STATUTORY INSTRUMENTS

1974 No. 397

SEA FISHERIES

LANDING AND SALE OF SEA FISH

The Mackerel (Regulation of Landing) Order 1974

Made - - - -	8*th March* 1974
Laid before Parliament	20*th March* 1974
Coming into Operation	10*th 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 Mackerel (Regulation of Landing) Order 1974 and shall come into operation on 10th April 1974.

Interpretation

2.—(1) In this Order—

"specified waters" means those waters of the North-East Atlantic Ocean comprising the International Council for the Exploration of the Sea statistical areas IIIa and IV which areas are described in the Schedule to this Order;
"undersized mackerel" means mackerel (*Scomber scombrus*) of a length less than 30 centimetres measured from tip of snout to extreme end of tail fin.

(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 any undersized mackerel caught in the specified waters is hereby prohibited.

Exception from prohibition on landing

4. Notwithstanding the prohibition contained in Article 3 of this Order, undersized mackerel caught in the specified waters may be landed in the United Kingdom if:—

(*a*) they are landed for the purpose of human consumption; or

(*b*) they are landed for any other purpose and do not exceed in weight, in respect of each landing, one fifth of the total weight of the mackerel caught in the specified waters.

(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* he Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537 (1970 III, p. 5293)). **(d)** 1889 c. 63.

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) to (4) of the Sea Fisheries Act 1968.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th March 1974.

(L. S.)

Fred Peart,
Minister of Agriculture Fisheries and Food.

7th March 1974.

William Ross,
Secretary of State for Scotland.

8th March 1974.

Merlyn Rees,
Secretary of State for Northern Ireland.

SCHEDULE

(*a*) *International Council for the Exploration of the Sea statistical area IIIa*

The area of sea bounded by a line drawn south from a point on the coast of Norway at 7°E. longitude to 57° 30″ N. latitude, thence due east to 8° E. longitude, thence due south to 57°N. latitude, thence due east to the coast of Denmark, thence in a northerly and easterly direction along the coast of Denmark to the Skaw, thence south to Hasenore Head, thence to Gniben Point, thence in an easterly direction along the coast to Gilbierg Head, thence to The Kullen in Sweden, thence in a northerly direction along the coasts of Sweden and Norway to 7° E. longitude.

(*b*) *International Council for the Exploration of the Sea statistical area IV*

The area of sea bounded by a line drawn from a point on the coast of Scotland at 4°W. longitude, thence due north to 62°N. latitude, thence due east to the coast of Norway, thence in a southerly direction along the west coast of Norway to 7°E. longitude, thence due south to 57° 30″ N. latitude, thence due east to 8°E. longitude, thence due south to 57° N. latitude, thence due east to the coast of Denmark, thence in a westerly direction along the coasts of Denmark, Germany, Holland, Belgium and France to 51°N. latitude, thence due west to the coast of England, thence in a northerly direction along the east coast of England and Scotland to the point of origin.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which implements a recommendation of the North-East Atlantic Fisheries Commission, prohibits the landing in the United Kingdom of mackerel less than 30 centimetres in length caught in the specified areas of the North-East Atlantic Ocean with the exception of the landing of undersized mackerel for the purpose of human consumption and the landing of undersized mackerel not exceeding in weight, in respect of any one landing, one fifth of the total weight of the mackerel caught in the specified areas.

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