
WELSH STATUTORY INSTRUMENTS

2015 No. 2076

**The Specified Crustaceans (Prohibition on Fishing,
Landing, Sale and Carriage) (Wales) Order 2015**

Title, commencement and application

1.—(1) The title of this Order is the Specified Crustaceans (Prohibition on Fishing, Landing, Sale and Carriage) (Wales) Order 2015 and it comes into force on 1 February 2016.

(2) Subject to paragraph (3), this Order applies in relation to Wales.

(3) Articles 3(f), (g), (h) and (i) and 6(1)(f) apply in relation to Wales and the Welsh zone.

Commencement Information

II [Art. 1](#) in force at 1.2.2016, see [art. 1\(1\)](#)

Interpretation

2. In this Order—

“the Act” (“*y Ddeddf*”) means the Sea Fish (Conservation) Act 1967(1);

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...

“crawfish” (“*cimwch coch*”) means crawfish of the species *Palinurus elephas* and *Palinurus mauritanicus*;

“edible crab” (“*cranc coch*”) means crab of the species *Cancer pagurus*;

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...

“green crab” (“*cranc gwyrdd*”) means crab of the species *Carcinus maenas*;

“lobster” (“*cimwch*”) means lobster of the species *Homarus gammarus*;

“mutilated” (“*wedi ei lurgunio*”) in relation to a lobster or crawfish, means a lobster or crawfish which is mutilated in such a manner as to obscure a V notch;

“size” (“*maint*”) means—

- (a) in relation to a crawfish, the length of the carapace, along the midline, from the tip of the central rostral spine to the distal edge of the carapace, as shown in Diagram 1 in the Schedule to this Order,
- (b) in relation to an edible crab, the width of the carapace measured across the broadest part of the back, as shown in Diagram 2 in the Schedule to this Order,
- (c) in relation to a lobster, the length of the carapace, measured parallel to the mid-line from the back of either eye socket to the distal edge of the carapace, as shown in Diagram 3 in the Schedule to this Order,

Changes to legislation: There are currently no known outstanding effects for the *The Specified Crustaceans (Prohibition on Fishing, Landing, Sale and Carriage) (Wales) Order 2015*. (See end of Document for details)

- (d) in relation to a spider crab, the length of the carapace, along the midline, from the edge of the carapace between the rostrums to the posterior edge of the carapace, as shown in Diagram 4 in the Schedule to this Order, and
 - (e) in relation to a velvet crab, the width of the carapace measured across the broadest part, excluding spines, of the back, as shown in Diagram 2 in the Schedule to this Order;
- “spider crab” (“*cranc heglog*”) means crab of the species *Maia spp*;
- “velvet crab” (“*cranc llygatgoch*”) means crab of the species *Necora puber*;
- “V notch” (“*holllt v*”) means a marking in the shape of a letter “V” cut into at least one of the five flaps of the tail of any lobster or crawfish, with the apex of the letter “V” positioned inward from the edge of the flap;
- “Wales” (“*Cymru*”) has the same meaning as it has by virtue of section 158 of the Government of Wales Act 2006(2); and
- “Welsh zone” (“*parth Cymru*”) has the same meaning as it has by virtue of section 158 of the Government of Wales Act 2006(3).

Textual Amendments

F1 Words in [art. 2](#) omitted (31.12.2020) by virtue of [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(a), [Sch. 2 para. 20\(2\)\(a\)](#) (with s. 50, [Sch. 4 para. 31](#))

Commencement Information

I2 [Art. 2](#) in force at 1.2.2016, see [art. 1\(1\)](#)

Fishing prohibition for specified crawfish, lobster, edible crab, spider crab and velvet crab

- 3.—(1) Fishing for—
- (a) crawfish with a size of less than 110 millimetres;
 - (b) lobster with a size of less than 90 millimetres;
 - (c) edible crab with a size of less than 140 millimetres;
 - (d) female spider crab with a size of less than 120 millimetres;
 - (e) male spider crab with a size of less than 130 millimetres;
 - (f) velvet crab with a size of less than 65 millimetres;
 - (g) a mutilated crawfish;
 - (h) a mutilated lobster; or
 - (i) any crawfish or lobster bearing a V notch, is prohibited.

^{F2}(2)

(2) [2006 c. 32](#). Section 158(1) was amended by the Marine and Coastal Access Act 2009 ([c. 23](#)), section 43(1) and (2). For the purposes of the definition of “Wales” in section 158(1) of the 2009 Act, the boundary between those parts of the sea within the Severn and Dee Estuaries which are to be treated as adjacent to Wales and those which are not are, in each case, a line drawn between the co-ordinates set out in Schedule 3 to the National Assembly for Wales (Transfer of Functions) Order 1999 ([S.I. 1999/672](#)). By virtue of section 162 of and paragraph 26 of Schedule 11 to the 2006 Act, [S.I. 1999/672](#) continues to have effect.

(3) The Welsh zone is specified in [S.I. 2010/760](#).

