

2023 No. 5

SEA FISHERIES

**The Edible Crabs (Conservation) (Amendment) Regulations
(Northern Ireland) 2023**

Made - - - - *17th January 2023*

Coming into operation - *10th February 2023*

The Department of Agriculture, Environment and Rural Affairs^(a) makes the following Regulations in exercise of the powers conferred on it by section 124(1) and (2) of the Fisheries Act (Northern Ireland) 1966^(b).

Citation and commencement

1. These Regulations may be cited as the Edible Crabs (Conservation) (Amendment) Regulations (Northern Ireland) 2023 and shall come into operation on 10th February 2023.

Amendment of the Edible Crabs (Conservation) Regulations (Northern Ireland) 2020

2.—(1) The Edible Crabs (Conservation) Regulations (Northern Ireland) 2020^(c) are amended as follows.

(2) In regulation 2 (Interpretation) after the definition of size insert—

““soft-shelled edible crab” means an edible crab which has recently cast its shell;”

(3) In regulation 3—

(a) In paragraph (1) for “140mm” substitute “150mm”.

(b) In paragraph (2) for “140mm” substitute “150mm”.

(4) After paragraph 4A insert—

“Soft-shelled edible crab

4B.—(1) The retention on board a sea-fishing boat, the bringing to land, the landing, having in possession, selling, exposing for sale, buying for sale, or consigning to any person for the purpose of sale, of a soft-shelled edible crab is prohibited.

(2) Where a soft-shelled edible crab is brought on board a sea-fishing boat, it must be immediately returned to sea, as near as possible to the place from which it was taken.”

(5) In regulation 5(1) for “3 and 4” substitute “3,4,4A and 4B”.

(a) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1999/283 (N.I.1), Article 3(4); and 2016 c. 5 (N.I.), section 1(2).

(b) 1966 c.17, section 124 was substituted by S.I. 1981/227 (N.I.7), Article 6, and was amended by 2001 c. 4 (N.I.), section 1 and S.I. 2002/790, Article 6.

(c) S.R. 2020 No. 152, as amended by S.R. 2021 No. 336.

(6) In regulation 5(2) for “3 and 4” substitute “3,4,4A and 4B”.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 17th January 2023.



Owen Lyttle
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Edible Crabs (Conservation) Regulations (Northern Ireland) 2020 (the Principal Regulations) to prohibit the retention on board a sea-fishing boat, the bringing to land, the landing, having in possession, selling, exposing for sale, buying for sale, or consigning to any person for the purpose of sale, a soft-shelled edible crab. A soft-shelled edible crab brought on board a sea-fishing boat must be immediately returned to the sea.

The Regulations also amend regulation 3 of the Principal Regulations as a consequence of the minimum landing size for edible crab of 150mm as provided for in the Edible Crabs (Undersized) (Amendment) Order (Northern Ireland) 2021 (S.R. 2021 No. 335). Regulation 5 of the Principal Regulations is also amended to clarify the exemptions that apply to the prohibitions.

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