(2) The Sea-Fishing Industry (Immature Sea-Fish) Order, 1948(a), which is hereinafter referred to as the principal order, and this order, may be cited together as the Sea-Fishing Industry (Immature Sea-Fish) Orders, 1948 and 1954.

(3) Nothing in this order shall affect the operation of the principal order before the date on which this order comes into operation, or anything duly done or suffered or any right acquired or any liability, penalty or forfeiture incurred before the aforesaid date.

2. Article 1 of the principal order is hereby amended so as to have effect as if in substitution for the minimum size limit of 8 inches long in respect of sea-fish of the description "Whitings (Gadus merlangus)" there were specified the minimum size limit of 10 inches long.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this eighteenth day of May, nineteen hundred and fifty-four.

(L.S.) *Tom Dugdale,*
Minister of Agriculture and Fisheries.

Given under the Seal of the Secretary of State for Scotland this twentieth day of May, nineteen hundred and fifty-four.

(L.S.) *James Stuart,*
Secretary of State for Scotland.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order raises from 8 inches to 10 inches the minimum size below which, under the provisions of the Sea-Fishing Industry (Immature Sea-Fish) Order, 1948 (S.I. 1948/1480), the landing, sale or possession for sale of whiting in Great Britain is prohibited.

WHALING INDUSTRY

1954 No. 1713

The Whaling Industry (Ship) (Amendment) Regulations, 1954

Made - - - - 22*nd December*, 1954
Coming into Operation 31*st December*, 1954

The Minister of Transport and Civil Aviation in exercise of his powers under Sections 3, 5, 6, 8 and 18 of the Whaling Industry (Regulation) Act, 1934(b) as amended by Part III of the Sea Fish Industry Act, 1938(c) and under the Whaling Industry (Sperm Whales) Order, 1937(d) and of all other powers enabling him in that behalf and after consultation with the Minister

(a) S.I. 1948/1480 (Rev. VII, p. 952: 1948 I, p. 1197). (b) 24 & 25 Geo. 5. c. 49.
(c) 1 & 2 Geo. 6. c. 30. (d) S.R. & O. 1937/628 (Rev. VII, p. 932: 1937, p. 747).

of Agriculture and Fisheries and the Secretary of State for Scotland, hereby makes in relation to ships the following Regulations:—

1.—(1) These Regulations shall come into operation on the thirty-first day of December, 1954, and may be cited as the Whaling Industry (Ship) (Amendment) Regulations, 1954.

(2) The Interpretation Act, 1889(**a**), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. The Whaling Industry (Ship) Regulations, 1953(**b**), shall be amended as follows:—

(1) In paragraph (1) of Regulation 2, the length below which the Fin Whale shall be deemed to be immature in the Southern Hemisphere shall be 57 feet; and accordingly for the expression "60 feet" where the same occurs in the first head (*b*) of the said paragraph, there shall be substituted the expression "57 feet".

(2) In Part I of the Second Schedule, for paragraph 1 there shall be substituted the following paragraph:—

"1. No person carried in the ship shall kill or attempt to kill

(*a*) any baleen whale in any of the following areas:—

(i) in any waters north of 66° north latitude other than the waters which are both eastwards of 150° east longitude as far as 140° west longitude and between 66° north latitude and 72° north latitude;

(ii) in the Atlantic Ocean and its dependent waters north of 40° south latitude;

(iii) in the Pacific Ocean and its dependent waters east of 150° west longitude between 40° south latitude and 35° north latitude;

(iv) in the Pacific Ocean and its dependent waters west of 150° west longitude between 40° south latitude and 20° north latitude;

(v) in the Indian Ocean and its dependent waters north of 40° south latitude;

(vi) in any waters south of 40° south latitude from 70° west longitude westward as far as 160° west longitude;

(*b*) any baleen whale (excluding any minke whale) in any waters, being waters other than those specified in paragraph (*a*) of this Condition, south of 40° south latitude, at any time other than during a period beginning on the 7th January in any year in the case of baleen whales other than blue whales, or the 21st January in any year in the case of blue whales, and terminating on the 7th April in the same year, both days inclusive; provided that if the Bureau of International Whaling Statistics, Sandefjord, Norway, shall determine an earlier date on which the quota of 15,500 blue whale units shall be deemed to have been reached in accordance with paragraph 8 of the Schedule to the International Convention of the 2nd December, 1946 (amending the International Agreement of the 8th June, 1937, the Protocol of 24th June, 1938, and the Protocol of the 26th November, 1945, for the Regulation of Whaling), no baleen whale (excluding any minke whale) shall be killed after that date;

(a) 52 & 53 Vict. c. 63. (b) S.I. 1953/1838 (1953 I, p. 790).

