EXPLANATORY NOTE

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

This Order confirms Regulations made by the White Fish Authority, reducing as from 1st June, 1953, the levy imposed by the White Fish Authority (General Levy) Regulations, 1952, from one halfpenny to one farthing for every stone of white fish landed on first-hand sale.

1953 No. 1575

The White Fish Authority (Registration of Retail Merchants and Fish Friers) Regulations Confirmatory Order, 1953

Made - - - -	*28th October,* 1953
Laid before Parliament	*29th October,* 1953
Coming into Operation	*2nd November.* 1953

Whereas the White Fish Authority (hereinafter called " the Authority "), in exercise of the powers conferred upon them by subsection (4) of section five and section seven of the Sea Fish Industry Act, 1951(**a**) (hereinafter referred to as " the Act "), as extended to Northern Ireland by the Northern Ireland (Sea Fish Industry) Order, 1951(**b**), and of all other powers enabling them in that behalf, have made the regulations set out in the Schedule to this Order:

And whereas the Minister of Agriculture and Fisheries, the Minister of Food and the Secretaries of State concerned with the sea fishing industry in Scotland and Northern Ireland (hereinafter referred to as " the Ministers ") are satisfied that the Authority have complied with the requirements of the Third Schedule to the Act regarding publication:

And whereas the Authority have transmitted to the Ministers no objections to the Authority's regulations:

Now, therefore, the Ministers, in exercise of the powers conferred upon them by subsection (6) of section five of the Act, as extended to Northern Ireland by the said Northern Ireland (Sea Fish Industry) Order, 1951, and of all other powers enabling them in that behalf, hereby make the following Order:—

1. This Order may be cited as the White Fish Authority (Registration of Retail Merchants and Fish Friers) Regulations Confirmatory Order, 1953, and shall come into operation on the second day of November, 1953.

2. The White Fish Authority (Registration of Retail Merchants and Fish Friers) Regulations, 1953, set out in the Schedule to this Order, are hereby confirmed.

In Witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this 28th day of October, nineteen hundred and fifty-three.

Tom Dugdale,
Minister of Agriculture and Fisheries.

(a) 14 & 15 Geo. 6. c. 30. (b) S.I. 1951/1797; 1951 I, p. 738.

Given under the Seal of the Secretary of State for Scotland this 28th day of October, nineteen hundred and fifty-three.

James Stuart,
Secretary of State for Scotland.

Given under the Seal of the Minister of Food this 28th day of October, nineteen hundred and fifty-three.

G. Lloyd George,
Minister of Food.

Given under the hand of the Secretary of State for the Home Department this 28th day of October, nineteen hundred and fifty-three.

David Maxwell Fyfe,
Secretary of State for the Home Department.

SCHEDULE TO THE ORDER

The White Fish Authority (Registration of Retail Merchants and Fish Friers) Regulations, 1953.

1. For the purposes of subsection (1) of section seven of the Act (which provides for the registration by the Authority of persons engaging in the white fish industry by carrying on any prescribed business) the following businesses shall be prescribed businesses that is to say:

(i) the business of a retail merchant

(ii) the business of a fish frier.

Provided that where a person is engaging in the white fish industry by carrying on a business which includes both of the businesses prescribed in this regulation that person shall be deemed to be carrying on two separate businesses for the purposes of his obligations under section seven of the Act to apply to the Authority to be registered as a person carrying on a prescribed business and to pay the prescribed fee.

2. The prescribed fee, payable under the said subsection by any person applying to be registered as a person carrying on a prescribed business, shall be a fee of five shillings; and the information required to be furnished to the Authority for the purpose of registration shall be the information specified in the Schedule hereto.

3. For the purposes of subsection (2) of the said section seven (which provides that no person shall after the expiration of the prescribed period engage in the white fish industry by carrying on a prescribed business unless he is registered in the appropriate register as a person carrying on that business) the prescribed period shall in the case of the business of a retail merchant be a period of two months and in the case of the business of a fish frier be a period of four months from the date on which these regulations come into operation.

4.—(1) In these regulations unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them:—

"fish frier" means a person who in course of any business carried on by him sells or offers for sale fried white fish. Provided that a person shall not be deemed to be a fish frier by reason only that in connection with any residential hotel, boarding house, general restaurant, general café or general catering business carried on by him he sells fried white fish—

(*a*) for consumption on the premises where such white fish has been fried or

(*b*) for consumption off the premises where such white fish has been fried provided that such fried white fish comprises part only of a meal supplied and delivered by him to premises other than those upon which it was fried.

"retail merchant" means any person selling or offering for sale white fish to a person buying otherwise than for the purpose of re-sale or processing or use as bait and includes any person selling or offering for sale white fish to a person for the purposes of a catering business (other than a fish frying business) but does not include any person selling or offering for sale white fish consisting exclusively of all or any of the following categories—canned or potted fish, fish paste, fish cakes, salt fish or pre-packed fish of any kind.

(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.

5. These regulations which may be cited as the White Fish Authority (Registration of Retail Merchants and Fish Friers) Regulations, 1953, shall come into operation on the second day of November, 1953.

SCHEDULE TO THE REGULATIONS

Information to be furnished to the Authority by persons making application to be registered:

1. The full name and postal address of the person making application to be registered, and whether he carries on the business of a retail merchant or the business of a fish frier.

2. The name or style under which the business is carried on.

3. If the person making application to be registered is a company incorporated under the Companies Act, 1948(b), or the Companies Act (Northern Ireland), 1932(c), the full postal address of the registered office of the Company.

4. The full postal address of all places at which the person making application to be registered carries on a prescribed business.

5. The number of vehicles kept for use in the business.

EXPLANATORY NOTE

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

This Order confirms Regulations made by the White Fish Authority, for the registration by the Authority of persons engaging in the white fish industry by carrying on the business of a retail merchant or fish frier, and for making certain supplemental provisions.

(a) 52 & 53 Vict. c. 63. (b) 11 & 12 Geo. 6. c. 38. (c) 22 & 23 Geo. 5. c. 7. (N.I.).