

**2008 No. 185**

**SEA FISHERIES**

**The Unlicensed Fishing for Crabs and Lobster Regulations  
(Northern Ireland) 2008**

*Made* - - - - - *24th April 2008*

*Coming into operation* - *30th May 2008*

The Department of Agriculture and Rural Development makes the following Regulations in exercise of the powers conferred by sections 124(1) and (2) of the Fisheries Act (Northern Ireland) 1966(a).

**Citation and commencement**

1. These Regulations may be cited as the Unlicensed Fishing for Crabs and Lobster Regulations (Northern Ireland) 2008 and shall come into operation on 30th May 2008.

**Interpretation**

2. In these Regulations—

“the Act” means the Fisheries Act (Northern Ireland) 1966;

“crabs” means spider crabs of the species *Maia squinado*, velvet crabs of the species *Necora puber*, edible crabs of the species *Cancer pagorus* and green crabs of the species *Cancer maenas*;

“day” means the 24 hour period commencing at midnight on one day and ending immediately before midnight on the next following day;

“licensed fishing vessel” means a fishing vessel in respect of which a licence has been issued under section 4 of the Sea Fish (Conservation) Act 1967(b) or under similar fisheries related provisions by another Member State or by the appropriate authorities in the Isle of Man or by another country;

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

“Northern Ireland inshore waters” has the same meaning as in the Fisheries (Amendment) Act (Northern Ireland) 2001(c);

“pots” means any pot, receptacle or container with one or more openings or entrances and which is capable of being left at sea to catch crabs or lobster;

“stock cage” means a containment device used to store live crabs or lobster at sea or in the waters of a port or harbour.

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(a) 1966 c. 17 (NI); section 124 was amended by Fisheries (Amendment) Act (Northern Ireland) 2001  
(b) 1967 c.84; section 4 was amended by the Fishery Limits Act 1976  
(c) 2001 c.4

### **Prohibition of retention or landing**

3.—(1) A person shall not land, bring to land or retain on board a boat more than the number of lobster and crabs permitted each day for each boat.

(2) For the purposes of paragraph (1) the permitted number in relation to each boat is:—

- (a) in the case of lobster, one; and
- (b) in the case of crabs, five.

### **Prohibition of use of pots**

4.—(1) A person shall not use more than five pots.

(2) A person shall not take on board a boat pots on behalf of one or more other persons or boats.

### **Prohibition of use of stock cage**

5. A person shall not use a stock cage.

### **Marking of pots**

6. Marker buoys, or similar objects floating on the surface and intended to indicate the location of pots, shall be legibly and indelibly marked with either the name of the boat or the name of the owner of the boat from which the pots are set.

### **Exemptions**

7. The prohibitions in regulations in 3, 4, 5 and the requirement in regulation 6 shall not apply to:—

- (a) a boat fishing outside Northern Ireland inshore waters;
- (b) a licensed fishing vessel;
- (c) a person operating under the authority and in accordance with a permit granted under Section 14 of the Act.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 24th April 2008



*Liam McKibben*

A senior officer of the Department of Agriculture and Rural Development

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These regulations prohibit unlicensed fishing for certain species of crabs and lobster above specified limits, prohibit the use of stock pots, boxes, cages or other containment device by unlicensed fishermen and require marker buoys or similar flotation devices used to mark the site of the fishing gear to be marked.

The regulations 3, 4, 5 and 6 do not apply to vessels fishing outside Northern Ireland inshore waters, to any licensed fishing vessels or to persons granted a permit under Section 14 of the Fisheries Act (Northern Ireland) 1966.

A person who commits an offence under section 124 of the Fisheries Act (Northern Ireland) 1966 shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale (£5,000).