



Llywodraeth Cymru  
Welsh Government

## WELSH GOVERNMENT - Marine and Fisheries

Conditions associated with Byelaw 40 Authorisation to fish for King Scallops (*Pecten maximus*) using an approved dredge.

**The Authorisation is issued under authority of the Cabinet Secretary for Climate Change & Rural Affairs, one of the Welsh Ministers, for the purposes of Byelaw 40 of the former South Wales Sea Fisheries Committee (SWSFC).**

SWSFC Byelaw 40 now has effect as if made in a statutory instrument by the Welsh Ministers, by virtue of Article 13 of and Schedule 3 to the Marine and Coastal Access Act 2009 (Commencement No.1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (c.42)).

**THE AUTHORISATION entitles the Authorised Person (the permit holder):**

to fish for, take or remove, using the vessel specified in the permit and approved dredges (specified in Part A), King Scallops (*Pecten maximus*) from the specified area (defined in Part B), subject to the conditions set out in Part C.

### Part A - Approved Dredge

An approved dredge is any scallop dredge which complies with Article 10 (Specification of Scallop dredges) of the Scallop Fishing (Wales) (No. 2) Order 2010 (S.I. 2010/269 (W.33)) ("the 2010 Order").

### Part B – Specified Area

The Authorisation applies to the District of the former South Wales Sea Fisheries Committee as set out by Article 1 (as amended) of the order made by the Board of Agriculture and Fisheries on 27<sup>th</sup> June 1912 (S.R. & O. 1926/1121).

Please note that all or parts of the specified area may be closed to scallop dredging activity as a result of other legislation (including the 2010 Order).

### Part C – Conditions

1. The Authorisation is valid from the date the permit is issued, or from 00:01 on 1<sup>st</sup> November of the current season (whichever is the later date), until 23:59 on 30<sup>th</sup> April (end of season).

2. The Authorisation only entitles the authorised person to fish for, take and remove King Scallops (*Pecten maximus*) using the vessel named above and approved dredges.
3. The authorised person must adhere to all other applicable legislation (including other Byelaws of the former SWSFC) and obtain any other necessary permissions and/or authorisations before undertaking the activities permitted by the Authorisation.
4. Without prejudice to the generality of Condition 3, the activities permitted by the Authorisation must be undertaken in accordance with the provisions of the Scallop Fishing (Wales) (No.2) Order 2010 (S.I. 2010/269 (W.33)) as amended by The Sea Fishing (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/1332 (W.230)).
5. The authorised person must make a full and true report (“catch return”) of all King Scallops (*Pecten maximus*) fished for, taken, or killed from the specified area (defined in Part B) pursuant to the Authorisation, by the 5<sup>th</sup> day of the following month, including details of the location, date, time, quantity (in kg) and gear used.
6. All personnel onboard the authorised vessel must comply with all demands and instructions issued by the Welsh Government Fisheries Enforcement Officers and any Marine Enforcement Officer.
7. Evidence of the Authorisation must be always available whilst undertaking activities permitted by the Authorisation.
8. **Termination:** The Welsh Ministers may in their absolute discretion withdraw the Authorisation at any time. Where possible prior notice of withdrawal will be given, but in any of the following instances, the Authorisation may be withdrawn without notice:
  - a) in the case of emergency;
  - b) if you breach any of the conditions of the Authorisation; or
  - c) if you cause any unacceptable damage to the environment and conditions of the area defined in Part B of the Authorisation.
9. **Expiry:** The Authorisation expires automatically, if not terminated before that date.

Please note:

1. The minimum size at which a King Scallop (*Pecten maximus*) may be taken is 110mm. The minimum size is provided for in Article 11 of the Scallop Fishing (Wales) (No 2) Order 2010 (S.I. 2010/269 (W.33)) as amended by The Sea Fishing (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/1332 (W.230)) and in Byelaw 14 of the former South Wales Sea Fisheries Committee.
2. The Byelaws of the former South Wales Sea Fisheries Committee now have effect as if made in a statutory instrument by the Welsh Ministers, by virtue of Article 13 of and Schedule 3 to the Marine and Coastal Access Act 2009 (Commencement No.1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (c.42)).
3. All vessels fishing for King Scallops in Welsh territorial waters must have a **fully functioning tracking device** fitted, which complies with the requirement of the Scallop Dredging Operations (Tracking Devices) (Wales) Order 2012.
4. Your attention is drawn to Ministry of Defence ranges which are active in Wales. The byelaws governing them are available at [this government webpage which brings together all the MOD Byelaws within Wales](#).

Signed under authority of the Cabinet Secretary for Climate Change & Rural Affairs, one of the Welsh Ministers.

Signed:



Date: 14/05/2024

Gareth Bevington  
Deputy Director, Marine and Fisheries Division  
Welsh Government