OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

# 2024 Rhif 767 (Cy. 112)

# 2024 No. 767 (W. 112)

# PYSGODFEYDD MÔR, CYMRU

# SEA FISHERIES, WALES

## Gorchymyn Rheoli a Thrwyddedu Pysgota am Gocos (Ardal Benodedig) (Cymru) 2024

## The Cockle Fishing Management and Permitting (Specified Area) (Wales) Order 2024

### NODYN ESBONIADOL

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

Mae'r Gorchymyn hwn yn cyflwyno mesurau rheoli a chyfundrefn drwyddedu ar gyfer rheoli'r ffordd y manteisir ar gocos o welyau cocos yn yr ardal benodedig yng Nghymru.

Mae'r Gorchymyn, sy'n gymwys o ran Cymru, yn diwygio neu'n dirymu ac yn disodli Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru a chyn-Bwyllgor Pysgodfeydd Môr De Cymru a darpariaethau Gorchymyn Cocos a Chregyn Gleision (Ardal Benodedig) (Cymru) 2011 i'r graddau y maent yn rheoleiddio pysgota am gocos.

Diddymwyd y Pwyllgorau Pysgodfeydd Môr o ran Cymru ar 1 Ebrill 2010 pan ddiddymwyd Deddf Rheoleiddio Pysgodfeydd Môr 1966 gan adran 187 o Ddeddf y Môr a Mynediad i'r Arfordir 2009.

Mae Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru a chyn-Bwyllgor Pysgodfeydd Môr De Cymru wedi cael effaith ers 1 Ebrill 2010 fel pe baent wedi eu gwneud gan Weinidogion Cymru mewn offeryn statudol yn rhinwedd erthygl 13(1) a (3) o Orchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010 ac Atodlenni 3 a 4 iddo.

### EXPLANATORY NOTE

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

This Order introduces management measures and a permitting regime for the management of the exploitation of cockles from cockle beds within the specified area in Wales.

The Order, which applies in relation to Wales, amends or revokes and replaces the Byelaws of the former North Western and North Wales Sea Fisheries Committee and the former South Wales Sea Fisheries Committee and provisions of the Cockles and Mussels (Specified Areas) (Wales) Order 2011 in so far as they regulate cockle fishing.

The Sea Fisheries Committees were abolished in relation to Wales on 1 April 2010 when the Sea Fisheries Regulation Act 1966 was repealed by section 187 of the Marine and Coastal Access Act 2009.

The Byelaws of the former North Western and North Wales Sea Fisheries Committee and former South Wales Sea Fisheries Committee have had effect since 1 April 2010 as if made by the Welsh Ministers in a statutory instrument by virtue of article 13(1) and (3) and Schedules 3 and 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010.

Mae Rhan 1 o'r Gorchymyn hwn (erthyglau 1 a 2) yn ymdrin â materion rhagarweiniol.

Mae Rhan 2 o'r Gorchymyn hwn (erthyglau 3 i 7) yn gwneud darpariaeth ar gyfer rheoli gwelyau cocos yn yr ardal benodedig. Gwaherddir pysgota am gocos a chymryd cocos o welyau cocos sydd ar gau a gwneud hynny heb drwydded o dan erthygl 3. Mae erthyglau 5 i 7 yn darparu ar gyfer asesu ac agor a chau gwelyau cocos yn yr ardal benodedig.

Disgrifir yr ardal benodedig yn Atodlen 1.

Mae Rhan 3 o'r Gorchymyn hwn (erthyglau 8 i 13 ac Atodlen 2) yn gwneud darpariaeth ar gyfer cyfundrefn drwyddedu newydd ar gyfer cocos sy'n nodi'r gofyniad am drwydded i bysgota ac yn gwneud darpariaeth ynghylch cymhwystra, hyd trwydded a ffioedd. Mae erthygl 9 ac Atodlen 2 yn darparu ar gyfer gosod amodau ynghlwm wrth drwyddedau.

Mae Rhan 4 o'r Gorchymyn hwn (erthyglau 14 i 18 ac Atodlen 3) yn gwneud darpariaeth ar gyfer esemptiadau rhag darpariaethau'r Gorchymyn hwn, ailddodi cocos a dirymu a diwygio gwahanol Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru a chyn-Bwyllgor Pysgodfeydd Môr De Cymru a diwygio Gorchymyn Cocos a Chregyn Gleision (Ardal Benodedig) (Cymru) 2011.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn hwn. Gellir cael copi oddi wrth: Llywodraeth Cymru, yr Is-adran Môr a Physgodfeydd, Parc Cathays, Caerdydd CF10 3NQ ac mae wedi ei gyhoeddi ar www.llyw.cymru.

Part 1 of this Order (articles 1 and 2) deals with introductory matters.

Part 2 of this Order (articles 3 to 7) makes provision for the management of cockle beds within the specified area. Fishing for and taking cockles from cockle beds which are closed and without a permit is prohibited under article 3. Articles 5 to 7 provide for the assessment and the opening and closing of cockle beds within the specified area.

The specified area is described in Schedule 1.

Part 3 of this Order (articles 8 to 13 and Schedule 2) makes provision for a new cockle permitting regime setting out the requirement for a permit to fish and making provision about eligibility, the duration of a permit and fees. Article 9 and Schedule 2 provide for conditions to be attached to permits.

Part 4 of this Order (articles 14 to 18 and Schedule 3) makes provision for exemptions from the provisions of this Order, the re-deposit of cockles and for the revocation and amendment of various Byelaws of the former North Western and North Wales and the former South Wales Sea Fisheries Committees and the amendment of the Cockles and Mussels (Specified Area) (Wales) Order 2011.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Welsh Government, Fisheries Division, Cathays Park, Cardiff CF10 3NQ and is published on www.gov.wales.

# 2024 Rhif 767 (Cy. 112)

# PYSGODFEYDD MÔR, CYMRU

## Gorchymyn Rheoli a Thrwyddedu Pysgota am Gocos (Ardal Benodedig) (Cymru) 2024

*Gwnaed* *25 Mehefin 2024*

*Gosodwyd gerbron Senedd Cymru* *26 Mehefin 2024*

*Yn dod i rym yn unol ag erthygl 1(2)*

Mae Gweinidogion Cymru, drwy arfer pwerau a roddir iddynt gan adrannau 189(1) a 316(1) o Ddeddf y Môr a Mynediad i'r Arfordir 2009(**1**), yn gwneud y Gorchymyn a ganlyn.

## RHAN 1

### Cyflwyniad

**Enwi, cymhwyso a dod i rym**

**1.**—(1) Enw'r Gorchymyn hwn yw Gorchymyn Rheoli a Thrwyddedu Pysgota am Gocos (Ardal Benodedig) (Cymru) 2024.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru ac yn dod i rym fel a ganlyn—

(a) mae Rhannau 1, 2 a 3 ac erthyglau 14, 15, 16 a 17 o Ran 4 o'r Gorchymyn hwn, ac Atodlen 1, Atodlen 2 a Rhannau 1 a 2 o Atodlen 3 iddo, yn dod i rym ar 10 Gorffennaf 2024;

(**1**) 2009 p. 23. Diwygiwyd adran 189 gan baragraff 28 o Atodlen 10 i Ddeddf Pysgodfeydd 2020 (p. 22). Disgrifir ymhellach yn adrannau 156 i 158 y ddarpariaeth y caiff yr awdurdod ar gyfer ardal pysgodfeydd a chadwraeth y glannau ei gwneud drwy is-ddeddf o dan adran 155 at y dibenion a nodir yn adrannau 153 a 154.



# 2024 No. 767 (W. 112)

# SEA FISHERIES, WALES

## The Cockle Fishing Management and Permitting (Specified Area) (Wales) Order 2024

*Made* *25 June 2024*

*Laid before Senedd Cymru* *26 June 2024*

*Coming into force in accordance with article 1(2)*

The Welsh Ministers, in exercise of powers conferred on them by sections 189(1) and 316(1) of the Marine and Coastal Access Act 2009(**1**), make the following Order.

## PART 1

### Introduction

**Title, application and coming into force**

**1.**—(1) The title of this Order is the Cockle Fishing Management and Permitting (Specified Area) (Wales) Order 2024.

(2) This Order applies in relation to Wales and comes into force as follows—

(a) Parts 1, 2, 3, articles 14, 15, 16 and 17 of Part 4, Schedule 1, Schedule 2 and Parts 1 and 2 of Schedule 3 to this Order come into force on 10 July 2024;

(**1**) 2009 c. 23. Section 189 was amended by paragraph 28 of Schedule 10 to the Fisheries Act 2020 (c. 22). Provision which the authority for an IFC district may make by byelaw under section 155 for the purposes set out in section 153 and 154, is further described in sections 156 to 158.

(b) mae erthygl 18 o Ran 4 o'r Gorchymyn hwn a Rhan 3 o Atodlen 3 iddo yn dod i rym ar 16 Mehefin 2025(**1**).

