



Sussex Inshore Fisheries and Conservation Authority

MARINE AND COASTAL ACCESS ACT 2009¹

Minimum Size (Fish, Crustacea and Mollusc) Byelaw 2021

The Authority for the Sussex 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) “the Authority” means the Sussex Inshore Fisheries and Conservation Authority as defined in Articles 2 and 4 of the Sussex Inshore Fisheries and Conservation Order 2010²;
- b) “District” has the meaning given by article 3 of the Sussex 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; and
 - (ii) retained alive within a receptacle either on a vessel or within the District’s waters; and
 - (iii) released alive into the fishery when no longer required; and
 - (iv) not landed or removed from the fishery;

¹ c.23

² S.I. 2010/ No. 2199

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- d) “minimum size” will be determined by, for:
- (i) fish species, the measurement from the tip of the snout to the end of the tail fin;
 - (ii) bivalve mollusc species or a whelk (*Buccinum spp.*), the measurement across the longest part of the shell;
 - (iii) a whole skate or ray (*Rajidae spp.*), the measurement between the tips of the wings;
 - (iv) a skate or ray (*Rajidae spp.*) wing, the maximum measured dimension of a wing when it is detached from the body of a skate or ray;
 - (v) a lobster (*Homarus gammarus*), the measured 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.*) the measured length of the carapace, parallel to the midline, from the tip of the rostrum to the midpoint of the distal dorsal edge of the carapace;
 - (vii) a spinous spider crab (*Maja squinado*), the measured length of the carapace, along the midline, from the edge of the carapace between the rostrums to the posterior edge of the carapace;
 - (viii) an edible crab (*Cancer pagurus*) or a velvet crab (*Necora puber*), the measured maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace;
- e) “tranship” means the transfer of fisheries products from one ship or other form of transport to another; and
- f) “whole” means;
- (i) a fish with the head and tail intact;
 - (ii) a fish that has not been filleted;
 - (iii) a fish that may have been gutted;
 - (iv) a mollusc that remains intact with their shell; or
 - (v) a crustacean that remains intact with their claws, and tail if a lobster.

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COMMENCEMENT

2. This byelaw comes into force immediately upon its confirmation by the Secretary of State.

CATCH PROHIBITIONS AND RESTRICTIONS

3. Any fish, mollusc or crustacean species specified in Schedule 1a that is caught from within the District's waters and measures less than the minimum size specified in that Schedule—
 - a) must not be taken from the District's waters, retained on board, trans-
shipped, landed, transported, stored, sold, displayed or offered for sale, and
 - b) must be immediately returned to the sea.
4. A person must not take, retain on board, tranship or land, any fish, mollusc or crustacean species specified in Schedule 1b that is caught within the District's waters if—
 - a) it measures less than the minimum 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, and any such fish, mollusc or crustacean must be immediately returned to the sea.
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 size specified in Schedule 1b except for those of the following named species and minimum sizes when caught and retained outside of International Council for the Exploration of the Sea division VIIId:
 - a) Edible crab (*Cancer pagurus*) 130 millimetres; and
 - b) Scallop (*Pecten maximus*) 100 millimetres.

Named fish, crustacea and molluscs for which a size is specified in Schedules 1a and 1b must only be retained on board whole and must only be landed whole.

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EXEMPTIONS

6. Paragraph 4 does not apply to anchovy (*Engraulis encrasicolus*), herring (*Clupea harengus*), horse mackerel (*Trachurus trachurus*), mackerel (*Scomber scomber*) and sardine (*Sardina pilchardus*), within a limit of 10% by live weight of the total catches for commercial fishing retained on board of each of these species. The percentage of anchovy, herring, horse mackerel, mackerel or sardine less than the minimum size shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing. The percentage may be calculated on the basis of one or more representative samples. The limit of 10% shall not be exceeded during transshipment, landing, transportation, storage, display or sale.

7. Paragraph 5 does not apply to: -
 - a) Edible crabs caught in pots or creels, for which a maximum of 1 % by weight of the total catch of edible crab may consist of detached claws, and for edible crabs caught with any other fishing gear, a maximum of 75 kg of detached crab claws may be landed, provided the vessel is fishing under the authority of a fishing vessel licence issued by the Marine Management Organisation or other devolved UK fishery administration; and

 - b) the following named species of ray (*Radjidae spp.*)-
 - (i) Thornback Ray (*Raja clavate*);
 - (ii) Blonde Ray (*Raja brachyura*); and
 - (iii) Spotted Ray (*Raya montagui*)

 - c) The wings of those species named in sub-paragraphs b) (i) to (iii) must be landed without the skin removed.

