

Menai Strait Fishery Order 1962

Regulated Fishery Harvest Control Rules

Harvest Control Rules

1. Input controls
 - a. Licences shall only be issued to permit the removal of mussels from the Regulated Fishery if the Association has determined that fishing effort is sustainable in terms of the mussel stocks in the fishery, the quality of the environment, and the economic viability of mussel fishing in the Fishery Order.
 - b. The Association shall only issue licences after consultations have been carried out with Natural Resources Wales and after notifying the Welsh Ministers of the intent to issue the licences.
 - c. Licences issued by the Association shall only permit the removal of mussels from the Regulated fishery by hand or using a rake.
 - d. The Association shall determine the number of licences that shall be issued for the regulated fishery in accordance with the sustainable management of the fishery (as set out in paragraph 1.a).
 - e. Any licences shall be issued on the 1st April of each year and will expire on 31st March of the following year.
2. Output controls: if it is determined that the Association should issue permits for the Regulated Fishery:-
 - a. The Association may apply one or more of the following controls to the Regulated Fishery:-
 - i. Total Allowable Catch (TAC) to ensure that the fishery removals are sustainable;
 - ii. Spatial controls to limit the area where fishing is permissible; and
 - iii. Temporal controls to limit the period when fishing is permissible.
 - b. The Association may determine a quota for each operator that may limit the quantity that they may gather in a specified period of time.
 - c. Licensees shall be required to submit a return of fishing activity to the Association by the 10th day of the month following any month when fishing has taken place.
 - d. The Association may close the fishery if the controls are breached or if necessary for the sustainable management of the fishery (as set out in paragraph 1.a).

Administration

1. Licences should be re-issued only to those individuals who:-
 - a. Fished for mussels in the Fishery Order area during the most recent year when fishing was permitted in the Regulated Fishery by the Association; and
 - b. Who have complied with all of the licence conditions and regulations applying to the fishery.
2. Additional licences shall only be issued if the Association agrees that the increased fishing effort is compatible with the sustainable management of the fishery (as set out in paragraph 1.a).
3. If additional licences are to be issued, the Association shall determine the number that shall be issued, having regard to the sustainable management of the fishery (as set out in paragraph 1.a).

4. Applications for additional licences 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-mail to info@msfoma.org.
5. Additional licences shall be issued to
 - a. Individuals who have previously held a licence in earlier years and who remain eligible to hold a licence, having complied with all of the licence conditions and regulations applying to the fishery; and if additional capacity remains, then to
 - b. Applicants who have submitted an application and who have been placed on a waiting list. They shall be issued in chronological order, such that the applicant who has been waiting longest is the first to be offered a licence.
6. The issuing of additional licences to applicants on the waiting list shall be subject to the following conditions:-
 - a. In the event that more than one application was received at the Association's registered offices with either a postmark or e-mail receipt bearing the same date, the successful applicant(s) shall be selected at random from those applications.
 - b. Applicants shall not be placed on the waiting list until they are older than 16 years of age.
 - c. Licences shall not be issued to any applicant who is in debt to the Order, having failed to pay fully for a licence issued in any previous year.
7. At any meeting to determine the issuing of licences, the Association shall not be informed of the personal details of any licence holder or fisherman on the waiting list, to ensure that the decisions taken are objective and are not prejudiced in any way.
8. These rules shall be reviewed by the Association each year at its Annual General Meeting.

MSFOMA

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