**Dehongli**

**2.** Yn y Gorchymyn hwn—

ystyr "ardal benodedig" ("*specified area*") yw'r ardal a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn;

ystyr "asesiad amgylcheddol" ("*environmental assessment*") yw asesiad o oblygiadau agor gwely cocos ar safle gwarchodedig o dan reoliad 63 neu reoliad 65 o Reoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017(**2**) ;

ystyr "cocos" ("*cockles*") yw pysgod cregyn o'r math *Cerastoderma edule*;

ystyr "cwrs hyfforddiant ar ddiogelwch rhynglanwol" ("*intertidal safety training course*") yw cwrs sydd â'r nod o sicrhau bod pobl sy'n ei ddilyn yn gyfarwydd â chynnal asesiadau risg, gwybodaeth am lanwau, canfod lleoliad, peryglon croesi dŵr ac ardaloedd meddal, y ddeddfwriaeth ar ddefnyddio cychod masnachol a sut i ofyn am gymorth mewn argyfwng;

mae i "Cymru" yr un ystyr ag a roddir i "Wales" yn adran 158(1) o Ddeddf Llywodraeth Cymru 2006(**3**);

ystyr "Deddf 2009" ("*the 2009 Act*") yw Deddf y Môr a Mynediad i'r Arfordir 2009;

ystyr "gornifer cocos y gellir eu cynaeafu" ("*harvestable surplus*") yw pwysau'r cocos byw y gellir pysgota amdanynt neu eu cymryd o'r gwely cocos heb gael effaith negyddol ar gynaliadwyedd hirdymor y gwely cocos;

ystyr "gwely cocos" ("*cockle bed*") yw ardal o dywod neu waddod mân yn yr ardal benodedig lle mae cydgasgliad o gocos yn bresennol;

mae i "llestr" yr un ystyr ag a roddir i "vessel" yn adran 115(1) o Ddeddf 2009 ac, at ddibenion y Gorchymyn hwn, mae'n cyfeirio at lestr a ddefnyddir i gario cocos y pysgotir amdanynt neu a gymerir o wely cocos;

(b) article 18 of Part 4 and Part 3 of Schedule 3 to this Order come into force on the 16 June 2025(**1**).

**Interpretation**

**2.** In this Order—

"the 2009 Act" ("*Deddf 2009*") means the Marine and Coastal Access Act 2009;

"cockles" ("*cocos*") means shellfish of the type *Cerastoderma edule;*

"cockle bed" ("*gwely cocos*") means an area of sand or fine sediment within the specified area where an aggregation of cockles is present;

"environmental assessment" ("*asesiad amgylcheddol*") means an assessment of the implications of opening a cockle bed on a protected site under regulation 63 or regulation 65 of the Conservation of Habitats and Species Regulations 2017(**2**);

"harvestable surplus" ("gornifer cocos y gellir eu can be fished for or taken from the cockle bed without negatively impacting the long term sustainability of the cockle bed;

"intertidal safety training course" ("*cwrs hyfforddiant ar ddiogelwch rhynglanwol*") means a course that aims to make attendees familiar with conducting risk assessments, tidal information, position fixing, danger of crossing water and soft areas, commercial boat use legislation and how to request assistance in an emergency;

"live weight" ("*pwysau byw*") means the weight of live cockles determined by weighing them in woven mesh sacks with no allowance being made of the weight of the mesh sack, whether wet or dry, nor of sand or other materials present in the sack;

"relevant protected site" ("*safle gwarchodedig perthnasol*") means a European marine site, within the meaning of the Conservation of Habitats and Species Regulations 2017 and a site of special scientific interest, within the meaning of the Wildlife and Countryside Act 1981(**3**);

(**1**) Mae erthygl 18 yn cyfeirio at Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr De Cymru sy'n ymwneud â rheoli Pysgodfa Gocos Cilfach Tywyn. Mae Pysgodfa Gocos Cilfach Tywyn hefyd yn ddarostyngedig i Orchymyn Pysgodfa Gocos Cilfach Tywyn 1965 a wnaed o dan adran 1 o Ddeddf Pysgodfeydd Môr (Pysgod Cregyn) 1967. Bydd y Gorchymyn hwnnw yn dod i ben ar 15 Mehefin 2025. O 16 Mehefin 2025, bydd y Gorchymyn hwn yn gymwys i Bysgodfa Gocos Cilfach Tywyn.

(**2**) O.S. 2017/1012 fel y'i diwygiwyd gan O.S. 2019/579 a O.S. 2020/94.

(**3**) 2006 p. 32.

(**1**) Article 18 refers to the Byelaws of the former South Wales Sea Fisheries Committee which relate to the management of the Burry Inlet Cockle Fishery. The Burry Inlet Cockle Fishery is also subject to the Burry Inlet Cockle Fishery Order 1965 which was made under section 1 Sea Fisheries (Shellfish) Act 1967. That Order will expire on 15 June 2025. From 16 June 2025, this Order will apply to the Burry Inlet Cockle Fishery.

(**2**) S.I. 2017/1012. Regulation 63 of S.I. 2017/2012 has been amended by S.I. 2019/579 and S.I. 2020/94.

(**3**) 1981 c. 69.

mae i "manteisio ar" yr un ystyr ag a roddir i "exploitation" yn adran 153(12) o Ddeddf 2009;

ystyr "pwysau byw" ("*live weight*") yw pwysau cocos byw a ganfyddir drwy eu pwyso mewn sachau rhwyllog gweuedig heb gyfrif am bwysau'r sach rhwyllog, pa un a yw'n wlyb neu'n sych, nac am dywod neu ddeunyddiau eraill yn y sach;

ystyr "safle gwarchodedig perthnasol" ("*relevant protected site*") yw safle morol Ewropeaidd, o fewn yr ystyr a roddir i "European marine site" yn Rheoliadau Cadwraeth Cynefinoedd a Rhywogaethau 2017, a safle o ddiddordeb gwyddonol arbennig, o fewn yr ystyr a roddir i "site of special scientific interest" yn Neddf Bywyd Gwyllt a Chefn Gwlad 1981(**1**);

ystyr "un cyfnod trwydded" ("*single permit period*") yw—

(a) y cyfnod sy'n dechrau ar 1 Mehefin mewn unrhyw flwyddyn galendr tan ddiwedd 31 Mai y flwyddyn ganlynol, neu

(b) pan fo'r drwydded wedi ei dyroddi ar ôl 1 Mehefin mewn unrhyw flwyddyn galendr, y cyfnod sy'n dechrau pan fo'r drwydded wedi ei dyroddi tan ddiwedd 31 Mai y flwyddyn ganlynol.

"single permit period" ("*un cyfnod trwydded*") means—

(a) the period beginning on 1 June in a calendar year until the end of 31 May the following year, or

(b) where the permit is issued after 1 June in a calendar year, the period beginning when the permit is issued until the end of 31 May the following year;

"specified area" ("*ardal benodedig*") means the area described in Schedule 1 to this Order;

'Wales' ("*Cymru*") has the same meaning as in section 158(1) Government of Wales Act 2006(**1**);

"vessel" ("*llestr*") has the same meaning as in section 115(1) of the 2009 Act and, for the purposes of this Order, refers to a vessel used to carry cockles fished for or taken from a cockle bed.

## RHAN 2

## Rheoli gwelyau cocos yn yr ardal benodedig a chyfyngu ar bysgota

### Gwahardd

**3.** Ni chaiff neb bysgota am gocos neu eu cymryd, nac yn fwriadol ganiatáu i berson arall bysgota am gocos neu eu cymryd neu ei gynorthwyo i wneud hynny—

(a) o wely cocos sydd ar gau, a

(b) ac eithrio drwy drwydded a roddir o dan Ran 3 ac i'r graddau a awdurdodir gan y drwydded honno.

### Cyfyngu ar weithgarwch pysgota

**4.** Mae pob gwely cocos ar gau hyd nes iddo gael ei asesu a bod Gweinidogion Cymru yn datgan ei fod ar agor o dan erthyglau 5 a 6.

## PART 2

## Management of cockle beds within the specified area and fishing restrictions

### Prohibition

**3.** No person may fish for or take cockles or knowingly allow or assist another person to fish for or take cockles—

(a) from a closed cockle bed, and

(b) except and to the extent authorised by a permit issued under Part 3.

### Restriction on fishing activity

**4.** All cockle beds are closed until they are assessed and declared open by the Welsh Ministers under articles 5 and 6.

(**1**) 1981 p. 69.

(**1**) 2006 c. 32.

**Asesu gwelyau cocos**

**5.**—(1) Er mwyn penderfynu a yw'r meini prawf a nodir yn erthygl 6(a) a (b) wedi eu bodloni, rhaid i Weinidogion Cymru asesu pob gwely cocos sydd wedi ei gau o dan erthygl 4 cyn diwedd Medi 2024.

(2) O 1 Ionawr 2025, rhaid i Weinidogion Cymru asesu pob gwely cocos o leiaf unwaith ym mhob blwyddyn galendr.

(3) At ddibenion y Rhan hon, ystyr y termau "asesu" ac "asesiad" yw cwblhau—

(a) arolwg stoc,

(b) cyfrif o ornifer cocos y gellir eu cynaeafu, ac

(c) os oes gornifer cocos y gellir eu cynaeafu, unrhyw asesiad amgylcheddol sy'n ofynnol.