Textual Amendments

F2 Art. 3(2) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(a), Sch. 2 para. 20(3) (with s. 50, Sch. 4 para. 31)

Commencement Information

I3 Art. 3 in force at 1.2.2016, see art. 1(1)

Prohibitions on landing of specified crawfish, lobster, edible crab, green crab, spider crab and velvet crab

4.—(1) For the purposes of section 1(1) of the Act (which prohibits the landing of any sea fish of any description which does not meet the requirements as to size as may be prescribed in relation to sea fish of that description), it is prescribed that the minimum size for—

- (a) crawfish, is 110 millimetres;
- (b) lobster, is 90 millimetres;
- (c) edible crab, is 140 millimetres;
- (d) female spider crab, is 120 millimetres;
- (e) male spider crab, is 130 millimetres; and
- (f) velvet crab, is 65 millimetres.

^{F3}(2)

(3) The landing of any—

- (a) mutilated crawfish;
- (b) mutilated lobster;
- (c) crawfish or lobster bearing a V notch; or
- (d) claw or other detached part of any edible crab, green crab, spider crab or velvet crab,

wherever caught, is prohibited.

^{F4}(4)

Textual Amendments

F3 Art. 4(2) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(a), Sch. 2 para. 20(4) (with s. 50, Sch. 4 para. 31)

F4 Art. 4(4) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(a), Sch. 2 para. 20(4) (with s. 50, Sch. 4 para. 31)

Commencement Information

I4 Art. 4 in force at 1.2.2016, see art. 1(1)

Prohibitions on sale, exposure or offer for sale or possession of specified crawfish, lobster, edible crab, spider crab and velvet crab

5.—(1) For the purposes of section 1(2) of the Act (which prohibits the sale, exposure or offer for sale or possession for the purpose of sale of any sea fish of any description which does not meet the requirements as to size as may be prescribed in relation to sea fish of that description), it is prescribed that the minimum size for—

- (a) crawfish, is 110 millimetres;
- (b) lobster, is 90 millimetres;
- (c) edible crab, is 140 millimetres;
- (d) female spider crab, is 120 millimetres;
- (e) male spider crab, is 130 millimetres; and
- (f) velvet crab, is 65 millimetres.

^{F5}(2)

(3) The sale, exposure or offer for sale of any—

- (a) mutilated crawfish;
- (b) mutilated lobster;
- (c) crawfish or lobster bearing a V notch; or
- (d) claw or other detached part of any edible crab, green crab, spider crab or velvet crab,

wherever caught, is prohibited.

^{F6}(4)

Textual Amendments

- F5** Art. 5(2) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(a), Sch. 2 para. 20(5) (with s. 50, Sch. 4 para. 31)
- F6** Art. 5(4) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(a), Sch. 2 para. 20(5) (with s. 50, Sch. 4 para. 31)

Commencement Information

- I5** Art. 5 in force at 1.2.2016, see art. 1(1)

Prohibitions on carriage of specified crawfish, lobster, edible crab, green crab, spider crab and velvet crab ^{F7}...

6.—(1) For the purposes of section 1(3) of the Act (which prohibits the carriage on specified fishing boats of any sea fish of any description which does not meet the requirements as to size prescribed in relation to sea fish of that description), it is prohibited for a [^{F8}fishing boat] to carry any—

- (a) crawfish with a size of less than 110 millimetres;
- (b) lobster with a size of less than 90 millimetres;
- (c) edible crab with a size of less than 140 millimetres;
- (d) female spider crab with a size of less than 120 millimetres;
- (e) male spider crab with a size of less than 130 millimetres; and
- (f) velvet crab with a size of less than 65 millimetres.

(2) The carriage on a [^{F9}fishing boat] in Wales of—

- (a) a mutilated crawfish;
- (b) a mutilated lobster;
- (c) any crawfish or lobster bearing a V notch;

(d) a claw or any other detached part of an edible crab, a green crab, a spider crab or a velvet crab,
wherever caught, is prohibited.

Textual Amendments

- F7** Words in [art. 6](#) heading omitted (31.12.2020) by virtue of [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(a), [Sch. 2 para. 20\(6\)\(a\)\(i\)](#) (with s. 50, [Sch. 4 para. 31](#))
- F8** Words in [art. 6\(1\)](#) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(a), [Sch. 2 para. 20\(6\)\(a\)\(ii\)](#) (with s. 50, [Sch. 4 para. 31](#))
- F9** Words in [art. 6\(2\)](#) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(a), [Sch. 2 para. 20\(6\)\(a\)\(ii\)](#) (with s. 50, [Sch. 4 para. 31](#))

Commencement Information

- I6** [Art. 6](#) in force at 1.2.2016, see [art. 1\(1\)](#)

Revocations and consequential amendments

7.—(1) The following Orders are revoked in relation to Wales—

- (a) the Undersized Crabs Order 1986(4);
- (b) the Undersized Crabs (Variation) Order 1989(5);
- (c) the Undersized Lobsters Order 1993(6);
- (d) the Lobster and Crawfish (Prohibition of Fishing and Landing) (Wales) Order 2002(7);
- (e) the Undersized Spider Crabs (Wales) Order 2002(8).

