1962 No. 1393

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Salmon and Migratory Trout (Drift-net Fishing) Licensing Order 1962

Made - - - -	*4th July* 1962
Laid before Parliament	*4th July* 1962
Coming into Operation	*15th September* 1962

The Minister of Agriculture, Fisheries and Food, hereinafter referred to as "the Minister", and the Secretaries of State for Scotland and the Home Department (being the Secretaries of State concerned with the sea-fishing industry in Scotland and Northern Ireland respectively), in exercise of the powers conferred on them by section 2 of the White Fish and Herring Industries Act 1948(**a**), as amended by section 8 of the Sea Fish Industry Act 1959(**b**) and as read with and amended by section 11 of the Sea Fish Industry Act 1962(**c**), and of all other powers enabling them in that behalf, with the consent of the Treasury, hereby make the following order:—

Citation and Commencement

1. This order may be cited as the Salmon and Migratory Trout (Drift-net Fishing) Licensing Order 1962 and shall come into operation on 15th September 1962.

Interpretation

2.—(1) In this order—

"drift-net" means any length of net allowed to float or drift, being either attached to or released from a fishing-boat, and not being a length of net attached to or held on the shore;

"fishing-boat", "migratory trout", and "salmon" have the same meanings as in the Sea Fish Industry Act 1962;

"mouth of the River Tweed" means the area as defined by the Tweed Fisheries Amendment Act 1859(**d**) and any byelaw amending that definition.

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

3. The appointed day for the purposes of section 2 of the White Fish and Herring Industries Act 1948, amended and extended as aforesaid, and of this order is 15th September 1962.

4. This order applies only to fishing in the area of sea specified in the schedule hereto for salmon or migratory trout by drift-net during the period 15th September 1962 until 15th February 1965.

(**a**) 11 & 12 Geo. 6. c. 51. (**b**) 8 & 9 Eliz. 2. c. 7.
(**c**) 10 & 11 Eliz. 2. c. 31. (**d**) 22 & 23 Vict. c. lxx.
(**e**) 52 & 53 Vict. c. 63.

5. The Minister may make a charge for the granting of a licence in pursuance of this order not exceeding £20.

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed the 4th July 1962.

(L.S.) *Christopher Soames,*
Minister of Agriculture, Fisheries and Food.

Given under the seal of the Secretary of State for Scotland the 4th July 1962.

(L.S.) *John S. Maclay,*
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department the 4th July 1962.

R. A. Butler,
Secretary of State for the Home Department.

SCHEDULE

The area of sea (excluding the territorial waters of the United Kingdom or of the Isle of Man or of any foreign state) contained within the following boundaries:—

The southern boundary of the mouth of the River Tweed, to the eastmost point of that boundary and thence a line drawn due east from that point to its intersection with the meridian of longitude 1° east; thence the said meridian of 1° east southward to the point when it intersects a line drawn round the coasts of England and Wales at an even distance of 25 miles to seaward thereof; thence in a clockwise direction the line lastly hereinbefore described to the point when the same intersects the parallel of latitude 54° 30′ north in the Irish Sea; thence eastwards along that parallel.

EXPLANATORY NOTE

(This Note is not part of the order but is intended to indicate its general purport)

Section 2 of the White Fish and Herring Industries Act 1948, as amended by section 8 of the Sea Fish Industry Act 1959 and section 11 of the Sea Fish Industry Act 1962, provides that, as from such date as may be appointed by an order, no British-owned fishing-boat shall fish in an area specified by the order except under the authority of a licence granted by the appropriate Minister, and that the order may apply to fishing for fish of a specified description, by a specified method, and during a specified period. This order appoints the 15th September 1962 as the appointed day after which British-owned fishing-boats may not fish with drift-nets for salmon or migratory trout in specified extra-territorial waters except under the authority of a licence issued by the Minister of Agriculture, Fisheries and Food. The specified waters include an extensive area off the east coast of England and a 25 mile belt round the remainder of the coast of England and Wales. The order will cease to have effect on 15th February 1965. The order does not apply to fishing boats registered in the Channel Islands or the Isle of Man.