STATUTORY INSTRUMENTS

1976 No. 1323

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Herring (Isle of Man) Licensing Order 1976

Made - - - -	11*th August* 1976
Laid before Parliament	20*th August* 1976
Coming into Operation	10*th September* 1976

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 4 and 15 of the Sea Fish (Conservation) Act 1967(**a**) as extended to the Isle of Man by the Sea Fish (Conservation) (Isle of Man) Order 1973(**b**) and the Sea Fish (Conservation) (Isle of Man) (No. 2) Order 1973(**c**) and of all other powers enabling them in that behalf, being satisfied that substantially equivalent measures are being taken by governments of other countries concerned, hereby make the following order:—

Citation and commencement

1. This order may be cited as the Herring (Isle of Man) Licensing Order 1976 and shall come into operation on 10th September 1976.

Interpretation

2.—(1) In this order—

"the Act" means the Sea Fish (Conservation) Act 1967;

"specified waters"—

(a) in relation to British fishing boats registered in the United Kingdom, means the waters adjacent to the Isle of Man which are within the fishery limits of the British Islands but outside the territorial waters;

(b) in relation to British fishing boats registered in the Isle of Man, means the waters described in (a) above and the waters described in the Schedule to this order.

(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 and as if this order and the order hereby revoked were Acts of Parliament.

(3) References in this order to section 4 of the Act are references to that section as extended to the Isle of Man.

Revocation of previous order

3. The Herring (Isle of Man) Licensing Order 1975(**e**) is hereby revoked.

(**a**) 1967 c. 84.
(**b**) S.I. 1973/237 (1973 I, p. 890).
(**c**) S.I. 1973/1887 (1973 III, p. 6557).
(**d**) 1889 c. 63.
(**e**) S.I. 1975/1466 (1975 III, p. 4869).

Appointed day

4. The appointed day for the purposes of section 4 of the Act (which provides for the licensing of British fishing boats in relation to fishing by way of trade or business in specified areas) in conjunction with this order, is 10th September 1976.

Area and fish

5. This order applies to fishing in the specified waters for herring (*Clupea harengus*).

Enforcement

6. For the purpose of the enforcement of section 4 of the Act in conjunction with 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(**a**).

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 3rd August 1976.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

Bruce Millan,
Secretary of State for Scotland.

5th August 1976.

Merlyn Rees,
Secretary of State for Northern Ireland.

11th August 1976.

(a) 1968 c. 77.

SCHEDULE

Those waters of the Irish Sea between latitudes 53° 00′ North and 55° 00′ North which lie outside the fishery limits of the British Islands adjacent to Northern Ireland and the Isle of Man respectively and outside the fishery limits of the Republic of Ireland.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 4 of the Sea Fish (Conservation) Act 1967 as extended to the Isle of Man provides that from a day appointed by an order, no British fishing boat registered in the Isle of Man or the United Kingdom shall be used by way of trade or business for fishing in any area specified in the order except under the authority of a licence granted by the Isle of Man Board of Agriculture and Fisheries or by one of the fisheries Ministers as the case may be.

This Order appoints 10th September 1976 as the date from which no such fishing boat shall so fish for herring in waters adjacent to the Isle of Man within the fishery limits of the British Islands but outside territorial waters except under the authority of such a licence. As regards the British fishing boats registered in the Isle of Man, the order applies also in the area described in the Schedule to the order.

The Order supersedes the Herring (Isle of Man) Licensing Order 1975. The only change is that this order applies to a larger area.

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