1982 No. 6

FISHERIES

Sea-Fish (Minimum Size) Order (Northern Ireland) 1982

Made . . . . . *13th January 1982*

Coming into operation . . . *13th January 1982*

The Department(**a**) of Agriculture, in exercise of the powers conferred on it by section 127(1) of the Fisheries Act (Northern Ireland) 1966(**b**), as amended(**c**), 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) 1982 and shall come into operation on 13th January 1982.

Interpretation

2. In this Order—

"the Communities" has the same meaning as in section 1 of the European Communities Act 1972(**d**);

"ICES V" means the area of sea (commonly known as the Iceland and Faroes Grounds) bounded by a line beginning at a point in 68° 00′ North latitude; 11° 00′ West longitude; thence due west to 27° 00′ West longitude; thence due south to 62° 00′ North latitude; thence due east to 15° 00′ West longitude; thence due south to 60° 00′North latitude; thence due east to 5° 00′ West longitude; thence due north to 60° 30′ North latitude; thence due east to 4° 00′ West longitude; thence due north to 63° 00′ North latitude; thence due west to 11° 00′ West longitude; thence due north to the point of beginning;

"ICES VIIa" means the area of sea (commonly known as the Irish Sea) bounded by a line beginning at a point on the west coast of Scotland in 55° 00′ North latitude; thence due west to the coast of Northern Ireland; thence in a southerly direction along the coasts of Northern Ireland and the Republic of Ireland to a point on the south-east coast of the Republic of Ireland in 52° 00′ North latitude; thence due east to the coast of Wales; thence in a north-easterly and northerly direction along the coasts of Wales, England and Scotland to the point of beginning;

"ICES XIV" means the area of sea (commonly known as East Greenland) bounded by a line from the geographic North Pole along the meridian of 40° 00′ West longitude to the north coast of Greenland; thence in an easterly and southerly direction along the coast of Greenland to a point in 44° 00′ West longitude; thence due south to 59° 00′ North latitude; thence due east to 27° 00′ West longitude; thence due north to 68° 00′ North latitude; thence due east to 11° 00′ West longitude; thence due north to the geographic North Pole;

(**a**) Formerly Ministry: *see* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1)
(**b**) 1966 c. 17 (N.I.)
(**c**) By S.I. 1981/227 (N.I. 7) Article 10(2) and Schedule 4
(**d**) 1972 c. 68

"NAFO sub-area 1" has the meaning assigned to it by Annex III, paragraph 2(*a*), to the Convention on Future Multilateral Cooperation in the North West Atlantic Fisheries(**a**);

"North Sea" means the area of sea bounded by a line beginning at a point on the coast of Norway in 64° 00′ North latitude; thence due west to 4° 00′ West longitude; thence due south to the coast of Scotland; thence in an easterly and southerly direction along the coasts of Scotland and England to a point in 51° 00′ North latitude; thence due east to the coast of France; thence in a north-easterly direction along the coasts of France, Belgium, the Netherlands and the Federal Republic of Germany to the western terminus of its boundary with Denmark; thence along the west coast of Jutland to Thyborøn; thence in a southerly and easterly direction along the south coast of the Limfjord to Egensekloster Point; thence across the eastern entrance of the Limfjord to Hals; thence in a westerly direction along the north coast of Limfjord to the southernmost point of Agger Tange; thence in a northerly direction along the west coast of Jutland to a point in 57° 00′ North latitude; thence due west to 8° 00′ East longitude; thence due north to 57° 30′ North latitude; thence due west to 7° 00′ East longitude; thence due north to the coast of Norway; thence in a north-westerly direction along the coast of Norway to the point of beginning;

"Region 1" means the area of sea lying to the north and the west of a line running from a point at 48° 00′ North latitude, 18° 00′ West longitude; thence due north to 60° 00′ North latitude; thence due east to 5° 00′ West longitude; thence due north to 60° 30′ North latitude; thence due east to 4° 00′ West longitude; thence due north to 64° 00′ North latitude; thence due east to the coast of Norway;

