



Eastern Inshore Fisheries and Conservation Authority

MARINE AND COASTAL ACCESS ACT 2009 (c.23)

FISH, MOLLUSC AND CRUSTACEA MINIMUM SIZE EMERGENCY BYELAW 2019

The Authority for the Eastern Inshore Fisheries and Conservation District, in exercise of the power conferred by section 157 of the Marine and Coastal Access Act 2009 makes the following byelaw for that District.

Interpretation

1) In this byelaw-

- a) "the Authority" means the Eastern Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the Eastern Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2189);
- b) "District" means the Eastern Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the Eastern Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2189);
- c) "Live bait" means fish that are:
 - i) used only as a hook bait for the capture of other fish; and
 - ii) retained within a receptacle; and
 - iii) released alive into the fishery when no longer required; and
 - iv) not landed or removed from the fishery;
- d) "North Eastern Inshore Fisheries and Conservation District" means the North Eastern Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the Eastern Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2193).

Catch Prohibitions and Restrictions

- 2) This byelaw does not apply where the landing obligation under Article 15 of Regulation (EU) 1380/2013, or any subsequent regulation that requires marine organisms to be landed, applies.
- 3) Subject to paragraphs 5, 6 and 10, no person shall remove from the fishery, retain on board, tranship, land, transport, store, sell, display or offer for sale, any of the species named in paragraph 9 that measure less than the sizes specified but shall return them immediately to the sea.
- 4) No person shall, retain on board, tranship, land, transport, store, sell, display or offer for sale, any whelk (*Buccinum undatum*) which were caught from outside of the district which measure less than 45mm.
- 5) Paragraph 3 shall not apply to: sardine, anchovy, herring, horse mackerel and mackerel, within a limit of 10 % by live weight of the total catches retained on board of each of these species. The percentage of undersized sardine, anchovy, herring, horse mackerel or mackerel shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing. The percentage may be calculated on the basis of one or more representative samples. The limit of 10 % shall not be exceeded during transhipment, landing, transportation, storage, display or sale.
- 6) Paragraph 3 shall not apply in relation to edible crab (*Cancer pagarus*):
 - a) which were caught from within the district unless they measure less than 115mm or;
 - b) which were caught from outside of the district unless:
 - i) they were caught outside of the North Eastern Inshore Fisheries and Conservation district and:
 - ii) they measure less than 130mm.
- 7) The marine organisms specified in paragraph 9 shall be measured in accordance with Schedule 1.
- 8) Named crustaceans and named molluscs for which a size is specified in paragraph 9 may only be retained on board whole and may only be landed whole with the exception of the Norway Lobster.
- 9) Species and specified minimum sizes
 - (a) Named Fish Species

Bass (<i>Dicentrarchus labrax</i>)	42 cm
Cod (<i>Gadus morhua</i>)	35 cm
Sole (<i>Solea spp.</i>)	24 cm

Hake (<i>Merluccius merluccius</i>)	27 cm
Haddock (<i>Melanogrammus aeglefinus</i>)	30 cm
Herring (<i>Clupea harengus</i>)	20 cm
Horse Mackerel (<i>Trachurus trachurus</i>)	15 cm
Ling (<i>Molva molva</i>)	63 cm
Megrim (<i>Lepidorhombus spp.</i>)	20 cm
Mackerel (<i>Scomber scomber</i>)	30 cm
Plaice (<i>Pleuronectes platessa</i>)	27 cm
Pollack (<i>Pollachius pollachius</i>)	30 cm
Saithe (<i>Pollachus virens</i>)	35 cm
Whiting (<i>Merlangius merlangus</i>)	27 cm

(b) Named Mollusc Species

Queen scallop (<i>Chlamys spp.</i>)	40 mm
Scallop (<i>Pecten maximus</i>)	100 mm
Octopus (<i>Octopus vulgaris</i>)	750 grams

(c) Named Crustacea Species

Edible Crabs (<i>Cancer pagurus</i>)	140 mm
European Lobster (<i>Homarus gammarus</i>)	87 mm
Spider Crab (<i>Maja squinado</i>)	
Male	130 mm
Female	120 mm
Velvet swimming Crab (<i>Necora puber</i>)	65 mm
Crawfish (<i>Palinurus spp.</i>)	95mm (carapace length)
Norway Lobster (<i>Nephrops norvegicus</i>)	
Total length	85mm
Carapace length	25mm
Tail length	46mm

10) The following named species below the minimum sizes specified in paragraph 9 may be used as 'live bait'

- (a) Horse Mackerel (*Trachurus trachurus*)
- (b) Mackerel (*Scomber scomber*)

I hereby certify that FISH, MOLLUSC AND CRUSTACEA MINIMUM SIZE EMERGENCY BYELAW 2019 was made under section 157 of the Marine and Coastal Access Act (c.23) by the Chief Executive Officer, in consultation with the Chair and Vice Chair of the Eastern Inshore Fisheries and Conservation Authority in accordance with the scheme of delegations under the Constitution and Standing Orders for the Authority, on the 13th August 2019. The said byelaw comes into force on the 13th August 2019.

