

# SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

## MARINE AND COASTAL ACCESS ACT 2009 (c23)

### MINIMUM CONSERVATION REFERENCE SIZE BYELAW

The Authority for the Southern Inshore Fisheries and Conservation District, in exercise of the powers conferred by section 155 of the Marine and Coastal Access Act 2009 hereby make the following byelaw for that District.

#### INTERPRETATION

(1) In this byelaw:

- a) "Area 1" means the area of the District to the east of a line due south from 50° 35.462'N 002° 00.000'W;
- b) "Area 2" means the area of the District to the west of a line due south from 50° 35.462'N 002° 00.000'W;
- c) "the Authority" means Southern Inshore Fisheries and Conservation Authority as defined in Articles 2 and 4 of the Southern Inshore Fisheries and Conservation Order 2010 (SI 2010/2198);
- d) "the District" means the area defined in Articles 2 and 3 of the Southern Inshore Fisheries and Conservation Order 2010;
- e) "tranship" means the transfer of fisheries products from one ship or other form of transport to another.
- f) "minimum conservation reference size" for:
  - i. fish species shall be measured from the tip of the snout to the end of the tail fin;
  - ii. bivalve mollusc species or a whelk (*Buccinum spp.*) shall be measured across the longest part of the shell;
  - iii. a whole skate or ray shall be measured between the tips of the wings;
  - iv. a skate or ray wing shall be measured as the maximum dimension of a wing when it is detached from the body of a skate or ray;
  - v. a lobster (*Homarus gammarus*) shall be 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. a crawfish (*Palinurus spp.*) shall be measured as the length of the carapace from the tip of the rostrum to the midpoint of the distal edge of the carapace;

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- vii. a spinous spider crab (*Maja squinado*) shall be 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; and
- viii. an edible crab (*Cancer pagurus*) or a velvet crab (*Necora puber*) shall be measured as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace.

(2) All coordinates are derived from the World Geodetic System 1984 datum.

### PROHIBITIONS

- (3) A person must not remove from the fishery, retain on board, tranship, land, transport, store, sell, display or offer for sale from a fishery within the District, any fish, mollusc or crustacean species specified in Schedule 1A which measures less than the minimum conservation reference size specified in Schedule 1A. Any such fish, mollusc or crustacean must be returned to the sea immediately.
- (4) A person must not remove from the fishery, retain on board, tranship or land any fish, mollusc or crustacean species specified in Schedule 1B if:
- a) it measures less than the minimum conservation reference size specified in Schedule 1B; 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.

Any such fish, mollusc or crustacean must be returned to the sea immediately.

- (5) A person must not transport, store, sell, display or offer for sale any mollusc or crustacean species specified in Schedule 1B which measures less than the minimum conservation reference size specified in Schedule 1B.
- (6) A person must not remove from the fishery, retain on board or store any velvet crab (*Necora puber*) which measures less than 65 millimetres in carapace width. Any such crab must be returned to the sea immediately.
- (7) A person must not remove from the fishery, retain on board, tranship, transport, store, sell, display or offer for sale any male spinous spider crab (*Maja squinado*) which measures less than 130 millimetres in carapace length. Any such crab must be returned to the sea immediately.

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## DISPENSATIONS

- (8) Paragraphs (3), (4), (5), (6) and (7) do not apply to any person performing an act which would otherwise constitute an offence against this byelaw, if that act was carried out in accordance with a written permission issued by the Authority, permitting that act for scientific, stocking, educational or breeding purposes.

