

North Western Inshore Fisheries and Conservation Authority

Marine and Coastal Access Act 2009 (c.23)

NWIFCA BYELAW 1 – MINIMUM CONSERVATION REFERENCE SIZES

The Authority for the North Western Inshore Fisheries and Conservation District, in exercise of the power conferred by section 155 and 156 of the Marine and Coastal Access Act 2009 makes the following byelaw for that District.

Interpretation

- 1) In this byelaw-
 - a) "the Authority" means the North Western Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the North Western Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2200);
 - b) "North Western IFC District" means the North Western Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the North Western Inshore Fisheries and Conservation (Amendment) Order 2019 (S.I. 2010 No. 2200);

Catch Prohibitions and Restrictions

- 2) This byelaw does not apply where the landing obligation under Article 15 of Regulation (EU) 1380/2013, or any subsequent regulation that requires marine organisms to be landed, applies.
- 3) Subject to paragraphs 4, and 7, no person shall remove from the fishery, retain on board, tranship, land, transport, store, sell, display or offer for sale, any of the species named in paragraph 6 that measure less than the sizes specified but shall return them immediately to the sea.
- 4) No person shall, retain on board, tranship, land, transport, store, sell, display or offer for sale, any whelk (*Buccinum undatum*) which were caught from outside of the district which measure less than 45mm.
- 5) Paragraph 3 shall not apply to: herring, horse mackerel and mackerel, within a limit of 10% by live weight of the total catches retained on board of each of these species. The percentage of undersized herring, horse mackerel or mackerel 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 transhipment, landing, transportation, storage, display or sale.
- 6) The marine organisms specified in paragraph 7 shall be measured in accordance with Schedule 1.
- 7) Species and specified minimum sizes
 - (a) Named Fish Species

Bass (<i>Dicentrarchus labrax</i>)	420 mm
Black Seabream	230mm
Blue Ling (<i>Molva dypterygia</i>)	700 mm
Bluefin tuna (<i>Thunnus thynnus</i>)	700 mm or 6.4kg
Brill (<i>Scophthalmus rhombus</i>)	300 mm
Cod (<i>Gadus morhua</i>)	350 mm
Conger eel (<i>Conger conger</i>)	580 mm
Dab (<i>Limanda limanda</i>)	150 mm
Flounder (<i>Platichthys flesus</i>)	250 mm
Grey mullet (<i>Chelon labrosus</i>)	200 mm
Hake (<i>Merluccius merluccius</i>)	270 mm
Haddock (<i>Melanogrammus aeglefinus</i>)	300 mm
Herring (<i>Clupea harengus</i>)	200 mm
Horse Mackerel (<i>Trachurus trachurus</i>)	150 mm
Lemon Sole (<i>Microstomus kitt</i>)	250 mm
Ling (<i>Molva molva</i>)	630 mm
Megrim (<i>Lepidorhombus</i> spp.)	200 mm
Mackerel (<i>Scomber scomber</i>)	200 mm
Plaice (<i>Pleuronectes platessa</i>)	270 mm
Pollack (<i>Pollachius pollachius</i>)	300 mm
Red Mullet (<i>Mullus surmuletus</i>)	150 mm
Red Seabream (<i>Pagellus bogaraveo</i>)	250 mm
Saithe (<i>Pollachus virens</i>)	350 mm
Any Skate or Ray	
Between wing tips	450 mm
Sole (<i>Solea solea</i>)	240 mm
Turbot (<i>Psetta maxima</i>)	300 mm
Whiting (<i>Merlangius merlangus</i>)	270 mm
Witch Flounder (<i>Glyptocephalus cynoglossus</i>)	280 mm

(b) Named Mollusc Species

Bean Solen (<i>Pharus legumen</i>)	65 mm
Carpet shell (<i>Venerupis corrugate</i>)	38 mm
Warty Venus (<i>Venus verrucosa</i>)	40 mm
Donax clam (<i>Donax</i> spp.)	25 mm
Hard clam (<i>Callista chione</i>)	60 mm
Queen scallop (<i>Aequipectenspp.</i>)	40 mm
Razor Clam (<i>Ensispp.</i>)	100 mm
Scallop (<i>Pecten maximus</i>)	110 mm
Short necked clam (<i>Ruditapes phillipinarum</i>)	40 mm
Surf Clam (<i>Spisula solidissima</i>)	25 mm
Octopus (<i>Octopus vulgaris</i>)	750 grams
Winkle (<i>Littorina littorea</i>)	must not pass through a gauge having a square aperture of 16mm on each side.

Whelk (*Buccinum undatum*) 55 mm*

*55mm in first year of introduction, 65mm in the second and 75mm in the third year after the byelaw is introduced.