**Dyletswydd i agor gwely cocos**

**6.** Rhaid i Weinidogion Cymru, drwy ddatganiad, agor gwely cocos os yw asesiad a gynhaliwyd o dan erthygl 5 wedi dod i'r casgliad—

(a) bod gornifer cocos y gellir eu cynaeafu, a

(b) na fydd agor y gwely cocos yn ddarostyngedig i amodau ar bysgota am gocos neu gymryd cocos o'r gwely hwnnw yn cael effaith andwyol ar gyfanrwydd safle gwarchodedig perthnasol.

**Dyletswydd i gau gwely cocos**

**7.**—(1) Rhaid i Weinidogion Cymru, drwy ddatganiad, gau gwely cocos sydd ar agor os oes tystiolaeth—

(a) y pysgotwyd am y gornifer cocos y gellir eu cynaeafu neu y'u cymerwyd,

(b) bod angen cau'r gwely cocos er mwyn osgoi effaith andwyol ar gyfanrwydd safle gwarchodedig perthnasol, neu

(c) bod angen cau'r gwely cocos er mwyn asesu'r risg o effaith andwyol ar gyfanrwydd safle gwarchodedig perthnasol.

(2) Rhaid i ddatganiad sy'n cau gwely cocos gynnwys y rheswm pam y'i caewyd.

**Assessment of cockle beds**

**5.**—(1) In order to determine whether the criteria set out in article 6(a) and (b) have been met, the Welsh Ministers must assess all cockle beds that are closed under article 4 before the end of September 2024.

(2) From 1 January 2025, the Welsh Ministers must assess all cockle beds at least once during each calendar year.

(3) For the purposes of this Part the terms "assess" and "assessment" mean the completion of—

(a) a stock survey,

(b) calculation of a harvestable surplus, and

(c) if there is a harvestable surplus, any required environmental assessment.

**Duty to open a cockle bed**

**6.** The Welsh Ministers must by declaration, open a cockle bed if an assessment carried out under article 5 has concluded that—

(a) there is a harvestable surplus, and

(b) opening the cockle bed subject to conditions on fishing for or taking cockles from that bed will not adversely affect the integrity of a relevant protected site.

**Duty to close a cockle bed**

**7.**—(1) The Welsh Ministers must by declaration close an open cockle bed if there is evidence that—

(a) the harvestable surplus has been fished or taken,

(b) closure is necessary to avoid an adverse effect on the integrity of a relevant protected site, or

(c) closure is necessary to assess the risk of adverse effect on the integrity of a relevant protected site.

(2) A declaration closing a cockle bed must include the reason why it has been closed.

## RHAN 3

## Trwyddedau i bysgota am gocos neu gymryd cocos

### Gofyniad am drwydded

**8.**—(1) Caiff Gweinidogion Cymru ddyroddi trwydded at ddiben awdurdodi pysgota am gocos neu gymryd cocos o'r ardal benodedig.

(2) Caniateir dyroddi'r drwydded—

(a) i berson, a

(b) am un cyfnod trwydded.

(3) Bydd y drwydded yn galluogi'r deiliad trwydded i bysgota am gocos neu gymryd cocos o welyau cocos sydd ar agor rhwng 1 Mehefin mewn blwyddyn galendr a diwedd 31 Mai y flwyddyn ganlynol.

(4) Ni chaniateir trosglwyddo trwydded o un person i berson arall.

### Amodau trwydded

**9.**—(1) Mae pob trwydded a ddyroddir gan Weinidogion Cymru o dan erthygl 8 yn ddarostyngedig i—

(a) yr amodau a nodir yn Atodlen 2 i'r Gorchymyn hwn, a

(b) unrhyw amodau ychwanegol sy'n ofynnol i reoleiddio pysgota am gocos neu gymryd cocos o wely cocos penodedig.

(2) Mae'r amodau ychwanegol y cyfeirir atynt ym mharagraff (1)(b) fel a ganlyn—

(a) gornifer cocos y gellir eu cynaeafu sydd wedi ei ddiwygio;

(b) terfyn dalfa dyddiol;

(c) maint glanio lleiaf penodedig;

(d) dyddiadau, amseroedd neu lanwau penodedig pan na chaniateir pysgota am gocos na chymryd cocos;

(e) dulliau neu gyfarpar penodedig y caniateir eu defnyddio neu ei ddefnyddio wrth bysgota am gocos neu gymryd cocos;

(f) dull mynediad penodedig i'r ardal benodedig neu wely cocos;

(g) amodau eraill ar bysgota am gocos neu gymryd cocos sy'n ofynnol gan yr asesiad amgylcheddol o'r gwely cocos o dan erthygl 5.

(3) Caiff Gweinidogion Cymru amrywio'r amodau ychwanegol neu eu dileu o drwyddedau.

## PART 3

## Permits to fish for or take cockles

### Requirement for a permit

**8.**—(1) The Welsh Ministers may issue a permit for the purpose of authorising fishing for or taking cockles from the specified area.

(2) The permit may be issued—

(a) to a person, and

(b) for a single permit period.

(3) The permit will enable the permit holder to fish for or take cockles from open cockle beds during the permit period.

(4) A permit may not be transferred from one person to another.

### Permit conditions

**9.**—(1) Every permit issued by the Welsh Ministers under article 8 is subject to—

(a) the conditions set out in Schedule 2 to this Order, and

(b) any additional conditions required to regulate the fishing for or taking of cockles from a specified cockle bed.

(2) The additional conditions referred to in paragraph (1)(b) are as follows—

(a) an amended harvestable surplus;

(b) a daily catch limit;

(c) a specified minimum landing size;

(d) specified dates, times or tides during which fishing for and taking cockles is not permitted;

(e) specified methods or equipment that may be used when fishing for or taking cockles;

(f) specified means of access to the specified area or a cockle bed;

(g) other conditions on fishing for or taking cockles required by the environmental assessment of the cockle bed under article 5.

(3) The Welsh Ministers may vary the additional conditions or remove them from permits.

(4) Pan fo'n rhesymol ymarferol, bydd Gweinidogion Cymru yn ymgynghori â deiliaid trwydded a rhanddeiliaid perthnasol eraill cyn amrywio neu ddileu amodau ychwanegol.

(5) Rhaid i Weinidogion Cymru hysbysu'r personau a ganlyn am benderfyniad i amrywio neu ddileu amodau ychwanegol—

(a) deiliaid trwydded, a

(b) unrhyw berson arall y maent yn ystyried ei fod yn briodol.

(6) Rhaid i hysbysiad o dan baragraff (5) gynnwys y rhesymau dros benderfyniad Gweinidogion Cymru.

(7) Yn yr erthygl hon—

(a) ystyr "terfyn dalfa dyddiol" yw cyfanswm pwysau byw y cocos y caniateir pysgota amdanynt neu eu cymryd bob dydd gan bob deiliad trwydded;

(b) ystyr "maint glanio lleiaf" yw unrhyw gocosen a fydd yn pasio drwy fesurydd sydd ag agoriad sgwâr o X o filimetrau o'i fesur ar draws pob ochr o'r sgwâr. "X" yw'r mesuriad a osodir mewn amodau sydd ynghlwm wrth drwydded a ddyroddir o dan erthygl 8 o'r Gorchymyn hwn.

(4) Where reasonably practicable, the Welsh Ministers will consult with permit holders and other relevant stakeholders before varying or removing additional conditions.

(5) The Welsh Ministers must notify the following persons of a decision to vary or remove additional conditions—

(a) permit holders, and

(b) any other person who they consider appropriate.

(6) A notification under paragraph (5) must include the reasons for the Welsh Ministers' decision.

(7) In this article—

(a) "a daily catch limit" means the total live weight of cockles which may be fished for or taken each day by each permit holder;

(b) "minimum landing size" means a cockle which will pass through a gauge having a square opening of X millimetres measured across each side of the square, with "X" being the measurement set in conditions attached to a permit issued under article 8 of this Order.

**Personau â hawlogaeth i gael trwydded**

**10.**—(1) Caiff person wneud cais am drwydded—

(a) os yw'n 16 oed neu'n hŷn ar yr adeg pan ddyroddir y drwydded,

(b) os yw'n meddu ar dystysgrif cwrs hyfforddiant ar ddiogelwch rhynglanwol a ddyroddwyd o fewn y cyfnod blaenorol o 3 blynedd, ac

(c) os nad yw wedi ei euogfarnu o fewn y cyfnod blaenorol o 12 mis, neu'r cyfnod blaenorol o 6 mis os oedd o dan 18 oed ar ddyddiad ei euogfarnu, o drosedd berthnasol.

(2) Yn yr erthygl hon ystyr "trosedd berthnasol" yw—

(a) trosedd o dan adran 3(3) (torri gorchymyn rheoleiddio pysgodfa etc) o Ddeddf Pysgodfeydd Môr (Pysgod Cregyn) 1967(**1**);

**Persons entitled to a permit**

**10.**—(1) A person may apply for a permit if they—

(a) are 16 years of age or over,

(b) hold an intertidal safety training course certificate issued within the preceding 3 year period, and

(c) have not been convicted within the preceding 12 month period, or the preceding 6 month period if they were under 18 at the date of their conviction, of a relevant offence.

