

# GUERNSEY STATUTORY INSTRUMENT

ENTITLED

## **The Fishing (Minimum Size and Prescribed Species) Order, 1997 \***

*[CONSOLIDATED TEXT]*

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* G.S.I. No. 30 of 1997; as amended by the Fishing (Minimum Size and Prescribed Species) (Amendment) Order, 1999 (G.S.I. No. 46 of 1999); the Fishing (Minimum Size and Prescribed Species) (Amendment) Order, 2016 (G.S.I. No. 9 of 2016); the Fishing (Minimum Size and Prescribed Species) (Amendment) (No. 2) Order, 2016 (G.S.I. No. 15 of 2016).

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## **The Fishing (Minimum Size and Prescribed Species) Order, 1997**

### ARRANGEMENT OF REGULATIONS

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2. Prescribed species for export.
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*(Made on 30th October, 1997.)*

## **The Fishing (Minimum Size and Prescribed Species) Order, 1997**

**THE STATES SEA FISHERIES COMMITTEE**, in exercise of the powers conferred upon it by sections 1, 2 and 11(1) of the Fishing Ordinance, 1997<sup>a</sup>, hereby orders: –

### **Minimum size of prescribed species of fish.**

**1.** (1) For the purposes of section 1 of the 1997 Ordinance, the minimum size prescribed in relation to any species specified in the first column of Schedule 1 is –

- (a) that specified in Annex II (Region 2) of Council Regulation 894/97<sup>b</sup>, as amended (for ease of reference reproduced as Part I of Schedule 1),
- (b) that specified in the second column of Part II of Schedule 1,

with the applicable method of measurement code for that species being specified in the third column of Schedule 1.

(2) Schedule 2 applies to define the methods of measurement corresponding to each of the codes included in the third column of Schedule 1.

### **Prescribed species for export.**

**2.** (1) Subject to subsection (2), for the purposes of section 2(2) of the 1997 Ordinance, the Committee shall not grant an export licence in respect of –

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<sup>a</sup> Ordinance No. XXV of 1997.

<sup>b</sup> O.J. L.132, 29.4.97, p. 1.

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- (a) ormers (*Haliotis tuberculata*), other than cultivated ormers, or
- (b) sandeels (*Ammodytidae: Linnaeus 1758*)

taken from within territorial waters or the foreshore.

(2) Before the Committee grants an export licence in respect of a consignment of cultivated ormers –

- (a) the exporter shall have given at least 48 hours' notice in writing of his intention to export that consignment, and
- (b) the Committee shall have issued a certificate of origin in respect thereof.

**Interpretation.**

3. (1) In this Order, unless the context otherwise provides –

**"the 1997 Ordinance"** means the Fishing Ordinance, 1997,

and any other expression shall have the same meaning as in the 1997 Ordinance.

(2) The Interpretation (Guernsey) Law, 1948<sup>c</sup> applies to the interpretation of this Order as it applies to the interpretation of an enactment.

**Citation.**

4. This Order may be cited as the Fishing (Minimum Size and Prescribed Species) Order, 1997.

**Commencement.**

5. This Order shall come into force on the 1<sup>st</sup> November, 1997.

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<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

SCHEDULE 1  
MINIMUM SIZES OF PRESCRIBED SPECIES

Section 1(1)

PART I  
SPECIES FROM EC COUNCIL REGULATION 894/97

<u>Name of fish</u>	<u>Size (cm)</u>	<u>Method of Measurement Code</u>
Bass ( <i>Dicentrarchus labrax</i> )	36	a
Black sea bream ( <i>Spondyliosoma cantharus</i> )	23	a
Brill ( <i>Scophthalmus rhombus</i> )	30	a
Cod ( <i>Gadus morhua</i> )	35	a
Conger eel ( <i>Conger conger</i> )	58	a
Dab ( <i>Limanda limanda</i> )	15	a
Flounder ( <i>Platichthys flesus</i> )	25	a
Grey mullet ( <i>Mugilidae</i> )	20	a
Haddock ( <i>Melanogrammus aeglefinus</i> )	30	a
Hake ( <i>Merluccius merluccius</i> )	30	a
Lemon sole ( <i>Microstomus kitt</i> )	25	a
Megrim ( <i>Lepidorhombus spp.</i> )	25	a
Plaice ( <i>Pleuronectes platessa</i> )	25	a
Pollack ( <i>Pollachius pollachius</i> )	30	a
Red mullet ( <i>Mullus surmuletus/Mullus barbatus</i> )	15	a
Red sea bream ( <i>Pagellus bogaraveo</i> )	25	a
Saithe ( <i>Pollachius virens</i> )	35	a

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Shad ( <i>Alosa spp.</i> )	30	a
Sole ( <i>Solea solea/solea lascaris</i> )	24	a
Turbot ( <i>Psetta maxima</i> )	30	a
Whiting ( <i>Merlangius merlangius</i> )	23	a
Witch Flounder ( <i>Glyptocephalus cynoglossus</i> )	28	a

[PART II  
OTHER SPECIES

Name of fish	Size (cm)	Method of Measurement Code
<b><u>Crustaceans</u></b>		
Edible crab ( <i>Cancer pagurus</i> )	140	b
Spider crab ( <i>Maia squinado</i> )	130	c
European lobster ( <i>Homarus gammarus</i> )	87	d
Crawfish ( <i>Palinurus elephas</i> )	230	e
Lady crab ( <i>Macropipus puber</i> )	65	b
<b><u>Molluscs</u></b>		
Wild ormer ( <i>Haliotis tuberculata</i> )	80	b
Cultivated ormer ( <i>Haliotis tuberculata</i> )	60	b
Scallop ( <i>Pecten maximus</i> )	100	b
[...]	[...]	[...]

**Vertebrates**

Mackerel ( <i>Scomber scombrus</i> )	200	a
Herring ( <i>Clupea harengus</i> )	200	a
Horse mackerel ( <i>Trachurus trachurus</i> )	150	a
Skate/Ray ( <i>Raja spp.</i> , <i>Dasyatis pastinacea</i> , <i>Myliobatis aquila</i> , <i>Torpedo marmorata</i> )	360	f

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**NOTES**

*In Schedule 1,*

*Part II was substituted by the Fishing (Minimum Size and Prescribed Species) (Amendment) Order, 1999, section 1, with effect from 1st January, 2000;*

*the entry omitted in square brackets in Part II was revoked by the Fishing (Minimum Size and Prescribed Species) (Amendment) (No. 2) Order, 2016, section 1, with effect from 21st March, 2016.<sup>1</sup>*

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SCHEDULE 2  
METHODS OF MEASUREMENT OF FISH

Section 1(2)

<u>Method code</u>	<u>Description of method</u>
a	The distance from the tip of the snout to the end of the tail fin.
b	The distance along a horizontal plane between the two most distant extremities of the shell.
c	The distance measured from between the rostra to the rear end of the carapace, along the centre line of the carapace.
d	The distance 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.
e	The distance measured from the end of the rostrum to the end of the tail.
f	The distance measured between the two most distant extremities of the lateral part of the body.

<sup>1</sup> This entry was previously inserted by the Fishing (Minimum Size and Prescribed Species) (Amendment) Order, 2016, article 1, with effect from 4th February, 2016.