(c) Named Crustacea Species

Edible Crab (<i>Cancer pagurus</i>)	130 mm
European lobster (<i>Homarus gammarus</i>)	87 mm
Spider Crab (<i>Maja squinado</i>)	

Male	130 mm
Female	120 mm
Velvet swimming Crab (<i>Necora puber</i>)	65 mm
Crawfish (<i>Palinurus spp.</i>)	95mm
Norway Lobster (<i>Nephrops norvegicus</i>)	
Total length	70 mm
Carapace length	20 mm

Exceptions

- 8) This byelaw does not apply to a 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 or breeding purposes.

Revocations

- 9) The Byelaw with the title “BYELAW 19 SPECIFIED FISH SIZES” made by North Western Sea Fisheries Committee on the 24th July 2009 and which was in force immediately before making this byelaw is revoked.
- 10) The byelaw with the title Byelaw 9 - Skate Fishery made by Cumbria Sea Fisheries Committee on the 16th April 1993 and which was in force immediately before making this byelaw is revoked.
- 11) Section 2 of the byelaw with the title Byelaw 7 Winkles – Method of Fishing and Minimum Size made by Cumbria Sea Fisheries Committee on 21st April 2004 and which was in force immediately before making this byelaw.

I hereby certify that NWIFCA BYELAW 1 – MINIMUM CONSERVATION REFERENCE SIZES was made by the North Western Inshore Fisheries and Conservation Authority at the meeting on ZZZZ December 2020.

Dr Stephen Atkins
 Chief Executive Officer
 North Western Inshore Fisheries and Conservation Authority
 1 Preston Street, Carnforth, Lancashire LA5 9BY

The Secretary of State for Environment, Food and Rural Affairs in exercise of the powers conferred by section 155(3) and (4) of the Marine and Coastal Access Act 2009, confirms NWIFCA BYELAW 1 – Minimum conservation reference sizes made by the North Western IFCA on

The said byelaw comes into force on:

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 marine organisms below specified sizes.

The byelaw also prohibits the retention on board or landing of crustaceans unless they are whole, with the exception of the Norway Lobster.

The byelaw provisions shall not apply to any catch that is subject to Article 15 of Regulation (EU) 1380/2013 or any subsequent regulation that requires fish to be retained and landed in order to prohibit discarding at sea.

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

The byelaw also contains provisions for retaining 10% undersize catch in relation to, herring, horse mackerel or mackerel.

*Minimum sizes for Cockle (*Cerastoderma edule*), Mussels (*Mytilus edulis*) can be found in NWIFCA Byelaw 3.*

Schedule 1

Measurement of the size of a marine organism

1. The size of any fish shall be measured, as shown in Figure 1 for illustrative purposes, from the tip of the snout to the end of the tail fin.
2. The size of a Norway lobster shall be measured as shown in Figure 2 for illustrative purposes:
 - a. as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace, and/or,
 - b. as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae, and/or,
 - c. in the case of detached Norway lobster tails: from the front edge of the first tail segment present to the rear end of the telson, not including the setae. The tail shall be measured flat, unstretched and on the dorsal side.
3. The size of a lobster shall be measured, as shown in Figure 3 for illustrative purposes, as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace.
4. The size of a spider crab shall be measured, as shown in Figure 4 for illustrative purposes, 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.
5. The size of an edible crab or velvet swimming crab shall be measured, as shown in Figure 5 for illustrative purposes, as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace.
6. The size of a velvet swimming crab shall be measured, as shown in Figure 6 for illustrative purposes, as the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace, excluding the spines.
7. The size of any bivalve mollusc shall be measured, as shown in Figure 6 for illustrative purposes, across the longest part of the shell.
8. The size of a whelk shall be measured, as shown in Figure 8 for illustrative purposes, as the length of the shell.
9. The size of a crawfish shall be measured, as shown in Figure 9 for illustrative purposes, as the length of the carapace from the tip of the rostrum to the midpoint of the distal edge of the carapace.