(2) In this article, "relevant offence" means—

(a) an offence under section 3(3) (contravening a fishery regulating order etc) of the Sea Fisheries (Shellfish) Act 1967(**1**);

(**1**) 1967 p. 83. Cynyddwyd dirwy uchaf is-adran (3) gan adran 31(6) o Ddeddf Cyfraith Trosedd 1977 (p. 45), ac fe'i troswyd yn lefel ar y raddfa safonol yn rhinwedd adrannau 37, 38 a 46 o Ddeddf Cyfiawnder Troseddol 1982 (p. 48), ac fe'i cynyddwyd ymhellach gan adran 157 o Ddeddf Cyfiawnder Troseddol a Threfn Gyhoeddus 1994 (p. 33) a Rhan 1 o Atodlen 8 iddi. Diwygiwyd is-adran (3) ymhellach gan adran 205(1) a (2) o Ddeddf y Môr a Mynediad i'r Arfordir 2009 (p. 23) a chan O.S. 2015/664.

(**1**) 1967 c. 83. Subsection (3) maximum fine was increased by the Criminal Law Act 1977 (c. 45), Section 31(6), and converted to a level on the standard scale by virtue of the Criminal Justice Act 1982 (c. 48) Subsection 37, 38, 46, and further increased by the Criminal Justice and Public Order Act 1994 (c. 33), Section 157, Schedule 8, Part I. Subsection (3) was further amended by the Marine and Coastal Access Act 2009 (c. 23), s 205(1), (2) and by S.I. 2015/664.

(b) trosedd o dan adran 31(2) (gwrthod i feili dŵr gael mynediad, chwilio ac ymchwilio) o Ddeddf Pysgodfeydd Eogiaid a Dŵr Croyw 1975(**1**);

(c) trosedd o dan—

(i) adran 139 (torri gorchmynion o dan adrannau 134, 134A, 134B neu 136),

(ii) adran 190 (torri gorchmynion o dan adran 189), neu

(iii) adran 292 (troseddau mewn perthynas â swyddogion gorfodaeth),

o Ddeddf 2009(**2**).

**Cais am drwydded**

**11.**—(1) I wneud cais am drwydded, rhaid i berson—

(a) cyflwyno i Weinidogion Cymru gais wedi ei gwblhau ar unrhyw ffurf sy'n ofynnol gan Weinidogion Cymru,

(b) darparu'r dystiolaeth honno sy'n ofynnol gan Weinidogion Cymru i brofi—

(i) pwy ydyw,

(ii) ei gyfeiriad,

(iii) ei fod wedi cwblhau cwrs hyfforddiant ar ddiogelwch rhynglanwol, a

(iv) rhif yswiriant gwladol neu Gyfeirnod Unigryw y Trethdalwr,

(c) pan ddefnyddir llestr i gario cocos o wely cocos, ddarparu gwybodaeth neu ddogfennaeth sy'n ymwneud â—

(i) meistr y llestr;

(ii) y llestr, gan gynnwys rhif tystysgrif codio Asiantaeth y Môr a Gwylwyr y Glannau (os yw'n gymwys), a

(d) talu'r ffi drwydded flynyddol.

(2) Caniateir gwneud cais mewn cysylltiad ag un cyfnod trwydded.

**Ffioedd trwydded**

**12.**—(1) Bydd y ffi drwydded flynyddol—

(a) i'w phennu gan Weinidogion Cymru,

(b) yn gymwys i bob trwydded, ac

(**1**) 1975 p. 51.

(**2**) 2009 p. 23. Diwygiwyd adran 139(1) a (2) (mewn modd perthnasol) i gynnwys cyfeiriad at adran newydd 134A gan baragraff 23 o Atodlen 10 i Ddeddf Pysgodfeydd 2020 (p. 22). Diwygiwyd adrannau 190 a 292 i gynyddu'r dirwy uchaf gan baragraff 43 o Atodlen 4 i O.S. 2015/664.

(b) an offence under section 31(2) (refusing entry, search and investigation to a water bailiff) of the Salmon and Freshwater Fisheries Act 1975(**1**);

(c) an offence under—

(i) section 139 (contravention of orders under sections 134, 134A, 134B or 136),

(ii) section 190 (contravention of orders under section 189), or

(iii) section 292 (offences in relation to enforcement officers),

of the 2009 Act(**2**).

**Application for a permit**

**11.**—(1) To apply for a permit, a person must—

(a) submit to the Welsh Ministers a completed application in such form as the Welsh Ministers may require,

(b) provide such proof as the Welsh Ministers may require of their—

(i) identity,

(ii) address,

(iii) completion of an intertidal safety training course, and

(iv) national insurance number or Unique Taxpayer Reference Number,

(c) where a vessel will be used to carry cockles from a cockle bed, provide information or documentation relating to—

(i) the vessel master;

(ii) the vessel, including the number of the Maritime and Coastguard Agency certificate of coding (if applicable), and

(d) pay the annual permit fee.

(2) An application may be made in respect of a single permit period.

**Permit fees**

**12.**—(1) The annual permit fee—

(a) is to be determined by the Welsh Ministers,

(b) will apply to each permit, and

(**1**) 1975 c. 51.

(**2**) 2009 c. 23. Sections 139(1) and (2) were amended (relevantly) to include reference to new section 134A by the Fisheries Act 2020 (c. 22), Schedule 10, paragraph 23. Sections 190 and 292 were amended to increase the maximum fine by S.I. 2015/664, Schedule 4, paragraph 43.

(c) yn gymwys hyd yn oed pan wneir cais am drwydded a phan y'i dyroddir ran o'r ffordd drwy gyfnod trwydded.

(2) Wrth bennu'r ffi drwydded flynyddol, caiff Gweinidogion Cymru ystyried—

(a) gwariant sy'n deillio o reoli'r gwelyau cocos,

(b) gwariant sy'n deillio o unrhyw arolygon gwyddonol neu asesiadau amgylcheddol sy'n ymwneud â'r gwelyau cocos,

(c) gwariant sy'n deillio o weinyddu ceisiadau am drwyddedau,

(d) gwariant sy'n deillio o unrhyw ddadansoddiad o ffurflenni dalfa ddyddiol, ac

(e) unrhyw wariant perthnasol arall.

**Dangos trwyddedau a gofynion ychwanegol**

**13.**—(1) Rhaid i berson sy'n pysgota am gocos neu'n cymryd cocos ddangos copi o drwydded y person hwnnw os bydd person sydd wedi ei awdurdodi gan Weinidogion Cymru yn gofyn iddo wneud hynny.

(2) Ni chaiff person y gofynnwyd iddo ddangos trwydded o dan baragraff (1) bysgota am gocos na chymryd cocos o wely cocos hyd nes y bo wedi dangos y drwydded honno.

(3) Rhaid i berson yng nghyffiniau gwely cocos gyflawni cyfarwyddiadau rhesymol person sy'n arfer swyddogaethau o dan y Gorchymyn hwn.

(4) Ni chaiff person rwystro person sy'n cyflawni swyddogaethau o dan y Gorchymyn hwn.

## RHAN 4

## Esemptiadau, ailddodi cocos a darpariaethau terfynol

**Esemptiadau**

**14.** Nid yw darpariaethau'r Gorchymyn hwn yn gymwys—

(a) i berson sy'n cymryd, â llaw, ddim mwy na 5 cilogram mewn pwysau byw o gocos mewn unrhyw un diwrnod i'w bwyta yn bersonol,

(b) i berson sy'n pysgota am gocos neu'n cymryd cocos gydag awdurdod ysgrifenedig ymlaen llaw gan Weinidogion Cymru at ddibenion gwyddonol neu at ddibenion rheoli pysgodfeydd, ac

(c) i'r graddau eu bod yn gwahardd y canlynol, yn cyfyngu arnynt neu'n ymyrryd â hwy—

(i) unrhyw hawl i bysgodfa unigol, neu

(c) will apply even where a permit is applied for and issued partway through a permit period.

(2) In determining the annual permit fee, the Welsh Ministers may take into account—

(a) expenditure arising from the management of the cockle beds,

(b) expenditure arising from any scientific surveys or environmental assessments relating to the cockle beds,

(c) expenditure arising from the administration of permit applications,

(d) expenditure arising from any analysis of daily catch returns, and

(e) any other relevant expenditure.

**Production of permits and additional requirements**

**13.**—(1) A person fishing for or taking cockles must produce a copy of that person's permit if requested to do so by a person authorised by the Welsh Ministers.

(2) A person who has been requested to produce a permit under paragraph (1) must not fish for or take cockles from a cockle bed until that permit has been produced.

(3) A person in the vicinity of a cockle bed must carry out the reasonable instructions of a person exercising functions under this Order.

(4) A person must not obstruct a person carrying out functions under this Order.

## PART 4

## Exemptions, re-deposit of cockles and final provisions

**Exemptions**

**14.** The provisions of this Order do not apply—

(a) to a person who takes, by hand, no more than 5 kilograms in live weight of cockles in any one day for personal consumption,

(b) to a person who fishes for or takes cockles with the prior written authority of the Welsh Ministers for scientific or fisheries management purposes, and

(c) to the extent that they prohibit, restrict or interfere with,

(i) any right of several fishery, or

(ii) unrhyw hawl ar unrhyw ran o lan y môr, i unrhyw ran o lan y môr neu dros unrhyw ran o lan y môr a fwynheir gan berson o dan Ddeddf leol neu arbennig gan Senedd y Deyrnas Unedig, Siarter Frenhinol, llythyrau patent, neu drwy bresgripsiwn neu ddefnydd ers cyn cof.

