
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 455

**The Specified Crustaceans (Prohibition on
Landing, Sale and Carriage) (Scotland) Order 2017**

Prohibitions on landing, sale, exposure or offer for sale or possession, or carriage of lobsters

7.—(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 areas of coast specified in paragraph (2), there is prescribed as the minimum size in relation to sea fish of the description of lobster a size of 90 millimetres.

(2) The areas of coast are—

- (a) the coasts of the islands of the Orkney Islands;
- (b) the coasts of the islands of the Outer Hebrides.

(3) For the purposes of section 1(1) of the Act, in relation to landing in the west coast of mainland Scotland, stretching in a generally westerly and southerly direction from Cape Wrath at co-ordinate 58°37.642' north latitude 005°00.295' west longitude to the point at which the west coast of mainland Scotland intersects with the line of 55 degrees north latitude, there is prescribed as the minimum size in relation to sea fish of the description of lobster—

- (a) from 25th February 2018 to 24th February 2019, both dates inclusive, a size of 88 millimetres;
- (b) on or after 25th February 2019, a size of 90 millimetres.

(4) For the purposes of section 1(1) of the Act, in relation to landing in any other part of the coastline of Scotland except the coasts of the islands of the Shetland Islands and those areas specified in paragraphs (2) and (3), there is prescribed as the minimum size in relation to sea fish of the description of lobster a size of 87 millimetres.

(5) For the purposes of section 1(1) of the Act, in relation to landing in any of the areas of coast specified in paragraph (6), there is prescribed as the maximum size in relation to sea fish of the description of female lobster a size of 155 millimetres.

(6) The areas of coast are—

- (a) the coasts of the Shetland Islands;
- (b) the coasts of the Orkney Islands.

(7) For the purposes of section 1(1) of the Act, in relation to landing in any other part of the coastline of Scotland except those areas specified in paragraph (6), there is prescribed as the maximum size in relation to sea fish of the description of female lobster a size of 145 millimetres.

(8) For the purposes of section 1(2) of the Act (which prohibits in Scotland the sale, exposure or offer for sale or possession for the purpose of sale 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), there is prescribed as the minimum size in relation to sea fish of the description of lobster a size of 87 millimetres.

(9) For the purposes of section 1(3B) of the Act (which prohibits the carriage on specified fishing boats 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), there is prescribed as the minimum size in relation to sea fish of the description of lobster a size of 87 millimetres.

(10) It is prohibited for a relevant British fishing boat within the Scottish zone to carry any sea fish of the description of lobster with a size of less than 87 millimetres.

(11) It is prohibited to land in Scotland any sea fish of the description of crippled female lobster, caught in the waters described in schedule 6.

(12) Landing from foreign fishing boats is exempted from the prohibitions imposed by section 1(1) of the Act, as read with paragraphs (1) to (7), and by paragraph (11).

(13) The sale, exposure or offer for sale or possession for the purpose of sale of any lobster which is landed from foreign fishing boats is exempted from the prohibition imposed by section 1(2) of the Act, as read with paragraph (8).

(14) In this article—

“crippled female lobster” means a female lobster missing part or all of its crusher claw, or part or all of its cutter claw;

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

“size”, in relation to a lobster, means the length of the carapace parallel to the midline, from the back of either eye socket to the distal edge of the carapace and is to be measured in accordance with schedule 5.