
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 154

FISHERIES

**Lobster (Conservation of Stocks)
Regulations (Northern Ireland) 1997**

Made - - - - *14th March 1997*

Coming into operation *28th April 1997*

The Department of Agriculture, in exercise of the powers conferred on it by section 124(1) and (2)(1) of the Fisheries Act (Northern Ireland) 1966(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Lobster (Conservation of Stocks) Regulations (Northern Ireland) 1997 and shall come into operation on 28th April 1997.

Interpretation

2. In these Regulations—

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

“flap” in relation to the tail from a lobster means any part of the five flaps of the tail fan of any lobster including the telson with anus and left and right uropod each uropod containing two flaps;

“lobster” means lobster of the species *Homarus gammarus*;

“mutilated lobster” means a lobster which has been mutilated in such a manner which could hide or obliterate a V notch;

“V notch” in relation to a lobster means a marking in the shape of the letter “V” with a depth of at least 5mm cut (for the purposes of identification of particular lobsters) into one or more of the five flaps of the tail fan of any berried or sexually mature female lobster, with the apex of the V positioned inward from the edge of the flap.

Prohibition

3. Subject to regulation 4—

(1) As substituted by S.I.1981/227 (N.I. 7) Article 6

(2) 1966 c. 17 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) the retention on board a sea fishing boat of a mutilated lobster or V notched lobster is prohibited;
- (b) a mutilated lobster or V notched lobster taken by a sea fishing boat shall be carefully handled and returned alive to the sea forthwith.

Exemption

4. The prohibition contained in regulation 3 shall not apply to any person who is not a British citizen or to any person who is operating under the authority of and in accordance with the terms and conditions of a fish culture licence granted under section 11 of the Act or a permit granted under section 14 of the Act.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on

L.S.

14th March 1997.

G. Lavery
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

The effect of these Regulations is to provide that all berried or sexually mature female lobsters marked with a V notch or mutilated to hide or obliterate a V notch are returned to the sea.

The Regulations do not apply to any person who is not a British citizen or to any person operating under the authority of and in accordance with the terms and conditions of a fish culture licence or a permit granted by the Department of Agriculture under sections 11 and 14 respectively of the Fisheries Act (Northern Ireland) 1966.

Contravention of these Regulations is an offence under section 124(3) of the Fisheries Act (Northern Ireland) 1966. The penalty on summary conviction is a fine not exceeding £5,000. In addition, any lobsters caught in contravention of the Regulations and fishing gear by means of which an offence was committed are liable to forfeiture.

The Department of Agriculture has prepared a compliance cost assessment in relation to the Regulations and a copy of that assessment is held at Fisheries Division, Annexe 5, Castle Grounds, Stormont, Belfast BT4 3PW from where a copy may be obtained on request.