



## WILDLIFE ACT 1990

### RAMSEY BAY (MARINE NATURE RESERVE) (No. 2) BYELAWS 2011

*Approved by Tynwald: 20<sup>th</sup> January 2012*

*Coming into operation: 1<sup>st</sup> January 2012*

The Department of Environment, Food and Agriculture, on application of the Wildlife Committee, makes these Byelaws under section 33 of the Wildlife Act 1990<sup>1</sup>.

#### Part 1

#### Title, commencement, duration and interpretation

**1 Title**

These Byelaws are the Ramsey Bay (Marine Nature Reserve) Byelaws 2011.

**2 Commencement and duration**

These Byelaws shall come into operation on 1<sup>st</sup> January 2012.

**3 Interpretation**

In these Byelaws –

“the Act” means the Wildlife Act 1990;

“authorised person” means a person authorised in writing by the Department to exercise powers under these Byelaws;

“the Conservation Zone” is that area numbered as Zone 1 on the map in the Schedule and is that area to the West of the line running North from the point at 54° 18'.66N, 04° 21'.10W and known as Gob ny Rona up to, and including, the mean high water mark on the shoreline but not including any point inland from the piers at the entrance to Ramsey harbour and the harbour itself.

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<sup>1</sup> 1990 c.2

“the Department” means the Department of Environment, Food and Agriculture;

“the Horse Mussel Conservation Zone” consists of that area of sea, up to and including the mean high water mark, running East of a line passing through the Point of Ayre Lighthouse being  $04^{\circ} 22'.10W$  and to the North of a line which transects that line running North, being  $54^{\circ} 24'.60N$ . The area extending out to the nautical three-mile limit and marked as Zone 2 on the map contained in the Schedule;

“the Eelgrass Conservation Zone” is that area numbered as Zone 3 on the map in the Schedule and consists of the area South of the line running East from the point at  $54^{\circ} 18'.90N$  and known as the Ballure Arches to a point where it meets the line running North at  $4^{\circ} 21'.10W$  up to, and including the mean high water mark;

“the Fisheries Management Zone” is that area numbered as Zone 4 on the map in the Schedule and consists of the area to the East of the line running North at  $4^{\circ} 21'.10W$  to the point where it meets the line running East at  $54^{\circ} 24'.06N$  and extends to the nautical three-mile limit;

“gate gear” includes any appliance with a rigid frame mouth, but which does not have teeth, which is towed through the waters and is manufactured, adapted, used or intended for use for the purpose of fishing for scallops and queen scallops;

“gill and other specified nets” means any of the following, that is to say gill nets, beach seines, trammel nets, tangle nets, stake nets, drift nets, ring nets, T nets, J nets, hoop nets, any trawl, Danish seine or similarly towed net, and any similar nets used for the enmeshing or entrapment of fish, but does not include a landing net used in the course of normal angling by rod and line;

“longline” means fishing gear which comprises a main line carrying one or more hooks on branch lines (snoods) set either at or near the bottom or drifting in midwater or near the surface intended to catch fish;

“scallop dredge” includes any appliance with a rigid frame mouth and teeth, which is towed through the waters and is manufactured, adapted, used or intended for use for the purpose of fishing for scallops or queen scallops;

“the Ramsey Bay Marine Nature Reserve” means the area indicated on the map in the Schedule and designated by the Department under the Ramsey Bay (Marine Nature Reserve) (Designation) Order 2011 and referred to in these Byelaws as “the Reserve”;

## **Part 2**

### **General Restrictions within the Reserve**

#### **4 Prohibition of aggregate extraction**

No person shall extract or remove any mineral, including sand, gravel, rock, oil, gas or coal from any part of the Reserve.

#### **5 Prohibition of dumping of dredged material**

No person shall cause to be dumped in any part of the Reserve any material that has been extracted by dredging.

#### **6 Prohibition of netting**

(1) No person shall use any gill or specified nets intended to capture any species of fish within the Reserve.

(2) But paragraph (1) does not prohibit the use of a landing net when being used as an auxiliary to angling with rod and line.

(3) Nor does paragraph (1) apply to a person in possession of a licence granted by the Department under bye-law 4(3) of the Sea-Fisheries (Protection of Migratory Fish Species) Bye-Laws 2005<sup>2</sup> or section 2AA of the Sea Fisheries Act 1971.

#### **7 Prohibition of long-lining**

No person shall use a long-line intended to capture any species of fish within the Reserve, including setting a long-line from the shore or any vessel.

