
STATUTORY INSTRUMENTS

2017 No. 899

The Lobsters and Crawfish (Prohibition of Fishing and Landing) (Amendment) (England) Order 2017

Amendment of the Lobsters and Crawfish (Prohibition of Fishing and Landing) Order 2000

2.—(1) The Lobsters and Crawfish (Prohibition of Fishing and Landing) Order 2000(1) is amended as follows.

(2) In article 2 (interpretation)—

(a) in paragraph (1)—

(i) before the definition of “crawfish” insert—

““berried” in relation to a lobster or crawfish, means a lobster or crawfish which is carrying eggs attached to its tail or some other exterior part, or which is in such a condition as to show that, at the time when it was taken, it was carrying eggs so attached;”;

(ii) at the end of the definition of “mutilated” omit “and”;

(iii) at the end of the definition of “V notch” for the full stop substitute “; and”; and

(iv) after the definition of “V notch” insert—

““Welsh zone” has the same meaning as it has by virtue of section 158(1) of the Government of Wales Act 2006(2).”; and

(b) in paragraph (2)—

(i) in sub-paragraphs (a)(i) and (b) for “territorial sea adjacent to Wales” substitute “Welsh zone”; and

(ii) in sub-paragraphs (c)(i) and (ii) after “mutilated” insert “or berried”.

(3) After article 4 (landing prohibition) insert—

“Berried lobsters and crawfish

4A.—(1) Fishing for a berried lobster or a berried crawfish by—

(a) a relevant British fishing boat, or

(b) a Scottish fishing boat

within relevant British fishery limits but not within the Northern Ireland zone is prohibited.

(2) The landing in England of a berried lobster or a berried crawfish, wherever caught, from a relevant British fishing boat or a Scottish fishing boat is prohibited.”.

(4) After article 5 (powers of British sea-fishery officers in relation to fishing boats) insert—

(1) [S.I. 2000/874](#), which was revoked in relation to the area of the Welsh zone that lies beyond Wales by article 7(2) of [S.I. 2015/2076 \(W. 312\)](#). See article 2 of that Order for the definition of “Wales”.

(2) [2006 c.32](#). Section 158(1) was amended by section 43(2) of the Marine and Coastal Access Act 2009. See also [S.I. 2010/760](#).

“Review

- 6.—(1) The Secretary of State must from time to time—
- (a) carry out a review of the regulatory provision contained in this Order, and
 - (b) publish a report setting out the conclusions of the review.
- (2) The first report must be published before 1st October 2022.
- (3) Subsequent reports must be published at intervals not exceeding 5 years.
- (4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015⁽³⁾ requires that a report published under this article must, in particular—
- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),
 - (b) assess the extent to which those objectives are achieved,
 - (c) assess whether those objectives remain appropriate, and
 - (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.
- (5) In this article, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).”