



## Sussex Inshore Fisheries and Conservation Authority

### MARINE AND COASTAL ACCESS ACT 2009 (c.23)

#### 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 sections 155 and 156 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 2010 (S.I. 2010 No. 2199);
- b) "District" means the Sussex Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the Sussex Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2199)
- c) "Live bait" means fish that are:
  - (i) used only as a hook bait for the capture of other fish; and
  - (ii) retained 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
- d) "minimum size" means for:
  - (i) fish species, the measurement from the tip of the snout to the end of the tail fin;

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- (ii) bivalve mollusc species or a whelk (*Buccinum spp.*), the measurement across the longest part of the shell;
  - (iii) a whole skate or ray, the measurement between the tips of the wings;
  - (iv) a skate or ray wing, the maximum measured dimension of a wing when it is detached from the body of a skate or ray (*Rajidea spp.*);
  - (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 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;
  - (vii) 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.
- f) “Whole” means;
- (i) a fish with the head and tail intact; and
  - (ii) a fish that has not been filleted; and
  - (iii) a fish that may have been gutted; and
  - (iv) a mollusc that remains intact with their shell; and
  - (v) a crustacea that remains intact with their claws, and tail if a lobster.

### Catch Prohibitions, Restrictions

2. 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 size specified in Schedule 1a. Any such fish, mollusc or crustacean must be returned to the sea immediately.
3. 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:

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- 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.

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

4. 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 size when caught and retained outside ICES Subarea and Division VIId:
  - i. Edible Crab (*Cancer pagurus*) 130mm; and
  - ii. Scallop (*Pecten Maximus*) 100mm
5. The minimum size for the named marine organisms described in Schedule 1a and 1b shall be measured in accordance with Schedule 2.
6. Named fish, crustacea and molluscs for which a size is specified in schedule 1a and 1b may only be retained on board whole and may only be landed whole with the exception of any species of skate or ray (*Rajidae spp.*) of which wings can be landed without the skin removed.

### EXEMPTIONS

7. Paragraph 3 shall not apply to: (a) sardine, anchovy, herring, horse mackerel and mackerel, 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 sardine, anchovy, herring, horse mackerel or mackerel 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;
8. By way of derogation from paragraph 6, for edible crabs caught in nets, a maximum of 75kg of detached crab claws may be landed per fishing trip, providing that the vessel is fishing under the authority of a fishing vessel licence issued by the Marine Management Organisation or other devolved UK fishery administration.
9. The following named species below the sizes specified in schedule 1a and 1b may be used as 'live bait'

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- (i) Anchovy (*Engraulis encrasicolus*)
- (ii) Herring (*Clupea harengus*)
- (iii) Horse Mackerel (*Trachurus trachurus*)
- (iv) Mackerel (*Scomber scomber*)
- (v) Sardine (*Sardina pilchardus*)
- (vi) Whiting (*Merlangius merlangus*)

### Dispensations

10. Paragraph (3) does 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.

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I hereby certify that the above byelaw was made by Sussex Inshore Fisheries and Conservation Authority at their meeting on the (insert day month year).

Timothy Dapling

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) of the Marine and Coastal Access Act 2009 confirms the Minimum Size Byelaw made by Sussex Inshore Fisheries and Conservation Authority on the (insert day month year).

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

Date:

# SUSSEX INSHORE FISHERIES AND CONSERVATION AUTHORITY

## 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> )             | 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 |
| Turbot ( <i>Scophthalmus maxima</i> )                | 300 millimetres |
| Witch flounder ( <i>Glyptocephalus cynoglossus</i> ) | 280 millimetres |

#### MOLLUSCS

|   |                |
|---|----------------|
| Clam – American hard-shelled ( <i>Mercenaria mercenaria</i> ) | 63 millimetres |
| Clam - Manila ( <i>Ruditapes philippinarum</i> )              | 35 millimetres |

#### CRUSTACEA

|  |                |
|--|----------------|
| Velvet swimming Crab ( <i>Necora puber</i> ) | 65 millimetres |
|--|----------------|

# SUSSEX INSHORE FISHERIES AND CONSERVATION AUTHORITY

## 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 ( <i>Ruditapes phillipinnarum</i> )    | 35 millimetres  |
| Clam - Surf ( <i>Spisula solida</i> )                      | 25 millimetres  |
| Clam – 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 |