#### **8 Prohibition of dredging**

(1) No person shall use any gate gear or scallop dredge within any part of the Reserve.

(2) Paragraph (1) does not apply to trawling, scallop-dredging or diving for scallops within the Fisheries Zone authorised by a licence issued by the Department.

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<sup>2</sup> SD 689/05

- 9 Prohibition of littering**  
No person shall deposit, or cause, or suffer to be deposited, any paper, bottles, glass, rubbish or refuse within the Reserve.
- 10 Prohibition of construction**  
No person shall construct any pipeline or other structure within the Reserve except under the authority of a licence issued by the Department.

**Part 3**  
**Additional Restrictions in specified Zones**

- 11 Restrictions within the Conservation Zone**  
No person may trawl, dredge or gather scallops or queen scallops by any means within the Conservation Zone.
- 12 Restrictions within the Horse Mussel Zone**  
No person may work a pot, trawl, dredge or extract scallops or queen scallops by any means within the Horse Mussel Zone.
- 13 Restrictions within the Eelgrass Zone**
- (1) This byelaw applies to the Eelgrass Zone.
  - (2) No person may –
    - (a) trawl;
    - (b) dredge;
    - (c) anchor;
    - (d) undertake recreational rod and line angling; or
    - (e) collect any living animal or plant on the foreshore or in the sea by any means, including hand gathering.
  - (3) But the taking of lugworm and razor clams from the shore (between Spring High Water Mark and Spring Low Water Mark) is only prohibited between 1 April and 30 September each year.
  - (4) Paragraph (3) above ceases to have effect on 31<sup>st</sup> March 2014.

**Part 3**  
**Research and investigations**

**14 Permit to undertake scientific research**

Despite the prohibitions contained in these Bye-Laws, the Department may, if it considers it necessary, issue a permit to any person to undertake research or investigations within the Reserve and attach conditions and limitations to that permit.

**Part 4**  
**Obstruction and offences**

**15 Obstruction of an officer**

No person shall wilfully obstruct –

- (a) any officer of the Department in the execution of any research or scientific work or any work connected with the laying out, maintenance or management of the Reserve;
- (b) any authorised person on the Reserve.

**16 Production of authority**

An authorised person shall, if required to do so, produce evidence of his authority under these Byelaws.

**17 Offences**

Any person contravening these Byelaws shall be guilty of an offence under section 33(5) of the Act.

**18 Revocation**

The Ramsey Bay (Marine Nature Reserve) Byelaws 2011<sup>3</sup> are revoked.

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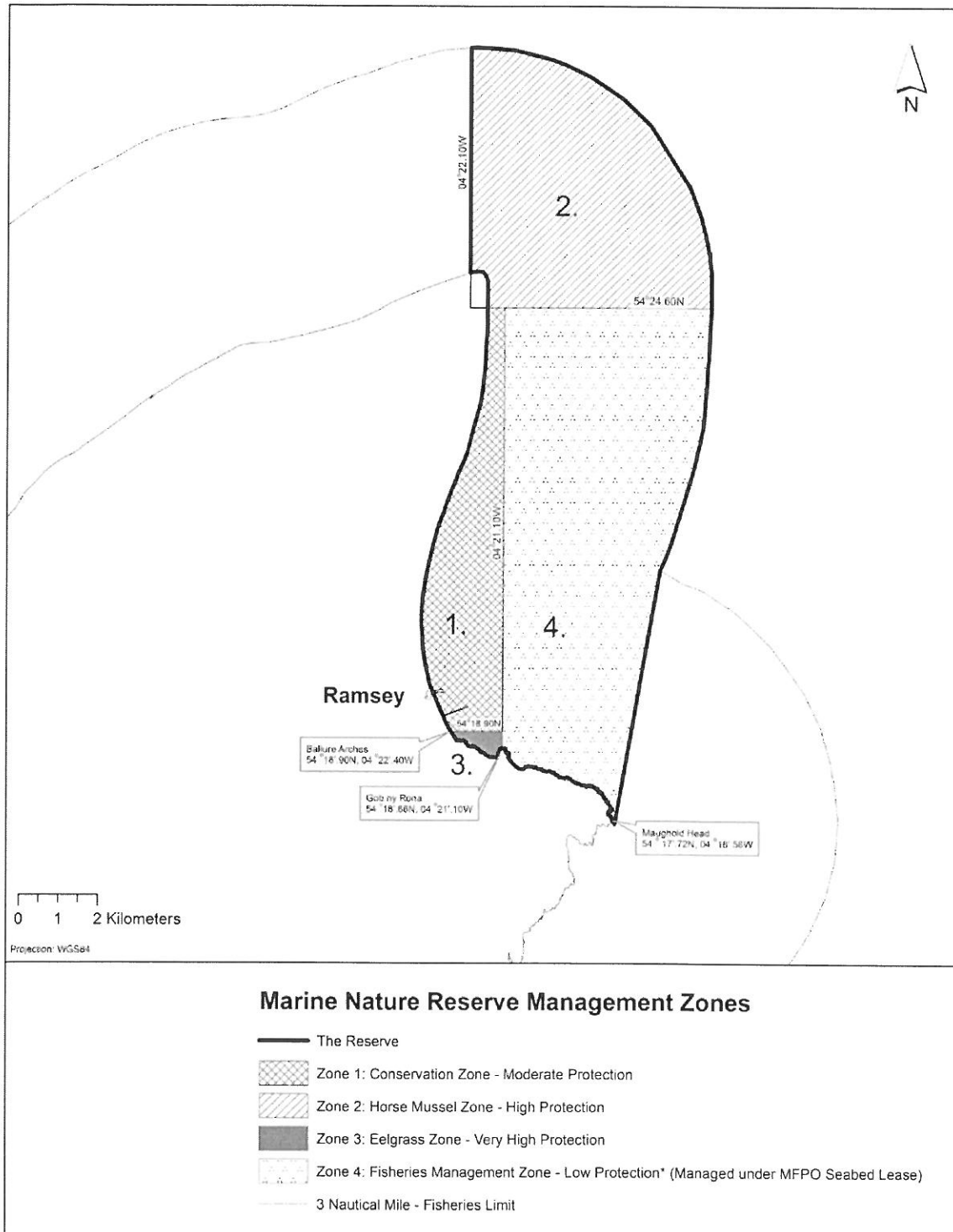
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Minister for Environment, Food and Agriculture