A handwritten signature in black ink, appearing to read 'J. Gregory', written in a cursive style.

Julian Gregory

Chief Executive Officer

Eastern Inshore Fisheries and Conservation Authority

6 North Lynn Business Village, Bergen Way, King's Lynn, Norfolk PE30 2JG

Explanatory Note
(This note is not part of the Byelaw)

This byelaw prohibits the removal from the fishery, retention on board, transshipping, landing, transporting, storing, selling, displaying or offering for sale specified marine organisms below specified sizes. The byelaw also prohibits the retention on board or landing of crustaceans unless they are whole, with the exception of the Norway Lobster.

The byelaw provisions shall not apply to any catch that is subject to Article 15 of Regulation (EU) 1380/2013 or any subsequent regulation that requires fish to be retained and landed in order to prohibit discarding at sea.

The byelaw includes method of measurement according to the anatomy of the named species.

The byelaw contains provisions for the retention of live named fish species below the minimum size that may be used as live bait when fishing for predatory fish species.

The byelaw also contains provisions for retaining 10% undersize catch in relation to sardine, anchovy, herring, horse mackerel or mackerel.

Schedule 1

Measurement of the size of a marine organism

1. The size of any fish shall be measured, as shown in Figure 1 for illustrative purposes, from the tip of the snout to the end of the tail fin.
2. The size of a Norway lobster shall be measured as shown in Figure 2 for illustrative purposes:
 - a. as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace, and/or,
 - b. as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae, and/or,
 - c. in the case of detached Norway lobster tails: from the front edge of the first tail segment present to the rear end of the telson, not including the setae. The tail shall be measured flat, unstretched and on the dorsal side.
3. The size of a lobster shall be measured, as shown in Figure 3 for illustrative purposes, as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace.
4. The size of a spider crab shall be measured, as shown in Figure 4 for illustrative purposes, as the length of the carapace, along the midline, from the edge of the carapace between the rostrums to the posterior edge of the carapace.
5. The size of an edible crab or velvet swimming crab shall be measured, as shown in Figure 5 for illustrative purposes, as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace.
6. The size of a velvet swimming crab shall be measured, as shown in Figure 6 for illustrative purposes, as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace, excluding the spines.
7. The size of any bivalve mollusc shall be measured, as shown in Figure 6 for illustrative purposes, across the longest part of the shell.
8. The size of a whelk shall be measured, as shown in Figure 7 for illustrative purposes, as the length of the shell.
9. The size of a crawfish shall be measured, as shown in Figure 8 for illustrative purposes, as the length of the carapace from the tip of the rostrum to the midpoint of the distal edge of the carapace.

