1962 No. 1394

SEA FISHERIES

The Salmon and Migratory Trout (Drift-net Fishing) Restrictions on Landing 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 Sea-Fishing Industry Act 1933(a), as amended by section 39 (2) of the Sea Fish Industry Act 1938(b) and as read with and amended by section 12 of the Sea Fish Industry Act 1962(c), and of all other powers enabling them in that behalf, after consultation with the Minister of Transport, hereby make the following order:—

Citation and Commencement

1. This order may be cited as the Salmon and Migratory Trout (Drift-net Fishing) Restrictions on Landing 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;

"River Board waters" means waters in which a River Board may regulate fishing for salmon or migratory trout by virtue of Parts VI and VII of the Salmon and Freshwater Fisheries Act 1923(e) and sections 4 and 5 of the River Boards Act 1948(f).

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

(a) 23 & 24 Geo. 5. c. 45. (b) 1 & 2 Geo. 6. c. 30. (c) 10 & 11 Eliz. 2. c. 31.
(d) 22 & 23 Vict. c. lxx. (e) 13 & 14 Geo. 5. c. 16. (f) 11 & 12 Geo. 6. c. 32.
(g) 52 & 53 Vict. c. 63.

3. Subject to the provisions of Article 4 hereof, during the period from 15th September 1962 until 15th February 1965 the landing in Great Britain of any salmon or migratory trout caught by drift-net in the waters specified in the Schedule hereto is hereby prohibited.

4. Notwithstanding the prohibition contained in Article 3 hereof, it shall be lawful during the said period to land in Great Britain salmon or migratory trout caught by drift-net provided that such catching is effected under the authority of, and in accordance with the conditions of, a licence in that behalf granted—

(*a*) in respect of River Board waters, by a River Board in exercise of its powers in that behalf contained in Part VII of the Salmon and Freshwater Fisheries Act 1923(a); or

(*b*) in respect of waters specified in Part II of the Schedule hereto other than River Board waters, by the Minister in exercise of the powers conferred on him by section 2 of the White Fish and Herring Industries Act 1948(b) and by section 11 of the Sea Fish Industry Act 1962.

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.

(a) 13 & 14 Geo 5. c. 16.

(b) 11 & 12 Geo. 6. c. 51.

SCHEDULE

PART I

The area of sea (excluding the territorial waters of England and Wales or Northern Ireland, except such as are in the mouth of the River Tweed) contained within the following boundaries:—

on the north the parallel of latitude 61° north;

on the east the Greenwich meridian of longitude;

on the west, the meridian of longitude 8° west,

until the intersection of that meridian with the parallel of latitude 55° 30′ north, eastwards along that parallel to its intersection with the meridian of longitude 6° west; then southwards along that meridian to its intersection with the parallel of latitude 54° 30′ north;

on the south:—

(*a*) on the west coast of Great Britain, the parallel of latitude 54° 30′ north;

(*b*) on the east coast of Great Britain, 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.

PART II

The area of sea (excluding the territorial waters 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 where 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 where 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.*)

This order made under powers contained in section 2 of the Sea-Fishing Industry Act 1933 and section 12 of the Sea Fish Industry Act 1962, prohibits the landing anywhere in Great Britain of salmon or migratory trout caught by drift-net in specified waters around Great Britain, except that such landings may be lawfully effected if the catching of the fish off the coasts of England and Wales has been authorised by a River Board licence or, in waters outside the jurisdiction of a River Board, by a licence issued by the Minister of Agriculture, Fisheries and Food. The order will cease to have effect on 15th February 1965.