

Minimum Sizes Byelaw 2019

Guidance

The Minimum Sizes Byelaw came into effect on the 1st of March 2021 to replace the FISH, MOLLUSC AND CRUSTACEA MINIMUM SIZE EMERGENCY BYELAW 2019.

The byelaw is 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 fishing and prohibitions on the transport, sale and storage of specified undersize marine organisms.

The full wording of the byelaw is provided at the bottom of this page and can be downloaded at the following [link](#). This guidance should be read in addition to the byelaw.

General prohibitions

The byelaw applies differently to commercial and non-commercial (including recreational) fishing. You are considered to be fishing commercially if you are using a vessel under a fishing licence issued by the Marine Management Organisation or other devolved UK fishery administration. In all other cases, you are considered to be fishing non-commercially.

The following rules apply in relation to recreational and commercial fishing.

With the exception of the Norway Lobster (*Nephrops norvegicus*), all crustaceans (crabs, lobsters) must be kept on board a vessel or landed whole. It is prohibited to remove parts of the animal (e.g. claws) before it is landed.

Horse mackerel (*Trachurus trachurus*) and mackerel (*Scomber scombrus*) may be used as live bait. Where they are used as live bait, they do not need to meet the minimum size. Any fish used as live bait must only be used as hook bait, be kept within a receptacle, released alive if not used, and cannot be otherwise landed or removed from the fishery.

There is an allowance of no more than 10% of the total weight of catch for undersize herring, horse mackerel and mackerel.

The byelaw also makes reference to the Eastern IFCA District – please click [here](#) for more information on our district limits.

Non-commercial Fishing

This section applies if you fish other than from a licenced fishing vessel.

The byelaw prohibits the removal, transshipping, transport, storage, sale (including displaying for sale) or retention on board of a vessel, of fish caught by non-commercial fishing which are below the minimum sizes in the byelaw (see table below). Any undersize fish must be returned immediately to the sea.

Commercial fishing

The byelaw prohibits transshipping of any animals below the minimum sizes set out in the byelaw.

In addition, the byelaw prohibits the transport, storage, sale (including displaying for sale) or retention on board of a vessel, any whelk (*Buccinum undatum*), edible crab (*Cancer pagurus*) or lobster (*Homarus gammarus*) below the minimum sizes set out below.

The minimum sizes

***N.B.** The minimum size for whelk (*Buccinum undatum*) in the byelaw only applies to whelk brought into the district which were caught outside of the district. Whelk caught within the District are subject to the Whelk Permit Byelaw 2016, with a minimum size of 55mm.

Species	Criteria	Minimum Size
Fish species		
Bass (<i>Dicentrarchus labrax</i>)		42 centimetres
Cod (<i>Gadus morhua</i>)		35 centimetres
Haddock (<i>Melanogrammus aeglefinus</i>)		30 centimetres
Hake (<i>Merluccius merluccius</i>)		27 centimetres
Herring (<i>Clupea harengus</i>)		20 centimetres
Horse mackerel (<i>Trachurus trachurus</i>)		15 centimetres
Ling (<i>Molva molva</i>)		63 centimetres
Mackerel (<i>Scomber scombrus</i>)	<i>Caught within the North Sea</i>	30 centimetres
	<i>Caught outside of the North Sea</i>	20 centimetres
Megrim (<i>Lepidorhombus</i> spp.)		20 centimetres
Plaice (<i>Pleuronectes platessa</i>)		27 centimetres
Pollack (<i>Pollachius pollachius</i>)		30 centimetres
Sole (<i>Solea</i> spp.)		24 centimetres

