STATUTORY INSTRUMENTS

1971 No. 688

SEA FISHERIES

LANDING AND SALE OF SEA-FISH

The Herring (North Sea) Restrictions on Landing Order 1971

Made - - -	24*th April* 1971
Laid before Parliament	30*th April* 1971
Coming into Operation	1*st May* 1971

The Minister of Agriculture, Fisheries and Food, and the Secretaries of State for Scotland and the Home Department (being 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 Herring (North Sea) Restrictions on Landing Order 1971 and shall come into operation on 1st May 1971.

Interpretation

2.—(1) In this order—

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

"the North Sea" means the area described in the Schedule to this order.

(2) The Interpretation Act 1889(**d**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Prohibition of Landings

3. There is hereby prohibited the landing in the United Kingdom of herring (clupea harengus) caught in waters comprised in the North Sea during the periods 1st May to 31st May 1971 (both dates inclusive) and 20th August to 30th September 1971 (both dates inclusive).

(**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 the Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537 (1970 III, p. 5293)).

(**d**) 1889 c. 63.

Exceptions

4. Notwithstanding the prohibition contained in article 3 of this order it shall be lawful to land in the United Kingdom herring caught in the waters and during either period specified in that article, provided that:—

(*a*) the catching was effected in the course of fishing under the authority of a licence in that behalf issued in pursuance of section 4 of the Act,

or (*b*) the herring are comprised in a catch of sea fish of any description, the whole or part of which was taken in waters comprised in the North Sea and do not exceed in weight one-tenth of the weight of the catch taken in those waters.

Powers of British Sea-Fishery Officers

5. For the purposes of the enforcement of this order there are hereby conferred on every British sea-fishery officer all 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 8th April 1971.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 20th April 1971.

(L.S.)

Gordon Campbell,
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department on 24th April 1971.

R. Maudling,
Secretary of State for the Home Department.

SCHEDULE

THE NORTH SEA (ARTICLE 3)

The area of sea contained within a line drawn from the co-ordinate of 62° north latitude and 4° west longitude, due south to the coast of Scotland, thence generally southwards along the north coast of Scotland and the east coasts of Scotland and England to the meridian of 1° west longitude, thence due south to the coast of France, thence generally in a north-easterly direction along the coasts of France, Belgium, the Netherlands, the Federal Republic of Germany and Denmark to Skagen Point, thence along a rhumb line to the Pater Noster Lighthouse on the coast of Sweden, thence generally in a north-westerly, south-westerly and northerly direction along the coasts of Sweden and Norway to the parallel of 62° north latitude, thence due west to the meridian of 4° west longitude.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order which is made under sections 6 and 15 of the Sea Fish (Conservation) Act 1967 implements a recommendation of the North East Atlantic Fisheries Commission.

It bans the landing in the United Kingdom of herring caught in the North Sea during the periods 1st to 31st May and 20th August to 30th September 1971 (all dates inclusive); exemption is provided in respect of herring (*a*) caught under the authority of a licence in that behalf granted under section 4 of the Sea Fish (Conservation) Act 1967 or (*b*) comprised in a catch of sea fish taken in whole or in part in the North Sea and not exceeding 10% of the weight of the catch taken in the North Sea.