## REVOCATIONS

- (9) The byelaw with the title 'Minimum Fish Sizes' made by Southern Sea Fisheries District Committee on 12 July 2001, in exercise of its power under section 5 of the Sea Fisheries Regulation Act 1966, as confirmed by the Secretary of State for Environment, Food and Rural Affairs on 6 December 2001, and in force immediately before the making of this byelaw is hereby revoked.
- (10) The byelaw with the title 'Skates and Rays - Minimum Size' made by Southern Sea Fisheries District Committee on 20 October 1994, in exercise of its power under section 5 of the Sea Fisheries Regulation Act 1966, as confirmed by the Secretary of State for Environment, Food and Rural Affairs on 27 February 1995 and in force immediately before the making of this byelaw is hereby revoked.
- (11) The byelaw with the title 'American Hard Shelled Clams - Minimum Size' made by Southern Sea Fisheries District Committee on 24 April 1990, in exercise of its power under section 5 of the Sea Fisheries Regulation Act 1966, as confirmed by the Secretary of State for Environment, Food and Rural Affairs on 6 September 1991 and in force immediately before the making of this byelaw is hereby revoked.
- (12) The byelaw with the title 'Grey Mullet - Minimum Size' made by Southern Sea Fisheries District Committee on 20 October 1994, in exercise of its power under section 5 of the Sea Fisheries Regulation Act 1966, as confirmed by the Secretary of State for Environment, Food and Rural Affairs on 27 February 1995 and in force immediately before the making of this byelaw is hereby revoked.

I hereby certify that the above byelaw was made by Southern Inshore Fisheries and Conservation Authority at their meeting on 11 June 2020.



Ian Jones  
Chief Officer

Southern Inshore Fisheries and Conservation Authority

The Secretary of State for the Environment, Food and Rural Affairs in exercise of the power conferred by Section 155(3) of the Marine and Coastal Access Act 2009 confirms the Minimum Conservation Reference Size Byelaw made by Southern Inshore Fisheries and Conservation Authority on 11 June 2020.

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Anne Freeman  
Deputy Director

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

Date: 28/07/2021

**SCHEDULE 1A**

**SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY SPECIFIED  
MINIMUM CONSERVATION REFERENCE SIZES FOR SPECIES NOT SUBJECT TO  
THE LANDING OBLIGATION**

**FISH**

Ballan wrasse ( <i>Labrus bergylta</i> )	180 millimetres
Black seabream ( <i>Spondyllosoma cantharus</i> )	230 millimetres
Brill ( <i>Scophthalmus rhombus</i> )	300 millimetres
Conger eel ( <i>Conger conger</i> )	580 millimetres
Corkwing wrasse ( <i>Symphodus melops</i> )	140 millimetres
Dab ( <i>Limanda limanda</i> )	230 millimetres
Flounder ( <i>Platichthys flesus</i> )	270 millimetres
Grey thick-lipped mullet ( <i>Chelon labrosus</i> )	420 millimetres
Grey thin-lipped mullet ( <i>Chelon ramada</i> )	420 millimetres
Golden grey mullet ( <i>Chelon aurata</i> )	360 millimetres
Goldsinny wrasse ( <i>Ctenolabrus rupestris</i> )	120 millimetres
Lemon sole ( <i>Microstomus kitt</i> )	250 millimetres
Red mullet ( <i>Mullus surmuletus</i> )	150 millimetres
Rock cook wrasse ( <i>Centrolabrus exoletus</i> )	120 millimetres
Skate or ray – whole	400 millimetres
Skate or ray – wing	200 millimetres
Turbot ( <i>Scophthalmus maximus</i> )	300 millimetres
Witch flounder ( <i>Glyptocephalus cynoglossus</i> )	280 millimetres

**MOLLUSCS**

Clam – American hard-shelled ( <i>Mercenaria mercenaria</i> )	63 millimetres
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**CRUSTACEA**

Crawfish ( <i>Palinurus spp.</i> )	110 millimetres
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## SCHEDULE 1B

### SPECIFIED SPECIES MINIMUM CONSERVATION REFERENCE SIZES

#### **FISH**

Cod ( <i>Gadus morhua</i> )	350 millimetres
European bass ( <i>Dicentrarchus labrax</i> )	420 millimetres
Horse mackerel ( <i>Trachurus trachurus</i> )	150 millimetres
Mackerel ( <i>Scomber scombrus</i> )	200 millimetres
Plaice ( <i>Pleuronectes platessa</i> )	270 millimetres
Pollack ( <i>Pollachius pollachius</i> )	300 millimetres
Sole ( <i>Solea spp.</i> )	240 millimetres
Whiting ( <i>Merlangius merlangus</i> )	270 millimetres

