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 STATUTORY INSTRUMENTS
 

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1979 No. 742

## SEA FISHERIES

## LANDING AND SALE OF SEA FISH

**The Immature Nephrops Order 1979**

<i>Made - - - -</i>	<i>25th June 1979</i>
<i>Laid before Parliament</i>	<i>29th June 1979</i>
<i>Coming into Operation</i>	<i>1st July 1979</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State concerned with the sea fishing industry in Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by section 1(1), (4) and (5) of the Sea Fish (Conservation) Act 1967(a), and the said Minister, the said Secretaries of State and the Secretary of State concerned with the sea fishing industry in Northern Ireland, acting jointly, in exercise of the powers conferred by section 15(b) of the said Act, and now in each case vested in them(c), and of all their other enabling powers, hereby make the following order:—

*Citation, commencement and interpretation*

1.—(1) This order may be cited as the Immature Nephrops Order 1979, and shall come into operation on 1st July 1979.

(2) In this order, “the Act” means the Sea Fish (Conservation) Act 1967.

(3) In determining for the purposes of this order whether or not a nephrops is smaller than the minimum size prescribed in Article 2 below, the size of the nephrops shall be the length of its carapace measured from the rear of either eye socket to the rear end of the carapace, along a line parallel to the centre line thereof.

*Minimum size for nephrops*

2. For the purposes of section 1(1) of the Act (which prohibits in Great Britain the landing, sale, exposure or offer for sale or possession for the purpose of sale of sea fish of any description, being a sea fish of smaller size than that prescribed in relation to a fish of that description by an order made under that subsection) there is hereby prescribed in relation to nephrops (*Nephrops norvegicus*) a minimum size of 25mm.

*Application of order to foreign fishing boats*

3. In pursuance of section 1(4) of the Act, nephrops which are of less than the minimum size prescribed by this order shall not be carried by any foreign fishing boat in waters adjacent to the United Kingdom and within British fishery limits.

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

(b) As amended by the said Act of 1968, section 22(1) and Schedule 1, paragraph 38, and by the said Act of 1976, section 9(1) and Schedule 2, paragraph 16(1).

(c) By the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

*Enforcement*

4. For the purpose of the enforcement of this order, there are hereby conferred on every British sea-fishery officer all the powers of a British sea-fishery officer under section 8(2) to (4) of the Sea Fisheries Act 1968(a).

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 25th June 1979.

(L.S.)

*Peter Walker,*  
Minister of Agriculture, Fisheries and Food.

19th June 1979.

*George Younger,*  
Secretary of State for Scotland.

20th June 1979.

*Humphrey Atkins,*  
Secretary of State for Northern Ireland.

18th June 1979.

*Nicholas Edwards,*  
Secretary of State for Wales.

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**EXPLANATORY NOTE**

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

This order prescribes, for the purposes of section 1(1) of the Sea Fish (Conservation) Act 1967, a minimum size for nephrops of 25mm determined by reference to the length of the carapace (which is equivalent to an overall length of approximately 86mm). As a result, the landing, sale, exposure or offer for sale or possession for the purpose of sale of nephrops of less than the prescribed size is prohibited, as is the carriage of such fish by British fishing boats registered in the United Kingdom. The order also prohibits the carriage of undersized nephrops by foreign fishing boats within British fishery limits.

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(a) As subsection (4) is amended by the Fishery Limits Act 1976, section 9(1) and Schedule 2, paragraph 17(1).



SI 1979/742  
ISBN 0-11-093742-2

