

Statutory Instrument 2000 No. 1235

The Crab Claws (Prohibition of Landing)(Revocation) Order 2000

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STATUTORY INSTRUMENTS

2000 No. 1235

SEA FISHERIES, ENGLAND

SEA FISHERIES, NORTHERN IRELAND

CONSERVATION OF SEA FISH

The Crab Claws (Prohibition of Landing)(Revocation) Order 2000

<i>Made</i>	<i>5th May 2000</i>
<i>Laid before Parliament</i>	<i>10th May 2000</i>
<i>Coming into force</i>	<i>15th June 2000</i>

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) and 20(1) of the Sea Fish (Conservation) Act 1967[1], 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 Crab Claws (Prohibition of Landing) (Revocation) Order 2000 and shall come into force on 15th June 2000.

Revocation

2. The Crab Claws (Prohibition of Landing) Order 1986[2] is hereby revoked, except in so far as it:

(a) forms part of the law of Scotland; or

(b) applies to landings in Wales.

Elliot Morley

Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

3rd May 2000

John Reid

Secretary of State for Scotland

5th May 2000

Paul Murphy

Secretary of State for Wales

4th May 2000

Peter Mandelson

Secretary of State for Northern Ireland

3rd May 2000

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Crab Claws (Prohibition of Landing) Order 1986 ("the 1986 Order"), except in so far as it forms part of Scottish law or applies to landings in Wales (article 2). The 1986 Order prohibited the landing of crab claws in the United Kingdom if they have been detached from edible crabs (*Cancer pagurus*) caught within British fishery limits. It also made related provision for enforcement.

Provisions relating to the retention on board and the landing of edible crabs and detached claws can now be found in article 18.4 of Council Regulation (EC) No. 850/98 (OJ No. L125, 27.04.98, p.1), for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms. Provision for the enforcement of restrictions and obligations contained in that Regulation have been laid down in the Sea Fishing (Enforcement of Community Conservation Measures) Order 2000, which is to come into force shortly before this Order.

Notes:

[1] 1967 c. 84. Section 1 was substituted by the Fisheries Act 1981 (c.29) section 19(1), and was amended by paragraph 38(a) of Schedule 13 to the Merchant Shipping Act

1995 (c. 21) and paragraph 43(2) and (3) of Schedule 2 to the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820). Section 6 was modified in its effect by section 33(1) of the 1981 Act and amended by S.I. 1999/1820, Schedule 2, paragraph 43(6). The functions of the Board of Trade under section 6(1) are exercisable concurrently with the Secretary of State for Trade and Industry by virtue of S.I. 1970/1537 articles 2(1) and 5(3), S.I. 1974/692 article 2(1) and Part III of Schedule 1, and S.I. 1983/1127 article 2(1). Section 15(3) was substituted by the Sea Fisheries Act 1968 (c. 77) Schedule 1, paragraph 38(3) and amended by the Fishery Limits Act 1976 (c. 86) Schedule 2, paragraph 16(1) and S.I. 1999/1820, Schedule 2, paragraph 43(2)(b). See section 22(2) for definitions of "the Ministers" for the purposes of section 6; section 22(2) was amended by the Fisheries Act 1981, sections 19(2)(d) and 45(b) and (c) and by S.I. 1999/1820, paragraph 43(12) of Schedule 2. By virtue of article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the functions exercisable under section 6(1) of the 1967 Act were transferred to the National Assembly in so far as exercisable in relation to Wales (defined in section 155(1) of the Government of Wales Act 1998 (c. 38) as including "the sea adjacent to Wales out as far as the seaward boundary of the territorial sea"); in respect of waters beyond Wales these functions remain exercisable by the Ministers.[back](#)

[2] S.I. 1986/496.[back](#)

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