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<sup>3</sup> SD 0764/11

## SCHEDULE RAMSEY BAY MARINE NATURE RESERVE



## EXPLANATORY NOTE

*(This note is not part of the Byelaws)*

These Byelaws are consequent on the designation of the Ramsey Bay Marine Nature Reserve and specify restrictions on activities within the Reserve.

The Reserve consists of four 'Zones' –

- The Conservation Zone;
- The Horse Mussel Zone;
- The Fisheries Zone; and
- The Eelgrass Zone,

all of which have specific habitats which are protected under these Bye-Laws.

Contravention of any provision of these Byelaws is subject to a fine set down in section 33(5) of the Wildlife Act 1990.

Byelaw 4 prohibits the extraction of aggregate from any area of the Reserve.

Byelaw 5 prohibits the dumping of any dredged material in any part of the Reserve.

Byelaw 6 prohibits certain types of netting within the Reserve. These are specified in the definitions in byelaw 3.

Byelaw 7 prohibits longlining within the Reserve.

Byelaw 8 prohibits the use of any scallop dredge within the Reserve other than within the Fisheries Management Zone.

Byelaw 9 prohibits littering within the whole Reserve.

Byelaw 10 prohibits the construction of any pipeline or structure within the Reserve unless licensed by the Department.

Byelaw 11 prohibits the taking of scallops, by any means, within the Conservation Zone.

Byelaw 12 prohibits potting, trawling and dredging in the Horse Mussel Zone.

Byelaw 13 prohibits the extraction of living resources from the Eelgrass Zone, including the practice of catch and release angling. The collection of lugworm and razor clams will be permitted between 1 October and 31 March in the next year for a period of two years. It is intended to undertake a survey of the impact which this type of bait collection has in the Eelgrass Zone and provision is made for the practice to cease if necessary.

Byelaw 14 enables the Department to issue a permit for activities, which are otherwise prohibited within the Reserve, to be undertaken subject to conditions and limitations set down in that permit.

Byelaw 15 provides for an offence of obstructing any officer of the Department who is carrying out research, scientific work or any work connected with laying out, managing or maintaining the Reserve, or any authorised person.

Byelaw 16 provides that authorised persons shall, if required to do so, produce evidence of their authority under the Byelaws.

Byelaw 17 provides that any person contravening the Byelaws, including by failing to do something required by an authorised person, shall be guilty of an offence under section 33(5) of the Act; and

Under section 33(5) of the Act, a person found guilty of an offence at summary jurisdiction is liable to a fine of up to £2,500.

Byelaw 18 revokes previous Byelaws.