

Statutory Document No. 0379/13



Fisheries Act 2012

BAIE NY CARRICKEY (RESTRICTIONS ON FISHING FOR LOBSTER AND CRAB) REGULATIONS 2013

<i>Laid before Tynwald:</i>	<i>10 December 2013</i>
<i>Coming into Operation:</i>	<i>1 November 2013</i>

The Department of Environment, Food and Agriculture makes the following Regulations under section 36 to 38 and 45 of the Fisheries Act 2012, having complied with section 83(2) and 83(5) of that Act.

1 Title

These Regulations are the Baie ny Carrickey (Restrictions on Fishing for Lobster and Crab) Regulations 2013.

2 Commencement and duration

These Regulations come into operation on 1 November 2013 and cease to have effect at midnight on 31 October 2016.

3 Interpretation

In these Regulations —

“**the Association**” means the Baie ny Carrickey Crustacean Fishery Management Association;

“**the Baie ny Carrickey closed area**” means that part of the Irish Sea to the North of the line on the map in the Schedule, up to, and including, the mean low water spring mark;

“**crab**” means fish of the species *Cancer pagurus*, *Maia squinado* or any other edible crab;

“**lobster**” means fish of the species *Homarus gammarus* or any other edible lobster but shall not include fish of the species *Nephrops norvegicus*;

4 Fishing restrictions

- (1) No person shall fish for, take or kill lobster or crab in the Baie ny Carrickey closed area unless they —

- (a) are a member of the Association; or
 - (b) are a hobby fisherman as defined in the Sea-Fisheries (Lobster and Crab) (Hobby Licensing) Bye-Laws 2011¹; and
 - (c) they adhere to the minimum size limits stipulated in regulation 6.
- (2) Unless these Regulations otherwise provide, no person shall be exempt from the provisions of any Byelaws governing the fishing for crab and lobster that are in place during the period of these Regulations².
- (3) Additional conditions and limitations may be contained in any licence issued for crab and lobster fishing within the Baie ny Carrickey closed area³.

5 Hobby fishermen – additional requirements

- (1) In addition to the provisions contained in the Sea Fisheries (Lobster and Crab) (Hobby Licensing) Bye-Laws 2011, a hobby fisherman operating within the Baie ny Carrickey closed area must adhere to additional conditions contained in a licence issued by the Department.
- (2) The conditions referred to in paragraph (1) above will include a requirement to submit catch returns in a specified form on a monthly basis and to be subject to the minimum size limits stipulated in regulation 6.

6 Minimum size limits

The minimum size limits shall be —

- (a) for lobster, 88 millimetres carapace length; and
- (b) for crab of the species *Cancer pagurus*, 135 millimetres carapace width.

7 Association members – additional requirements

Association members may not use more than a maximum aggregate of 650 pots, and any one member of the Association may not use more than 100 pots, within the Baie ny Carrickey closed area.

¹ SD 0753/11

² Certain Byelaws made under the Sea Fisheries Act 1971 have effect as if contained in regulations made under the Fisheries Act 2012. See paragraph 5 of Schedule 2 to the 2012 Act.

³ Sea fishing licences are issued by the Department under section 37 of the 2012 Act. Paragraph 6 of Schedule 2 to the 2012 Act states that licences granted under section 2AA of the Sea Fisheries Act 1971 have effect as sea fishing licences.

MADE 31ST OCTOBER 2013

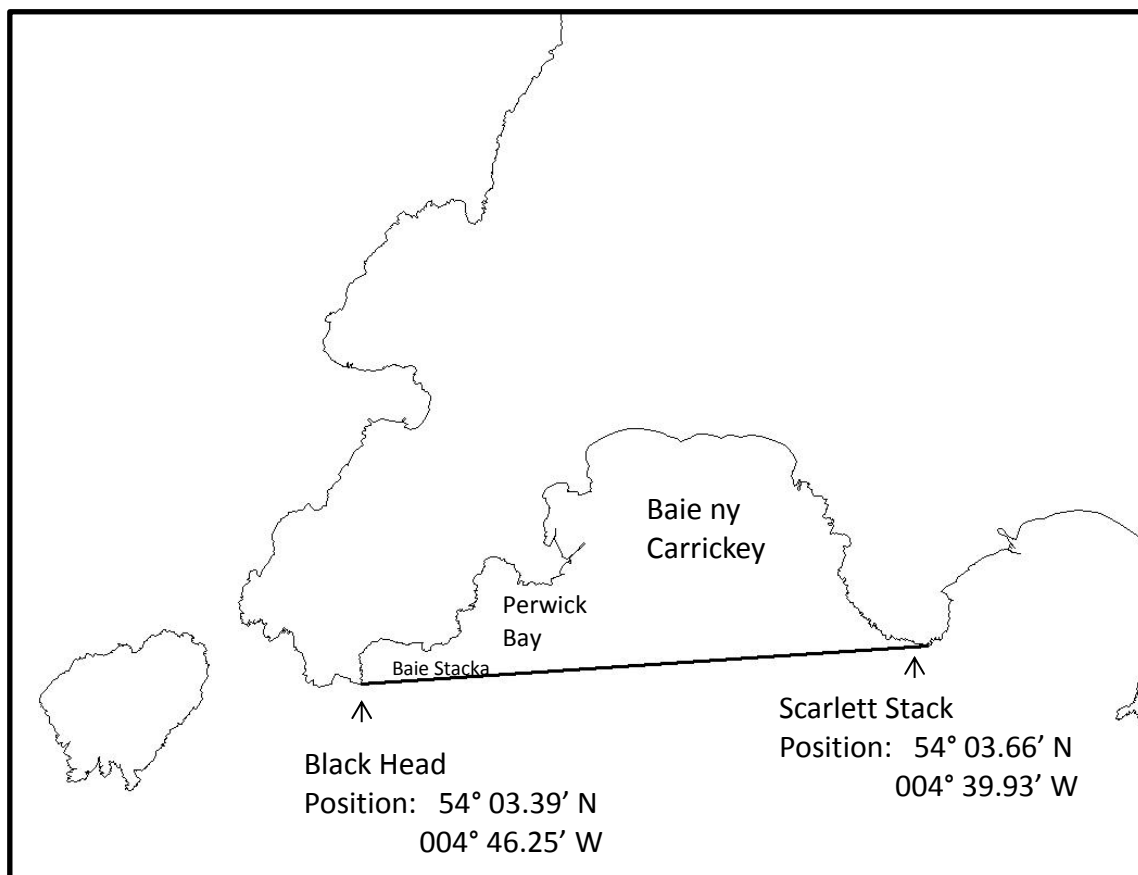
PHIL GAWNE

Minister for Environment, Food and Agriculture

SCHEDULE

Regulation 3

Baie ny Carrickey closed area



*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations prohibit the fishing for, taking or killing of lobsters or crabs in Baie ny Carrickey (Port St Mary Bay) except by members of the Baie ny Carrickey Crustacean Fishery Management Association or by hobby fishermen.

The Regulations require those permitted to fish for lobster or crab in Baie ny Carrickey to comply with certain requirements to assist in obtaining scientific information to inform on stocks and sustainability during the period of operation of these Regulations.