

1982 No. 433

FISHERIES

Sea-Fish (Minimum Size) (Amendment No. 4) Order
(Northern Ireland) 1982

Made 31st December 1982

Coming into operation 31st December 1982

The Department(a) of Agriculture, in exercise of the powers conferred on it by section 127(1) of the Fisheries Act (Northern Ireland) 1966(b) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Sea-Fish (Minimum Size) (Amendment No. 4) Order (Northern Ireland) 1982 and shall come into operation on 31st December 1982.

Interpretation

2. In this Order, "the principal Order" means the Sea-Fish (Minimum Size) Order (Northern Ireland) 1982(c).

Amendment of Principal Order

3.—(1) The amendments set out in paragraphs (2) to (6) shall be made in the principal Order.

(2) For Article 5 there shall be substituted the following Article:

“Exceptions

5. The prescription in Article 4 shall not apply to the landing in Northern Ireland of—

- (a) a quantity of undersized cod (*Gadus morhua*) of not less than 30 centimetres minimum size caught in ICES VIIa between 1st October and 31st December, both dates inclusive, not exceeding 10 per cent. of the total weight of the catch of that description of sea-fish;
- (b) a quantity of undersized herring (*Clupea harengus*) not exceeding 10 per cent. of the total weight of the catch of that description of sea-fish;
- (c) a quantity of undersized mackerel (*Scomber scombrus*) not exceeding 15 per cent. of the total weight of the catch of that description of sea-fish save that in the case of mackerel caught for industrial purposes in the Skagerrak and Kattegat the quantity of undersized mackerel shall not exceed 10 per cent. of the total weight of the catch of that description of sea-fish;
- (d) a quantity of undersized sea-fish of any description referred to in column 1 of the Schedule, caught in the Skagerrak and Kattegat, not exceeding 10 per cent. of the total weight of the catch of the particular description of sea-fish;

(a) Formerly Ministry: see Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1)

(b) 1966 c. 17 (N.I.) as amended by S.I. 1981/227 (N.I. 7) Article 10(2) and Schedule 4

(c) S.R. 1982 No. 6 as amended by S.R. 1982 No. 90, S.R. 1982 No. 193 and S.R. 1982 No. 315

(e) the bringing to land, landing, sale, offering or exposure for sale or the possession for the purpose of sale of undersized fish caught with a net complying with Article 5 of the Fishing Nets Order 1981(a) (which permits the use of small meshed nets for the purpose of catching certain fish) so long as fish so caught form part of the catch not intended for human consumption and the weight of such fish does not exceed in the aggregate 10 per cent. of the total weight of that catch”.

(3) In Article 6 for the words “31st December 1982” there shall be substituted the words “31st March 1983”.

(4) In column 1 of the Schedule at the reference to Common sea bream for the words “*Pagellus cantabrichus*” there shall be substituted the words “*Pagellus bogaraveo*”.

(5) For note 2 of the Schedule there shall be substituted the following note:

“2. Except in ICES VIIa during the period 1st October to 31st December, both dates inclusive, when the minimum size shall be 45 cm.”

(6) For note 7 of the Schedule there shall be substituted the following note:

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

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 31st December 1982.

(L.S.)

N. E. Morrison

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Sea-Fish (Minimum Size) Order (Northern Ireland) 1982 (S.R. 1982 No. 6) (which prescribes for the purposes of bringing to land, landing, selling or using in the course of business in Northern Ireland minimum sizes for various species of sea-fish caught in specified sea areas) by—

- (a) providing that the prescribed minimum size of 45 centimetres for cod caught in the Irish Sea shall only apply during the period from 1st October to 31st December;
- (b) prescribing a minimum size of 30 centimetres for mackerel caught in the Skagerrak and Kattegat for industrial purposes;
- (c) providing for a by-catch limit of 10 per cent. for undersized cod of minimum size 30 centimetres taken in the Irish Sea between 1st October and 31st December;
- (d) applying the previous by-catch limit of 10 per cent. for undersized saithe caught in the Skagerrak and Kattegat to undersized sea-fish of any of the descriptions referred to in column 1 of the Schedule, caught in the Skagerrak and Kattegat;
- (e) changing the scientific name of common sea bream;
- (f) extending the duration of that Order to 31st March 1983.

The Sea-Fish (Minimum Size) Order (Northern Ireland) 1982 was previously extended to 30th June 1982 by the Sea-Fish (Minimum Size) (Amendment) Order (Northern Ireland) 1982 (S.R. 1982 No. 90), to 30th September 1982 by the Sea-Fish (Minimum Size) (Amendment No. 2) Order (Northern Ireland) 1982 (S.R. 1982 No. 193) and to 31st December 1982 by the Sea-Fish (Minimum Size) (Amendment No. 3) Order (Northern Ireland) 1982 (S.R. 1982 No. 315).