

DRAFT SEA FISHERIES (MINIMUM SIZE LIMITS) (JERSEY) REGULATIONS 200-

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by the Agriculture and Fisheries Committee**



STATES OF JERSEY

STATES GREFFE

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Report

These Regulations are an updated replacement for the current minimum size regulations. The latest European Union Fisheries regulations are generally followed, however in certain species the EU has abandoned the minimum size. Because of the importance of these species to the local Jersey and French fishing fleets, the draft has by agreement with the French retained these minimum sizes dropped by the EU and the French have adopted a similar policy.

Regulations 3,4,5 and 6 apply to pelagic fish and are necessary to follow EU regulations.

Regulation 7 improves the current Regulation to prescribe that certain shellfish shall be retained whole.

Regulation 8 deals with transiting fishing vessels so that they are not caught by the local Jersey - French agreement retaining certain minimum sizes. The Schedule describes the minimum sizes for the Regulation.

Because minimum size Regulations are already in place, these draft Regulations have no implications for the financial or manpower resources of the States.

Explanatory Note

These Regulations repeal and remake the Sea Fisheries (Size Limits) (Jersey) Regulations 1998 with amended provisions that bring the Regulations into line with the latest European Union fisheries technical conservation regulations.

Sea Fisheries (Jersey) Law 1994

SEA FISHERIES (MINIMUM SIZE LIMITS) (JERSEY) REGULATIONS 200-

(Promulgated on the _____ day of _____ 200-)

STATES OF JERSEY

The _____ day of _____ 200-

THE STATES, in pursuance of Articles 2, 6 and 8 of the Sea Fisheries (Jersey) Law 1994,^[1] having consulted with the Secretary of State and obtained his concurrence, have made the following Regulations -

Application

1. These Regulations apply to the Island and the territorial sea of the Island.

Minimum size for sea fish

2. Except as otherwise provided by these Regulations, for the purposes of Article 6 of the Sea Fisheries (Jersey) Law 1994,^[2] the prescribed size for a description of sea fish mentioned in column 1 of a Part of the Schedule to these Regulations is the size prescribed in column 2 of that Part in respect of that description of sea fish.

Exemption - sardines, anchovy, herring, horse mackerel and mackerel

- 3.-(1) Regulation 2 shall not apply in respect of sardines, anchovy, herring, horse mackerel and mackerel, within limit of 10% by live weight of the total catches retained on board of each of those species.
 - (2) For the purpose of paragraph (1) the percentage of undersized fish shall be calculated as a proportion by live weight of all sea fish on board after sorting or on landing.
 - (3) The percentage may be calculated on the basis of 1 or more representative samples.
 - (4) The limit of 10% shall not be exceeded during transshipment, landing, transportation, storage display or sale.
 - (5) Regulation 2 shall not apply in respect of sardines, anchovy, herring, horse mackerel and mackerel caught for live bait and retained on board alive.

Exemption - sea fish caught with towed gear of a mesh size less than 32 millimetres

- 4.-(1) Except as provided by paragraph (2), Regulation 2 shall not apply to sea fish caught with towed gear of mesh size less than 32 millimetres if they are not sorted and are not sold, displayed or offered for sale for human consumption.
 - (2) Paragraph (1) shall not apply in respect of target fish for towed nets with mesh sizes less than 32 millimetres as prescribed by the Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 200-.^[3]

Exemption - swordfish

5. A maximum of 15% in number of swordfish below the size prescribed by these Regulations may be landed.

Exemption - bluefin tuna

- 6.-(1) Except as provided by paragraph (2), a maximum of 15% in number of bluefin tuna below the size prescribed by these Regulations may be landed.

- (2) The fish must individually weigh between 3.5 and 6.4 kilograms and have been caught by accident.

Certain sea fish to be retained whole

7.-(1) Lobsters, crawfish, and bivalve and gastropod molluscs belonging to a species for which a size is prescribed by these Regulations must be retained on board whole.