#### **MOLLUSCS**

Clam - Grooved carpetshell ( <i>Ruditapes decussatus</i> )	40 millimetres
Clam - Manila ( <i>Ruditapes philippinarum</i> )	35 millimetres
Clam - Surf ( <i>Spisula solida</i> )	25 millimetres
Clam – Warty Venus ( <i>Venus verrucosa</i> )	40 millimetres
Queen scallop ( <i>Aequipecten opercularis</i> )	40 millimetres
Razor clam ( <i>Ensis spp.</i> )	100 millimetres
Scallop ( <i>Pecten maximus</i> ) in Area 1	110 millimetres
Scallop ( <i>Pecten maximus</i> ) in Area 2	100 millimetres
Whelk ( <i>Buccinum spp.</i> )	45 millimetres

#### **CRUSTACEA**

Edible crab ( <i>Cancer pagurus</i> )	140 millimetres
Lobster ( <i>Homarus gammarus</i> )	87 millimetres
Spinous spider crab ( <i>Maja squinado</i> ) - Female	120 millimetres

**SCHEDULE 2**

**MEASUREMENT OF SPECIES**

Figure 1. Fish species

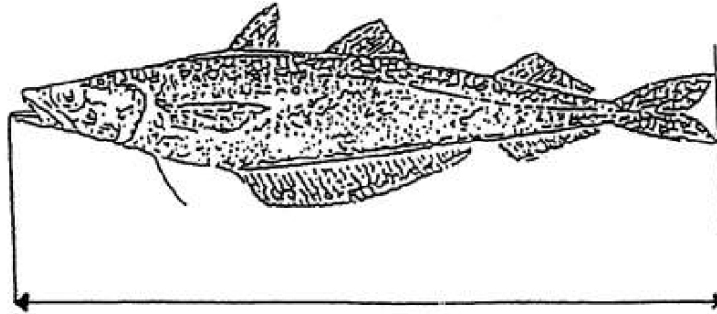


Figure 2. Bivalve mollusc species



Figure 3. A whelk (*Buccinum spp.*)

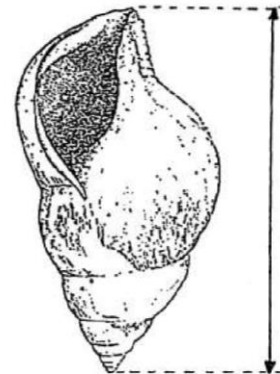


Figure 4. A whole skate or ray

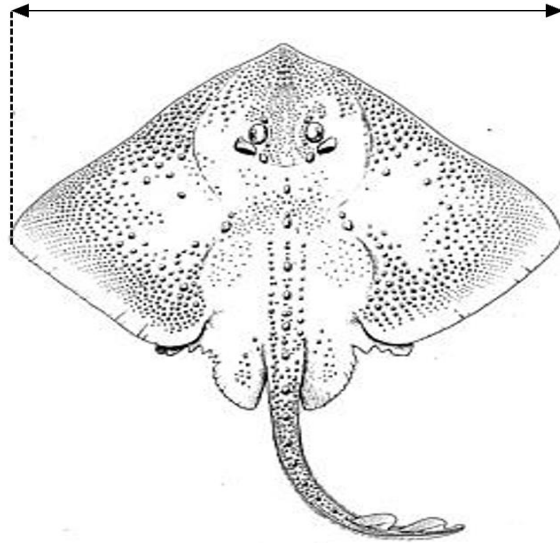


Figure 5. A lobster (*Homarus gammarus*)

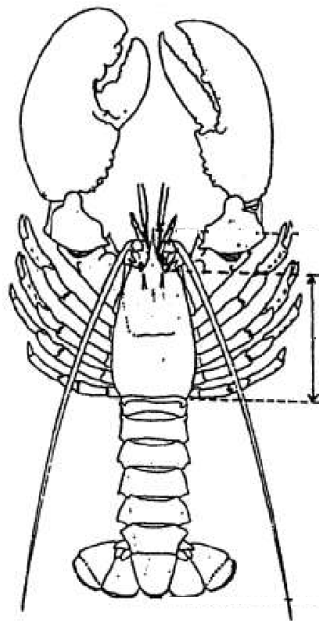


Figure 6. A crawfish (*Palinurus spp.*)

