

This Statutory Instrument has been made in consequence of a defect in S.I. 1992/3164 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

1994 No. 275

FOOD

FOOD SAFETY

The Conwy Mussel Fishery (Amendment) Regulations 1994

<i>Made</i>	- - - -	<i>1st February 1994</i>
<i>Laid before Parliament</i>		<i>14th February 1994</i>
<i>Coming into force</i>	- -	<i>7th March 1994</i>

The Secretary of State, being a Minister designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on him by the said section 2(2), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Conwy Mussel Fishery (Amendment) Regulations 1994 and shall come into force on 7th March 1994.

Amendment of Orders

2. Article 10 (which restricts the purposes for which mussels may be taken and provides for an offence) of the Conway Mussel Fishery (Amendment) Order 1948⁽³⁾ and paragraph 4 of the Schedule to the Conwy Mussel Fishery (Variation) Order 1979 (which amended that article)⁽⁴⁾ shall be omitted.

(1) S.I. 1972/1811.

(2) 1972 c. 68.

(3) S.I. 1948/1888, amended by S.I. 1979/1087.

(4) S.I. 1979/1087.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Wales

1st February 1994

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations revoke article 10 of the Conway Mussel Fishery (Amendment) Order 1948 (S.I. 1948/1888) (“article 10”) and paragraph 4 of the Schedule to the Conwy Mussel Fishery (Variation) Order 1979 (S.I. 1979/1087) (“paragraph 4”) on the grounds that both article 10 and paragraph 4 are inconsistent with the Food Safety (Live Bivalve Molluscs and Other Shellfish) Regulations 1992 (S.I. 1992/3164) (“the Regulations”).

Article 10 prohibited the taking of mussels for consumption as human food within the fishery to which the article applied except for deposit at specified purification tanks, and created an offence. Paragraph 4 varied article 10 to define the purification tanks as “the tanks maintained by the Minister near Benarth Point for the purification of mussels”.

The Regulations, which implement parts of Council Directive 91/492/EEC of 15th July 1991 (OJ No. L268, 24.9.1991. p.1), laying down the health conditions for the production and placing on the market of live bivalve molluscs, provide *inter alia* for the designation of areas from which live bivalve molluscs may be taken, approval of purification centres and offences.

These Regulations are made as a consequence of a defect in regulation 22(3) of the Regulations, which was intended to have the same effect as these Regulations.