

## Devon and Severn IFCA Diving Permit Byelaw

### The Technical Permit Conditions:

#### Interpretations

In the following Flexible Permit Conditions:

“berried edible crab” means any edible crab carrying any spawn attached to the body or some other exterior part of the crab, or which is in such a condition as to show that at the time when it was taken it was carrying spawn so attached;

“berried lobster” means any lobster or European spiny lobster which is carrying any spawn attached to the tail or some other exterior part of the lobster, or which is in such a condition as to show that at the time it was taken it was carrying spawn so attached;

“mutilated lobster” means a lobster or European spiny lobster where any of the five flaps of the tail fan is missing or mutilated in such a manner that could hide or obliterate a V-notch;

“V” notched lobster” means a lobster or European spiny lobster with an indentation in the shape of the letter “V” or resembling the shape of a “V” made in any one or more of the five flaps on the tail fan;

#### Species

“edible crab” means a crab of the species *Cancer pagurus*;

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

“scallop” means a scallop of the species *Pecten maximus*

“spider crab” means a crab of the species *Maia squinado*;

“spiny lobster” means a lobster of the species *Palinurus elephas*.

## **The Permit Conditions**

### **1. Catch Restrictions**

1.1 A permit holder or named representative is not authorised under this permit to remove from a fishery within the District:

- I. any 'V'-notched or mutilated lobster;
- II. any berried lobster or edible crab;
- III. any part of an edible crab or lobster which is detached from the carapace of the crab or lobster;
- IV. any edible crab or lobster that has recently cast its shell;
- V. any European spiny lobsters from within the Skerries Bank and surrounds MCZ and Lundy MCZ.

All such crab and lobster shall be returned immediately to the sea without further injury.

1.2 A permit holder or named representative is not authorised under this permit to remove from a fishery within the District:

- I. female edible crab less than 150mm measured across the broadest part of the carapace;
- II. male edible crab less than 160mm measured across the broadest part of the carapace;
- III. scallop less than 100mm measured across the broadest part of the flat shell
- IV. lobster less than 90mm measured as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace;
- V. male spider crab less than 130mm measured as the length of the carapace, along the midline, from the edge of the carapace between the rostrums to the posterior edge of the carapace;
- VI. female spider crab less than 130mm measured as the length of the carapace, along the midline, from the edge of the carapace between the rostrums to the posterior edge of the carapace;
- VII. spiny lobster less than 110mm measured as the length of the carapace from the tip of the rostrum to the midpoint of the distal edge of the carapace.

The measurement of the size of a marine organism shall take place in accordance with the provisions laid down in Annex XIII Article 18(1) of Council Regulation (EC) 850/98 or amending legislation.

#### **1.3 Additional Category One Catch Restrictions**

1.3.1 A Category One permit holder currently has no restrictions imposed by this permit on the quantities of crab, lobster or scallop that can be taken.

#### **1.4 Additional Category Two Catch Restrictions**

1.4.1 A Category Two permit holder or named representative is not authorised under this permit to remove from a fishery within the District in any calendar day more than:

- I. a total of two lobsters, however comprised, from the species of lobster and spiny lobster, and
- II. a total of three crabs, however comprised, from the species of edible crab and spider crab and
- III. a total of fifteen scallops

1.4.2 A Category Two permit holder or named representative is, subject to the restrictions imposed under paragraph 1.4.1, authorised under the permit to remove crab, lobster and scallop providing that the shellfish is used for his own consumption.

## **2. Gear Restrictions**

### **2.1 Additional Category One Gear Restrictions**

2.1.1 A Category One permit holder currently has no additional gear restrictions.

### **2.2 Additional Category Two Gear Restrictions**

2.2.1 A Category Two permit holder or named representative is not authorised under this permit to use any container or any other device to store any crab, lobster or scallop in the sea or in an estuary within the District.

2.2.2 A Category Two permit holder or named representative is not authorised under this permit to land any crab, lobster or scallop removed from a fishery within the District other than on the day of their capture.

## **3. Spatial Restrictions**

3.1 A permit holder or named representative is not authorised under this permit to remove any sea fish resources from or use pots for the purpose of storing sea fish resources within 100m of low water mark around the Knoll Pins as defined by mean low water spring tides.

## **4. Time Restrictions**

### **4.1 Category One Time Restrictions**

4.1.1 A Category One permit holder or named representative is not authorised under this permit to remove scallop from any fishery during the months of July, August and September each year.

4.1.2 A Category One permit holder or named representative is not authorised under this permit to remove scallop from any fishery during the period 1900hrs to 0700hrs (local time).

### **4.2 Category Two Time Restrictions**

4.2.1 A Category Two permit holder or named representative currently has no seasonal or time restrictions imposed by this permit.