

Technical Permit Requirements

Permit Interpretations

These interpretations shall be used in the following permit conditions:

“V notched lobster” means a lobster or European spiny lobster with an indentation in the shape of the letter “V” or resembling the shape of a “V” made in any one or more of the five flaps on the tail fan;

“mutilated lobster” means a lobster or European spiny lobster where any of the five flaps of the tail fan is missing or mutilated in such a manner that could hide or obliterate a V-notch;

“berried lobster” means any lobster or European spiny lobster which is carrying any spawn attached to the tail or some other exterior part of the lobster, or which is in such a condition as to show that at the time it was taken it was carrying spawn so attached;

“berried edible crab” means any edible crab carrying any spawn attached to the body or some other exterior part of the crab, or which is in such a condition as to show that at the time when it was taken it was carrying spawn so attached;

“edible crab” means a crab of the species *Cancer pagurus*;

“scallop” means a scallop of the species *Pecten maximus*;

“whelk” means a whelk of the species *Buccinum undatum*;

“lobster” means a lobster of the species *Homarus gammarus*;

“spider crab” means a crab of the species *Maia squinado*;

“green crab” means a crab of the species *Carcinus maenas*;

“velvet swimming crab” means a crab of the species *Necora puber*;

“spiny lobster” means a lobster of the species *Palinurus elephas*;

1 Catch Restrictions

- 1.1 A permit holder or named representative is not authorised under this permit to remove from a fishery within the District:
 - i. any ‘V’-notched or mutilated lobster;
 - ii. any berried lobster or edible crab;

- iii. any part of an edible crab or lobster which is detached from the carapace of the crab or lobster;
- iv. any edible crab or lobster that has recently cast its shell;
- v. any European spiny lobsters from within the Skerries Bank and surrounds MCZ and Lundy MCZ.

All such crab and lobster shall be returned immediately to the sea without further injury.

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1.2 A permit holder or named representative is not authorised under this permit to remove from a fishery within the District:

- i. female edible crab less than 150mm measured across the broadest part of the carapace
- ii. male edible crab less than 160mm measured across the broadest part of the carapace
- iii. scallop less than 100mm measured across the broadest part of the flat shell
- iv. whelk less than 45mm measured along the length of the shell.
- v. lobster less than 90mm measured as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace.
- vi. male spider crab less than 130mm measured 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
- vii. female spider crab less than 130mm measured 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
- viii. velvet swimming crab less than 65mm measured across the broadest part of the carapace)
- ix. spiny lobster less than 110mm measured as the length of the carapace from the tip of the rostrum to the midpoint of the distal edge of the carapace

The measurement of the size of a marine organism shall take place in accordance with the provisions laid down in Annex XIII Article 18(1) of Council Regulation (EC) 850/98 or amending legislation.

1.3 Additional Category One Catch Restrictions

1.3.1 A Category One permit holder using a named vessel without a shellfish fishing entitlement set out in Section 3 of the vessel's general fishing licence is not authorised to remove from a fishery within the District in any calendar day more than;

a total of five lobsters, however comprised, from the species of lobster or spiny lobster, and

a total of twenty-five crabs, however comprised, from the species of edible crab, spider crab, velvet swimming crab and green crab.

1.4 Additional Category Two Catch Restrictions

- 1.4.1 A Category Two permit holder or named representative is not authorised under this permit to remove from a fishery within the District in any calendar day more than:
- i. a total of two lobsters, however comprised, from the species of lobster and spiny lobster, and
 - ii. a total of three crabs, however comprised, from the species of edible crab and spider crab.
- 1.4.2 Subject to the restrictions imposed under paragraph 1.4.1, a Category Two permit holder or named representative is, authorised under the permit to remove crab, lobster and scallop providing that the shellfish is used for his own consumption.

2 Gear Restrictions

- 2.1 During the period specified below in section 4, a permit holder or named representative is not authorised under this permit, for the purpose of fishing for crab or lobster, to use any pot where the entrance or entrances to the pot or internal chamber of the pot are constructed from netting and are designed to prevent shellfish exiting unless;

the pot is fitted with an escape gap,

or where a chamber is present, the chamber is fitted with an escape gap.

Any escape gap must:

- i. be located in the exterior wall of the pot or in the case of a multiple chambered pot each individual chamber must have an unobstructed escape gap located in its exterior wall;
 - ii. be of sufficient size that there may be passed through the gap a rigid box shaped gauge 84 millimetres wide by 46 millimetres high and 100 millimetres long; and
 - iii. be fitted in such a way that the longest side of the gap is parallel to the base of the pot and is located in the lowest part of the chamber as is practically possible, other than in the bottom.
- 2.2 A permit holder or named representative is not authorised under this permit to use any pots unless all individual pots or each string or shank of pots is clearly marked by at least one floating marker (buoy or dahn). Each of these buoys or dahns shall be clearly marked with either the relevant fishing vessels registration (port, letters and numbers) of the vessel named on the permit or the permit number.

2.3 Bait

- 2.3.1 A permit holder or named representative is not authorised under this permit to use any edible crab for bait whilst fishing for crab and lobster. Section 17(2) of the Sea Fisheries Act 1967, which affords a defence to a person charged with an offence under section 17(1) of that Act shall not apply to the District.
- 2.3.2 A permit holder or named representative is not authorised under this permit to use any shellfish as bait unless it meets the minimum sizes for shellfish set out in section 1.2 of the flexible permit conditions above.
- 2.3.3 A permit holder or named representative is not authorised under this permit to use any finfish as bait unless it meets minimum sizes set out in Annex XII, Article 17 of Council Regulation (EC) 850/98.

2.4 Additional Category One Gear Restrictions

- 2.4.1 A Category One permit holder currently has no additional gear restrictions imposed by this permit.

2.5 Additional Category Two Gear Restrictions

- 2.5.1 A Category Two permit holder is authorised to use a named vessel to haul a maximum of 5 pots per calendar day within the District.
- 2.5.2 A Category Two permit holder is not authorised under this permit to use more than five pots at any one time within the District.
- 2.5.3 A Category Two permit holder is not authorised to use within the District a pot unless the pot is fitted.
- 2.5.4 When a Category Two permit holder's tags are lost, the permit holder must submit a written request for replacement tags .If the original tag is subsequently recovered or taken possession of it must be returned to the Authority and must not be used on any pot again within the District.
- 2.5.5 A Category Two permit holder or named representative is not authorised under this permit to use any container or any other device to store any crab, lobster or scallop in the sea or in an estuary within the District.
- 2.5.6 A Category Two permit holder or named representative is not authorised under this permit to land any sea fisheries resources removed from a fishery within the District other than on the day of their capture.

3. Spatial Restrictions

- 3.1 A permit holder or named representative is not authorised under this permit to remove any sea fish resources from or use pots for the purpose of storing sea fish resources within 100m of low water mark around the Knoll Pins as defined by mean low water spring tides.

4. Time Restrictions

- 4.1 A permit holder or named representative is not authorised under this permit to use a pot between 1st April and 31st December unless it is used in accordance with section 2.1 above.

Dated

Signed

(Chief Officer)