**Ailddodi cocos**

**15.**—(1) Rhaid i berson sy'n pysgota am gocos neu'n cymryd cocos yn groes i'r darpariaethau yn y Gorchymyn hwn ailddodi'r cocos ar y gwely cocos y'u cymerwyd ohono yn unol â chyfarwyddiadau gan swyddog gorfodi morol.

(2) Wrth ailddodi cocos o dan baragraff (1), rhaid lledaenu'r cocos mewn haen denau a gwastad.

(3) Yn yr erthygl hon mae i "swyddog gorfodi morol" yr un ystyr ag a roddir i "marine enforcement officer" yn adran 235(1) o Ddeddf 2009.

**Datganiadau, hysbysiadau a thrwyddedau**

**16.**—(1) Rhaid i ddatganiad, hysbysiad neu drwydded a wneir neu a ddyroddir o dan y Gorchymyn hwn gael ei wneud neu ei gwneud yn ysgrifenedig.

(2) Cyhoeddir datganiadau a hysbysiadau a wneir o dan y Gorchymyn hwn ar wefan Llywodraeth Cymru(**1**) a, phan fo'n ymarferol, gosodir datganiadau mewn lleoliadau amlwg ar y gwely cocos neu gerllaw iddo.

(3) Pan fo rhaid gwneud unrhyw beth o dan y Gorchymyn hwn yn ysgrifenedig, mae hynny'n cynnwys cyfathrebiad electronig fel y diffinnir "electronic communication" yn adran 15(1) o Ddeddf Cyfathrebiadau Electronig 2000(**2**), sydd wedi ei recordio ac yn gallu cael ei atgynhyrchu o ganlyniad i hynny.

(4) Caniateir diwygio neu ddirymu datganiadau a hysbysiadau drwy ddatganiadau neu hysbysiadau dilynol.

(ii) any right on, to or over any part of the seashore that is enjoyed by a person under a local or special Act of the Parliament of the United Kingdom, a Royal charter, letters patent, or by prescription or immemorial usage.

**Re-deposit of cockles**

**15.**—(1) A person who fishes for or takes cockles contrary to the provisions in this Order must re-deposit the cockles on the cockle bed from which they were taken in accordance with instructions from a marine enforcement officer.

(2) When re-depositing cockles under paragraph (1), the cockles must be spread thinly and evenly.

(3) In this article a "marine enforcement officer" has the same meaning as in section 235(1) of the 2009 Act.

**Declarations, notices and permits**

**16.**—(1) A declaration, notification or permit made or issued under this Order must be made in writing.

(2) Declarations and notifications made under this Order will be published on the Welsh Government website(**1**) and, whenever practicable, declarations will be placed in clearly visible locations on or near the cockle bed.

(3) Where anything under this Order must be done in writing, that includes an electronic communication as defined in section 15(1) of the Electronic Communications Act 2000(**2**), which has been recorded and is consequently capable of being reproduced.

(4) Declarations and notifications may be amended or revoked by subsequent declarations or notices.

(**1**) Gellir cael copïau o ddatganiadau yn www.llyw.cymru
(**2**) 2000 p. 7.

(**1**) Copies of declarations can be accessed at www.gov.wales.
(**2**) 2000 c. 7.

**Dirymu a diwygio: cyffredinol**

**17.**—(1) Mae Rhan 1 o Atodlen 3 yn cynnwys dirymiadau a diwygiadau i is-ddeddfwriaeth.

(2) Mae Rhan 2 o Atodlen 3 yn cynnwys dirymiadau a diwygiadau i Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru(**1**) ac Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr De Cymru(**2**).

**Dirymu a diwygio: pysgodfa gocos Cilfach Tywyn**

**18.** Mae Rhan 3 o Atodlen 3 yn cynnwys dirymiadau a diwygiadau i Orchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010(**3**) ac Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr De Cymru mewn cysylltiad â physgodfa gocos Cilfach Tywyn.

**Revocations and amendments: general**

**17.**—(1) Part 1 of Schedule 3 contains revocations and amendments to secondary legislation.

(2) Part 2 of Schedule 3 contains revocations and amendments to the Byelaws of the former North Western and North Wales Sea Fisheries Committee(**1**) and the Byelaws of the former South Wales Sea Fisheries Committee(**2**).

**Revocations and amendments: Burry Inlet cockle fishery**

**18.** Part 3 of Schedule 3 contains revocations and amendments to the Marine and Coastal Access Act 2009 (Commencement No 1, Consequential, Transitional and Savings Provision) (England and Wales) Order 2010(**3**) and the Byelaws of the former South Wales Sea Fisheries Committee in respect of the Burry Inlet cockle fishery.

*Huw Irranca-Davies*

Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig, un o Weinidogion Cymru
25 Mehefin 2024

Cabinet Secretary for Climate Change and Rural Affairs, one of the Welsh Ministers
25 June 2024

(**1**) Diddymwyd Pwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru, o ran Cymru, ar 1 Ebrill 2010 pan ddaeth erthygl 3 o Orchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010 (O.S. 2010/630 (C. 42)) ag adran 187 o Ddeddf y Môr a Mynediad i'r Arfordir 2009 (p. 23) i rym. Effaith hynny oedd diddymu Deddf Rheoleiddio Pysgodfeydd Môr 1966 (p. 38).

(**2**) Diddymwyd Pwyllgor Pysgodfeydd Môr De Cymru, o ran Cymru, ar 1 Ebrill 2010 pan ddaeth erthygl 3 o Orchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010 (O.S. 2010/630 (C. 42)) ag adran 187 o Ddeddf y Môr a Mynediad i'r Arfordir 2009 (p. 23) i rym. Effaith hynny oedd diddymu Deddf Rheoleiddio Pysgodfeydd Môr 1966 (p. 38).

(**3**) O.S. 2010/630.

(**1**) The North Western and North Wales Sea Fisheries Committee was dissolved, in relation to Wales, on 1 April 2010 when article 3 of 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)) brought into force section 187 of the Marine and Coastal Access Act 2009 (c. 23), with the effect of repealing the Sea Fisheries Regulation Act 1966 (c. 38).

(**2**) The South Wales Sea Fisheries Committee was dissolved, in relation to Wales, on 1 April 2010 when article 3 of 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)) brought into force section 187 of the Marine and Coastal Access Act 2009 (c. 23), with the effect of repealing the Sea Fisheries Regulation Act 1966 (c. 38).

(**3**) S.I. 2010/630.

# ATODLEN 1 Erthygl 2

## Ardal Benodedig

**1.** —(1)Mae'r ardal benodedig o fewn y terfynau a ganlyn—

(a) llinell a dynnir tua'r dwyrain o Bwynt Ginst (cyfeirnod map SN 332079) i Bwynt Pen Tywyn (cyfeirnod map SN 357064);

(b) llinell a dynnir o:

(i) lleoliad A (cyfeirnod map SS 4280 9422) i,

(ii) lleoliad B (cyfeirnod map SS 4420 9862) i,

(iii) lleoliad C (cyfeirnod map SS 4472 9670), a

(iv) ar hyd y Penllanwau Astronomaidd i leoliad A;

(c) llinell a dynnir:

(i) yn y gorllewin, o ben Pier Pen-bre tua'r môr i bwynt mwyaf gogleddol Pwynt Whiteford, sy'n gorwedd rhwng Marc Penllanw Llanwau Cyffredin ar lannau gogleddol a deheuol yr aber yn y drefn honno;

(ii) yn y dwyrain, o ochr tua'r môr y rhan honno o Bont Reilffordd Casllwchwr sydd rhwng Marc Penllanw Llanwau Cyffredin ar y glannau gogledd-orllewinol a de-ddwyreiniol yn y drefn honno a llinell a dynnir o ben de-ddwyreiniol y rhan honno o'r bont reilffordd yn union i'r de hyd nes iddi daro Marc Penllanw Llanwau Cyffredin eto;

(iii) yn y gogledd a'r de, o Farc Penllanw Llanwau Cyffredin ar lannau gogleddol a deheuol yr aber yn y drefn honno rhwng y ffiniau gorllewinol a dwyreiniol;

(d) yr ardal islaw llinell y Penllanwau Astronomaidd a amgaeir gan linell a dynnir rhwng:

(i) pwynt A (lledred 53˚18'.87G, hydred 004˚12'.30Gn, cyfeirnod map SH 5320 8200), a

(ii) pwynt B (lledred 53˚18'.95G, hydred 004˚07'.76Gn, cyfeirnod map SH 5825 8200);

# SCHEDULE 1 Article 2

## Specified Area

**1.**—(1) The specified area lies within the following limits—

(a) a line drawn eastwards from Ginst Point (map reference SN 332079) to Pen Tywyn Point (map reference SN 357064);

(b) a line drawn from—

(i) position A (map reference SS 4280 9422) to,

(ii) position B (map reference SS 4420 9862) to,

(iii) position C (map reference SS 4472 9670), and

(iv) along the Highest Astronomical Tides to position A;

(c) a line drawn—

(i) on the West, from the seaward end of Pembrey Pier to the most northerly point of Whiteford Point, which lies between High Water Mark or Ordinary Tides on the northern and southern shores of the estuary respectively;

