaeda* species).

*Important Note: Lobster, species of crab and species of mollusc are also subject to minimum size regulations and must meet a minimum size before they can be removed from the marine environment. Hand gatherers collecting these species must ensure they comply with the Minimum Size (Fish, Crustacea and Mollusc) Byelaw 2021, available, with further guidance [here](#).*

## How much can I gather?

The regulations define the maximum amount of each species you are allowed to remove in a single day. Outside of Marine Protected Areas, the daily limits are:

- 2 lobsters (*Homarus gammarus*);
- 5 edible crabs (*Cancer pagurus*);
- 30 crabs in total of any species other than *Cancer pagurus*;
- 5 kg of mollusc shellfish;
- 1 kg of prawns or shrimps;
- a quantity of marine worms (Annelida) exceeding all of the following alternative limits, specified as 1.5 kg, 1.5 litres and 150 individual animals;
- 5 kg of intertidal seaweed (macro algae);
- 0.5kg of Glasswort (*Salicornia* species) or
- 0.5kg of Sea-blite (*Suaeda* species).

There is additional guidance [here](#) for Marine Protected Areas, where daily limits may vary from those prescribed above. If you are intending to hand gather in one of these sites, you must familiarise yourself with the relevant guidance.

## How many worms can I dig or pump for fishing bait?

The byelaw requires that all three bag limit measures, weight (1.5kg), volume (1.5L) and number (150) of marine worms must be exceeded for an offence to have taken place, if gathered without a permit. This allows, for example, someone to collect a higher number of smaller worms such as maddies/harbour rag, whilst remaining within the bag limit by weight or volume.

Hand Gathering bag limits for bait/worm digging were considered carefully, understanding that the Authority wanted to protect the ability of an individual to collect enough bait for personal use, whilst ensuring that the conditions of a permit were applied to anyone collecting at a commercial level, importantly providing the ability to monitor commercial activity.

Specifically, both informal and formal consultation phases were conducted with stakeholders within the district during the development of the byelaw, where views from fishers and representative organisations were taken into account, before the bag limits were decided.

## Can I collect shellfish to eat?

All shellfish must be collected in accordance with the Hand Gathering Byelaw 2021. Bivalve mollusc shellfish, if removed for the intention of human consumption, may only be gathered from designated shellfish beds classified by the Food Standards Agency. Further information is available from the [FSA website](#).

## What if I only gather small amounts of flora or fauna for my personal needs?

If you do not gather above the daily limits as specified above, you do not require a hand gathering permit. You must familiarise yourself with the regulations and check that it is allowed in the area you are intending to gather, and what can and can't be collected.

Note that you are responsible for gaining the permission of the landowner, or any party who has rights over that land, before you start hand gathering.

## What if I sell what I gather?

If you intend to gather above the daily limits as specified above, you will require a permit issued by Sussex IFCA. Hand gathering above specified quantities at commercial levels which support a business will first require you to obtain a permit from the Authority. As a Hand Gathering Permit holder you are required to comply with the conditions of the permit. This will include where you can gather, how much and how.

Guidance on how to apply for a Hand Gathering Permit is available [here](#).

## Where can I read the full byelaw?

The full byelaw can be found on our website [www.sussex-ifca.gov.uk/regulations](http://www.sussex-ifca.gov.uk/regulations).

## What powers do the IFCA have to introduce and enforce these regulations?

The Inshore Fisheries and Conservation Authorities have specific powers under the **Marine and Coastal Access Act 2009** (MaCAA) to make and enforce byelaws within their district.

Our main duties towards management of inshore fisheries and protection of marine conservation zones are set out in section 153 and 154 of MaCAA.

Section 155 specifies our power to make byelaws, section 165 & 166 details the enforcement powers of Inshore Fisheries & Conservation Officers.

Fixed Administrative Penalties (FAPs) are an alternative to prosecution for certain offences. The authority allowing the IFCA's to use FAPs derives from the Sea Fishing (Penalty Notices) Order 2011.

Sussex IFCA's Compliance and Enforcement Plan can be viewed [here](#).

The Marine and Coastal Access Act 2009 can be viewed in full [here](#).

The Sea Fishing (Penalty Notices) (England) Order 2011 can be viewed [here](#).

## What should I do if I don't understand the byelaw or any information?

In the first instance refer to our web pages for information, at [www.sussex-ifca.gov.uk/regulations](http://www.sussex-ifca.gov.uk/regulations) , and if you still require help then call and speak to one of our enforcement officers on 01273 4544407.

## How do I report non-compliance?

You can report non-compliant fishing activity for this byelaw or any Sussex IFCA byelaw via phone (01273 454407) or email ([admin@sussex-ifca.gov.uk](mailto:admin@sussex-ifca.gov.uk)). When reporting non-compliance, please include the following information:

1. Who is conducting the activity?
2. What activity is occurring?
3. When is the activity occurring?
4. Where is the activity taking place?
5. How are they carrying out the activity?