
 STATUTORY INSTRUMENTS

1982 No. 1846

SEA FISHERIES

LANDING AND SALE OF SEA FISH

**The Immature Sea Fish (Variation) (No. 4)
Order 1982**

<i>Made</i> - - - - -	22nd December 1982
<i>Laid before Parliament</i>	23rd December 1982
<i>Coming into Operation</i>	30th December 1982

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with the sea fishing industry in Scotland and Wales, acting jointly, in exercise of the powers conferred on them by sections 1 and 20(1) 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 on them by sections 15(3) and 20(1) of the said Act(b), and of all other powers enabling them in that behalf, hereby make the following order:—

Title and commencement

1. This order may be cited as the Immature Sea Fish (Variation) (No. 4) Order 1982 and shall come into operation on 30th December 1982.

Variation of the Immature Sea Fish Order 1981

2. The Immature Sea Fish Order 1981(c) shall be further varied—

- (a) by substituting the date “31st March 1983” for the date mentioned in article 7 thereof (which specifies the date on which the order shall cease to have effect);
- (b) by substituting in column 1 of Schedule 1 thereto for the words “(*Pagellus centabrichus*)” in the entry for common sea bream the words “(*Pagellus bogaraveo*)”;
- (c) by substituting for note 2 to Schedule 1 thereto the following note:—

“2 Except that the minimum size shall be 45 cm in ICES VIIa between 1 October and 31 December.”;

(a) 1967 c. 84; section 1 was amended by the Fisheries Act 1981 (c. 29), section 19(1).

(b) Section 15(3) was amended by the Sea Fisheries Act 1968 (c. 77), Schedule 1, paragraph 38(3) and by the Fishery Limits Act 1976 (c. 86), Schedule 2, paragraph 16(1); section 22(2)(a) and (b) which contains definitions of “the Ministers” for the purposes of sections 1 and 15(3) was amended by the Fisheries Act 1981, sections 19(2)(d) and 45(b) and (c).

(c) S.I. 1981/1870, varied by S.I. 1982/454, 873, 1373.

(d) by substituting for note 7 to Schedule 1 thereto the following note:—

“7 Only in North Sea and, in the case of mackerel for industrial purposes, also in Skagerrak and Kattegat.”; and

(e) by substituting for Schedule 2 thereto the Schedule to this order.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd December 1982.

(L.S.)

Peter Walker,
Minister of Agriculture,
Fisheries and Food.

George Younger,
Secretary of State for Scotland.

22nd December 1982.

Nicholas Edwards,
Secretary of State for Wales.

22nd December 1982.

James Prior,
Secretary of State for Northern Ireland.

22nd December 1982.

SCHEDULE

Article 2(e)

NEW SCHEDULE 2 TO THE IMMATURE SEA FISH ORDER 1981

SCHEDULE 2

Article 5(a)

EXEMPTIONS FOR UNDERSIZED FISH OF SPECIFIED DESCRIPTIONS

Column 1	Column 2	Column 3
Descriptions of sea fish	Areas of sea	Permitted percentage of undersized fish
Cod (<i>Gadus morrhua</i>) ¹	ICES VIIa ²	10 per cent
Herring (<i>Clupea harengus</i>)	All	10 per cent
Mackerel (<i>Scomber scombrus</i>)	All except Skagerrak and Kattegat	15 per cent
Species described in column 1 of Schedule 1, except herring	Skagerrak and Kattegat	10 per cent

¹ Measuring less than 45 cm but not less than 30 cm.

² Between 1 October and 31 December only.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order varies the Immature Sea Fish Order 1981, as varied, ("the principal order") by—

- (a) extending the duration of the principal order from 31st December 1982 until 31st March 1983 (article 2(a));
- (b) correcting the Latin name for common sea bream (article 2(b));
- (c) restricting the applicability of a larger minimum size (45 cm) for cod caught in ICES VIIa to the period between 1st October and 31st December (article 2(c));
- (d) prescribing a minimum size of 30 cm for mackerel caught in the Skagerrak and Kattegat for industrial purposes (article 2(d));
- (e) adding to the existing exemptions from the prohibition in section 1(1) of the Sea Fish (Conservation) Act 1967 exemptions in respect of:—
 - (i) undersized cod caught in ICES VIIa between 1st October and 31st December; and
 - (ii) undersized sea fish of any description specified in column 1 of Schedule 1 to the principal order (except herring and mackerel) caught in the Skagerrak and Kattegat;

and restricting the scope of the existing exemption in respect of undersized mackerel caught in the Skagerrak and Kattegat (article 2(e)).

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