(ii) on the east, from the seaward side of that part of the Loughor Railway Bridge which is situated between High Water Mark of Ordinary Tides on the north-western and south-eastern shores respectively and a line drawn from the south-eastern end of that part of the railway bridge due south until it again meets High Water Mark of Ordinary Tides;

(iii) on the north and south, from the High Water Mark of Ordinary Tides on the northern and southern shores of the estuary respectively between the western and eastern boundaries;

(d) the area below the line of the Highest Astronomical Tides enclosed by a line drawn between—

(i) point A (latitude 53˚18'.87N, longitude 004˚12'.30W, map reference SH 5320 8200), and

(ii) point B (latitude 53˚18'.95N, longitude 004˚07'.76W, map reference SH 5825 8200);

(e) llinell a dynnir rhwng y lleoliadau a ganlyn, fel y'u disgrifir:

(i) llinell syth o ledred 53˚08'.08G, hydred 004˚21'.05Gn, cyfeirnod map SH 4274 6234 i ledred 53˚08'.63G, hydred 004˚19'.02'Gn, cyfeirnod map SH 4504 6328;

(ii) ar hyd llinell y Penllanwau Astronomaidd o ledred 53˚08'.63G, hydred 004˚19'.02Gn, cyfeirnod map 4504 6328 i ledred 53˚08'.89G, hydred 004˚17'.90'Gn, cyfeirnod map 4632 6372;

(iii) llinell syth o ledred 53˚08'.89G, hydred 004˚17'.90'Gn, cyfeirnod map 4632 6372 i ledred 53˚08'.01G, hydred 004˚ 17'.85Gn, cyfeirnod map 4632 6210;

(iv) ar hyd llinell y Penllanwau Astronomaidd o ledred 53˚08'.01G, hydred 004˚17'.85'Gn, cyfeirnod map 4632 6210 i ledred 53˚07'.68G, hydred 004˚18'.55'Gn, cyfeirnod map 4552 6150;

(v) llinell syth o ledred 53˚07'.68G, hydred 004˚18'.55Gn, cyfeirnod map 4552 6150 i ledred 53˚07'.66'G, hydred 004˚19'.57'Gn, cyfeirnod map 4438 6150;

(vi) ar hyd y Penllanwau Astronomaidd o ledred 53˚07'.66G, hydred 004˚19'.57Gn, cyfeirnod map 4438 6150 i ledred 53˚08'.08G, hydred 004˚21'.05Gn, cyfeirnod map 4274 6234;

(f) llinell a dynnir rhwng y lleoliadau a ganlyn, fel y'u disgrifir:

(i) llinell syth o ledred 53˚13'.84G, hydred 004˚04'.53Gn, cyfeirnod map SH 6157 7241 i ledred 53˚15'.15G, hydred 004˚05'.17Gn, cyfeirnod map SH 6092 7486;

(ii) llinell syth o ledred 53˚15'.15G, hydred 004˚05'.17Gn, cyfeirnod map SH 6092 7486 i ledred 53˚16'.15G, hydred 003˚59'.46Gn, cyfeirnod map SH 6732 7654;

(iii) llinell syth o ledred 53˚16'.15G, hydred 003˚59'.46Gn, cyfeirnod map SH 6732 7654 i ledred 53˚15'.59G, hydred 003˚58'.81Gn, cyfeirnod map SH 6801 7548;

(e) a line drawn between the following positions, as described—

(i) a straight line from latitude 53˚08'.08N, longitude 004˚21'.05W, map reference SH 4274 6234 to latitude 53˚08'.63N, longitude 004˚19'.02W, map reference SH 4504 6328;

(ii) along the line of the Highest Astronomical Tides from latitude 53˚08'.63N, longitude 004˚19'.02W, map reference 4504 6328 to latitude 53˚08'.89N, longitude 004˚17'.90W, map reference 4632 6372;

(iii) a straight line from latitude 53˚08'.89N, longitude 004˚17'.90W, map reference 4632 6372 to latitude 53˚08'.01N, longitude 004˚17'.85W, map reference 4632 6210;

(iv) along the line of the Highest Astronomical Tides from latitude 53˚08'.01N, longitude 004˚17'.85W, map reference 4632 6210 to latitude 53˚07'.68N, longitude 004˚18'.55W, map reference 4552 6150;

(v) a straight line from latitude 53˚07'.68N, longitude 004˚18'.55W, map reference 4552 6150 to latitude 53˚07'.66N, longitude 004˚19'.57W, map reference 4438 6150;

(vi) along the Highest Astronomical Tides from latitude 53˚07'.66N, longitude 004˚19'.57W, map reference 4438 6150 to latitude 53˚08'.08N, longitude 004˚21'.05W, map reference 4274 6234;

(f) a line drawn between the following positions, as described—

(i) a straight line from latitude 53˚13'.84N, longitude 004˚04'.53W, map reference SH 6157 7241 to latitude 53˚15'.15N, longitude 004˚05'.17W, map reference SH 6092 7486;

(ii) a straight line from latitude 53˚15'.15N, longitude 004˚05'.17W, map reference SH 6092 7486 to latitude 53˚16'.15N, longitude 003˚59'.46W, map reference SH 6732 7654;

(iii) a straight line from latitude 53˚16'.15N, longitude 003˚59'.46W, map reference SH 6732 7654 to latitude 53˚15'.59N, longitude 003˚58'.81W, map reference SH 6801 7548;

(iv) ar hyd llinell y Penllanwau Astronomaidd o ledred 53˚15’.59G, hydred 003˚58’.81Gn, cyfeirnod map SH 6801 7548 i ledred 53˚13’.84G, hydred 004˚04’.53Gn, cyfeirnod map SH 6157 7241.

(2) Yn yr atodlen hon ystyr y term “Penllanwau Astronomaidd” yw’r lefel uchaf o lanw y gellir rhagfynegi y bydd yn digwydd o dan amodau meteorolegol cyffredin ac unrhyw gyfuniad o amodau astronomaidd.

(iv) along the line of the Highest Astronomical Tides from latitude 53˚15’.59N, longitude 003˚58’.81W, map reference SH 6801 7548 to latitude 53˚13’.84N, longitude 004˚04’.53W, map reference SH 6157 7241.

(2) In this Schedule the term “Highest Astronomical Tides” means the highest level of tide which can be predicted to occur under average meteorological conditions and any combination of astronomical conditions.

# ATODLEN 2 Erthygl 9

## Amodau trwydded

**1.** Mae'r amodau a ganlyn yn gymwys i bob trwydded a ddyroddir gan Weinidogion Cymru o dan erthygl 8 o'r Gorchymyn hwn.

**Gofyniad i gadarnhau statws gwely cocos**

**2.** Rhaid i'r deiliad trwydded edrych ar wefan(**1**) Llywodraeth Cymru bob dydd i gadarnhau bod gwely cocos ar agor cyn iddo bysgota am gocos neu gymryd cocos o'r gwely cocos hwnnw.

**Gwahardd pysgota gyda'r nos**

**3.** Ni chaiff y deiliad trwydded bysgota am gocos neu eu cymryd, nac yn fwriadol ganiatáu i berson arall bysgota am gocos neu eu cymryd neu ei gynorthwyo i wneud hynny, o wely cocos rhwng hanner awr ar ôl machlud haul ar unrhyw ddiwrnod a hanner awr cyn codiad haul y diwrnod canlynol.

**Cyfyngu ar ddefnyddio llestrau**

**4.** Ni chaiff y deiliad trwydded ddefnyddio llestr sydd dros 10 metr o hyd yn ei chyfanrwydd pan gaiff ei mesur o'r blaen i'r starn, wrth bysgota am gocos neu gymryd cocos o wely cocos.

**5.** Rhaid i ddeiliad trwydded hysbysu Gweinidogion Cymru os yw'r manylion sy'n ymwneud â'r llestr a nodir yn ei gais am drwydded yn newid ar unrhyw adeg yn ystod y cyfnod trwydded.

**Ffurflenni dalfa ddyddiol**

**6.**—(1) Rhaid i'r deiliad trwydded gyflwyno ffurflen dalfa ddyddiol i Weinidogion Cymru o fewn deuddydd i'r diwrnod y pysgotwyd am y cocos hynny neu y'u cymerwyd o wely cocos.

(2) Rhaid i ffurflen dalfa ddyddiol gofnodi—

(a) dyddiad pob dalfa o gocos,

(b) cyfanswm pwysau byw yr holl gocos a gasglwyd ar y dyddiad hwnnw, ac

(c) y gwely cocos y casglwyd y cocos ohono.

(**1**) www.llyw.cymru.

# SCHEDULE 2 Article 9

## Permit conditions

**1.** The following conditions apply to all permits issued by the Welsh Ministers under article 8 of this Order.

**Requirement to check the status of a cockle bed**

**2.** The permit holder must check the Welsh Government's website(**1**) each day to confirm a cockle bed is open before they fish for or take cockles from that cockle bed.

**Prohibition on fishing at night**

**3.** The permit holder must not fish for or take cockles or knowingly allow or assist another person to fish for or take cockles from a cockle bed between half an hour after sunset on any day and half an hour before sunrise on the following day.

**Restriction on the use of vessels**

**4.** The permit holder must not use a vessel over 10 metres in overall length when measured from bow to stern, when fishing for or taking cockles from a cockle bed.