"Region 2" means the area of sea lying to the north of 48° 00′ North latitude, but excluding Region 1 and the Baltic Sea and the belts lying to the south and east of lines drawn from Hasenore Head to Gniben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to the Kullen;

"Region 3" means the area of the North East Atlantic Sea lying to the south of 48° 00′ North latitude;

"size means—

(*a*) in relation to any sea-fish, other than escallops, lobsters and nephrops, the size measured from the tip of the snout to the end of the tail fin;

(*b*) in relation to any escallop the size calculated by measuring in a straight line across its greatest length;

(*c*) in relation to any lobster or nephrops the size calculated by measuring from the rear of either eye socket to the rear edge of the carapace along a line parallel to the centre line thereof;

"Skagerrak and Kattegat" means the area of sea bounded by a line beginning at a point on the coast of Norway in 7° 00′ East longitude; thence due south to 57° 30′ North latitude; thence due east to 8° 00′ East longitude; thence due south to 57° 00′ North latitude; thence due east to the coast of Denmark; thence along the northwest and east coasts of Jutland to Hals; thence across the eastern entrance of the Limfjord to Egensekloster Point; thence in a southerly direction along the coast of Jutland to Hasenore Head; thence across the Great Belt to Gniben Point; thence along the north coast of Zealand to Gilbjerg Head; thence across the northern approaches of the Øresund to the Kullen, on

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(a) Annexed to Council Regulation (EEC) No. 3179/78 of 28th December 1978 concerning the conclusion by the European Economic Community of the Convention on Future Multilateral Co-operation in the North West Atlantic Fisheries (O.J. No. L378, 30.12.78, p. 1) as amended by Article 1 of, and the Annex to, Council Regulation (EEC) No. 654/81 of 10th March 1981 amending Regulation (EEC) No. 3179/78 (O.J. No. L69, 14.3.81, p. 1)

the coast of Sweden; thence in an easterly and northerly direction along the west coast of Sweden and the south coast of Norway to the point of beginning;

"undersized fish" means a sea-fish of any description referred to in column 1 of the Schedule, being a fish of a size less than that prescribed in relation to sea-fish of that description by Article 4.

Application

3. References in this Order to an area of sea do not include any part of that area which lies outside the sovereignty or jurisdiction of any Member State of the Communities.

Prescribed minimum sizes

4. For the purposes of section 127(1) of the Fisheries Act (Northern Ireland) 1966 (which prohibits in Northern Ireland the bringing to land, landing, sale, offering or exposure for sale, or the possession for the purpose of sale, 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 any description of sea-fish referred to in column 1 of the Schedule, being sea-fish caught in any of the specified Regions referred to in columns 2, 3 or 4 of the said Schedule, the size specified in the column relating to the specified Region in which the fish was caught opposite the reference to sea-fish of that description in column 1;

(*b*) for escallops (*Pecten maximus*) 11 centimetres;

(*c*) for lobsters (*Homarus gammarus*) 8.3 centimetres.

Exemptions

5. There are hereby exempted from the prescription in Article 4 of this Order the landing in Northern Ireland of—

(*a*) a quantity of undersized herring (*Clupea harengus*) not exceeding 10 per cent. of the total weight of the catch of that description of sea-fish;

(*b*) a quantity of undersized mackerel (*Scomber scombrus*) not exceeding 15 per cent. of the total weight of the catch of that description of sea-fish;

(*c*) a quantity of undersized saithe (*Pollachius virens*) caught in the Skagerrak or the Kattegat not exceeding 10 per cent. of the total weight of the catch of that description of sea-fish;

(*d*) the bringing to land, landing, sale, offering or exposure for sale or the possession for the purpose of sale of undersized fish caught with a net complying with Article 5 of the Fishing Nets Order 1981(**a**) (which permits the use of small meshed nets for the purpose of catching certain fish) so long as fish so caught form part of the catch not intended for human consumption and the weight of such fish does not exceed in the aggregate 10 per cent. of the total weight of that catch.

