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 STATUTORY INSTRUMENTS
 

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1979 No. 398

## SEA FISHERIES

## LANDING AND SALE OF SEA FISH

**The Herring By-Catch (Restrictions on Landing) (No. 2)  
(Variation) Order 1979**

*Made* - - - - - 29th March 1979

*Laid before Parliament* 3rd April 1979

*Coming into Operation* 23rd April 1979

The Minister of Agriculture, Fisheries and Food, the Secretaries of State respectively concerned with the sea fishing industry in Scotland and Northern Ireland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 6, 15 and 20(1) of the Sea Fish (Conservation) Act 1967(a) and now vested in them(b) and of all their other enabling powers, after consultation with the Secretary of State for Trade(c), hereby make the following order:—

*Citation and commencement*

1. This order may be cited as the Herring By-Catch (Restrictions on Landing) (No. 2) (Variation) Order 1979 and shall come into operation on 23rd April 1979.

*Variation of order*

2. The Herring By-Catch (Restrictions on Landing) (No. 2) Order 1976(d) shall be varied as follows:—

in article 2(1) of the order for the definition of “herring by-catch” there shall be substituted the following—

““herring by-catch” means any quantity of herring (*Clupea harengus*) in a catch of which more than 50 per cent consists of species of sea fish other than herring;”

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(a) 1967 (c. 84); section 15 was amended by the Sea Fisheries Act 1968 (c. 77), section 22(1) and Schedule 1, paragraph 38, and by the Fishery Limits Act 1976 (c. 86), section 9(1) and Schedule 2, paragraph 16(1).

(b) By Article 2(3) of the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

(c) The Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537), and the Secretary of State (New Departments) Order 1974 (S.I. 1974/692).

(d) S.I. 1976/2094.

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In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 29th March 1979.

*John Silkin,*  
Minister of Agriculture, Fisheries and Food.

*Bruce Millan,*  
Secretary of State for Scotland.  
29th March 1979.

*Roy Mason,*  
Secretary of State for Northern Ireland.  
29th March 1979.

*John Morris,*  
Secretary of State for Wales.  
29th March 1979.

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EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order amends the Herring By-Catch (Restrictions on Landing) (No. 2) Order 1976. A "herring by-catch" is now defined as any quantity of herring in a catch of which more than 50% consists of other species of sea fish.



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