- (2) Except as provided by paragraphs (3) and (4), edible crabs must be retained on board whole.

(3) Where edible crabs are caught using pots or creels, a maximum of 1% by weight of the total catch of edible crabs or parts of edible crabs retained on board at any one time during a fishing voyage or landed at the end of a fishing voyage may consist of detached claws.

(4) Where edible crabs are caught by other gear, a maximum of 75kg of detached claws may be retained on board at any one time during a fishing voyage or be landed at the end of a fishing voyage.

Transiting fishing vessels

8.-(1) This Regulation applies to a fishing vessel

- (a) that is passing through the area to which these Regulations apply while in the course of a fishing voyage;
- (b) that while in that area in the course of that voyage has not fished and has had its nets stowed in accordance with Regulation 6(2) of the Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations 200-,^[4] and
- (c) that does not intend to land fish in Jersey.

(2) A fishing vessel to which this Regulation applies may have on board sea fish described in column 1 of Part 1 of the Schedule to these Regulations that are smaller than the size prescribed by Regulation 2 in respect of that description of fish.

(3) Except as otherwise provided by these Regulations, fish referred to in paragraph (2) shall not be smaller than any size prescribed in column 3 of Part 1 of the Schedule to these Regulations in respect of those fish.

Measuring sea fish

9. If more than 1 size is prescribed by these Regulations in respect of a sea fish, the fish is of the prescribed size if it is equal to or greater than 1 of those sizes.

Repeal

10. The Sea Fisheries (Size Limits) (Jersey) Regulations 1998^[5] are repealed.

Citation and commencement

11. These Regulations may be cited as the Sea Fisheries (Minimum Size Limits) (Jersey) Regulations 200- and shall come into force on the first day of January 2002.

SCHEDULE

(Regulations 2 and 8)

PART 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Fish</i>	<i>Length in centimetres of whole fish measured from tip of snout to extreme end of tail fin</i>	
Anchovy (<i>Engraulis encrasicolus</i>)	12	12
Bass (<i>Dicentrarchus labrax</i>)	36	36
Black sea-bream (<i>Spondyliosoma cantharus</i>)	23	-
Blue ling (<i>Molva dypterygia</i>)	70	70
Brill (<i>Scophthalmus rhombus</i>)	30	-
Cod (<i>Gadus morhua</i>)	35	35
Conger eel (<i>Conger conger</i>)	58	-
Dab (<i>Limanda limanda</i>)	15	-
Flounder (<i>Platichthys flesus</i>)	25	-
Haddock (<i>Melanogrammus aeglefinus</i>)	30	30
Hake (<i>Merluccius merluccius</i>)	30	27
Herring (<i>Clupea harengus</i>)	20	20
Horse mackerel (<i>Trachurus spp.</i>)	15	15
Lemon sole (<i>Microstomus kitt</i>)	25	-
Ling (<i>Molva molvar</i>)	63	63
Mackerel (<i>Scomber spp.</i>)	20	20
Megrim (<i>Lepidorhombus spp.</i>)	25	20
Mullet (<i>Mugil spp.</i>)	20	-
Plaice (<i>Pleuronectes platessa</i>)	27	27
Pollack (<i>Pollachius pollachius</i>)	30	30
Red Mullet (<i>Mullus surmuletus</i>)	15	-
Red sea-bream (<i>Pagellus bogaraveo</i>)	25	-
Saithe (<i>Pollachius virens</i>)	35	35
Sardine (<i>Sardina pilchardus</i>)	11	11
Shad (<i>Alosa species</i>)	30	-
Sole (<i>Solea vulgaris</i>)	24	24
Turbot (<i>Psetta maximus</i>)	30	-
Whiting (<i>Merlangius merlangus</i>)	27	27
Witche (<i>Glyptocephalus cynoglossus</i>)	28	-

