STATUTORY RULES OF NORTHERN IRELAND

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 [F1] makes the following Order in exercise of the powers conferred by section 127(1) and (3A) of the Fisheries Act (Northern Ireland) 1966 [F2] and section 6(1) of the Sea Fish Conservation Act 1967 [F3], and now vested in it.

F1 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)**.

F2 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**.

F3 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.

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 [F4] 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*;

[[F5]"foreign fishing boat" has the same meaning as in the Fisheries Act 2020 (see section 52 of that Act);**]**

"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.

F4 1954 c.53

F5 Words in art. 2 substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(a), **Sch. 2 para. 36(2)** (with s. 50, Sch. 4 para. 31)

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 **[**F6150**]** millimetres.

F6 Word in art. 3 substituted (8.1.2022) by The Edible Crabs (Undersized) (Amendment) Order (Northern Ireland) 2021 (S.R. 2021/335), arts. 1(1), **2(2)**

[F7Exemptions

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

(2) The prohibition imposed by section 127(1) of the Act, as read with Article 3 and the Schedule, does not apply in relation to sea-fish caught by a foreign fishing boat in waters lying outside British fishery limits.**]**

F7 Art. 4 substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(a), **Sch. 2 para. 36(3)** (with s. 50, Sch. 4 para. 31)

Revocation

5. Article 4 of the Undersized Edible Crabs 2000 Order **F8** is revoked insofar as it applies to Northern Ireland.

F8 S.I. 2000/2029

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

L.S.
Department of Agriculture, Environment and Rural Affairs

Claire Vincent
A senior officer of the