

Menai Strait Fishery Order 1962

Several Fishery Lease Allocation Rules

Leases for Layings – General Policy

1. The Menai Strait Fishery Order Management Association shall issue leases for the layings shown in Figure 1 of this document in accordance with the administrative rules set out below.
2. Leases shall only be issued in accordance with the requirements of the Menai Strait Oyster and Mussel Fishery Order 1962 (the “Fishery Order”), the Sea Fisheries (Shellfish) Act 1967 (the “Shellfish Act”) and any legislation to which the Act and Order are subordinate.
3. Leases shall be issued for a period of not more than 7 years from their start date.
4. Leases shall terminate on or before the date on which the Fishery Order expires.
5. Leases may be issued to “lessees” who may be individuals or companies.

Administration

6. Prior to the expiry of a lease for a laying the Association shall write to the current lessee to determine whether they wish to renew the lease for a further period of up to 7 years.
7. Leases for layings shall be re-issued to existing lessees providing that:-
 - a. The lessee has complied with all of the lease conditions for that laying as required by the Association; and
 - b. The lessee has complied with all of the relevant requirements of the Fishery Order and the Shellfish Act.
8. If a lessee does not wish to renew their lease or if the requirements of paragraph (7) above are not met, the lease for the corresponding laying may be offered to Applicants who have submitted an application for a laying in the Fishery Order. They shall be issued in chronological order, such that the applicant who has been waiting longest is the first to be offered a lease.
9. Invitations issued to applicants by the Association to lease a laying shall be valid for a period of 28 days. If an applicant on the waiting list does not respond to their invitation then after 28 days have elapsed the Association shall invite the next applicant on the waiting list to lease that laying. This process shall be repeated until the invitation has been accepted or the end of the waiting list is reached, whichever is soonest.
10. Applications for leases must be submitted using the appropriate form published on the MSFOMA website or in writing by post (not by hand) to the Association’s registered offices using the appropriate form or by e-mailing the appropriate form to info@msfoma.org.
11. It shall be each applicant’s responsibility to ensure that their contact details are updated to reflect any change in their circumstances. The Association shall not be liable for any loss of opportunity arising from a change in circumstances that it was not aware of.

12. The Association shall maintain the waiting list by contacting all of the applicants on the waiting list annually and seeking confirmation that they wish to remain on the waiting list.
13. At any meeting of the Association to determine the issuing of leases, the Association shall not be informed of the personal details of any applicant, to ensure that the decisions taken are objective and are not prejudiced in any way.
14. These rules shall be reviewed by the Association each year at its Annual General Meeting.

MSFOMA
September 2020

Figure 1: Map of the layings within the Menai Strait Oyster and Mussel Fishery Order 1962 (as amended in 1964)

