STATUTORY INSTRUMENTS

1978 No. 1537

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Mackerel Licensing (Manx and Channel Islands Boats) Order 1978

Made - - - -	*24th October* 1978
Laid before Parliament	*25th October* 1978
Coming into Operation	*5th November* 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 section 4 of the Sea Fish (Conservation) Act 1967(a) (as applied to British fishing boats registered in the Isle of Man and in any of the Channel Islands by the Sea Fish (Conservation) (Manx Boats) Order 1978(b) and the Sea Fish (Conservation) (Channel Island Boats) Order 1978(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 and commencement

1. This order may be cited as the Mackerel Licensing (Manx and Channel Islands Boats) Order 1978, and shall come into operation on 5th November 1978.

Interpretation

2.—(1) In this order—

"length" means the length by reference to which the tonnage of a British fishing boat is calculated for the purposes of registration under Part IV of the Merchant Shipping Act 1894(e);

"mile" means a nautical mile of 1,852m;

"specified ICES areas" means those statistical areas of the International Council for the Exploration of the Sea(f) which are referred to by their short names in column 1 of the Schedule to this order and are described in column 2 of the Schedule opposite the reference to their short names, but excluding any part of those areas which is within 12 miles of the baselines from which the breadth of the territorial sea adjacent to the Isle of Man and any of the Channel Islands respectively is measured.

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

(a) 1967 c. 84. (b) S.I. 1978/281. (c) S.I. 1978/280. (d) S.I. 1978/272.
(e) 1894 c. 60. (f) Cmnd. 2586. (g) 1889 c. 63.

Prohibition of fishing without a licence

3.—(1) Subject to paragraph (2) below, fishing by British fishing boats registered in the Isle of Man or any of the Channel Islands for mackerel (scomber scombrus) in any of the specified ICES areas is hereby prohibited unless such fishing is authorised by a licence granted by one of the Ministers.

(2) There is hereby excepted from the prohibition imposed by paragraph (1) above fishing by handline or fishing by any British fishing boat whose length is less than 40 feet.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 17th October 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

18th October 1978.

Bruce Millan,
Secretary of State for Scotland.

21st October 1978.

Roy Mason,
Secretary of State for Northern Ireland.

24th October 1978.

John Morris,
Secretary of State for Wales.

SCHEDULE Article 2

Column 1	Column 2
ICES area	Description
IV	The waters bounded by a line beginning at a point on the coast of Norway in 62°00′ north latitude; then due west to 4°00′ west longitude; thence due south to the coast of Scotland thence in an easterly and southerly direction along the coasts of Scotland and England to a point in 51°00′ north latitude; thence due east to the coast of France;

SCHEDULE—*continued*

Column 1	Column 2
ICES area	Description
	thence in a north-easterly direction along the coasts of France, Belgium, the Netherlands and the Federal Republic of Germany to the western terminus of its boundary with Denmark; thence along the west coast of Jutland to Thyboren; thence in a southerly and easterly direction along the south coast of the Limfjord to Egensekloster Point; thence across the eastern entrance of the Limfjord to Hals; thence in a westerly direction along the north coast of the Limfjord to the southernmost point of Agger Tange; thence in a northerly direction along the west coast of Jutland to a point in 57°00′ north latitude; thence due west to 8°00′ east longitude; thence due north to 57°30′ north latitude; thence due west to 7°00′ east longitude; thence due north to the coast of Norway; thence in a north-westerly direction along the coast of Norway to the point of beginning.
VI	The waters bounded by a line beginning at a point on the north coast of Scotland in 4°00′ west longitude; thence due north to 60°30′ north latitude; thence due west to 5°00′ west longitude; thence due south to 60°00′ north latitude; thence due west to 18°00′ west longitude; thence due south to 54°30′ north latitude; thence due east to the coast of the Republic of Ireland; thence in a northerly and easterly direction along the coasts of the Republic of Ireland and of Northern Ireland to a point on the east coast of Northern Ireland in 55°00′ north latitude; thence due east to the coast of Scotland; thence in a northerly direction along the west coast of Scotland to the point of beginning.
VII	The waters bounded by a line beginning at a point on the west coast of the Republic of Ireland in 54°30′ north latitude; thence due west to 18°00′ west longitude; thence due south to 48°00′ north latitude; thence due east to the coast of France; thence in a northerly and north-easterly direction along the coast of France to a point in 51°00′ north latitude; thence due west to the south-east coast of England; thence in a westerly and northerly direction along the coasts of England, Wales and Scotland to a point on the west coast of Scotland in 55°00′ north latitude; thence due west to the coast of Northern Ireland; thence in a northerly and westerly direction along the coasts of Northern Ireland and the Republic of Ireland to the point of beginning.
VIII	The waters bounded by a line beginning at a point on the coast of France in 48°00′ north latitude; thence due west to 18°00′ west longitude; thence due south to 43°00′ north latitude; thence due east to the coast of Spain; thence in a northerly direction along the coast of Spain and France to the point of beginning.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order prohibits fishing for mackerel by British fishing boats registered in the Isle of Man or any of the Channel Islands in ICES areas IV, VI, VII and VIII (except any part of those areas which is within 12 miles of the territorial baselines of the Isle of Man and the Channel Islands respectively) unless that fishing is authorised by a licence granted by one of the Fisheries Ministers. There is excepted from the prohibiton fishing by handline or fishing by any British fishing boat having a registered length of less than 40 feet.

SI 1978/1537
ISBN 0-11-084537-4