8. The following named species below the sizes specified in Schedule 1a and 1b may be used as live bait:-
 - a) Anchovy (*Engraulis encrasicolus*);
 - b) Herring (*Clupea harengus*);
 - c) Horse Mackerel (*Trachurus trachurus*);
 - d) Mackerel (*Scomber scomber*);
 - e) Sardine (*Sardina pilchardus*);
 - f) Whiting (*Merlangius merlangus*).

DISPENSATIONS

9. Paragraphs 3 to 5 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

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accordance with a written permission issued by the Authority, permitting that act for scientific, stocking, educational or breeding purposes.

I hereby certify that the above byelaw was made by Sussex Inshore Fisheries and Conservation Authority at their meeting on the 22nd April 2021.



Robert Pearson

Chief Fisheries & Conservation Officer
Sussex 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) and (4) of the Marine and Coastal Access Act 2009 confirms the Minimum Size (Fish, Crustacea and Mollusc) Byelaw made by Sussex Inshore Fisheries and Conservation Authority on 22 April 2021.



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

Date: 11 December 2024

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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 specified fish, crustacea or mollusc below specified sizes. The byelaw also prohibits the retention on board or landing of fish and crustaceans unless they are whole.

The byelaw prohibits those species specified at Schedule 1a which are below the minimum size specified from being taken from the District's waters, retained on board, transhipped, landed, transported, stored, sold, displayed or offered for sale. They must be returned immediately.

The byelaw also prohibits those species specified at Schedule 1b which are below the minimum size specified from being taken from the District's waters, retained on board, transhipped, landed, transported, stored, sold, displayed or offered for sale except when caught under the authority of a fishing vessel licence issued by the Marine Management Organisation or other devolved UK fishery administration.

The byelaw includes an exemption to allow named fish species to be retained as live bait.

The Authority can provide a written dispensation to permit an act that would constitute an offence under this byelaw for scientific, stocking, educational or breeding purposes.

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

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SCHEDULE 1a

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

FISH

Ballan wrasse (<i>Labrus bergylta</i>)	280 millimetres
Black seabream (<i>Spondyliosoma cantharus</i>)	230 millimetres
Brill (<i>Scophthalmus rhombus</i>)	300 millimetres
Conger eel (<i>Conger conger</i>)	1000 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
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

Velvet swimming Crab (<i>Necora puber</i>)	65 millimetres
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SCHEDULE 1b

SPECIES AND SPECIFIED MINIMUM CONSERVATION REFERENCE SIZES

FISH

Anchovy (<i>Engraulis encrasicolus</i>)	120 millimetres
Cod (<i>Gadus morhua</i>)	350 millimetres
European bass (<i>Dicentrarchus labrax</i>)	420 millimetres
Haddock (<i>Melanogrammus aeglefinus</i>)	300 millimetres
Herring (<i>Clupea harengus</i>)	200 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
Sardine (<i>Sardina pilchardus</i>)	110 millimetres
Skate or ray (<i>Rajidae spp.</i>) – whole	400 millimetres
Skate or ray (<i>Rajidae spp.</i>) – wing	200 millimetres
Sole (<i>Solea spp.</i>)	240 millimetres
Whiting (<i>Merlangius merlangus</i>)	270 millimetres

MOLLUSCS

Clam - Carpetshell (<i>Venerupis pullastra</i>)	38 millimetres
Clam - Grooved carpetshell (<i>Ruditapes decussatus</i>)	40 millimetres
Clam - Short-necked or 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>)	110 millimetres
Whelk (<i>Buccinum spp.</i>)	45 millimetres

CRUSTACEA

Crawfish (<i>Palinurus spp.</i>)	110 millimetres
Edible crab (<i>Cancer pagurus</i>)	140 millimetres
Lobster (<i>Homarus gammarus</i>)	87 millimetres
Spinous spider crab (<i>Maja squinado</i>) - Male	130 millimetres
Spinous spider crab (<i>Maja squinado</i>) – Female	120 millimetres