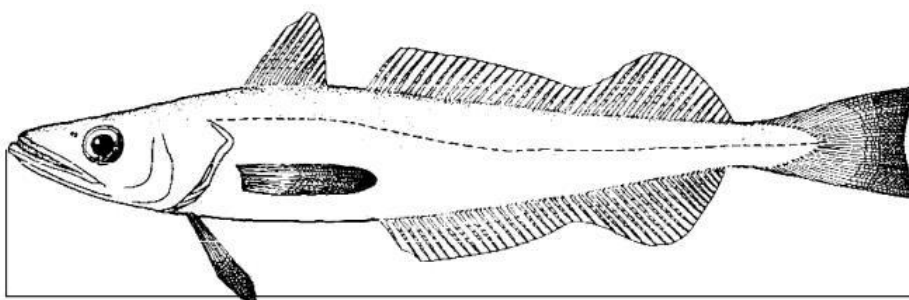
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## SCHEDULE 2

### 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

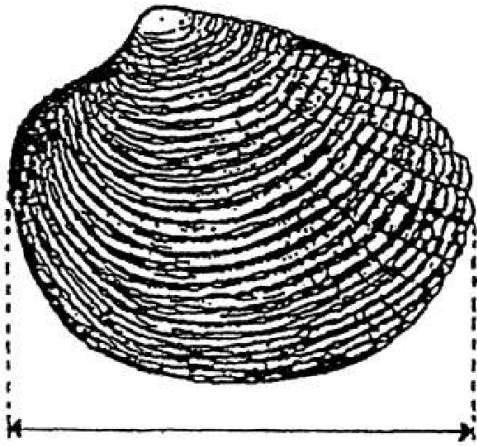


Figure 3. A whelk (*Buccinum spp.*)

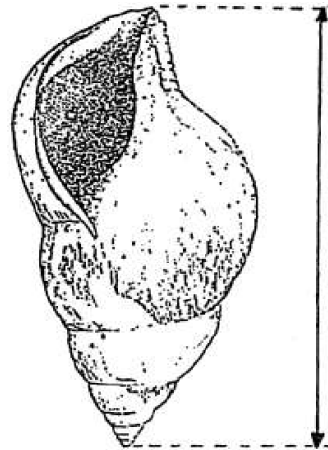
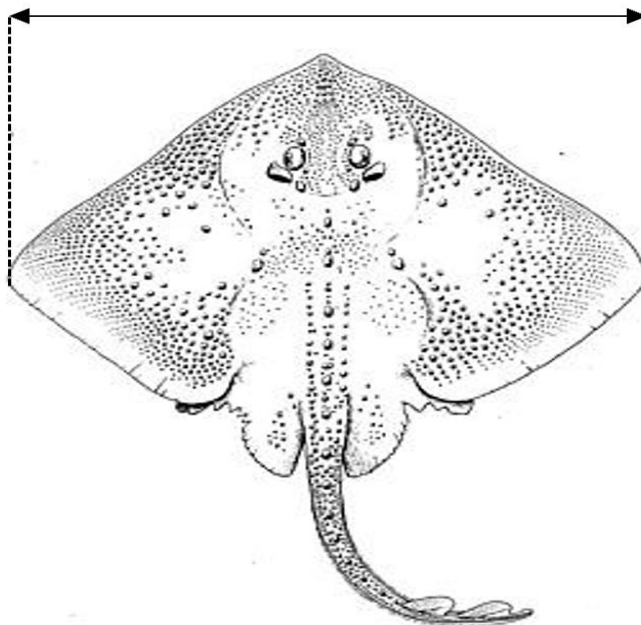


Figure 4. A whole skate or ray



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Figure 5. A lobster (*Homarus gammarus*)

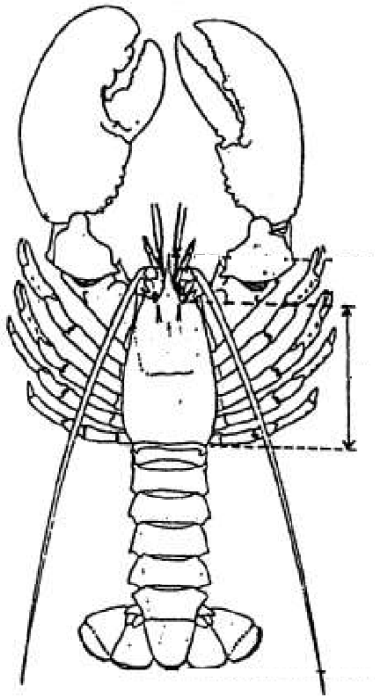


Figure 6. A crawfish (*Palinurus spp.*)

