STATUTORY INSTRUMENTS

1962 No. 1669

SEA FISHERIES

BOATS AND METHODS OF FISHING

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

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

The Minister of Agriculture, Fisheries and Food, 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) hereinafter referred to as "the Ministers" in exercise of the powers conferred on them by section 7 (1) of the Sea Fish Industry Act 1959(a) as read with and amended by section 10 of and the Second Schedule to the Sea Fish Industry Act 1962(b), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and Commencement

1. This Order may be cited as the Salmon and Migratory Trout (Prohibition of Drift-net Fishing) 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(c) and any byelaw amending that definition.

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

3. During the period 15th September 1962 until 15th February 1965 the Ministers hereby prohibit, within the area of sea specified in the Schedule hereto, fishing by drift-net for salmon or migratory trout by any fishing boat to which this prohibition applies by virtue of section 7 (3) of the Sea Fish Industry Act 1959 and section 10 (5) of the Sea Fish Industry Act 1962.

4. In accordance with the provisions of section 10 (7) of the Sea Fish Industry Act 1962, 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 7 (1) of the Sea Fish Industry Act 1959.

(a) 8 & 9 Eliz. 2. c. 7. (b) 10 & 11 Eliz. 2. c. 31.
(c) 22 & 23 Vict. c. lxx. (d) 52 & 53 Vict. c. 63.

In witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereto 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 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.

EXPLANATORY NOTE

(This note is not part of this Order, but is intended to indicate its general purport.)

This Order, which is made under powers contained in section 7 of the Sea Fish Industry Act 1959, and section 10 of the Sea Fish Industry Act 1962, prohibits fishing for salmon or migratory trout by drift-net in a certain specified area off the coast of Scotland and the Tweed, as from 15th September 1962 until 15th February 1965. Inside territorial waters the prohibition applies to all fishing-boats and outside territorial waters to British-owned fishing-boats, whether registered under the Merchant Shipping Act 1894, or not, but not to fishing-boats registered in the Channel Islands or the Isle of Man.

As required by section 34 (4) of the Sea Fish Industry Act 1962 this Order was approved by a resolution of the House of Lords on 24th July 1962 and a resolution of the House of Commons on 16th July 1962.