
STATUTORY INSTRUMENTS

1989 No. 687

SEA FISHERIES

MARKETING

**The Sea Fish (Marketing Standards)
(Amendment) Regulations 1989**

<i>Made</i>	- - - -	<i>18th April 1989</i>
<i>Laid before Parliament</i>		<i>27th April 1989</i>
<i>Coming into force</i>	- -	<i>18th May 1989</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers 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 Economic Community, acting jointly, in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Title, commencement and interpretation

1.—(1) These Regulations may be cited as the Sea Fish (Marketing Standards) (Amendment) Regulations 1989 and shall come into force on 18th May 1989.

(2) In these Regulations “the principal Regulations” means the Sea Fish (Marketing Standards) Regulations 1986⁽³⁾.

Amendment of the principal Regulations

2. The principal Regulations are hereby amended as follows—

(a) by substituting in regulation 2 thereof (interpretation) for the definitions of Regulations 103/76 and 104/76 the following definitions—

(1) By S.I. 1972/1811.

(2) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read, as regards England and Wales, with sections 37, 40 and 46 of the Criminal Justice Act 1982 (c. 48) and S.I. 1984/447, as regards Scotland, with sections 289F and 289G of the Criminal Procedure (Scotland) Act 1975 (c. 21), as inserted by section 54 of the Criminal Justice Act 1982 and amended by section 66 of the Criminal Justice (Scotland) Act 1987 (c. 41), and with S.I. 1984/526, and, as regards Northern Ireland, with S.I. 1984/703 (N.I. 3) and S.R. (N.I.) 1984 No. 253.

(3) S.I. 1986/1272, to which there are amendments not relevant to these Regulations.

““Regulation 103/76” means Council Regulation (EEC) No. 103/76 laying down common marketing standards for certain fresh or chilled fish⁽⁴⁾ as amended by Council Regulation (EEC) No. 3396/85⁽⁵⁾, Commission Regulations (EEC) Nos. 3856/87⁽⁶⁾ and 3940/87⁽⁷⁾ and Council Regulation (EEC) No. 33/89⁽⁸⁾ and read with Commission Regulation (EEC) No. 3703/85 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish⁽⁹⁾;

“Regulation 104/76” means Council Regulation (EEC) No. 104/76 laying down common marketing standards for shrimps (*Crangon crangon*), edible crabs (*Cancer pagurus*) and Norway lobsters (*Nephrops norvegicus*)⁽¹⁰⁾, as amended by Council Regulations (EEC) Nos. 3575/83⁽¹¹⁾ and 3118/85⁽¹²⁾ and Commission Regulations (EEC) Nos. 3940/87 and 4213/88⁽¹³⁾ and read with Commission Regulation (EEC) No. 1048/86 defining the coastal areas of the United Kingdom to which a minimum marketing size for crabs shall apply⁽¹⁴⁾”;

- (b) by substituting in column 1 of the Schedule thereto (specified Community provisions)—
- (i) for the words ‘Article 11(1) of Regulation 103/76’ the words ‘Article 10(1) of Regulation 103/76’;
 - (ii) for the words ‘Article 11(2) of Regulation 103/76’ the words ‘Article 10(2) of Regulation 103/76’.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 17th April 1989.

L.S.

Trumpington
Parliamentary Secretary Ministry of Agriculture,
Fisheries and Food

18th April 1989

Sanderson of Bowden
Minister of State, Scottish Office

(4) OJ No. L20, 28.1.76, p.29.
 (5) OJ No. L322, 3.12.85, p.1.
 (6) OJ No. L363, 23.12.87, p.25.
 (7) OJ No. L373, 31.12.87, p.6.
 (8) OJ No. L5, 7.1.89, p.18.
 (9) OJ No. L351, 28.12.85, p.63.
 (10) OJ No. L20, 28.1.76, p.35.
 (11) OJ No. L356, 20.12.83, p.6.
 (12) OJ No. L297, 9.11.85, p.3.
 (13) OJ No. L370, 31.12.88, p.33.
 (14) OJ No. L96, 11.4.86, p.14.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Sea Fish (Marketing Standards) Regulations 1986 (“the principal Regulations”), which make provision for the enforcement of certain of the enforceable Community restrictions and obligations concerning common marketing standards and related rules as to marketing for certain species of sea fish, including shellfish, which are contained in Council Regulations (EEC) Nos. 103/76 and 104/76 (“the Council Regulations”).

In consequence of amendments made to the Council Regulations by Commission Regulations (EEC) Nos. 3856/87, 3940/87 and 4213/88 and Council Regulation (EEC) No. 33/89, these Regulations amend the definitions of the Council Regulations in regulation 2 of the principal Regulations (interpretation) so as to provide for the inclusion of those amendments in those definitions. They also make a consequential amendment to the Schedule to the principal Regulations (regulation 2).