**5.** A permit holder must notify the Welsh Ministers if the details relating to the vessel identified in their permit application change at any time during the permit period.

**Daily catch returns**

**6.**—(1) The permit holder must submit a daily catch return to the Welsh Ministers within two days of the day on which those cockles were fished for or taken from a cockle bed.

(2) A daily catch return must record—

(a) the date of each catch of cockles,

(b) the total live weight of all cockles gathered on that date, and

(c) the cockle bed from which the cockles were gathered.

(**1**) www.gov.wales.

**Casglu a didoli cocos**

**7.** Rhaid i'r deiliad trwydded ddidoli a golchi cocos cyn iddynt gael eu cymryd o'r gwely cocos ac, at y dibenion hyn, ystyrir bod cocosen wedi ei chymryd o wely cocos cyn gynted ag y bo wedi ei rhoi mewn cynhwysydd (gan gynnwys bagiau, sachau, a daliedyddion tebyg eraill).

**8.**—(1) Ni chaiff y deiliad trwydded fod â bag rhwyd yn ei feddiant nac yn ei lestr pan fydd ar wely cocos na defnyddio bag rhwyd i gasglu cocos o wely cocos.

(2) At ddibenion y paragraff hwn, ystyr "bag rhwyd" yw dyfais ystwyth a ddelir â llaw a ddefnyddir i bysgota am gocos neu gymryd cocos sydd â ffrâm galed a rhwyd eang, agored.

**Gofyniad i gario a dangos y drwydded**

**9.** Rhaid i'r deiliad trwydded gario ei drwydded bob amser (naill ai ar ffurf electronig neu bapur) wrth gasglu cocos o wely cocos.

**Gathering and sorting of cockles**

**7.** The permit holder must sort and wash cockles before they are taken from the cockle bed and for these purposes, a cockle is deemed as taken from a cockle bed as soon as it is placed in a container (including bags, sacks, and other similar receptacles).

**8.**—(1) The permit holder must not have in their possession or vessel a net bag while on a cockle bed or use a net bag to gather cockles from a cockle bed.

(2) For the purposes of this paragraph "net bag" means a flexible handheld device used to fish for or take cockles which has a rigid frame and a wide, open net.

**Requirement to carry and produce the permit**

**9.** The permit holder must carry their permit at all times (either in electronic or paper form) while gathering cockles from a cockle bed.

# ATODLEN 3 Erthyglau 17 a 18

## Dirymu a diwygio

## RHAN 1

### Is-ddeddfwriaeth

**Gorchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010**

**1.**—(1) Mae Gorchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010(**1**) wedi ei ddiwygio fel a ganlyn.

(2) Yn y Tabl yn Atodlen 3 (Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr De Cymru), dileer y rhesi sy'n ymwneud ag Is-ddeddf 21 (Gwahardd casglu Cocos gyda'r nos) ac Is-ddeddf 47 (Trwydded i Gymryd Cocos yn Aber y Tair Afon).

(3) Yn y tabl yn Atodlen 4 (Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru), dileer y rhes sy'n ymwneud ag Is-ddeddf 14 (Pysgodfa Gocos – Cau Tymhorol).

**Gorchymyn Cocos a Chregyn Gleision (Ardal Benodedig) (Cymru) 2011**

**2.**—(1) Mae Gorchymyn Cocos a Chregyn Gleision (Ardal Benodedig) (Cymru) 2011(**2**) wedi ei ddiwygio fel a ganlyn.

(2) Yn erthygl 2—

(a) hepgorer y diffiniad o "cocos" ("*cockles*");

(b) hepgorer y diffiniad o "pysgod cregyn penodedig" ("*specified shellfish*").

(3) Yn erthygl 3—

(a) yn lle "y pysgod cregyn penodedig" ym mhob lle y mae'n digwydd, rhodder "cregyn gleision" (gan dreiglo yn ôl yr angen);

(**1**) O.S. 2010/630. Mae Atodlen 3 wedi ei diwygio gan erthygl 7(6)(a) o O.S. 2015/2076 (Cy. 312) ac erthygl 7(3) o O.S. 2019/1042 (Cy. 184). Mae Atodlen 4 wedi ei diwygio gan erthygl 9(2) o O.S. 2011/1988 (Cy. 219), erthygl 4(2) o O.S. 2012/2571 (Cy. 282) ac erthygl 7(6)(b) o O.S. 2015/2076 (Cy. 312).

(**2**) O.S. 2011/1988 (Cy. 219).

# SCHEDULE 3 Articles 17 and 18

## Revocations and amendment

## PART 1

### Secondary Legislation

**Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010**

**1.**—(1) The Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010(**1**) is amended as follows.

(2) In the Table in Schedule 3 (Byelaws of the former South Wales Sea Fisheries Committee), delete the rows relating to Byelaw 21 (Prohibition of night gathering of Cockles) and Byelaw 47 (Permit to Take Cockles within the Three Rivers Estuary).

(3) In the Table in Schedule 4 (Byelaws of the former North Western and North Wales Sea Fisheries Committee), delete the row relating to Byelaw 14 (Cockle Fishery – Seasonal Closure).

**The Cockles and Mussels (Specified Area) (Wales) Order 2011**

**2.**—(1) The Cockles and Mussels (Specified Area) (Wales) Order 2011(**2**) is amended as follows.

(2) In article 2—

(a) omit the definition of "cockles" ("*cocos*");

(b) omit the definition of "specified shellfish" ("*pysgod cregyn penodedig*").

(3) In article 3—

(a) for "the specified shellfish" in each place it occurs, substitute "mussels";

(**1**) S.I. 2010/630. Schedule 3 has been amended by S.I. 2015/2076 (W. 312), art.7(6)(a), and S.I.2019/1042 (W. 184), art.7(3). Schedule 4 has been amended by S.I. 2011/1988 (W. 219), art 9(2), and S.I. 2012/2571 (W. 282), art 4(2), and S.I. 2015/2076 (W. 312), art 7(6)(b).

(**2**) S.I. 2011/1988 (W. 219).

(b) ym mharagraff (1) yn lle "bysgod cregyn penodedig" rhodder "gregyn gleision" ac yn lle "pysgod cregyn penodedig" rhodder "cregyn gleision";

(c) ym mharagraff (2)(a), hepgorer "phum cilogram mewn pwysau byw o gocos a".

(4) Yn erthygl 6(1)(a) yn lle "y pysgod cregyn penodedig", rhodder "cregyn gleision" (gan dreiglo yn ôl yr angen).

(5) Yn erthygl 7, yn lle "y pysgod cregyn penodedig" ym mhob lle y mae'n digwydd, rhodder "cregyn gleision" (gan dreiglo yn ôl yr angen).

(6) Yn erthygl 8—

(a) ym mharagraff (1) yn lle "bysgod cregyn penodedig", rhodder "gregyn gleision" ac yn lle "pysgod cregyn penodedig" rhodder "cregyn gleision";

(b) ym mharagraff (1) yn lle "y pysgod cregyn hynny" rhodder "y cregyn gleision hynny";

(c) ym mharagraff (2)—

(i) yn is-baragraff (a) yn lle "bysgod cregyn penodedig" rhodder "gregyn gleision" ac yn is-baragraff (ch) yn lle "y pysgod cregyn penodedig" rhodder "y cregyn gleision";

(ii) hepgorer is-baragraff (b).

(b) in paragraph (1), for "specified shellfish" substitute "mussels";

(c) in paragraph (2)(a), omit "five kilograms in live weight of cockles and".

(4) In article 6(1)(a), for "the specified shellfish", substitute "mussels".

(5) In article 7, for "the specified shellfish" in each place it occurs, substitute "mussels".

(6) In article 8—

(a) in paragraph (1), for "specified shellfish" substitute "mussels";

(b) in paragraph (1), for "shellfish" substitute "mussels";

(c) in paragraph (2)—

(i) in sub-paragraph (a) and (d), for "specified shellfish" substitute "mussels";

(ii) omit sub-paragraph (b).

## RHAN 2

## Is-ddeddfau'r cyn-Bwyllgorau Pysgodfeydd Môr

### Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru

**3.**—(1) Mae Is-ddeddfau(**1**) cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru wedi eu diwygio fel a ganlyn.

(2) Yn Is-ddeddf 12 (Cyfyngiadau ar Bysgota am Bysgod Cregyn Molysgaidd Dwygragennog)—

(a) hepgorer paragraff 1 b) a'r "or" ar ei ôl;

## PART 2

## Byelaws of the former Sea Fisheries Committees

### Byelaws of the former North Western and North Wales Sea Fisheries Committee

**3.**—(1) The Byelaws(**1**) of the former North Western and North Wales Sea Fisheries Committee are amended as follows.

(2) In Byelaw 12 (Restrictions on Fishing for Bivalve Molluscan Shellfish)—

(a) omit paragraph 1 b) and the "or" following it;

(**1**) O 1 Ebrill 2010, mae Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru yn cael effaith fel pe baent wedi eu gwneud gan Weinidogion Cymru mewn offeryn statudol o ran yr un ardal o Gymru â'r ardal yr oedd yr is-ddeddf honno'n gymwys iddi yn wreiddiol yn rhinwedd erthygl 13(3) o Orchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010 (O.S. 2010/630 (C. 42)) ac Atodlen 4 iddo.