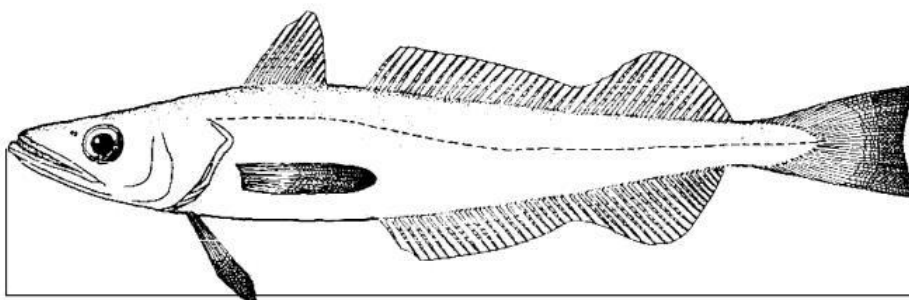
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SCHEDULE 2

Measurement of Named Species

1. The size of any fish other than skates and rays shall be measured, as shown in figure 1, from the tip of the snout to the end of the tail fin.
2. The size of a bivalve mollusc species or a whelk (*Buccinum spp.*) shall be measured, as shown in figures 2 and 3, across or along the largest dimension of the shell;
3. The size of a whole skate or ray shall be measured, as shown in figure 4, from wing tip to wing tip.
4. The size of a skate or ray wing shall be measured from the wing tip across the wing to nearest cut edge.
5. The size of a lobster shall be measured, as shown in figure 5, as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace.
6. The size of a crawfish (*Palinurus spp.*) shall be measured as shown in figure 6 as the length of the carapace, parallel to the midline, from the tip of the rostrum to the midpoint of the distal dorsal edge of the carapace.
7. The size of a spider crab shall be measured, as shown in figure 7, 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.
8. The size of an edible crab or velvet swimming crab shall be measured, as shown in figures 8 and 9, as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace.

Figure 1. Fish species



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Figure 2. Bivalve mollusc species



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

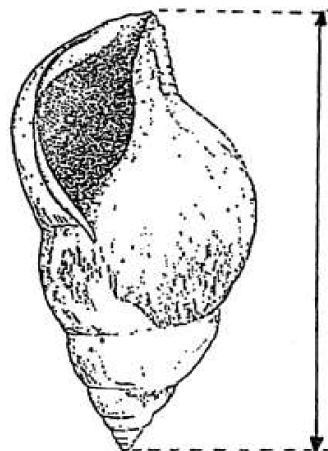
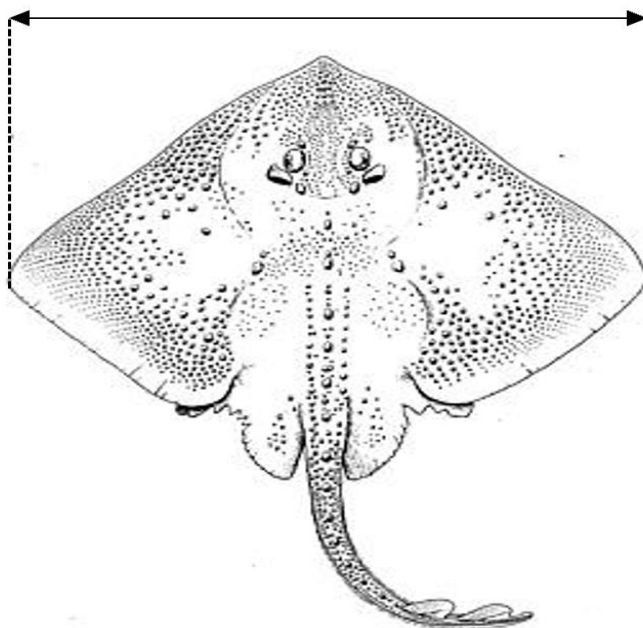


Figure 4. A whole skate or ray



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Figure 5. A lobster (*Homarus gammarus*)

