
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 89

SEA FISHERIES

Conservation of Scallops Regulations (Northern Ireland) 1997

Made - - - - *24th February 1997*

Coming into operation *31st March 1997*

The Department of Agriculture, in exercise of the powers conferred on it by sections 19(1), 124(1) and (2) of the Fisheries Act (Northern Ireland) 1966(1) 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 Conservation of Scallops Regulations (Northern Ireland) 1997 and shall come into operation on 31st March 1997.

Interpretation

2. In these Regulations:—

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

“belly rings” means rings which make up the floor of a scallop dredge;

“dredge bar” or “tooth bar” means a horizontal bar with teeth on the bottom of a scallop dredge;

“French dredge” means a scallop dredge of the type known as a “French dredge” incorporating paravanes, diving plates, pressure plates, water deflecting plates or any similar device, and having rigid fixed teeth;

“scallop” means fish of the species *Pecten maximus*;

“scallop dredge” includes any appliance with a rigid framed mouth which is towed through the water and is manufactured, adapted, used or intended for use for the purpose of fishing for scallops or other shell fish;

“width” in relation to any scallop dredge means the distance across the mouth of a dredge when measured horizontally.

Prohibition of fishing and fishing methods

3.—(1) The prohibitions in this regulation are subject to the exceptions in regulation 4.

(2) A person shall not use or carry on board any fishing vessel in waters within British fishery limits which are adjacent to Northern Ireland—

- (a) a scallop dredge or system of scallop dredges with a width, or in the case of a system of scallop dredges, an aggregate width, of more than 1219 cms (40 feet);
- (b) a scallop dredge with more than 9 teeth per dredge or tooth bar;
- (c) a scallop dredge with a tooth spacing between the internal edges of less than 75 mm on the dredge or tooth bar;
- (d) a scallop dredge with belly rings having a clear opening of less than 75 mm internal diameter;
- (e) a scallop dredge with a minimum mesh size of 100 mm in the netting cover; and
- (f) a French dredge.

(3) A person shall not fish for scallops in waters within British fishery limits which are adjacent to Northern Ireland using more than 8 scallop dredges from each side of any fishing vessel.

(4) A person shall not, while diving, take scallops during the period 1st June to 31st October, both days inclusive, in any year, in waters within British fishery limits which are adjacent to Northern Ireland.

(5) A person shall not take and retain on board any vessel, in waters within British fishery limits which are adjacent to Northern Ireland, scallops with a minimum size of less than 110 mm.

(6) A person shall not, in waters within British fishery limits which are adjacent to Northern Ireland, take and retain on board scallops which are more than 1% by weight of the total of all catches on board.

Exceptions

4. The prohibitions contained in these Regulations 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 on

L.S.

24th February 1997.

G. Lavery
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations lay down certain restrictions on fishing for scallops in the waters within British fishery limits which are adjacent to Northern Ireland.

The Regulations prohibit:—

- (a) the use or carriage on board any fishing vessel of a scallop dredge or system of scallop dredges with a width, or in the case of a system of scallop dredges, with an aggregate width, of more than 1219 cms (40 feet);
- (b) the use or carriage on board any fishing vessel of a scallop dredge which has more than 9 teeth per dredge or tooth bar;
- (c) the use or carriage on board any fishing vessel of a scallop dredge which has a tooth spacing between internal edges of less than 75 mm on the dredge or tooth bar;
- (d) the use or carriage on board any fishing vessel of a scallop dredge with belly rings which have a clear opening of less than 75 mm internal diameter;
- (e) the use or carriage on board any fishing vessel of a scallop dredge which has a minimum mesh size of less than 100 mm in the netting cover;
- (f) the use or carriage on board any fishing vessel of a French dredge;
- (g) any person fishing for scallops in waters within British fishery limits which are adjacent to Northern Ireland with more than 8 scallop dredges per side per vessel;
- (h) diving for scallops in that part of the waters within British fishery limits which are adjacent to Northern Ireland;
- (i) the taking and having on board any vessel of scallops with a minimum size of less than 110 mm in waters within British fishery limits which are adjacent to Northern Ireland; and
- (j) the retention on board of scallops which are more than 1% by weight of the total of all catches on board when fishing with a scallop dredge in waters within British fishery limits which are adjacent to Northern Ireland for sea fish other than scallops.

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, as amended.

Contravention of these Regulations is an offence under section 124(3) of the Act. The penalty is a fine on summary conviction not exceeding level 5 on the standard scale (£5,000).

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.