(**1**) From 1 April 2010, the Byelaws of the former North Western and North Wales Sea Fisheries Committee have effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(3) of and Schedule 4 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)).

(b) ar ôl paragraff 3, mewnosoder "References in this Byelaw to bivalve molluscan shellfish do not include cockles."

(3) Yn Is-ddeddf 13 (Cocos – Isafswm Maint), ar y diwedd mewnosoder "This Byelaw does not apply in the Specified Area defined in article 2 of and Schedule 1 to the Cockle Management and Permitting (Specified Area) (Wales) Order 2024."

(4) Yn Is-ddeddf 13A (Cocos a Chregyn Gleision – Rheoli'r Bysgodfa)—

(a) hepgorer "cockles and" a "cockles or" ym mhob lle maent yn digwydd, gan gynnwys yn y pennawd;

(b) ym mharagraff 1, hepgorer "cockle (*Cerastoderma edule*) or";

(c) ym mharagraff 2, hepgorer "cockle or".

(5) Mae Is-ddeddf 14 (Pysgodfa Gocos – Cau Tymhorol) wedi ei dirymu.

(6) Yn Is-ddeddf 16 (Pysgodfa Pysgod Cregyn – Cau Dros Dro), ar y diwedd mewnosoder "This Byelaw does not apply in relation to cockles."

(7) Yn Is-ddeddf 17 (Ailddodi Pysgod Cregyn), hepgorer ", and in re-depositing cockles, in accordance with this byelaw, shall spread them thinly and evenly over the beds."

**Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr De Cymru**

**4.**—(1) Mae Is-ddeddfau(**1**) cyn-Bwyllgor Pysgodfeydd Môr De Cymru wedi eu diwygio fel a ganlyn.

(2) Yn Is-ddeddf 13 (Pysgod Cregyn – Meintiau Lleiaf), hepgorer paragraff c).

(3) Mae Is-ddeddf 21 (Gwahardd Casglu Cocos gyda'r Nos) wedi ei dirymu.

(4) Yn Is-ddeddf 22 (Cyfrif am Bwyso), ar y diwedd mewnosoder "This Byelaw does not apply in relation to cockles."

(5) Yn Is-ddeddf 23 (Pysgod Cregyn – eu Hailddodi)—

(a) hepgorer ", and in re-depositing cockles (*Crerastoderma edule*), in accordance with this Byelaw shall spread them thinly and evenly over the beds";

(b) after paragraph 3, insert "References in this Byelaw to bivalve molluscan shellfish do not include cockles."

(3) In Byelaw 13 (Cockles – Minimum Size), at the end insert "This Byelaw does not apply in the Specified Area defined in article 2 of and Schedule 1 to the Cockle Management and Permitting (Specified Area) (Wales) Order 2024."

(4) In Byelaw 13A (Cockles and Mussels – Management of the Fishery)—

(a) omit "cockles and" and "cockles or" in each place these occur, including in the heading;

(b) in paragraph 1, omit "cockle (*Cerastoderma edule*) or";

(c) in paragraph 2, omit "cockle or".

(5) Byelaw 14 (Cockle Fishery – Seasonal Closure) is revoked.

(6) In Byelaw 16 (Shell Fishery – Temporary Closure), at the end insert "This Byelaw does not apply in relation to cockles".

(7) In Byelaw 17 (Re-Deposit of Shellfish), omit ", and in re-depositing cockles, in accordance with this byelaw, shall spread them thinly and evenly over the beds".

**Byelaws of the former South Wales Sea Fisheries Committee**

**4.**—(1) The Byelaws(**1**) of the former South Wales Sea Fisheries Committee are amended as follows.

(2) In Byelaw 13 (Shellfish – Minimum Sizes) , omit paragraph c).

(3) Byelaw 21 (Prohibition of Night Gathering of Cockles) is revoked.

(4) In Byelaw 22 (Allowance for Weighing), at the end insert "This Byelaw does not apply in relation to cockles".

(5) In Byelaw 23 (Shellfish – Re-Deposit of)—

(a) omit ", and in re-depositing cockles (*Crerastoderma edule*), in accordance with this Byelaw shall spread them thinly and evenly over the beds";

(**1**) O 1 Ebrill 2010, mae Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr De Cymru yn cael effaith fel pe baent wedi eu gwneud gan Weinidogion Cymru mewn offeryn statudol o ran yr un ardal o Gymru â'r ardal yr oedd yr is-ddeddf honno'n gymwys iddi yn wreiddiol yn rhinwedd erthygl 13(1) o Orchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010 (O.S. 2010/630 (C. 42)) ac Atodlen 3 iddo.

(**1**) From 1 April 2010, the Byelaws of the former South Wales Sea Fisheries Committee have effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(1) 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)).

(b) ar y diwedd mewnosoder “This Byelaw does not apply in relation to cockles.”

(6) Yn Is-ddeddf 24 (Cau Pysgodfeydd Pysgod Cregyn dros dro), ar ôl paragraff ii mewnosoder “This Byelaw does not apply in relation to cockles.”

(7) Yn Is-ddeddf 40 (Pysgod Cregyn Molysgaidd Dwygragennog – Dulliau Pysgota), ar y diwedd mewnosoder “This Byelaw does not apply in relation to cockles.”

(8) Mae Is-ddeddf 47 (Trwydded i Gymryd Cocos yn Aber y Tair Afon) wedi ei dirymu.

## RHAN 3

### Pysgodfa gocos Cilfach Tywyn

**5.**—(1) Mae Gorchymyn Deddf y Môr a Mynediad i'r Arfordir 2009 (Cychwyn Rhif 1, Darpariaethau Canlyniadol, Darpariaethau Trosiannol a Darpariaethau Arbed) (Cymru a Lloegr) 2010 wedi ei ddiwygio fel a ganlyn.

(2) Yn y Tabl yn Atodlen 3 (Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr De Cymru), dileer y rhesi sy'n ymwneud ag Is-ddeddf 15 (Defnyddio Cerbydau ym Mhysgodfa Gocos Cilfach Tywyn), Is-ddeddf 16 (Dim Casglu Cocos ar Ddydd Sul), Is-ddeddf 17 (Trwyddedu Casglu Cocos yng Nghilfach Tywyn), Is-ddeddf 18 (Cwota Cocos Dyddiol (Cilfach Tywyn)), ac Is-ddeddf 19 (Casglu Cocos at Ddefnydd Personol – Cilfach Tywyn).

**6.**—(1) Mae Is-ddeddfau cyn-Bwyllgor Pysgodfeydd Môr Gogledd-orllewin Lloegr a Gogledd Cymru wedi eu diwygio fel a ganlyn.

(2) Mae Is-ddeddf 15 (Defnyddio Cerbydau ym Mhysgodfa Gocos Cilfach Tywyn) wedi ei dirymu.

(3) Mae Is-ddeddf 16 (Dim Casglu Cocos ar Ddydd Sul) wedi ei dirymu.

(4) Mae Is-ddeddf 17 (Trwyddedu Casglu Cocos yng Nghilfach Tywyn) wedi ei dirymu.

(5) Mae Is-ddeddf 18 (Cwota Cocos Dyddiol (Cilfach Tywyn)) wedi ei dirymu.

(6) Mae Is-ddeddf 19 (Casglu Cocos at Ddefnydd Personol – Cilfach Tywyn) wedi ei dirymu.

©℗Hawlfraint y Goron 2024

Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

(b) at the end insert “This Byelaw does not apply in relation to cockles”.

(6) In Byelaw 24 (Temporary Closure of Shellfish Fisheries), after paragraph ii insert “This Byelaw does not apply in relation to cockles”.

(7) In Byelaw 40 (Bivalve Molluscan Shellfish - Methods of Fishing), at the end insert “This Byelaw does not apply in relation to cockles”.

(8) Byelaw 47 (Permit to Take Cockles within the Three Rivers Estuary) is revoked.

## PART 3

### The Burry Inlet cockle fishery

**5.**—(1) The Marine and Coastal Access Act 2009 (Commencement No 1, Consequential, Transitional and Savings Provision) (England and Wales) Order 2010 is amended as follows.

(2) In the Table in Schedule 3 (Byelaws of the former South Wales Sea Fisheries Committee), delete the rows relating to Byelaw 15 (Vehicle Usage in the Burry Inlet Cockle Fishery), Byelaw 16 (No Sunday Gathering), Byelaw 17 (The Licensing of Cockle Gathering in the Burry Inlet), Byelaw 18 (Daily Cockle Quota (Burry Inlet)), and Byelaw 19 (Personal Cockle Gathering – Burry Inlet).

**6.**—(1) The Byelaws of the former South Wales Sea Fisheries Committee are amended as follows.

(2) Byelaw 15 (Vehicle Usage in the Burry Inlet Cockle Fishery) is revoked.

(3) Byelaw 16 (No Sunday Gathering) is revoked.

(4) Byelaw 17 (The Licensing of Cockle Gathering in the Burry Inlet) is revoked.

(5) Byelaw 18 (Daily Cockle Quota (Burry Inlet)) is revoked.

(6) Byelaw 19 (Personal Cockle Gathering – Burry Inlet) is revoked.

© Crown copyright 2024

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-348-39580-8

£8.14

http://www.legislation.gov.uk/id/wsi/2024/767