Figure 1

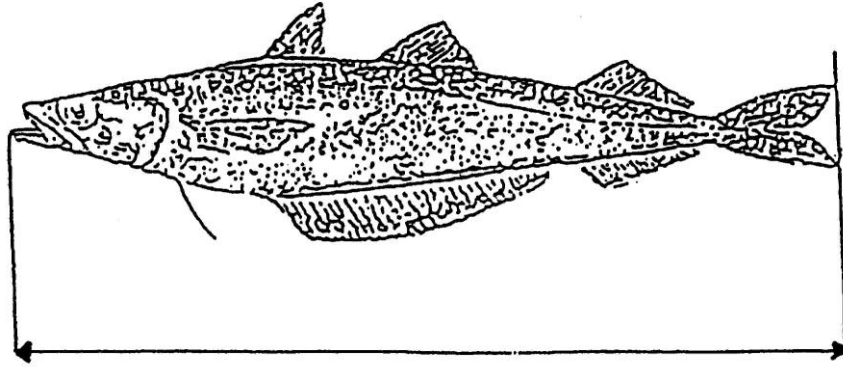


Figure 2

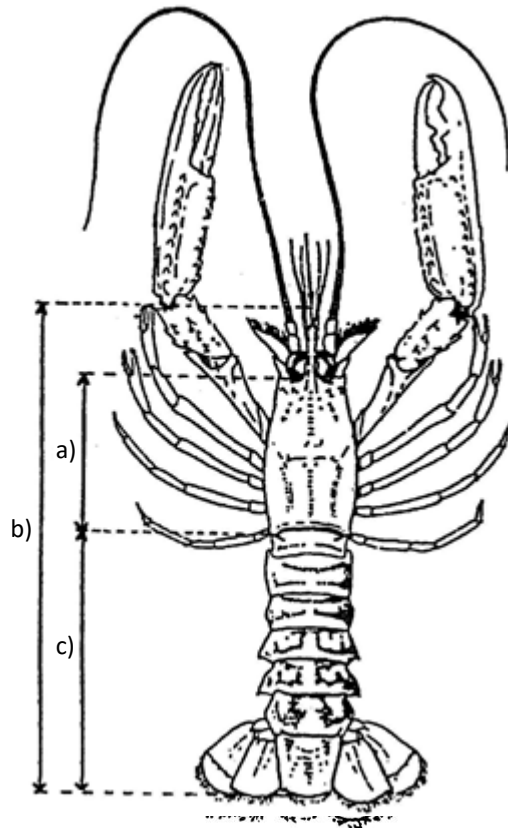


Figure 3

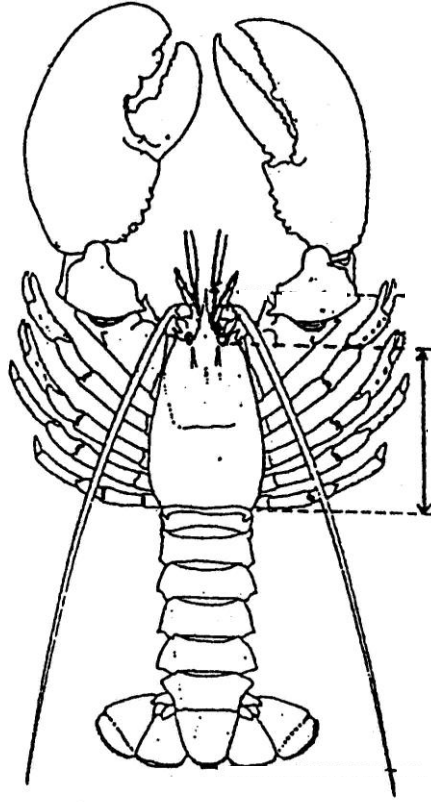


Figure 4

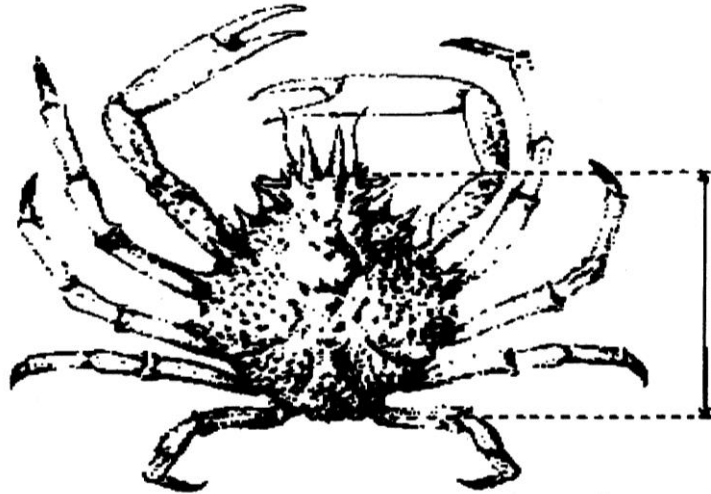


