



GREENPEACE



Marine Conservation Society



February 2009

Parliamentary Briefing

Marine and Coastal Access Bill Amendment

IFCA duty to manage the exploitation of sea fisheries resources (Clause 149)

The organisations listed above are all members of Wildlife and Countryside Link's Marine Task Force¹, which has been campaigning for several years for improvements in marine conservation and better management of the marine area. We have been closely engaged in the Marine & Coastal Access Bill process from the outset.

Background

The Bill amends the Sea Fisheries (Wildlife Conservation) Act 1992 so that the duty in that Act, to "have regard to the conservation of flora and fauna" when discharging functions (in balance with other considerations) does not apply to the IFCA's. This duty is replaced by the new duty laid out in clause 149 of the Marine and Coastal Access Bill.

Even as it stands, the wording of this clause seems at least as strong as the 1992 duty. In particular, we are pleased to see reference to the need to "protect the marine environment from, or promote its recovery from" the effects of any exploitation. However, we are still concerned that this duty falls short of creating a wholly new, wider, environmental stewardship remit for the IFCA's when compared to the existing Sea Fisheries Committees (SFC's) and their fisheries management responsibilities.

Alongside the prescriptions for membership of the new IFC authorities, the new statutory duty will also guide the culture of IFCA's. Much mention has been made of the need to encourage a fundamental change in culture from the SFC's to the new IFCA's. Link believes therefore that it is imperative to give the IFCA's a clearly-defined, updated core purpose that ensures the integration of environmental considerations into fishery management. An amendment to this effect is within the Annex to this briefing.

¹ Wildlife and Countryside Link is a coalition of the UK's major environmental organisations working together for the conservation and protection of wildlife, the countryside and the marine environment.

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Annex – Amendments

Marine & Coastal Access Bill House of Lords Committee Stage, February 2009

Clause	Clause 149 Management of inshore fisheries
Amendment	<p>Page 91, line 2: Leave out subclause 149(2)(b) and insert: '(b) seek to balance the social and economic benefits of exploiting the sea fisheries resources of the district in that way with the protection of the marine environment from, and the promotion of its recovery from, the effects of such exploitation including past exploitation, (c) seek to further the conservation and recovery of marine flora and fauna in the district, and'</p> <p>Page 91, line 21: Leave out 'In this Chapter,' and insert 'In this Chapter: (a)'</p> <p>Page 91, line 22: After 'in the sea' insert 'or the seashore'.</p> <p>Page 91, line 23: At end insert ' , and (b) "marine flora and fauna" includes flora and fauna (including birds) which are dependent on, or associated with, a marine or coastal environment for part or all of their lives or whilst migrating.'</p>