(*c*) any humpback whale in the North Atlantic Ocean;

(*d*) any humpback whale in any waters south of 40° south latitude between 0° longitude and 70° west longitude;

(*e*) any humpback whale in any waters south of 40° south latitude except on the 1st, 2nd, 3rd and 4th February in any year;

(*f*) any calf or suckling whale or female whale which is accompanied by any calf or suckling whale;

(*g*) any minke whale other than during the period during which the killing or taking of such a whale is permitted under the terms of the ship's licence, and any sperm whale other than during the period during which the treatment of such a whale may be carried on by the factory ship to which the ship is for the time being attached;

(*h*) any grey whale or right whale, except when the meat and products of such whales are to be used for local consumption by the aborigines;

Provided that if at any time during the currency of this licence the ship shall be attached to a land station and used for the purpose of taking whales for treatment by that land station, the conditions (*a*), (*b*), (*e*) and (*g*) above shall not apply to such ship during the period in which it is so attached and used but the following condition shall apply thereto:—

The killing or taking of baleen, minke and sperm whales by the ship at any time while the ship is attached to a land station shall be limited to the period during which the treatment of any such whales may be carried on at the land station to which the ship is for the time being attached."

(3) In part II of the Second Schedule, for paragraph 1 there shall be substituted the following paragraph:—

"1. There shall not be treated by the ship

(*a*) any baleen whale killed in any of the following areas:—

(i) in any waters north of 66° north latitude other than the waters which are both eastwards of 150° east longitude as far as 140° west longitude and between 66° north latitude and 72° north latitude;

(ii) in the Atlantic Ocean and its dependent waters north of 40° south latitude;

(iii) in the Pacific Ocean and its dependent waters east of 150° west longitude between 40° south latitude and 35° north latitude;

(iv) in the Pacific Ocean and its dependent waters west of 150° west longitude between 40° south latitude and 20° north latitude;

(v) in the Indian Ocean and its dependent waters north of 40° south latitude;

(vi) in any waters south of 40° south latitude from 70° west longitude westward as far as 160° west longitude;

(*b*) any baleen whale (excluding any minke whale) killed in any waters, being waters other than those specified in paragraph (*a*) of this Condition, south of 40° south latitude, at any time other than during a period beginning on 7th January in any year in the

case of baleen whales other than blue whales, or the 21st January in any year in the case of blue whales, and terminating on the 7th April in the same year, both days inclusive; provided that the treatment of baleen whales which have been taken during such period may be completed after the end of it;

Provided also that if the Bureau of International Whaling Statistics, Sandefjord, Norway, shall determine an earlier date on which the quota of 15,500 blue whale units shall be deemed to have been reached in accordance with paragraph 8 of the Schedule to the International Convention of the 2nd December, 1946 (amending the International Agreement of the 8th June, 1937, the Protocol of 24th June, 1938, and the Protocol of the 26th November, 1945, for the Regulation of Whaling), no baleen whale (excluding any minke whale) taken after that date, shall be treated;

(*c*) any humpback whale killed in the North Atlantic Ocean;

(*d*) any humpback whale killed in any waters south of 40° south latitude between 0° longitude and 70° west longitude; and

(*e*) any humpback whale killed in any waters south of 40° south latitude except on the 1st, 2nd, 3rd and 4th February in any year; provided that the treatment of humpback whales taken on the said days may be completed thereafter;

(*f*) any sperm whale taken other than during the period specified for that purpose in the ship's licence;

(*g*) any grey or right whale, except when the meat products of such whales are to be used exclusively for local consumption by the aborigines."

Given under the Official Seal of the Minister of Transport and Civil Aviation this twenty-second day of December, 1954.

(L.S.) *T. F. Bird,*
An Under Secretary of the
Ministry of Transport and Civil Aviation.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Whaling Industry (Ship) Regulations, 1953, and give effect to certain resolutions of the International Whaling Commission which came into force after the Whaling Industry (Ship) Regulations, 1953, were made.

The principal amendments provide for:—

(1) Altering from 60 feet to 57 feet the length below which the Fin Whale is considered to be immature in the Southern Hemisphere.

(2) Prohibiting the killing of hump-back whales in the North Atlantic Ocean.

(3) Altering from the 16th January to the 21st January, the date before which blue whales may not be killed and from the 2nd January to the 7th January the date before which other baleen whales may not be killed.