



**Eastern
Inshore Fisheries and Conservation Authority**

MARINE AND COASTAL ACCESS ACT 2009

Crab and Lobster Byelaw 2023

The Eastern Inshore Fisheries and Conservation Authority in exercise of its powers under section 155(1) of the Marine and Coastal Access Act 2009¹ makes the following byelaw for the 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 2010²;
- b) “berried” means an organism carrying spawn or eggs attached to its tail or some other exterior part, or which is in such a condition as to show that, at the time when it was taken, it was carrying eggs so attached;
- c) “the District” has the meaning given by Article 3 of the Eastern Inshore Fisheries and Conservation Order 2010;
- d) “edible crab” means the marine organism with the scientific name *Cancer Pagurus*;
- e) “lobster” means the marine organism with the scientific name *Homarus gammarus*;
- f) “the minimum size” means the width of the carapace of an edible crab as specified in the Minimum Sizes Byelaw 2020 which was made by the Authority ;
- g) “recreational purposes” means fishing other than for financial gain and includes fishing from a charter vessel;
- h) “relevant fishing vessel” means a vessel registered under Part II of The Registry of Shipping and Seaman as governed by the provisions of the Merchant Shipping Act 1995 and the Merchant Shipping (Registration of Ships) Regulations 1993, or in the Channel Islands or Isle of Man;

¹ Marine and Coastal Access Act 2009 c.23

² Eastern Inshore Fisheries and Conservation Order 2010 (SI 2010/2189)

and in respect of which there is a valid fishing licence issued under the Sea Fish (Conservation) Act 1967 (c.84);

- i) "soft-shelled" means edible crab, velvet crab or lobster which has recently cast its shell;
- j) "velvet crab" means the marine organism with the scientific name *Necora puber*;
- k) "whitefooted" means an edible crab the claw pincers of which are grey or white rather than black.

Prohibitions

2. A person must not remove from the fishery, retain on board, land or tranship any whitefooted edible crab caught within the district between 1 November and the following 30 June.
3. A person must not remove from the fishery, retain on board, land or tranship and edible crab, velvet crab or lobster caught within the district where:
 - a) any claws, tail or other appendages are separated from the body of the organism; or
 - b) any such organism cannot be measured as follows:
 - i. for edible crabs or velvet crabs, the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace;
 - ii. for lobsters; the length of the carapace, parallel to the midline from the back of either eye socket to the distal edge of the carapace.
4. A person must not remove from the fishery, retain on board, land or tranship any soft-shelled edible crab or lobster which was caught within the district.
5. A person must not remove from the fishery, retain on board, land or tranship any berried edible crab which was caught within the district.
6. A person must not:
 - a) remove from the fishery;
 - b) retain on board;
 - c) land; or
 - d) transhipany berried lobster.
7. A person must not use edible crab for bait unless the edible crab comprises cooked offal only.
8. A person is not liable to an offence under paragraph 7 if that person:
 - a) is using edible crab as bait to fish for recreational purposes; and
 - b) is fishing by hook and line; and

- c) provides evidence to the satisfaction of the Authority that the edible crab was not removed from the fishery within the district or was purchased as bait in which case such evidence must include details of the seller.

Returning catch to sea

- 9. Any edible crab, velvet crab or lobster which falls within the prohibitions in sections paragraphs 2 to 7, subject to paragraphs 9 and 10, must be returned immediately to the sea or foreshore and as close to the position of capture as is reasonably practicable.

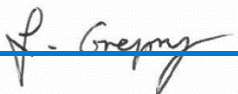
Exemptions

- 10. Sub-paragraph 6 (c) does not apply to a person fishing from a relevant British fishing boat.

Revocations

- 11. The following byelaws are revoked:
 - a) The byelaw with the title 'prohibition on the use of edible crab (*Cancer pagurus*) as bait', which was made by the Eastern Sea Fisheries Joint Committee on 31 January 1996 and was confirmed by the Minister on 10 April 1997;
 - b) The byelaw with the title 'berried (egg bearing) or soft shelled crab (*Cancer pagurus*) or lobster (*Homarus gammarus*)' which was made by the Eastern Sea Fisheries Joint Committee on 31 January 1996 and confirmed by the Minister on 10 April 1997;
 - c) The byelaw with the title 'parts of shellfish' which was made by the Eastern Sea Fisheries Joint Committee on 31 January 1996 and confirmed by the Minister on 10 April 1997; and
 - d) The byelaw with the title 'whitefooted crab' which was made by the Eastern Sea Fisheries Joint Committee on 29 April 1998 and confirmed by the Minister on 29 January 1999.

I hereby certify that the Crab and Lobster Byelaw 2023 was made by Eastern Inshore Fisheries and Conservation Authority at their meeting on 8 March 2023.



Chief Executive Officer

Eastern Inshore Fisheries and Conservation Authority

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

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power conferred by section 155 (3) and (4) of the Marine and Coastal Access Act 2009 confirms the Crab and Lobster byelaw 2023 made by the Eastern Inshore Fisheries and Conservation Authority on 8 March 2023.

Date:

A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food and Rural Affairs.

Explanatory Note

(this note does not form part of the byelaw)

This byelaw prohibits the removal of species crabs and lobsters as follows:

'White footed' edible crabs, individuals which have recently hardened shells but with white or grey tips to their claws and legs, cannot be removed from the fishery, landed, transhipped or retained on board between 1 November and 30 June in any given year.

Claws or other appendages of edible crabs, velvet crabs and lobsters cannot be removed from the fishery, landed, transhipped or retained on board separately from the body of the organism and, any such organism landed must be 'whole' to the extent that it can be measured to determine compliance with minimum size legislation.

Berried (egg bearing) and soft-shelled edible crabs, velvet crabs and lobsters cannot be removed from the fishery, landed, transhipped or retained on board.

The prohibition on landing berried lobster in this byelaw does not apply to commercial fishing vessels.

This byelaw also prohibits the use of edible crab as bait within the district unless it is cooked offal. In addition, recreational hook and line fishing (including from a charter vessel) may use edible crab for bait but doing so requires the user to provide evidence that the crab did not come from within the Eastern IFC district or that it was bought as bait.