PART 2

<i>Column 1</i>	<i>Column 2</i>
<i>Fish</i>	<i>Length or weight</i>
Bluefin tuna (<i>Thunnus thynnus</i>)	6.4 kilograms in weight or 70 centimetres in length measured from tip of snout to extreme end of tail fin
Swordfish (<i>Xiphias gladius</i>)	25 kilograms in weight or 125 centimetres in length measured from lower mandible to extreme end of tail fin

PART 3

<i>Column 1</i>	<i>Column 2</i>
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<i>Fish</i>	<i>Length</i>
Bean solen (<i>Pharus legumen</i>)	65 millimetres measured across the broadest part of the shell
Carpetshell (<i>Venerupis pullastra</i>)	38 millimetres measured across the broadest part of the shell
Clam (<i>Venus verrucosa</i>)	40 millimetres measured across the broadest part of the shell
Crabs -	
(a) Chancre (Edible crab) (<i>Cancer pagurus</i>)	14 centimetres measured across the broadest part of the back
(b) Lady crab (Velvet crab) (<i>Portunus puber</i>)	6.5 centimetres measured across the broadest part of the back

(c) Spider crab (<i>Maja squinado</i>)	A carapace length of 12 centimetres being the length measured from between the 2 horns to the rear end of the body shell along the centre line of the body shell
Crawfish (<i>Palinurus spp.</i>)	95 millimetres measured as the length of the body from the tip of the rostrum to the midpoint of the distal edge of the body shell
Donax clam (<i>Donax spp.</i>)	25 millimetres measured across the broadest part of the shell
Hard clam (<i>Callista chione</i>)	60 millimetres measured across the broadest part of the shell
Grooved carpetshell (<i>Ruditapes decussatus</i>)	40 millimetres measured across the broadest part of the shell
Lobster (<i>Homarus gammarus</i>)	85 millimetres (87 millimetres on and from 1 January 2002) measured from the rear of either eye socket to the rear end of the body shell along a line parallel to the centre line of the body shell
Nephrops (<i>Nephrops norvegicus</i>) -	
(a) whole Nephrops	25 millimetres measured from the rear of either eye socket to the rear end of the body shell along a line parallel to the centre line of the body shell or a total length of 85 millimetres measured from the tip of the rostrum to the rear end of the telson, not including the bristles (<i>setae</i>)

(b) tail only	46 millimetres measured from the front edge of the first segment present of the tail to the rear end of the telson, not including the bristles (<i>setae</i>)
Ormer (<i>Haliotis tuberculata</i>)	8 centimetres measured across the broadest part of the shell
Razor clam (<i>Ensis spp.</i>)	10 centimetres measured across the longest part of the shell
Scallop (<i>Pecten maximus</i>)	102 millimetres measured across the broadest part of the shell
Short-necked clam (<i>Ruditapes philippinarum</i>)	40 millimetres measured across the broadest part of the shell
Surf clam (<i>Spisula solida</i>)	25 millimetres measured across the broadest part of the shell
Queen scallop (<i>Chlamys spp.</i>)	40 millimetres measured across the broadest part of the shell
Whelk (<i>Buccinum undatum</i>)	45 millimetres long

PART 4

<i>Column 1</i>	<i>Column 2</i>
<i>Fish</i>	<i>Weight</i>
Octopus (<i>Octopus vulgaris</i>)	750 grammes

PART 5

<i>Column 1</i>	<i>Column 2</i>
<i>Fish</i>	<i>Length</i>
Deepwater rose shrimp (<i>Parapenaeus longirostis</i>)	22 millimetres measured from the rear of either eye socket to the rear of the body shell along a line parallel to the centre line of the body shell

[1] Recueil des Lois, Volume 1994-1995, pages 141, 145 and 147.

[2] Recueil des Lois, Volume 1994-1995, page 145.

[3] P.192/2001.

[4] P.194/2001.

[5] No. 9211.