STATUTORY INSTRUMENTS

1983 No. 1384

SEA FISHERIES

CONSERVATION OF SEA FISH

The Immature Scallops (Wales) Order 1983

Made - - - -	*7th September* 1983
Laid before Parliament	*21st September* 1983
Coming into Operation	*12th October* 1983

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with the sea fishing industry in Scotland and Wales, acting jointly, in exercise of the powers conferred upon them by section 1(1), (4) and (6) of the Sea Fish (Conservation) Act 1967(**a**), and the said Minister, the said Secretaries of State and the Secretary of State concerned with the sea fishing industry in Northern Ireland, acting jointly, in exercise of the powers conferred upon them by section 15(3) of the said Act(**b**), and of all other powers enabling them in that behalf, hereby make the following Order:—

Citation and commencement

1. This Order may be cited as the Immature Scallops (Wales) Order 1983 and shall come into operation on 12th October 1983.

Prescribed minimum size

2. For the purposes of section 1(1) of the Sea Fish (Conservation) Act 1967 (which prohibits the landing in Great Britain of any sea fish of any description, being a fish of a smaller size than such size as may be prescribed in relation to sea fish of that description) there is hereby prescribed for scallops of the species *Pecten maximus* in relation to Wales the following size, namely, 110mm, being the size measured across the broadest part of the flat shell.

Exemption

3. There is hereby exempted from the prohibition imposed by section 1(1) of the Sea Fish (Conservation) Act 1967 the landing in Wales of scallops of the

(**a**) 1967 c. 84; section 1 was substituted by the Fisheries Act 1981 (c. 29), section 19.
(**b**) Section 15(3) was amended by the Sea Fisheries Act 1968 (c. 77), Schedule 1, paragraph 38(3) and by the Fishery Limits Act 1976 (c. 86), Schedule 2, paragraph 16(1); section 22(2)*(a)* and *(b)* which contains definitions of "the Ministers" for the purposes of sections 1 and 15(3) was amended by the Fisheries Act 1981 (c. 29), sections 19(2)*(d)* and 45*(b)* and *(c)*.

species *Pecten maximus* which are of less than the size prescribed by article 2 of this Order by any person who is not a British citizen.

Enforcement

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

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 30th August 1983.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

George Younger,
2nd September 1983. Secretary of State for Scotland.

Signed by authority of the Secretary of State.

John Stradling Thomas,
26th August 1983. Minister of State, Welsh Office.

James Prior,
7th September 1983. Secretary of State for Northern Ireland.

(**a**) 1968 c. 77; section 8(3) was amended by the Fisheries Act 1981 (c. 29), section 26(2).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prescribes for scallops of the species *Pecten maximus* a minimum size below which the fish may not be landed in Wales: the minimum size prescribed is 110 mm, being the size measured across the broadest part of the flat shell.

There is exempted from the prohibition imposed by section 1(1) of the Sea Fish (Conservation) Act 1967, as amended, the landing in Wales of undersized scallops by any person who is not a British citizen.

For the purposes of enforcement of the Order all British sea-fishery officers are given the powers provided by section 8(2) and (3) of the Sea Fisheries Act 1968.

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