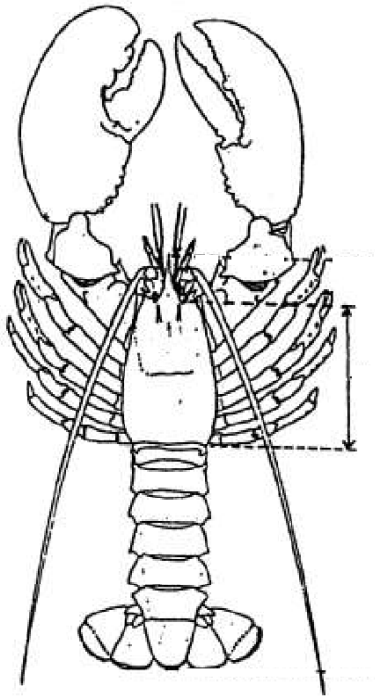


Figure 6. A crawfish (*Palinurus spp.*)

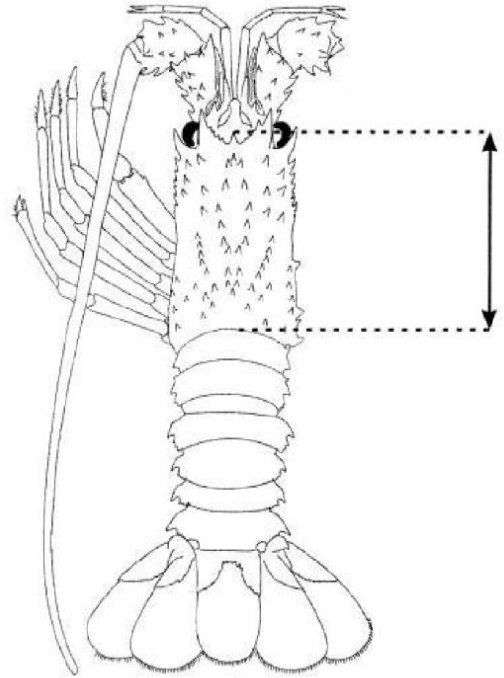
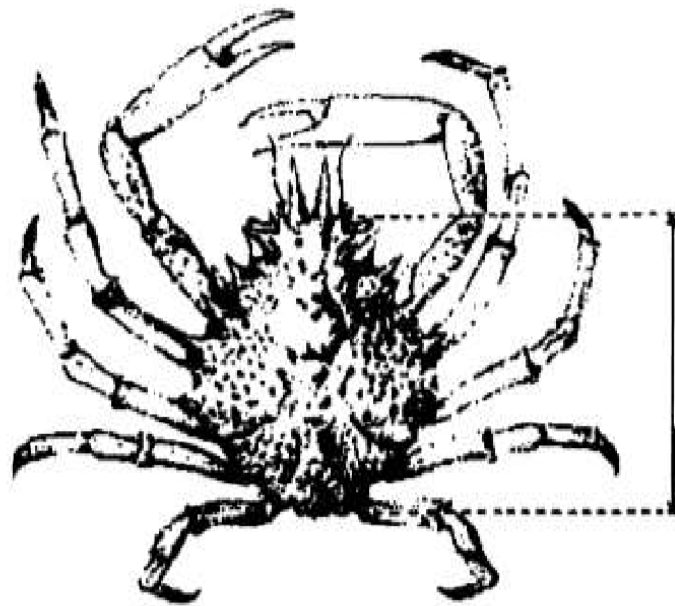


Figure 7. A spinous spider crab (*Maja squinado*)



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

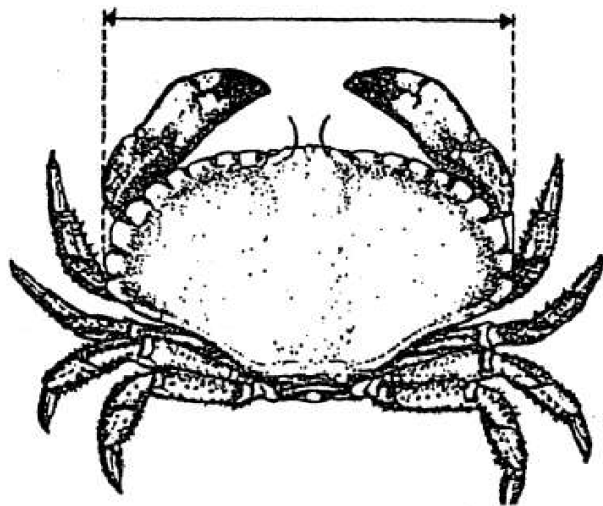


Figure 9. A velvet crab (*Necora puber*)