Whiting (<i>Merlangius merlangus</i>)		27 centimetres
Mollusc species		
Octopus (<i>Octopus vulgaris</i>)		750 grams
Queen scallop (<i>Chlamys</i> spp.)		40 millimetres
Scallop (<i>Pecten maximus</i>)		100 millimetres
Whelk (<i>Buccinum undatum</i>)	<i>Caught outside the Eastern District</i>	45 millimetres
	<i>Caught inside the Eastern District</i>	55 millimetres*
Crustacean species		
Crawfish (<i>Palinurus</i> spp.)		95 millimetres
Edible crab (<i>Cancer pagurus</i>)	<i>Caught within the Eastern District</i>	115 millimetres
	<i>Caught outside of the Eastern and the North Eastern Districts</i>	130 millimetres
	<i>Caught within the North Eastern District</i>	140 millimetres
Lobster (<i>Homarus gammarus</i>)		87 millimetres
Norway lobster (<i>Nephrops norvegicus</i>)	Total length	85 millimetres
	Carapace length	25 millimetres
	Tail length	46 millimetres

How to measure fish and shellfish

The byelaw contains the process for measuring different types of fish and shellfish. These are set out in Schedule 2 of the byelaw.

The Byelaw

The full wording of the byelaw is set out below. Please click [here](#) for a printable version.



Eastern Inshore Fisheries and Conservation Authority
Marine and Coastal Access Act 2009 (c.23)

Minimum Sizes Byelaw 2019

The Authority for the Eastern Inshore Fisheries and Conservation District, in exercise of the power conferred by section 155 and 156 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; (SI 2010/2189);
- b) "Eastern 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;
- c) "Live bait" means fish that are:
 - i. used only as a hook bait for the capture of other fish;
 - ii. retained within a receptacle;
 - iii. released alive into the fishery when no longer required; and
 - iv. not landed or removed from the fishery;
- d) "North Eastern District" means the North Eastern Inshore Fisheries and Conservation District as defined in articles 2 and 4 of the North Eastern Inshore Fisheries and Conservation Order 2010 (SI 2010/2193);
- e) "North Sea" means Union Waters in International Council for the Exploration of the Sea divisions 2a and 3a and sub-area 4, as defined in Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic;

- f) “tranship” means the transfer of fisheries products from one ship or other form of transport to another.

Prohibitions

- 2) A person must not remove from the Eastern District fishery, or tranship, transport, store, land, sell, display or offer for sale or retain on board their vessel any species listed in column 1 of Schedule 1a if:
- a) it measures less than the size specified in column 3 of Schedule 1a, subject to any criteria in column 2 of Schedule 1a; and
 - b) it was caught other than under the authority of a fishing vessel licence issued by the Marine Management Organisation or other devolved UK fishery administration;
- but must return it immediately to the sea.
- 3) A person fishing under the authority of a fishing vessel licence issued by the Marine Management Organisation or other devolved UK fishery administration who catches a species listed in column 1 of Schedule 1a, must not tranship that species if it measures less than the size specified in column 3 of Schedule 1a, subject to any criteria within column 2 of Schedule 1a but must return it immediately to the sea.
- 4) A person must not remove from the Eastern District fishery, or tranship, transport, store, land, sell, display or offer for sale any species listed in column 1 of Schedule 1b if:
- a) it was caught under the authority of a fishing vessel licence issued by the Marine Management Organisation or other devolved UK fishery administration; and
 - b) it measures less than the size specified in column 3 of Schedule 1b, subject to any criteria within column 2 of Schedule 1b.
- 5) The marine organisms named in schedules 1a and 1b shall be measured in accordance with Schedule 2.
- 6) Named crustaceans and named molluscs for which a size is specified in schedules 1a and 1b may only be retained on board whole and may only be landed whole, with the exception of the Norway lobster (*Nephrops norvegicus*).
- 7) The following named species below the minimum sizes specified in Schedule 1a may be used as live bait:
- a) Horse mackerel (*Trachurus trachurus*); and

b) Mackerel (*Scomber scombrus*).

Exemptions

- 8) Paragraphs 2 to 4 shall not apply to 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 herring, horse mackerel and mackerel shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing. The limit of 10% must not be exceeded during transshipment, landing, transportation, storage, display or sale. The percentage may be calculated on the basis of one or more representative samples.

