

## **ANNEX A**

### **North Western Inshore Fisheries and Conservation Authority**

#### **Marine and Coastal Access Act 2009 (c.23)**

#### **NWIFCA BYELAW 1 – MINIMUM SIZES BYELAW**

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 6, 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) 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.
- 5) The marine organisms specified in paragraph 6 shall be measured in accordance with Schedule 1.
- 6) 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>Pollachius 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 corrugata</i> )          | 38 mm     |
| Clam ( <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>Aequipecten</i> spp.)             | 40 mm     |
| Razor Clam ( <i>Ensis</i> spp.)                      | 100 mm    |
| Scallop ( <i>Pecten maximus</i> )                    | 110 mm    |
| Short necked clam ( <i>Ruditapes philippinarum</i> ) | 40 mm     |
| Surf Clam ( <i>Spisula solidissima</i> )             | 25 mm     |
| Octopus ( <i>Octopus vulgaris</i> )                  | 750 grams |
| Whelk ( <i>Buccinum undatum</i> )                    | 55 mm     |

Winkle (*Littorina littorea*)

must not pass through a gauge having a square aperture of 16mm on each side.

(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</i> spp.)             | 95mm   |
| Norway Lobster ( <i>Nephrops norvegicus</i> ) |        |
| Total length                                  | 70 mm  |
| Carapace length                               | 20 mm  |

**Commented [JM1]:** This size is parity with potting byelaw and the two will develop alongside.

## Exceptions

- 7) 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.

**Commented [JM2]:** Exemption with written permission included in line with all new byelaws made.

## Revocations

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

**Commented [JM3]:** Removed word amend, section 2 of winkle byelaw is being fully removed as it relates to the size. Winkle byelaw still needed to prevent mechanical harvesting

I hereby certify that MINIMUM SIZES BYELAW 2020 was made by the North Western Inshore Fisheries and Conservation Authority at the meeting on ~~18th- September~~<sup>18<sup>th</sup> June</sup> 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 the Minimum Sizes Byelaw 2020 made by the North Western IFCA on 19<sup>th</sup> March 2020.*

