

1981 No. 25

FISHERIES

Sea Fish (Minimum Size) Order (Northern Ireland) 1981

Made 29th January 1981.
 Coming into operation 1st February 1981

The Department(a) of Agriculture, in exercise of the powers conferred on it by section 127 of the Fisheries Act (Northern Ireland) 1966(b) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Sea Fish (Minimum Size) Order (Northern Ireland) 1981 and shall come into operation on 1st February 1981.

Interpretation

2. In this Order—

“scallop” means fish of the species *Pecten maximus*;

“lobster” means fish of the species *Homarus gammarus*;

“size” means—

- (a) in relation to any scallop the size calculated by measuring in a straight line across its greatest length, and
- (b) in relation to any lobster the size calculated by measuring from the rear of either eye socket to the rear end of the carapace along a line parallel to the centre line thereof.

Prescribed minimum sizes

3. For the purposes of sections 127(1), 127(2) and 127(4) of the Fisheries Act (Northern Ireland) 1966 (which prohibit in Northern Ireland the landing, sale, offering or exposure for sale, or the possession for the purpose of sale or processing or otherwise using in the course of any business, and in certain cases the retention on board any fishing boat in waters adjacent to Northern Ireland, of any sea fish of any description being a fish of a smaller size than such size as may be prescribed in relation to sea fish of that description) there are hereby prescribed—

- (a) for scallops 11 centimetres; and
- (b) for lobsters 8 centimetres.

Revocation

4. The Sea Fish (Minimum Size) Order (Northern Ireland) 1980(c) is hereby revoked.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 29th January 1981.

(L.S.)

N. E. Morrison

Assistant Secretary

(a) Formerly Ministry: see 1973 c. 36 s. 40 and Sch. 5 para. 8(1)

(b) 1966 c. 17 (N.I.)

(c) S.R. 1980 No. 455

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order prescribes for the purposes of sections 127(1), 127(2) and 127(4) of the Fisheries Act (Northern Ireland) 1966 minimum sizes for scallops and lobsters of 11 centimetres and 8 centimetres respectively which it is permissible to land, sell or use in the course of business in Northern Ireland. Under sections 127(4) and 127(6) of the Fisheries Act (Northern Ireland) 1966 the retention on board any fishing boat in Northern Ireland waters of undersized scallops is prohibited. There is no corresponding United Kingdom Order in relation to that species.

The Order revokes the Sea Fish (Minimum Size) Order (Northern Ireland) 1980 (S.R. 1980 No. 455).

A person who commits an offence under section 127 of the Fisheries Act (Northern Ireland) 1966 shall be liable on summary conviction in the case of a first offence, to a fine not exceeding £100 and in the case of a second or subsequent offence, to a fine not exceeding £200.