Figure 1

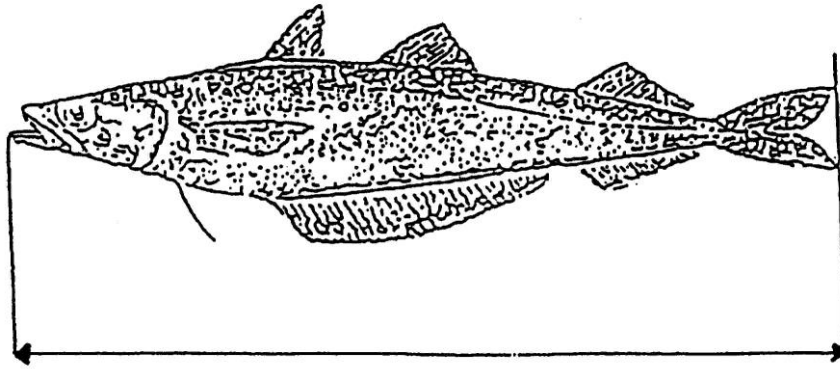


Figure 2

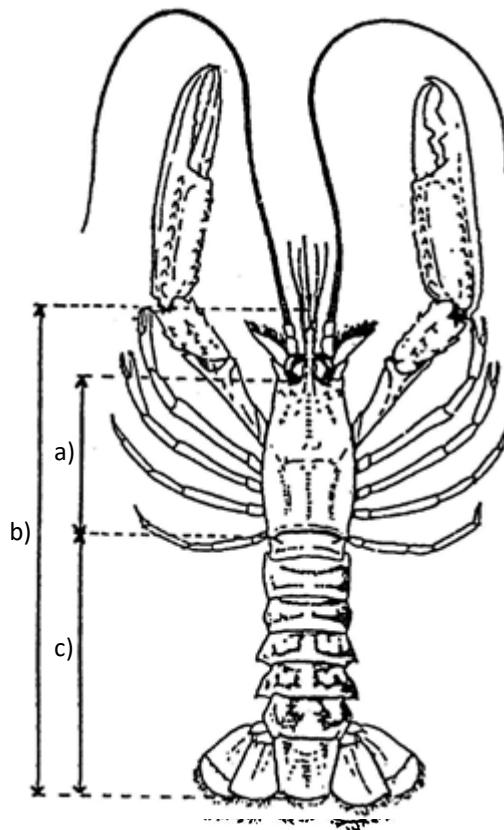


Figure 3

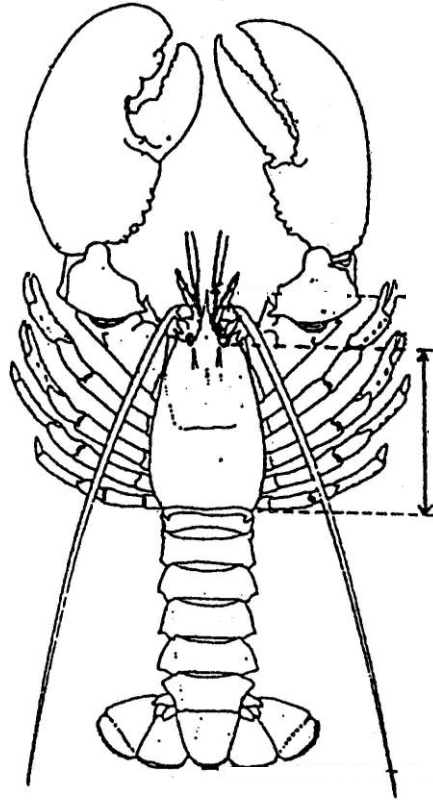


Figure 4

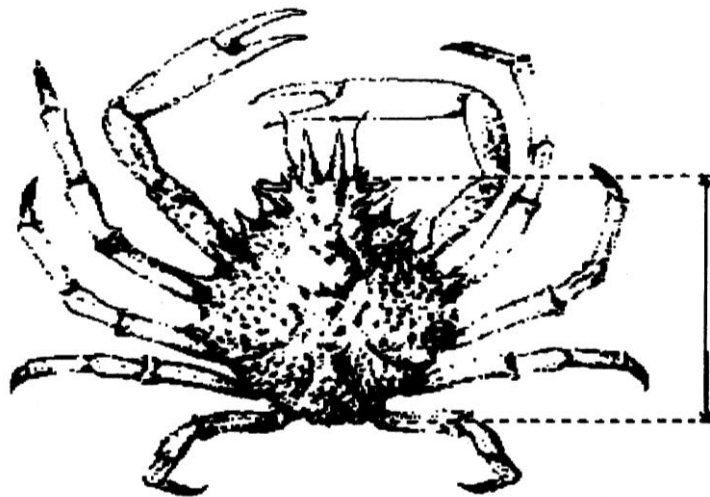


