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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 50**

**The Orkney Islands (Landing of  
Crabs and Lobsters) Order 2016**

**Citation and commencement**

1. This Order may be cited as the Orkney Islands (Landing of Crabs and Lobsters) Order 2016 and comes into force on 7th March 2016.

**Interpretation**

2. In this Order—

“the Act” means the Sea Fish (Conservation) Act 1967; and

“foreign fishing boat” means any fishing boat other than a fishing boat which is either registered in the United Kingdom under Part II of the Merchant Shipping Act 1995<sup>(1)</sup> or is owned wholly by persons qualified to own British ships for the purposes of that Part of that Act.

**Prescribed minimum size for landing velvet crabs in the Orkney Islands**

3.—(1) The Undersized Velvet Crabs Order 1989<sup>(2)</sup> is amended in accordance with paragraph (2).

(2) In article 2 (prescribed minimum size for landing velvet crabs and exemptions from landing prohibitions), in paragraph (1A), after “Outer Hebrides” insert “and the Orkney Islands”.

**Prescribed minimum size for landing lobsters in the Orkney Islands**

4.—(1) The Undersized Lobsters (Scotland) Order 2000<sup>(3)</sup> is amended in accordance with paragraph (2).

(2) In article 3 (prescribed minimum size for landing lobsters)—

(a) in paragraph (1), for “paragraph (1A)” substitute “paragraphs (1A) and (1B)”; and

(b) after paragraph (1A) insert—

“(1B) For the purposes of section 1(1) of the Act, in relation to landing in the Orkney Islands, there is prescribed as the minimum size for lobsters a size of—

(a) from 7th March 2016 to 6th March 2017, both dates inclusive, 88 millimetres;

(b) on or after 7th March 2017, 90 millimetres.”; and

(c) in paragraph (2), for “paragraphs (1) and (1A)” substitute “paragraphs (1), (1A) and (1B)”.

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<sup>(1)</sup> 1995 c.21.

<sup>(2)</sup> S.I. 1989/919. Article 2 was amended by S.S.I. 2015/183.

<sup>(3)</sup> S.S.I. 2000/197. Article 3 was amended by S.S.I. 2015/183.

### **Prescribed minimum size for landing green crabs in the Orkney Islands**

5.—(1) For the purposes of section 1(1) of the Act (which prohibits the landing in Scotland of any sea fish of any description, which does not meet such requirements as to size as may be prescribed in relation to sea fish of that description), in relation to landing in the Orkney Islands, there is prescribed as the minimum size in relation to sea fish of the description of green crab a size of 70 millimetres.

(2) Landing from foreign fishing boats is exempted from the prohibition imposed by section 1(1) of the Act as read with paragraph (1).

(3) In this article—

“green crab” means crab of the species *Carcinus maenas*; and

“size”, in relation to a green crab, means the maximum width of the carapace (including the spines) measured perpendicular to the antero-posterior midline of the carapace and is to be measured in accordance with Schedule 1.

### **Prohibition on landing berried velvet crabs caught in specified waters**

6.—(1) The landing in Scotland of any berried velvet crab, caught in the waters specified in paragraph 2 of Schedule 2, is prohibited.

(2) Landing from foreign fishing boats is excepted from the prohibition imposed by section 1(1) of the Act as read with paragraph (1).

(3) In this article, “berried velvet crab” means a female velvet crab (of the species *Liocarcinus puber*) which is bearing eggs.

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26th January 2016

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