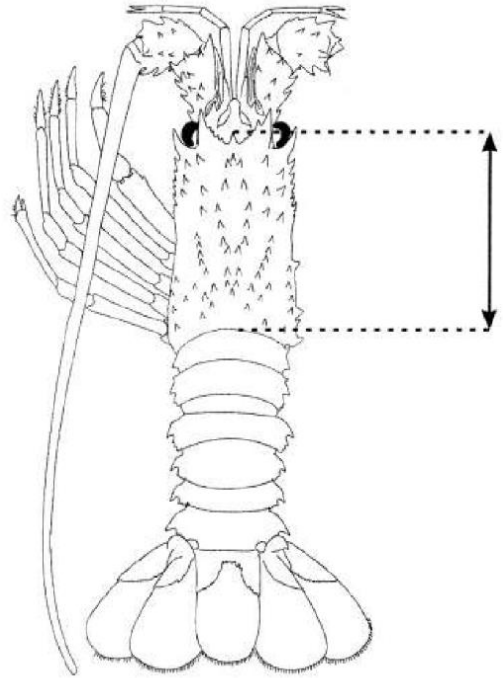


Figure 7. A spinous spider crab (*Maja squinado*)

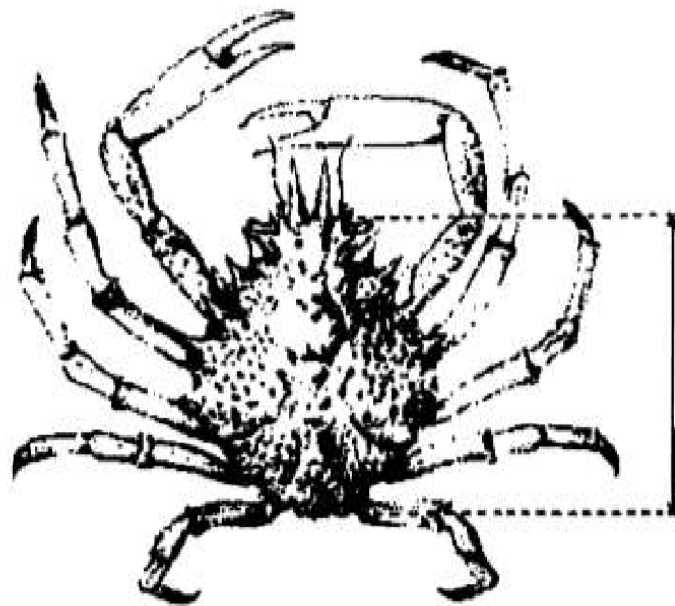


Figure 8. An edible crab (*Cancer pagurus*)

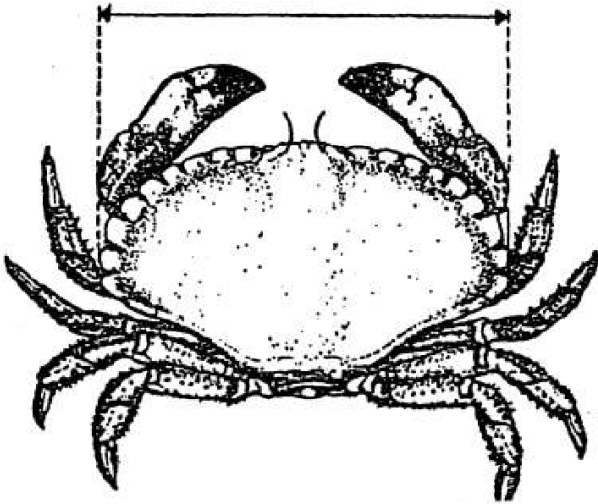
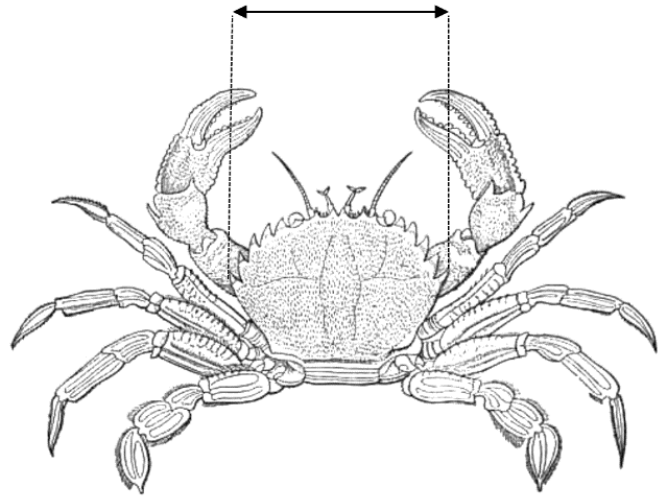


Figure 9. A velvet crab (*Necora puber*)



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

*The purpose of this byelaw is to manage the sustainable exploitation of sea fisheries resources in the Sussex IFC District. The byelaw prevents the removal of named fish and shellfish species below a certain size by both commercial and recreational fishers in the Sussex IFC District except if it is in accordance with a written permission for certain lawful activities as listed in the byelaw.*

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