STATUTORY INSTRUMENTS

1974 No. 106

SEA FISHERIES

LANDING AND SALE OF SEA FISH

The Hake (Regulation of Landing) Order 1974

Made - - - -	*23rd January* 1974
Laid before Parliament	*8th February* 1974
Coming into Operation	*1st April* 1974

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with the sea fishing industry in Scotland and Northern Ireland, in exercise of the powers conferred on them by sections 6 and 15 of the Sea Fish (Conservation) Act 1967**(a)** as the latter section is amended by section 22(1) of, and paragraph 38 of Part II of Schedule 1 to, the Sea Fisheries Act 1968**(b)** and of all other powers enabling them in that behalf, after consultation with the Secretary of State for Trade and Industry**(c)**, hereby make the following Order:—

Citation and commencement

1. This Order may be cited as the Hake (Regulation of Landing) Order 1974 and shall come into operation on 1st April 1974.

Interpretation

2.—(1) In this Order:—

"specified period" means the period from 1st April 1974 to 30th April 1974, both dates inclusive;

"specified waters" means those waters in the Northwest Atlantic Ocean which are bounded by the parallels of 39° 50′ north and 40° 20′ north and the meridians of 69° 00′ west and 71° 40 west.

(2) The Interpretation Act 1889**(d)** shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Prohibition on landing

3. Subject to Article 4 of this Order, the landing in the United Kingdom of red hake (*Urophycis chuss*) and silver hake (*Merluccius bilinearis*) caught in the specified waters during the specified period (hereinafter called "regulated fish"), is hereby prohibited.

(a) 1967 c. 84. (b) 1968 c. 77.
(c) For transfer of functions from the Board of Trade to the Secretary of State for Trade and Industry *see* the Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537 (1970 III, p. 5293)). (d) 1889 c. 63.

Exception from the prohibition on landing

4. Notwithstanding the prohibition contained in Article 3 of this Order, regulated fish may be landed in the United Kingdom if:—

(*a*) the regulated fish were caught in the course of fishing for sea fish of any description other than red hake and silver hake; and

(*b*) the regulated fish are comprised in a catch the whole or part of which was taken in the specified waters and do not exceed in weight one-tenth of the total weight of the catch landed in the United Kingdom or, if only part of the catch was taken in the specified waters, one-tenth of the total weight of that part so landed.

Enforcement

5. For the purpose of the enforcement of this Order, there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8(2) and (3) of the Sea Fisheries Act 1968.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st January 1974.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

22nd January 1974.

Gordon Campbell,
Secretary of State for Scotland.

23rd January 1974.

Francis Pym,
Secretary of State for Northern Ireland.

EXPLANATORY NOTE

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

This Order, which implements a recommendation of the Commission established under the International Convention for the Northwest Atlantic Fisheries, prohibits the landing in the United Kingdom of red hake and silver hake caught in a specified area of the Northwest Atlantic during the period 1st April to 30th April 1974. It excepts from the prohibition the landing of such hake caught whilst fishing for any other species of fish, provided the hake do not exceed 10% of the total weight of the catch (or that part of the catch) taken in the specified area.

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