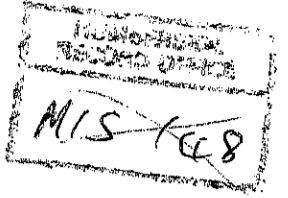


NOTE

Reocation of proviso relating to mesh of shrimp
or prawn trawl nets (dated 26/1/59) applies to nets 26/1/59

NESF/2/1/1/6

(6)



NORTH EASTERN SEA FISHERIES COMMITTEE

BYELAWS

SEA FISHERIES REGULATION ACTS, 1888-1930

and

THE SEA FISH INDUSTRY ACT, 1938

NORTH EASTERN SEA FISHERIES DISTRICT

(3)

REVOCATION OF THE PROVISIO RELATING TO THE MESH OF SHRIMP
OR PRAWN TRAWL NETS IN THE BYELAW REGULATING TRAWLING

NORTH EASTERN SEA FISHERIES DISTRICT

The Minister of Agriculture, Fisheries and Food, by virtue of the powers vested in him under section 55 of the Sea Fish Industry Act, 1938 (1 and 2 Geo. 6 ch. 30), and of all other powers enabling him in that behalf, HEREBY REVOKES the proviso in byelaw No. III made by the North Eastern Sea Fisheries Committee and confirmed by the Minister on the 6th February, 1959, relating to the mesh of trawl nets used for fishing for shrimps or prawns within the district of the said Committee.



IN WITNESS WHEREOF the Official Seal
of the Minister of Agriculture,
Fisheries and Food is hereunto
affixed this 26th
day of October one thousand nine
hundred and fifty-nine.

A. J. Collins

Authorised by the Minister

NORTH EASTERN SEA FISHERIES COMMITTEE

BYELAWS

SEA FISHERIES REGULATION ACTS, 1888-1930,

and

THE SEA FISH INDUSTRY ACT, 1938.

NORTH EASTERN SEA FISHERIES DISTRICT

I. REPEAL OF EXISTING BYELAWS

All byelaws heretofore in force in the North Eastern Sea Fisheries District are hereby repealed, and the following byelaws are substituted therefor; provided that nothing in such repeal shall affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any byelaws repealed.

II. APPLICATION AND SAVING FOR SCIENTIFIC PURPOSES

The following byelaws shall apply to the whole area of the North Eastern Sea Fisheries District unless otherwise specified and except in the cases to which the provisions of the 13th Section of the Sea Fisheries Regulation Act, 1888, apply;

Provided that nothing in these byelaws shall apply to any person bona fide fishing for sea fish for scientific purposes, or for stocking or breeding purposes, under the written authority in that behalf of the Local Fisheries Committee, signed by their Clerk, or of the Minister of Agriculture, Fisheries and Food, and in accordance with the conditions contained in that authority.

III. TRAWLING: PROHIBITION: EXCEPTIONS

Trawling is hereby prohibited within the limits of the North Eastern Sea Fisheries District.

Provided that within the parts of the District set out below this byelaw shall not apply to the use by any person authorised under the written authority of the Committee and signed by the Clerk, of a trawl net in fishing for sea fish in connection with a vessel propelled by sails or oars or by an internal combustion engine, subject to the following conditions:-

- (i) That the vessel is of a length not exceeding sixty feet measured over all;
- (ii) That the net is raised and cleared at least once in every hour;
The parts of the District referred to in this Proviso are:
 - (1) Between a line drawn true East from the seaward extremity of the pier on the South side of the mouth of the river Tyne, and a line drawn true North from Staithes Lighthouse in the County of York, but not including any part of the Tees Estuary which lies above a line drawn from the

seaward extremity of the North Gare to the seaward extremity of the South Gare and not including the area West of a line drawn from the seaward extremity of the Pier on the South side of the mouth of the River Tyne to Trow Rocks;

(2) Between a line drawn true North-East from Sandsend Ness and a line drawn true North-East from the end of Filey Brigg;

(3) Between a line drawn true East by South-half-South from the extreme South end of the Filey sea wall and a line drawn true North-East from the Coastguard Station at Speeton;

(4) Between a line drawn from the Flamborough South Landing to the North Smithic Buoy and thence true East and a line drawn true East from Spurn Point; *Donna Nook Beacon*

(5) Between a line drawn straight from the entrance to St. Andrew's Dock at Hull to the Northern extremity of the pier at New Holland and a line drawn straight from Spurn High Lighthouse to Donna Nook Beacon.

*It is suggested
to suggest*

*On the
line
10*

*Out
See attached
provision*

Provided also that no person fishing for shrimps or prawns shall use a trawl net unless the net has in all its parts a mesh through which a square gauge measuring $15/32$ of an inch on each side of the square will pass easily, or use any double net or overlapping net or any artifice or device whereby the effect of a reduction of the size of the mesh is produced.

IV. SEINE NET, DRAW NET OR 'SNURREVAAD' : PROHIBITION OF

No person shall use in fishing for sea fish any seine net or any draw net of the kind known as the Danish seine or 'snurrevaad'.

V. PUSH NET

All persons using push nets for fishing for sea fish shall raise and clear them at least once in every half-hour.

VI. COCKLES: INSTRUMENTS

No person shall use for the purpose of taking cockles any instrument other than a rake or other like instrument not exceeding twelve inches in length and having spaces of not less than three-quarters of an inch between the teeth.

VII. COCKLES: MINIMUM SIZE

No person shall remove from a fishery any cockle which will pass through a gauge having a square opening of thirteen-sixteenths of an inch.

VIII. MUSSELS: MINIMUM SIZE

No person shall remove from a fishery any mussel of less than two inches in length.