Figure 5

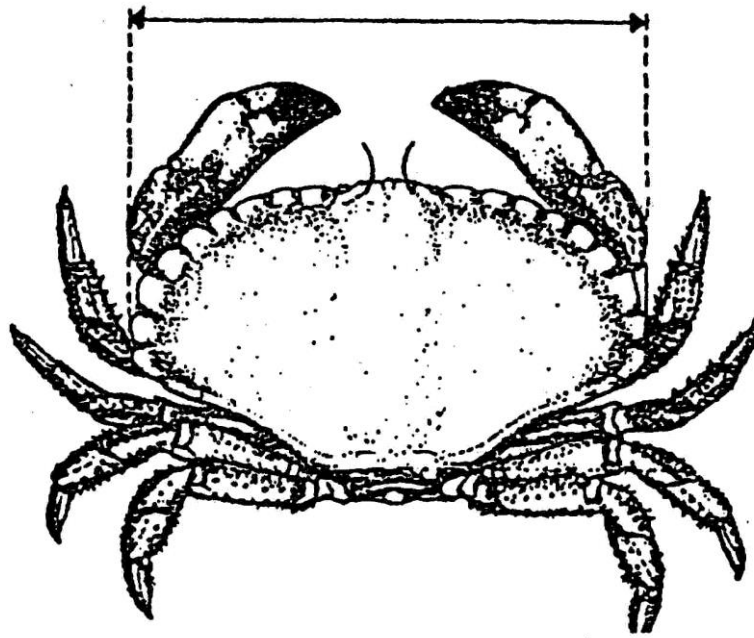


Figure 6

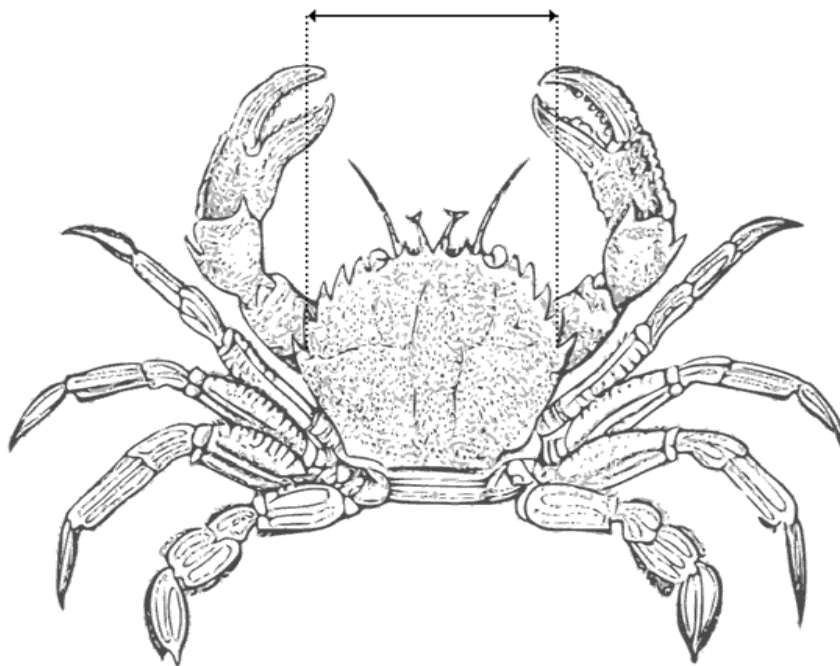


Figure 7

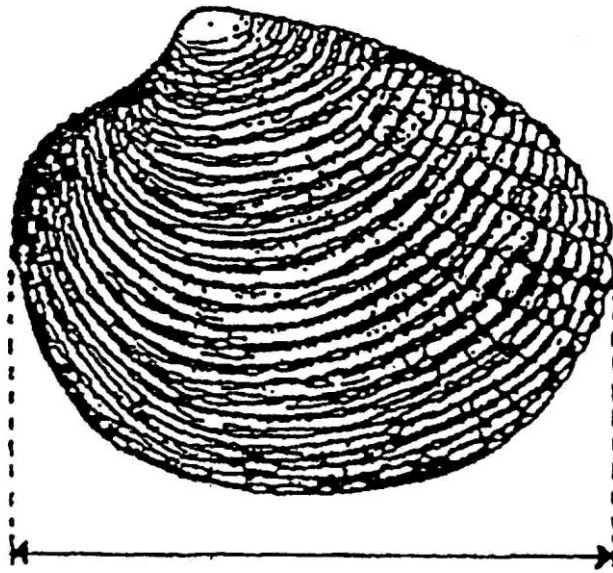


Figure 8

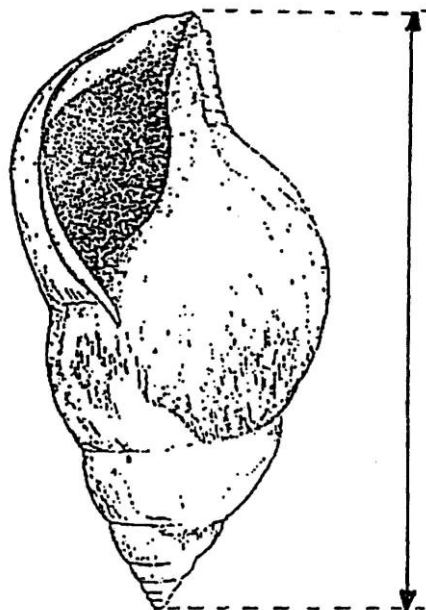


Figure 9

