

## Minimum Sizes Byelaw 2019 – measures to protect pre-spawning fish and shellfish



Eastern Inshore Fisheries & Conservation Authority (Eastern IFCA) is developing a byelaw to replace the FISH, MOLLUSC AND CRUSTACEA MINIMUM SIZE EMERGENCY BYELAW 2019<sup>1</sup>. This byelaw intends to protect fish and shellfish stocks by preventing or reducing the removal of pre-spawning individuals.

**The deadline for responses is midday on 28<sup>th</sup> October 2019.**

*What is being proposed?*

Eastern IFCA has, in conjunction with Northumberland, North Eastern and Kent & Essex IFCAs, made an emergency byelaw in relation to the minimum conservation reference size for certain marine organisms.

The byelaw was made in response to changes to European legislation which have come about as a result of Council Regulation (EU) 2019/1241 of the European parliament. The intended effect of the byelaw is to apply rules relating to minimum sizes of fish and shellfish to replicate the provisions of the original European legislation as far as possible. This includes the application of minimum size rules to recreational fishers and prohibitions on the transport, sale and storage of undersize marine organisms.

Eastern IFCA intends to replace the [emergency byelaw](#) with a permanent version with the same effect. It is again intended to implement these measures collaboratively with neighbouring IFCAs to ensure a consistent protective effect.

*Why is this needed?*

IFCAs have a duty to manage sustainable, long-term fisheries. Removal of pre-spawning individuals (i.e. those which has yet to reproduce) can quickly impact on a stock's health.

Typically, fisheries managers prevent the removal of pre-spawning individuals by setting a minimum size which fish and shellfish must reach before they can be removed from a fishery. These will be different for each species and generally reflect the size of a fish which is likely to have spawned already.

Changes to European legislation have removed this protection for fish and shellfish captured through recreational activities or activities from the shore. Recreational fishing activities are known to contribute significantly to the total fishing mortality of many fish stocks.

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<sup>1</sup> <https://www.eastern-ifca.gov.uk/fish-mollusc-and-crustacea-minimum-size-emergency-byelaw-2019/>

Sea Angling 2012<sup>2</sup> was established to find out how many people go sea angling in England, how much they catch, how much is released, and the economic and social value of sea angling.

The surveys estimated there are 884,000 sea anglers in England, with 2% of all adults going sea angling. Almost 4 million days of sea angling were recorded over the year. Shore fishing was the most common type of sea angling – almost 3 million angler-days compared with 1 million for private or rented boats and 0.1 million on charter boats. This represents a significant amount of activity and potentially a significant number of individual fish and shellfish removed from fisheries across the UK and Eastern IFC District,

The changes also remove the prohibition on the transshipping, landing, transporting, storing, selling and displaying or offering for sale of fish and shellfish less than the minimum size. This makes the minimum sizes which do apply much less effective. Re-introducing these measures will make it more difficult for anyone attempting to circumvent these rules.

*When will it take effect?*

Eastern IFCA will consider any feedback from this consultation in developing the replacement byelaw. It is intended that the byelaw is presented to Eastern IFCA members at the next Eastern IFCA meeting (11<sup>th</sup> December 2019) to be made at that meeting.

If members agree to make the byelaw, it will be the subject of a formal consultation thereafter (planned for early February 2020). On the conclusion of the formal consultation, Officers will consider responses and decide whether to submit the byelaw for consent by the Secretary of State.

*Where will it apply?*

The restrictions would apply throughout the entire Eastern IFC District.

*How does it affect my activity?*

The intention of the byelaw is to maintain the restrictions which were in place immediately before the European Legislation changed. As such, Eastern IFCA does not anticipate any impacts on activities as it effectively maintains the status quo.

*Are there any other restrictions planned?*

Eastern IFCA intends to make this byelaw to ensure a continued protective effect in the context of changes to EU legislation. After this byelaw has been made, consideration may be given to additional measures to protect pre-spawning individuals. These may include changes to the established minimum size for a species and / or measures in relation to mesh sizes for nets.

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<sup>2</sup> [Armstrong M., Brown A., Hargreaves J., Hyder K., Pilgrim-Morrison S., Munday M., Proctor S., Roberts A. & Williamson K. \(2012\) Sea Angling 2012 – a survey of recreational sea angling activity and economic value in England. Defra - contract MF1221.](#)

*Can I make a comment?*

We welcome your input. Please provide written feedback by **12 noon on 28<sup>th</sup> October 2019** to:

CEO, Eastern Inshore Fisheries & Conservation Authority, Unit 6 North Lynn Business Village, Bergen Way, King's Lynn, Norfolk, PE30 2JG.

Or by email to [mail@eastern-ifca.gov.uk](mailto:mail@eastern-ifca.gov.uk)

You are welcome to speak to Eastern IFCA staff in person or by telephone (01553) 775321, or by emailing [mail@eastern-ifca.gov.uk](mailto:mail@eastern-ifca.gov.uk).

Officers will be happy to talk through the measures with you and discuss any comments or concerns you may have.