IX. USE OF BERRIED AND SOFT-SHELLED CRABS FOR BAIT PROHIBITED

Section 8 of the Fisheries (Oyster, Crab and Lobster) Act, 1877, (which provides that a person shall not be guilty of an offence under that section if he satisfies the Court that berried and soft-shelled crabs found in his possession or alleged to have been sold, exposed for sale, consigned for sale or bought for sale were intended for bait for fish) shall not apply within the District.

X. SHELLFISH: RE-DEPOSIT OF

Any person who takes any shell fish, the removal of which from a fishery is prohibited by any byelaw in force in the District or the possession or sale of which is prohibited by or under any Act of Parliament, shall forthwith re-deposit the same without injury as nearly as possible in the place from which it was taken, or under the written authority of the Clerk on other suitable ground, and, in re-depositing cockles in accordance with this Byelaw, shall spread them thinly and evenly over the beds.

XI. SHELLFISH BEDS: REGULATION OF

Where, in the opinion of the Committee, in any fishery any bed or part of a bed of shellfish is so severely depleted as to require temporary closure in order to ensure recovery, or any bed or part of a bed contains mainly immature or undersized shellfish which in the interests of the protection and development of the fishery ought not to be disturbed for the time being, or any bed of transplanted shellfish ought not to be fished until it has become established, and where the bed or part thereof has been clearly defined in notices displayed in the vicinity prohibiting the removal or disturbance of the shellfish, or where the display of notices is not possible written notice has been given by one of the Committee's Officers, no person shall, while the bed or part thereof is so defined, take away or otherwise disturb any shellfish without the consent of the Committee.

XII. SHRIMP AND PRAWN FISHING

Every person using any net in fishing for shrimps and prawns shall raise and clear such net not less than once in every hour.

XIII. IMMATURE FISH

Any fish caught in a net which are less than the minimum size prescribed by or under any Act of Parliament shall be returned forthwith to the sea with the least possible injury at a place where the water at the time is not less than eighteen inches in depth.

XIV. DETRIMENTAL SUBSTANCES: DEPOSIT OF

No person shall deposit or discharge any solid or liquid substance detrimental to sea fish or sea fishing except in such places and at such times and in such quantities, and subject to such conditions as may from time to time be prescribed by the Committee, in writing, under the hand of their Clerk.

PENALTIES

Sections 53 and 54 of the Sea Fish Industry Act, 1938, contain the following provisions for the infliction of penalties for breaches of Byelaws:-

53. (1) Where any vessel is used for fishing in any manner constituting a contravention of any Byelaw of a local Fisheries Committee having effect by virtue of paragraph (a) of subsection (1) of section two of the principal Act, as amended by section seven of the Fisheries Act, 1891, the skipper and the owner of the vessel shall each be guilty of an offence and liable on summary conviction to a fine not exceeding, in the case of a first offence, fifty pounds, or in the case of a second offence, one hundred and fifty pounds, or, in the case of a third or subsequent offence, to imprisonment for a term not exceeding three months, or to a fine not exceeding three hundred pounds, or to both such imprisonment and such fine.

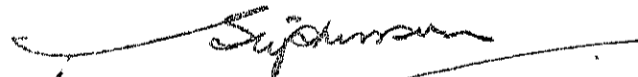
Provided that, in any proceedings which by virtue of this section are taken against the owner of a vessel in respect of an offence under this section committed by the skipper, it shall be a good defence for the owner to prove that he exercised all due diligence to prevent the commission of that offence.

(2) The preceding subsection shall, in relation to any vessel which at the material time is under charter, have effect as if any reference in that subsection to the owner were a reference to the charterer.

54. (1) The maximum penalty for refusing to allow a fishery officer to exercise the powers conferred upon him by the principal Act, or for resisting or obstructing any such officer in the performance of his duty, shall be fifty pounds, and, accordingly, in subsection (3) of section six of the principal Act for the word 'five' there shall be substituted the word 'fifty'.

(2) Without prejudice to the operation of the last preceding section, any person who contravenes any byelaw made, whether before or after the commencement of this Act, by a local fisheries committee shall be liable on summary conviction to a fine not exceeding fifty pounds, or in the case of a second or any subsequent conviction, to a fine not exceeding one hundred pounds.

I HEREBY CERTIFY that the foregoing Byelaws were made by the North Eastern Sea Fisheries Committee on Tuesday, the 31st day of July, 1956.



Clerk of the North Eastern Sea
Fisheries Committee.

County Hall,
BEVERLEY.

22nd February, 1957.

WHEREAS application has been made to the Minister of Agriculture, Fisheries and Food for confirmation of the foregoing byelaws made by the North Eastern Sea Fisheries Committee.

AND WHEREAS the Minister thinks fit with the assent of the said Sea Fisheries Committee to modify the Byelaw numbered I so as to read as follows:-

"All byelaws heretofore in force in the North Eastern Sea Fisheries District, with the exception of byelaw No. 15 relating to the Deposit of Detrimental Substances, are hereby repealed and the following byelaws are substituted therefor; provided that nothing in such repeal shall affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any byelaws so repealed".

AND to modify the byelaw numbered III (ii) (4) so as to read as follows:-

"Between a line drawn from the Flamborough South Landing to the North Smithic Buoy and thence true East, and a line drawn true East from Donna Nook Beacon".

NOW THEREFORE Subject to the said modifications to those numbered I and III (ii) (4) the Minister hereby confirms the byelaws with the exception of those numbered III (ii) (5) and XIV.



IN WITNESS WHEREOF the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this *ninth* day of *February* nineteen hundred and fifty-nine.

(Sd.) R. G. R. WALL

Fisheries Secretary

I hereby certify this to be a true copy.

F. a. Harris 9th February, 1959