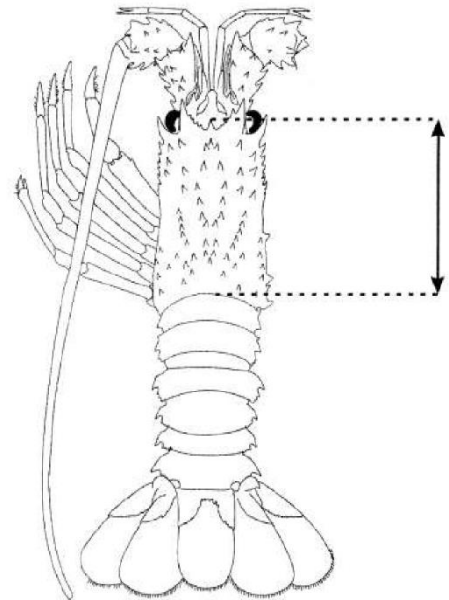


Figure 7. A spinous spider crab (*Maja squinado*)

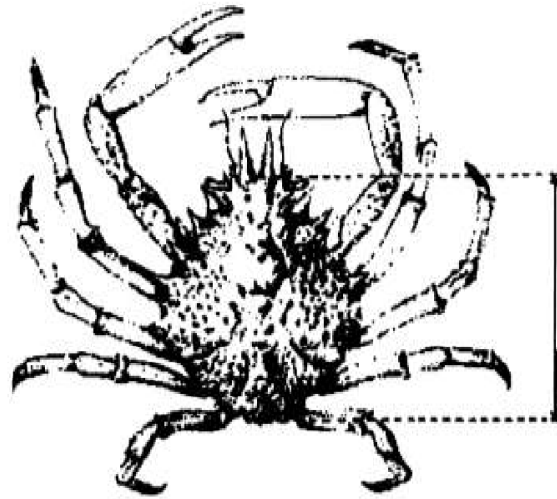
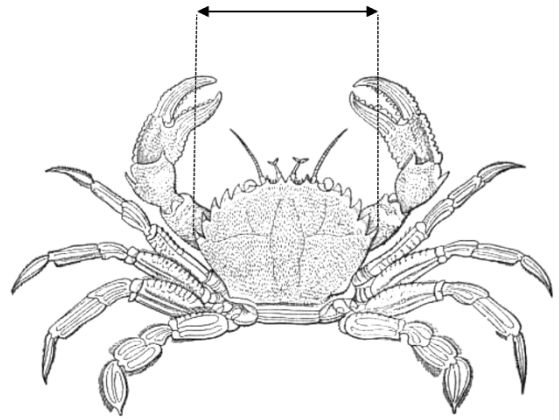
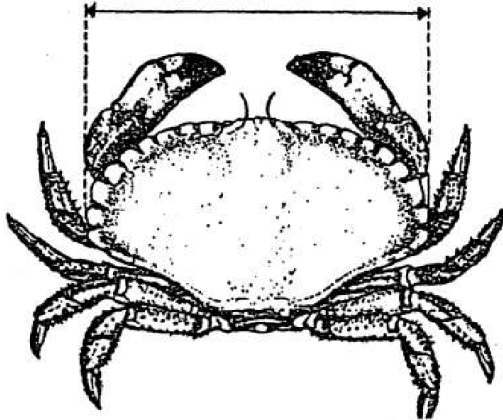


Figure 8. An edible crab (*Cancer pagurus*)

Figure 9. A velvet crab (*Necora puber*)





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SCHEDULE 3

MAP SHOWING LOCATION OF BOUNDARY LINE BETWEEN AREA 1 AND AREA 2



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## **Explanatory Note (not part of the byelaw)**

*This byelaw prohibits the taking, retention on board, transshipping, landing, transporting, storing, selling, displaying or offering for sale of specified marine organisms below specified sizes.*

*The prohibitions are split into two schedules. Schedule 1A applies to all persons, irrespective of whether they are a commercial operator or a recreational operator. These are the species which are not subject to the landing obligation and have a minimum landing size specific to the Southern IFC District. Schedule 1B applies to all persons but contains a provision which exempts vessels fishing under a commercial fishing vessel licence issued by the Marine Management Organisation or a devolved administration, as these vessels are required to comply with landing obligations and Minimum Conservation Reference Sizes for these are provided for in UK legislation.*

*The prohibitions are applied to all persons for undersized velvet crabs and undersized male spider crabs with the exception of existing prohibitions, applied through UK Statutory Instruments.*

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