- 9) Paragraphs 2 to 4 shall not apply to any whelk (*Buccinum undatum*) caught within the Eastern District.

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 marine organisms specified in schedule 1a below specified sizes caught except under the authority of a commercial fishing vessel licence issued by the Marine Management Organisation or a devolved administration.

This byelaw prohibits transshipping of marine organisms specified in schedule 1a below specified sizes caught under the authority of a commercial fishing vessel licence issued by the Marine Management Organisation or a devolved administration.

This byelaw also prohibits removal from the fishery, transshipping, transporting, storing, landing, selling, displaying or offering for sale whelks, edible crab and lobster below specified sizes caught under the authority of a commercial fishing vessel licence issued by the Marine Management Organisation or a devolved administration.

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

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

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

This byelaw prohibits the retaining on board or landing molluscs or crustaceans unless they are whole, except for the Norwegian Lobster (*Nephrops norvegicus*).

The byelaw replaces the emergency byelaw with the title "FISH, MOLLUSC AND CRUSTACEA MINIMUM SIZE EMERGENCY BYELAW 2019" made by the Authority on the 13 August 2019.

SCHEDULE 1a

Species and specified minimum conservation reference sizes

Species	Criteria	Minimum Size
Fish species		
Bass (<i>Dicentrarchus labrax</i>)		42 centimetres
Cod (<i>Gadus morhua</i>)		35 centimetres
Haddock (<i>Melanogrammus aeglefinus</i>)		30 centimetres
Hake (<i>Merluccius merluccius</i>)		27 centimetres
Herring (<i>Clupea harengus</i>)		20 centimetres
Horse mackerel (<i>Trachurus trachurus</i>)		15 centimetres
Ling (<i>Molva molva</i>)		63 centimetres
Mackerel (<i>Scomber scombrus</i>)	<i>Caught within the North Sea</i>	30 centimetres
	<i>Caught outside of the North Sea</i>	20 centimetres
Megrim (<i>Lepidorhombus</i> spp.)		20 centimetres
Plaice (<i>Pleuronectes platessa</i>)		27 centimetres
Pollack (<i>Pollachius pollachius</i>)		30 centimetres
Sole (<i>Solea</i> spp.)		24 centimetres
Whiting (<i>Merlangius merlangus</i>)		27 centimetres
Mollusc species		
Octopus (<i>Octopus vulgaris</i>)		750 grams
Queen scallop (<i>Chlamys</i> spp.)		40 millimetres
Scallop (<i>Pecten maximus</i>)		100 millimetres
Whelk (<i>Buccinum undatum</i>)	<i>Caught outside the Eastern District</i>	45 millimetres*
Crustacean species		
Crawfish (<i>Palinurus</i> spp.)		95 millimetres
Edible crab (<i>Cancer pagurus</i>)	<i>Caught within the Eastern District</i>	115 millimetres

	<i>Caught outside of the Eastern and the North Eastern Districts</i>	130 millimetres
	<i>Caught within the North Eastern District</i>	140 millimetres
Lobster (<i>Homarus gammarus</i>)		87 millimetres
Norway lobster (<i>Nephrops norvegicus</i>)	Total length	85 millimetres
	Carapace length	25 millimetres
	Tail length	46 millimetres

SCHEDULE 1b

Species and specified minimum conservation reference sizes

Species		Minimum Size
Mollusc species		
Whelk (<i>Buccinum undatum</i>)	<i>Caught outside the Eastern District</i>	45 millimetres*
Crustacean species		
Edible crab (<i>Cancer pagurus</i>)	<i>Caught within the Eastern District</i>	115 millimetres
	<i>Caught outside of the Eastern and the North Eastern Districts</i>	130 millimetres
	<i>Caught within the North Eastern District</i>	140 millimetres
Lobster (<i>Homarus gammarus</i>)		87 millimetres

