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 STATUTORY INSTRUMENTS
 

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1986 No. 1437

## SEA FISHERIES

## CONSERVATION OF SEA FISH

**The Sea Fishing (Specified Western Waters) (Restrictions on Landing) (Variation) Order 1986**

<i>Made - - - -</i>	18th August 1986
<i>Laid before Parliament</i>	26th August 1986
<i>Coming into Operation</i>	27th August 1986

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with the sea fishing industry in Scotland, Wales and Northern Ireland, acting jointly, in exercise of the powers conferred on them by sections 6(1), 15(3) and 20(1) of the Sea Fish (Conservation) Act 1976 (a), and of all other powers enabling them in that behalf, after consultation with the Secretary of State for Trade and Industry, hereby make the following order:—

*Title and commencement*

1. This order may be cited as the Sea Fishing (Specified Western Waters) (Restrictions on Landing) (Variation) Order 1986, and shall come into operation on 27th August 1986.

*Variation of the Sea Fishing (Specified Western Waters) (Restrictions on Landing) Order 1980*

2. The Sea Fishing (Specified Western Waters) (Restrictions on Landing) Order 1980 (b) is hereby varied—

- (a) by substituting in article 4(b) thereof for the words “less than 10 metres” the words “not more than 10 metres”;
- (b) by inserting in article 4(e) thereof after the words “specified sea fish” the words “except hake (*Merluccius spp*), megrim (*Lepidorhombus whiffiagonis*), Norway lobster (*Nephrops norvegicus*) or pollack (*Pollachius pollachius*)”; and
- (c) by adding at the end of the Schedule 2 thereto the following descriptions of sea fish —  
“Norway lobster (*Nephrops norvegicus*)  
Pollack (*Pollachius pollachius*)”.

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(a) 1967 c.84; section 6(1) is to be read with the Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537), Schedule 2, paragraph 10, the Secretary of State (New Departments) Order 1974 (S.I. 1974/692), Schedule I, Part III and the Transfer of Functions (Trade and Industry) Order 1983 (S.I. 1983/1127), article 2(1); section 15(3) was substituted by paragraph 38(3) of Schedule 1 to the Sea Fisheries Act 1968 (c.77) and amended by paragraph 16(1) of Schedule 2 to the Fishery Limits Act 1976 (c.86); section 22(2)(a), which contains a definition of “the Ministers” for the purposes of sections 6(1) and 15(3), was amended by the Fisheries Act 1981 (c.29), sections 19(2)(d) and 45(b).

(b) S.I. 1980/335, varied by S.I. 1983/1205 and 1984/92.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 14th August 1986.



*Michael Jopling,*  
Minister of Agriculture, Fisheries and Food.

*Gray of Contin,*  
Minister of State, Scottish Office.

18th August 1986.

*Nicholas Edwards,*  
Secretary of State for Wales.

15th August 1986.

*Tom King,*  
Secretary of State for Northern Ireland.

15th August 1986.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This order varies the Sea Fishing (Specified Western Waters) (Restrictions on Landing) Order 1980 as varied which prohibits, subject to exceptions, the landing of sea fish of descriptions specified in the order caught in ICES sub-areas VII or VIII.

This order —

- (a) modifies article 4(b) of that order to provide that the prohibition does not apply to fish caught by British fishing boats not more than 10 metres in length (article 2(a));
- (b) varies article 4(e) of that order, which excepts from the scope of that prohibition the landing of a quantity of one of the descriptions of fish subject to the order, caught otherwise than under the authority of a licence as a by catch not exceeding 10 per cent by weight of the landed catch in the course of lawful fishing for another description of sea fish, by removing from the scope of that exception the landing of a by catch of hake, megrim, Norway lobster or pollack (article 2(b)); and
- (c) adds Norway lobster and pollack to the descriptions of sea fish to which that prohibition applies (article 2(c)).

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