Duration

6. This Order shall cease to have effect on 31st March 1982.

Revocation

7. The Sea Fish (Minimum Size) Order (Northern Ireland) 1981(**b**) and the Sea-Fish (Minimum Size) (Amendment) Order (Northern Ireland) 1981(**c**) are hereby revoked.

(**a**) S.I. 1981/1869
(**b**) S.R. 1981 No. 25
(**c**) S.R. 1981 No. 106

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 13th January 1982.

(L.S.) *N. E. Morrison*
Assistant Secretary

SCHEDULE

PRESCRIBED MINIMUM SIZES FOR SEA-FISH

Column 1	Column 2	Column 3	Column 4
Descriptions of sea-fish	*Region 1*	*Region 2*	*Region 3*
	cm.	cm.	cm.
Cod (*Gadus morhua*)	34[1]	30[2]	30
Haddock (*Melanogrammus aeglefinus*)	31	27	27
Hake (*Merluccius merluccius*)	30	30	30
Plaice (*Pleuronectes platessa*)	25	25[3]	25
Witch (*Glyptocephalus cynoglossus*)	28	28	28
Lemon sole (*Microstomus kitt*)	25	25	25
Sole (*Solea solea*)	24	24	24
Turbot (*Psetta maxima*)	30	30	30
Brill (*Scophthalmus rhombus*)	30	30	30
Megrim (*Lepidorhombus spp*)	25	25	25
Whiting (*Merlangius merlangus*)	27	27[4]	23
Dab (*Limanda limanda*)	15	15[4]	15
Saithe (*Pollachius virens*)	35	30	30
Common sea bream (*Pagellus cantabrichus*)	—	—	12
Red mullet (Mullus surmuletus)	—	—	15
Conger eel (*Conger conger*)	—	—	58
Pollack (*Pollachius pollachius*)	—	—	22
Ling (*Molva molva*)	—	—	63
Shad (*Alosa spp*)	—	—	30
Sturgeon (*Acipenser sturio*)	—	—	145
Grey mullet (*Mugil spp*)	—	—	20
Flounder (*Platichthys flesus*)	—	20[5]	—
Herring (*Clupea harengus*)	20	20[6]	20
Mackerel (*Scomber scombrus*)	—	30[7]	—
Nephrops (*Nephrops norvegicus*)	—	2.5[8]	2.0

1. Except in NAFO sub-area 1, plus ICES XIV and V, where the minimum size shall be 40cm.
2. Except in ICES VIIa where the minimum size shall be 45cm.
3. Except in Skagerrak and Kattegat where the minimum size shall be 27cm.
4. Except in Skagerrak and Kattegat where the minimum size shall be 23cm.
5. In Skagerrak and Kattegat only.
6. Except in Skagerrak and Kattegat where the minimum size shall be 18cm.
7. In North Sea only.
8. Except in Skagerrak and Kattegat where the minimum size shall be 4.0cm.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order prescribes for the purposes of section 127(1) of the Fisheries Act (Northern Ireland) 1966, as amended, minimum sizes for various species of sea-fish caught in specified sea areas but excluding that part of any sea area which is outside the sovereignty or jurisdiction of any Member State of the European Communities.

The prescription in Article 4 of the Order does not apply to the landing in Northern Ireland of a by-catch of undersized sea-fish, of the description referred to in Article 5 of the Order, not exceeding the percentage of the total weight of the catch of that description prescribed by the said Article 5.

The Order also retains the minimum sizes for escallops and lobsters of 11 centimetres and 8.3 centimetres respectively previously prescribed in the Sea Fish (Minimum Size) Order (Northern Ireland) 1981 (S.R. 1981 No. 25) and the Sea-Fish (Minimum Size) (Amendment) Order (Northern Ireland) 1981 (S.R. 1981 No. 106) which are revoked by this Order.

A person who commits an offence under section 127 of the Fisheries Act (Northern Ireland) 1966, as amended, shall be liable on summary conviction to a fine not exceeding £1,000.

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These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROAD TRAFFIC AND VEHICLES.