(2) The Lobster and Crawfish (Prohibition of Fishing and Landing) Order 2000(9) is revoked in relation to the area of the Welsh zone that lies beyond Wales.

(3) The Undersized Velvet Crabs Order 1989(10) is revoked in relation to Wales and the Welsh zone.

(4) The following Byelaws of the former South Wales Sea Fisheries Committee(11) are revoked in relation to Wales—

- (a) Byelaw 3 (Lobster – Minimum size)(12);
- (b) Byelaw 5 (Protection of V-Notched Lobsters)(13);

(4) [S.I. 1986/497](#) as amended by [S.I. 1989/2443](#).

(5) [S.I. 1989/2443](#).

(6) [S.I. 1993/1178](#).

(7) [S.I. 2002/676 \(W. 73\)](#).

(8) [S.I. 2002/1897 \(W. 198\)](#).

(9) [S.I. 2000/874](#).

(10) [S.I. 1989/919](#).

(11) The South Wales Sea Fisheries Committee was dissolved on 1 April 2010 when article 3 of the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 ([S.I. 2010/630 \(C. 42\)](#)) brought into force section 187 of the Marine and Coastal Access Act 2009 ([c. 23](#)), with the effect of repealing the Sea Fisheries Regulation Act 1966 ([c. 38](#)).

(12) Byelaw 3 of the former South Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that Byelaw originally applied by virtue of article 13(1) of and Schedule 3 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 ([S.I. 2010/630 \(C. 42\)](#)).

(13) Byelaw 5 of the former South Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(1) of and Schedule 3 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 ([S.I. 2010/630 \(C. 42\)](#)).

- (c) Byelaw 6 (Crabs – Minimum size)(14);
 - (d) Byelaw 7 (Crawfish – Minimum size)(15); and
 - (e) Byelaw 46 (Parts of Crustacean Shellfish)(16).
- (5) The following Byelaws of the former North Western and North Wales Sea Fisheries Committee(17) are revoked in relation to Wales—
- (a) Byelaw 29 (Minimum size of Lobster)(18); and
 - (b) Byelaw 31 (Protection of V-Notched Lobsters)(19).
- (6) In the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010(20)—
- (a) in the Table in Schedule 3, delete the rows relating to Byelaws 3, 5, 6, 7 and 46; and
 - (b) in the Table in Schedule 4, delete the rows relating to Byelaws 29 and 31.
- (7) In Byelaw 19 (Specified Fish Sizes)(21) of the former North Western and North Wales Sea Fisheries Committee(22), in the Table specifying minimum shellfish size, delete the rows relating to Crawfish (*Palinurus spp*), Edible Crab (*Cancer pagurus*), Lobster (*Homarus gammarus*), Spider Crab (*Maja squinado*) and Velvet Crab (*Liocarcinus puber*).

Commencement Information

I7 [Art. 7](#) in force at 1.2.2016, see [art. 1\(1\)](#)

- (14) Byelaw 6 of the former South Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(1) of and Schedule 3 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)).
- (15) Byelaw 7 of the former South Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(1) of and Schedule 3 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)).
- (16) Byelaw 46 of the former South Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of article 13(1) of and Schedule 3 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)).
- (17) The North Western and North Wales Sea Fisheries Committee was dissolved, in relation to Wales, on 1 April 2010 when article 3 of the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)) brought into force section 187 of the Marine and Coastal Access Act 2009 (c. 23), with the effect of repealing the Sea Fisheries Regulation Act 1966 (c. 38) in relation to Wales.
- (18) Byelaw 29 of the former North Western and North Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that Byelaw originally applied by virtue of article 13(3) of and Schedule 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)).
- (19) Byelaw 31 of the former North Western and North Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that Byelaw originally applied by virtue of article 13(3) of and Schedule 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)).
- (20) S.I. 2010/630 (C. 42). There are amendments to Schedule 4 to the 2010 Order but they are not relevant to this Order.
- (21) Byelaw 19 of the former North Western and North Wales Sea Fisheries Committee has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that Byelaw originally applied by virtue of article 13(3) of and Schedule 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)).
- (22) The North Western and North Wales Sea Fisheries Committee was dissolved, in relation to Wales, on 1 April 2010 when article 3 of the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (C. 42)) brought into force section 187 of the Marine and Coastal Access Act 2009 (c. 23), with the effect of repealing the Sea Fisheries Regulation Act 1966 (c. 38) in relation to Wales.

Changes to legislation: *There are currently no known outstanding effects for the The Specified Crustaceans (Prohibition on Fishing, Landing, Sale and Carriage) (Wales) Order 2015. (See end of Document for details)*

Carl Sargeant
Minister for Natural Resources, one of the Welsh
Ministers

Changes to legislation:

There are currently no known outstanding effects for the The Specified Crustaceans (Prohibition on Fishing, Landing, Sale and Carriage) (Wales) Order 2015.