*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

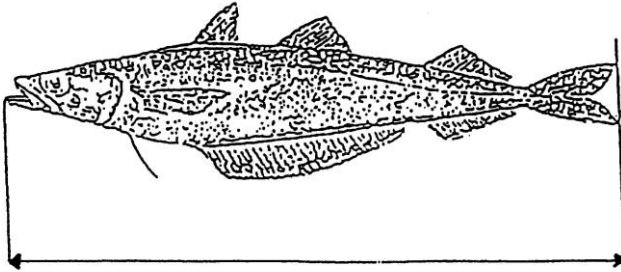


Figure 2

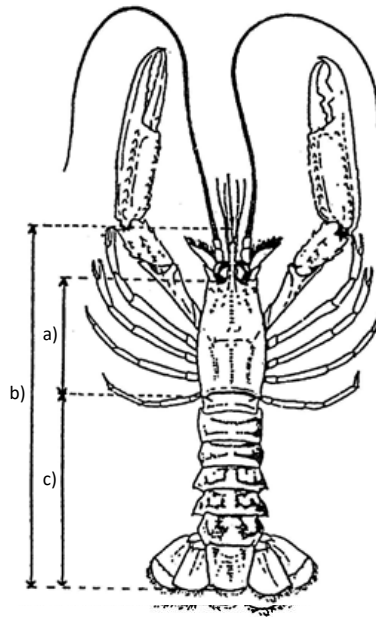


Figure 3

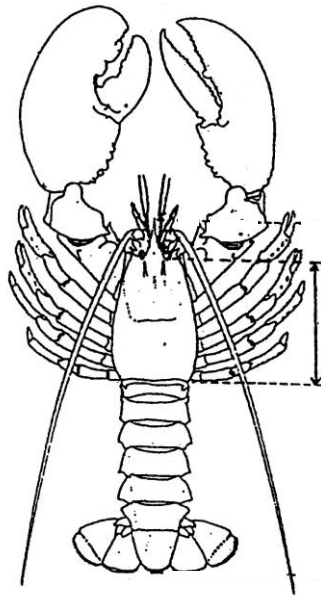


Figure 4

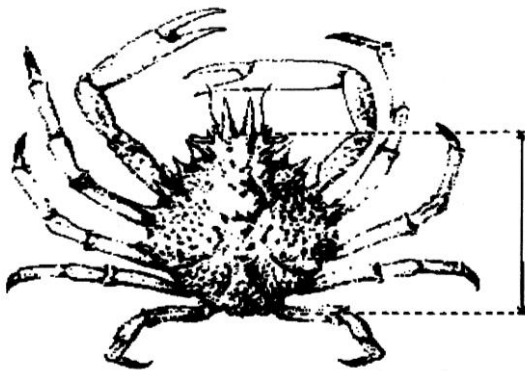


Figure 5

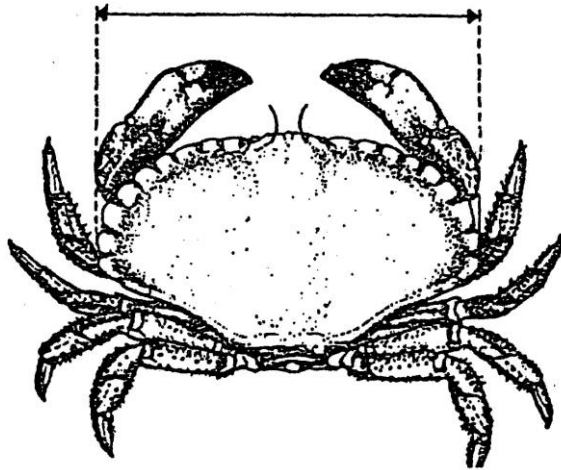


Figure 6

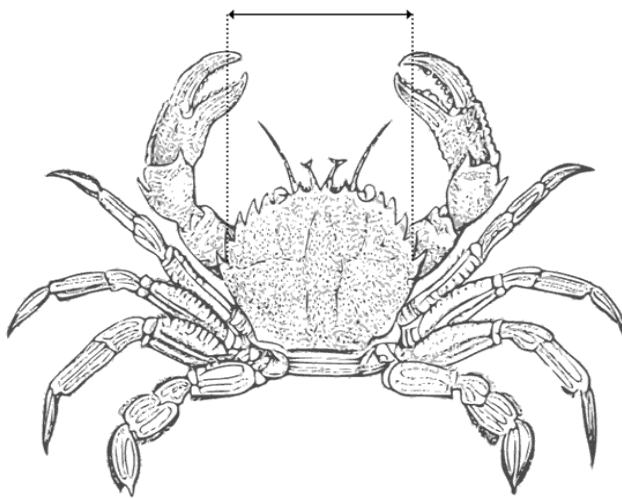




Figure 7

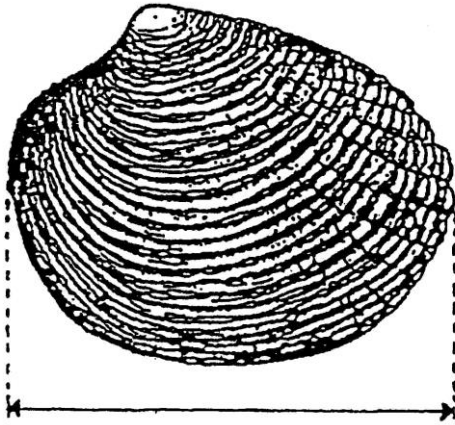


Figure 8

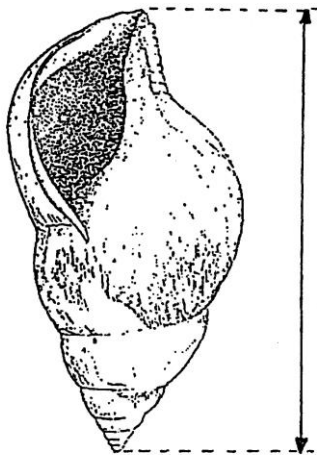


Figure 9

