STATUTORY INSTRUMENTS

1978 No. 1374

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Irish Sea Herring (Prohibition of Fishing) Order 1978

Made - - -	*20th September* 1978
Laid before Parliament	*22nd September* 1978
Coming into Operation	*24th September* 1978

The Minister of Agriculture, Fisheries and Food, the Secretaries of State respectively concerned with the sea fishing industry in Scotland and Northern Ireland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 5(1) and (2) and 15 of the Sea Fish (Conservation) Act 1967(**a**) (as section 15 is amended by section 22(1) of, and paragraph 38 of Schedule 1 to, the Sea Fisheries Act 1968(**b**) and as sections 5(2) and 15 are amended by section 9(1) of, and paragraph 16(1) of Schedule 2 to, the Fishery Limits Act 1976(**c**)) and now vested in them by Article 2(3) of the Transfer of Functions (Wales) (No. 1) Order 1978(**d**), and of all their other enabling powers, hereby make the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Irish Sea Herring (Prohibition of Fishing) Order 1978, and shall come into operation on 24th September, 1978.

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

Prohibition of fishing

2.—(1) From the date on which this order comes into operation until 31st December 1978, both dates inclusive, fishing for herring (Clupea harengus) within the area specified in the Schedule to this order is hereby prohibited.

(2) In accordance with section 5(3) of the Sea Fish (Conservation) Act 1967, it is hereby declared that this order is not made for the sole purpose of giving effect to such a convention or agreement as is mentioned in section 5(1) of that Act.

(**a**) 1967 c. 84. (**b**) 1968 c. 77.
(**c**) 1976 c. 86. (**d**) S.I. 1978/272.
(**e**) 1889 c. 63.

Enforcement

3. For the purpose of enforcement of 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, as subsection (4) is amended by section 9(1) of, and paragraph 17(1) of Schedule 2 to, the Fishery Limits Act 1976.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 18th September, 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

18th September, 1978

Bruce Millan,
Secretary of State for Scotland.

20th September, 1978

Roy Mason,
Secretary of State for Northern Ireland.

19th September, 1978

John Morris,
Secretary of State for Wales.

SCHEDULE

Article 2(1)

AREA TO WHICH THE ORDER APPLIES

The area of sea within British fishery limits bounded in the north by the parallel of 55° North latitude and the South West coast of Scotland; in the east by the coasts of England and Wales; in the south by the parallel of 52° 30′ North latitude; and in the west by the coasts of the Republic of Ireland and Northern Ireland; but excluding that part of the area which lies within twelve miles of the baselines from which is measured the breadth of the territorial sea adjacent to Northern Ireland, and excluding the territorial waters around the Isle of Man.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order prohibits fishing for herring in the area of sea defined in the Schedule to the order until 1st January 1979, and applies the powers of British sea-fishery officers for the purpose of enforcement of its provisions. The Order applies to all fishing boats, including foreign vessels.

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