

2020 No. 153

SEA FISHERIES

The Edible Crabs (Undersized) Order (Northern Ireland) 2020

Made - - - - 22nd July 2020

Coming into operation - 22nd August 2020

The Department of Agriculture, Environment and Rural Affairs(**a**) makes the following Order in exercise of the powers conferred by section 127(1) and (3A) of the Fisheries Act (Northern Ireland) 1966(**b**) and section 6(1) of the Sea Fish Conservation Act 1967(**c**), and now vested in it.

Citation and commencement

1. This Order may be cited as the Edible Crabs (Undersized) Order (Northern Ireland) 2020 and comes into operation on 22nd August 2020.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**d**) applies to this Order as it applies to an Act of the Northern Ireland Assembly.

(2) In this Order—

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

“edible crab” means crab of the species *Cancer pagurus*;

“foreign fishing boat” means a fishing boat that—

(a) is not registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995(**e**);

(b) is not registered under the law of Jersey, Guernsey or the Isle of Man; and

(c) is not British owned(**f**).

“size” means the maximum width of the carapace measured perpendicular to the antero-posterior midline of the carapace and shall be measured as shown in the Schedule to this Order.

(a) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.1), Art 3(4); and 2016 c.5 (N.I.), Article 1(2).
(b) 1966 c.17, section 127 was amended by S.I. 1981/227 (N.I.7), Article 10(2) and Sch. 4, 2001 c. 4 (N.I.), section 1 and S.I. 2002/790, Article 6.
(c) 1967 c.84; The functions of the Ministers under section 6(1) were transferred to DARD by SI 2002/790, Article 3 and Schedule 1, paragraph 3.
(d) 1954 c.53
(e) 1995 c.21
(f) “British-owned” is defined in section 22(1) of the Sea Fish (Conservation) Act 1967 c.84

Prescribed minimum size for edible crabs

3. For the purposes of section 127(1) of the Act (which prohibits the bringing to land, landing, sale or offer or exposure for sale, or possession for the purpose of sale, of any sea fish of any description being a sea fish of a smaller size as may be prescribed in relation to sea fish of that description) there is hereby prescribed as the minimum size in relation to edible crabs a size of 140 millimetres.

Exemptions

4. The prohibition imposed by section 127(1) of the Act as read with Article 3 and the Schedule shall not apply to a foreign fishing boat or any person operating under the authority of, and in accordance with a permit granted under section 14 of the Act.

Revocation

5. Article 4 of the Undersized Edible Crabs 2000 Order(a) is revoked insofar as it applies to Northern Ireland.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 22nd July 2020.



Claire Vincent
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

(a) S.I. 2000/2029

SCHEDULE

Article 2

MEASUREMENT OF THE SIZE OF AN EDIBLE CRAB

Carapace width



EXPLANATORY NOTE

(This note is not part of the Order)

Section 127(1) of the Fisheries Act (Northern Ireland) 1966 (“the 1966 Act”) prohibits the bringing to land, landing, sale or offering or exposure for sale or having in possession for the purpose of sale, any sea fish of a description prescribed by order where those sea fish are smaller than the minimum size so prescribed.

For the purposes of Section 127(1), Article 3 of this Order prescribes a minimum size for edible crabs of 140mm.

Article 4 provides an exemption from the prohibition in Article 3 for foreign fishing boats or persons operating under a licence granted in accordance with section 14 of the 1966 Act.

Article 5 revokes the Undersized Edible Crabs Order 2000 which provides for a minimum landing size of 130mm, insofar as it applies to Northern Ireland.

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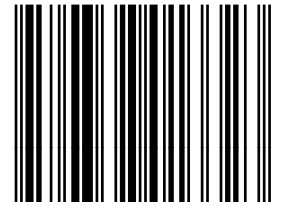
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