1974 No. 74

SEA FISHERIES

LANDING AND SALE OF SEA-FISH

The Herring (North Sea) Restrictions on Landing Order 1974

Made - - -	17*th January* 1974
Laid before Parliament	30*th January* 1974
Coming into Operation	1*st February* 1974

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 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 1974 and shall come into operation on 1st February 1974.

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. The landing in the United Kingdom of herring (clupea harengus) caught in waters comprised in the North Sea during the period 1st February to 15th June 1974 (both dates inclusive) is hereby prohibited.

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 during the 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, and the landing of the herring is in accordance with any condition of the licence in that respect,

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(**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. 1970/153 (1970 III, p. 5293)).

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

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 total weight of the catch landed in the United Kingdom or, if only part of the catch was taken in the said waters, one tenth of the total weight of that part landed as aforesaid.

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 15th January 1974.

(L.S.) *Joseph Godber,*
Minister of Agriculture, Fisheries and Food.

Gordon Campbell,
16th January 1974. Secretary of State for Scotland.

Francis Pym,
17th January 1974. Secretary of State for Northern Ireland.

SCHEDULE

THE NORTH SEA (ARTICLE 3)

The area of sea contained within a line drawn from a position having the co-ordinates of 62° north latitude and 4° west longitude, due south to the north coast of Scotland, thence generally south-eastwards along the north and east coasts of Scotland and the east coast of England, thence westwards along the south coast of 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 period 1st February to 15th June 1974 (both 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.

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