Figure 5

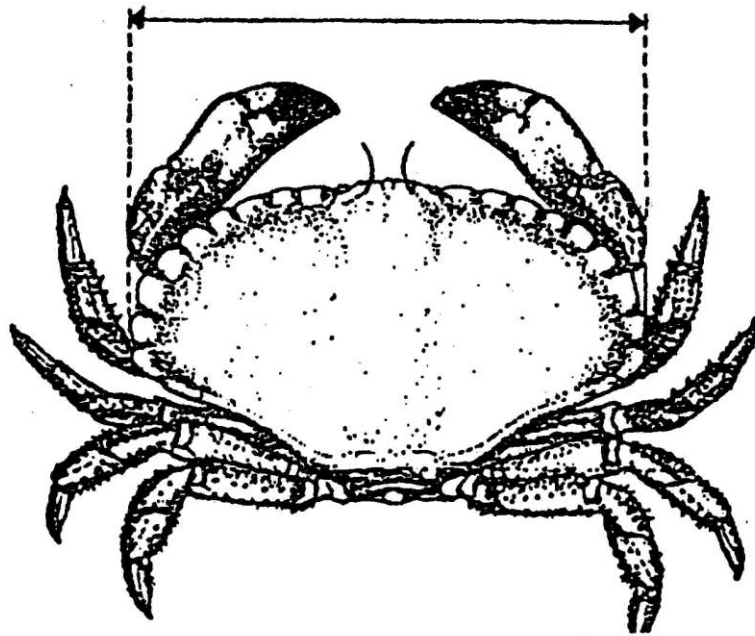


Figure 6

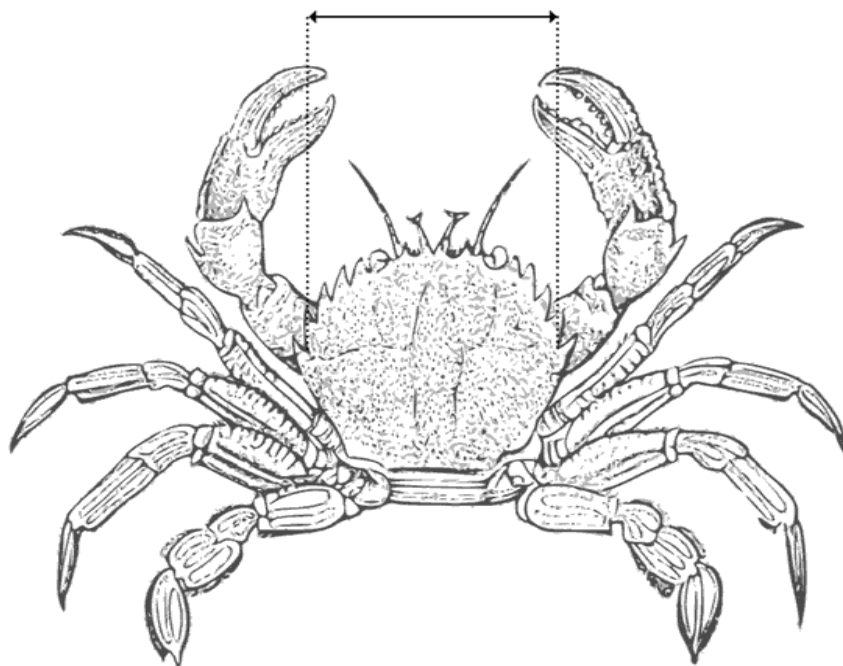


Figure 7

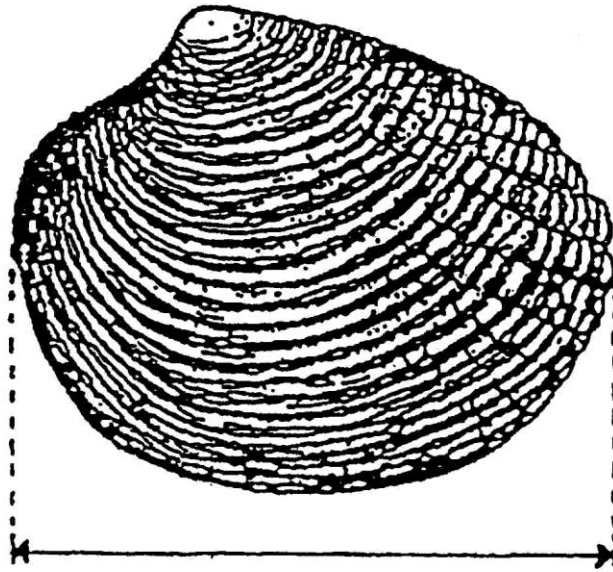


Figure 8

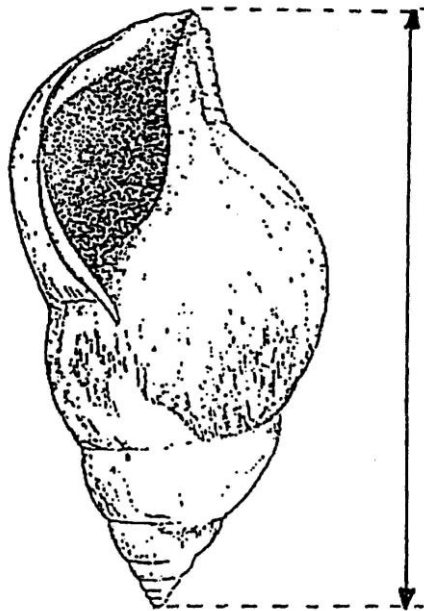


Figure 9

