

---

STATUTORY INSTRUMENTS

---

**1996 No. 61**

**SEA FISHERIES**

**The River Teign Mussel Fishery  
(Variation) (Oysters) Order 1996**

<i>Made</i>	- - - -	<i>15th January 1996</i>
<i>Laid before Parliament</i>		<i>16th January 1996</i>
<i>Coming into force</i>	- -	<i>6th February 1996</i>

Whereas an application to vary the River Teign Mussel Fishery Order 1966(1) was made under section 1 of the Sea Fisheries (Shellfish) Act 1967(2) to the Minister of Agriculture, Fisheries and Food by the Teign Musselmen's Society Limited (hereinafter referred to as "the Society");

And whereas the Minister prepared a draft Order and served a copy of it on the Society in accordance with paragraph 1 of Schedule 1 to the Act;

And whereas the Society caused printed copies of the draft Order to be published and circulated, and gave notice of the application, in accordance with paragraph 2 of the said Schedule;

And whereas no objections to the proposed Order were received by the Minister;

Now, therefore, the said Minister in exercise of the powers conferred on him by the said section 1 and of all other powers enabling him in that behalf, and with the consent of the Crown Estate Commissioners, hereby makes the following Order:

**Title and commencement**

1. This Order may be cited as the River Teign Mussel Fishery (Variation) (Oysters) Order 1996 and shall come into force on 6th February 1996.

**Variation of the Principal Order**

2.—(1) The River Teign Mussel Fishery Order 1966 shall be varied in accordance with the following paragraphs of this article.

---

(1) S.I.1966/792; the Order was made in exercise of powers in Part III of the Sea Fisheries Act 1868(1868 c. 45) as amended by sections 23 and 25 of the Sea Fish Industry Act 1962 (1962 c. 31); Part III of the 1868 Act was repealed by section 24(2) and Schedule 3 to the Sea Fisheries (Shellfish) Act 1967 (1967 c. 83); see section 24(3) of that Act as to the treatment of Orders made under legislation repealed by it.

(2) 1967 c. 83; section 1 was amended by section 15(2) of the Sea Fisheries Act 1968 (c. 77) and paragraph 15 of Schedule 2 to the Fishery Limits Act 1976 (c. 86) and is to be read with section 15(3) to (5) of the Sea Fisheries Act 1968; Schedule 1 was amended by section 15(7) of the Sea Fisheries Act 1968; section 22(1) contains a definition of "the Minister".

- (2) In article 2(1)—
- (a) after the word “mussels” there shall be inserted the words “and oysters”;
  - (b) for the words “60 ft” there shall be substituted the words “18.3 metres”; and
  - (c) for the words “385 acres” there shall be substituted the words “156 hectares”.
- (3) In paragraphs (1) and (4) of article 3 after the words “mussels” wherever it occurs there shall be inserted the words “or oysters”.
- (4) In article 4 for the words “10 shillings” wherever they occur there shall be substituted the words “£3”.
- (5) For article 7 there shall be substituted the following new article—
- “7. This order shall continue in operation for sixty years from the date of its coming into force and no longer.”.

15th January 1996

*Tony Baldry*  
Minister of State, Ministry of Agriculture  
Fisheries and Food

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, made under section 1 of the Sea Fisheries (Shellfish) Act 1967, varies the River Teign Mussel Fishery Order 1966 by conferring an additional right on the Teign Musselmen's Society to regulate a fishery for oysters.

The Order also increases to £3 the toll payable for a licence and updates imperial measurements by substituting their metric equivalents.