Schedule 2

Measurement of the size of a marine organism

- (a) 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.
- (b) 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.
- (c) 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.
- (d) The size of an edible crab shall be measured, as shown in Figure 4 for illustrative purposes, as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace.
- (e) The size of any bivalve mollusc shall be measured, as shown in Figure 5 for illustrative purposes, across the longest part of the shell.
- (f) The size of a whelk shall be measured, as shown in Figure 6 for illustrative purposes, as the length of the shell.
- (g) The size of a crawfish shall be measured, as shown in Figure 7 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

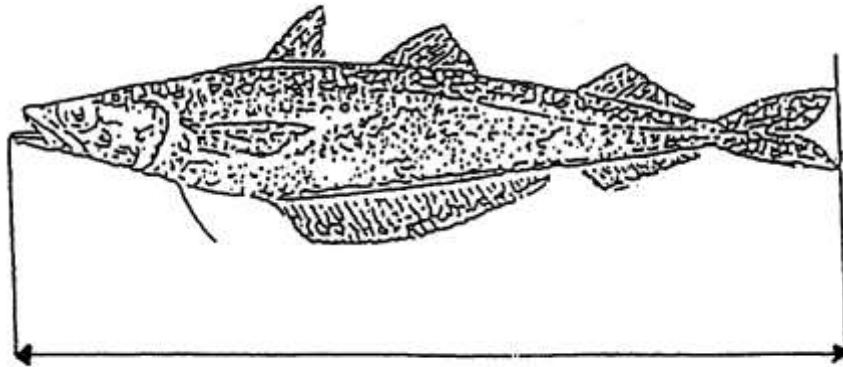


Figure 2

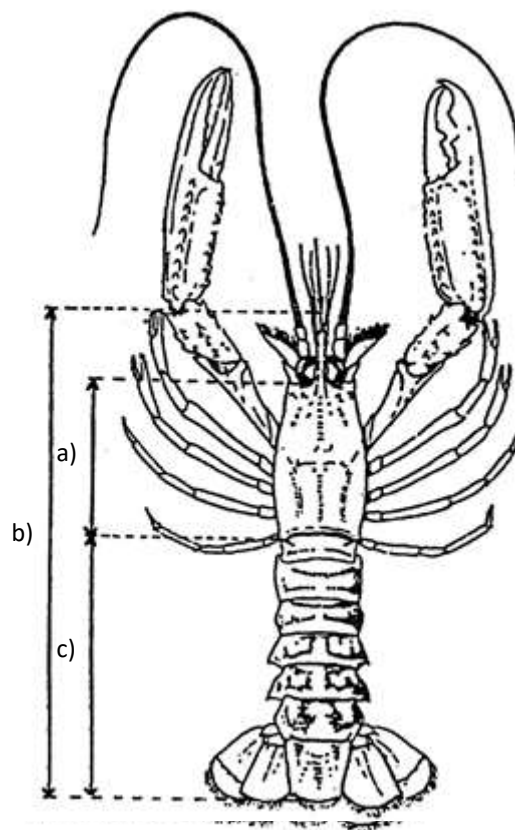


Figure 3

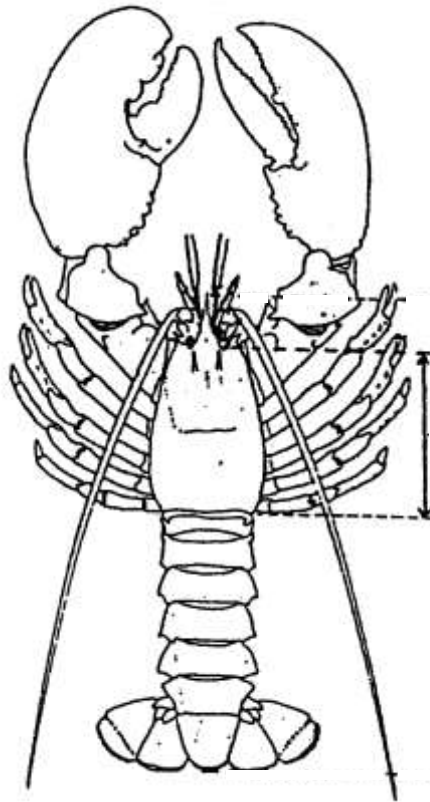


Figure 4

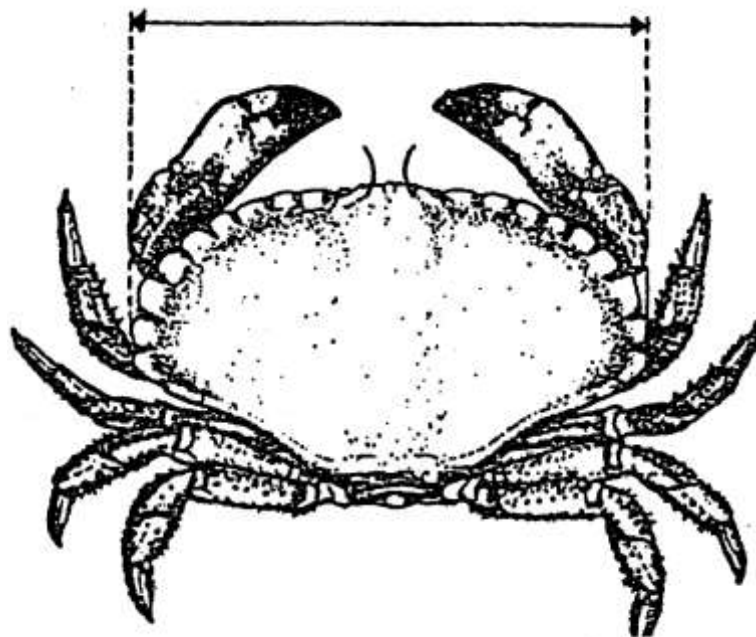


Figure 5

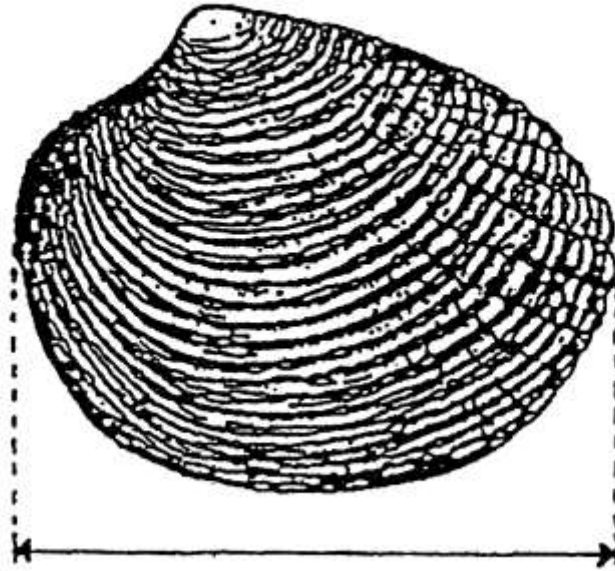


Figure 6

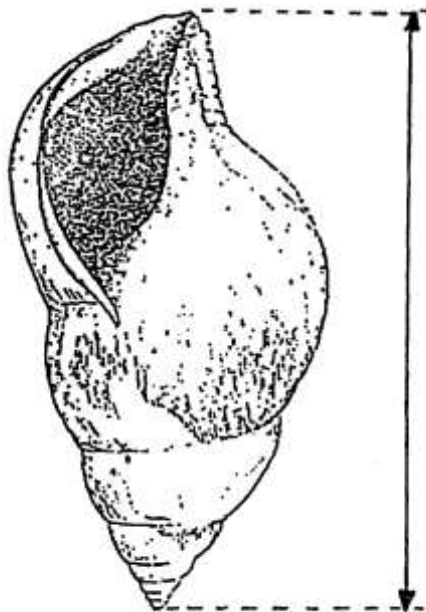


Figure 7

