

SCHEDULES

SCHEDULE 2

REGULATION OF FOREIGN FISHING BOATS

PART 1

ENGLAND AND WALES

Undersized Velvet Crabs Order 1989

- 2 (1) The Undersized Velvet Crabs Order 1989 (S.I. 1989/919) is amended as follows.
- (2) In article 1 (title, commencement and interpretation), in paragraph (2), at the end insert—
- ““the English zone” means the sea within British fishery limits other than—
- (a) the Scottish zone,
 - (b) the Northern Ireland zone, and
 - (c) the Welsh zone;
- “the Northern Ireland zone” has the same meaning as in the Northern Ireland Act 1998;
- “the Welsh zone” has the same meaning as in the Government of Wales Act 2006.”
- (3) In article 2 (prescribed minimum size for landing velvet crabs), in paragraph (2), after “foreign fishing boats” insert “of sea fish caught in waters lying outside British fishery limits”.
- (4) In article 3 (prescribed minimum size for sale etc of velvet crabs), in paragraph (2), after “foreign fishing boats” insert “and were caught in waters lying outside British fishery limits”.
- (5) In article 4 (prescribed minimum size for carriage of velvet crabs on a British fishing boat)—
- (a) in the heading, omit “on a British fishing boat”;
 - (b) the existing text becomes paragraph (1);
 - (c) in that paragraph, for “British fishing boat” substitute “relevant British vessel”;
 - (d) after that paragraph insert—
- “(2) Paragraph (1) does not apply in relation to the Welsh zone.
- (3) A Northern Ireland fishing boat is prohibited from carrying in the English zone velvet crab that are below the minimum size mentioned in sub-paragraph (1).

Status: This is the original version (as it was originally enacted).

- (4) A foreign vessel is prohibited from carrying in the English zone velvet crab that were caught in waters lying within British fishery limits and are below the minimum size mentioned in subparagraph (1).
- (5) So far as it extends to Northern Ireland, this Article applies as if—
 - (a) references to a “relevant British vessel” were to a relevant British fishing boat;
 - (b) references to a “foreign vessel” were to a foreign fishing boat;
 - (c) references to a “Northern Ireland fishing boat” were to a Scottish fishing boat;
 - (d) references to “the English zone” were to the English zone or the Northern Ireland zone.
- (6) Expressions used in this Article and in section 1 of the Act have the same meaning in this Article as they have in that section.”
- (6) In article 5 (powers of British sea-fishery officers in relation to fishing boats)—
 - (a) in paragraph (1), omit “in relation to any British fishing boat anywhere”;
 - (b) in that paragraph, at the end, insert “—
 - (a) in relation to a relevant British fishing boat that is registered in the United Kingdom or is British-owned, wherever it may be; and
 - (b) in relation to any other fishing boat, in any waters adjacent to the United Kingdom and within relevant British fishery limits.”;
 - (c) in paragraph (4), in the opening words, after “within” insert “relevant”.