1971 No. 172

SEA FISHERIES

LANDING AND SALE OF SEA FISH

The Salmon and Migratory Trout (Restrictions on Landing) Order 1971

Made - - -	*2nd February* 1971
Laid before Parliament	*10th February* 1971
Coming into Operation	*15th February* 1971

The Minister of Agriculture, Fisheries and Food, and the Secretary of State for Scotland and the Secretary of State for 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 6 of the Sea Fish (Conservation) Act 1967(a) and of all other powers enabling them in that behalf, after consultation with the Secretary of State for Trade and Industry (b), hereby make the following order :—

Citation and Commencement

1. This order may be cited as the Salmon and Migratory Trout (Restrictions on Landing) Order 1971 and shall come into operation on 15th February 1971.

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 ;

"the mouth of the River Tweed" means the area as defined by the Tweed Fisheries Amendment Act 1859(c) as amended by byelaw dated 10th August 1863 contained in Schedule A to the Salmon Fisheries (Scotland) Act 1868(d) ;

"the Northern part of British fishery limits" means the areas of sea described in Schedule 3 to this order ;

"North-East Atlantic waters" means the waters described in Schedule 2 to this order, being part of the waters to which the North-East Atlantic Fisheries Convention (e) applies ;

"North-West Atlantic waters" means the waters described in Schedule 1 to this order, being the waters to which the International Convention for the Northwest Atlantic Fisheries (f) applies ;

(a) 1967 c. 84.

(b) For transfer of functions from the Board of Trade to the Secretary of State for Trade and Industry see the Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537 (1970 III, p. 5293)).

(c) 1859 c. 1xx. (d) 1868 c. 123. (e) Cmnd. 2190. (f) Cmnd 8071.

"the Southern part of British fishery limits" means the area of sea described in Schedule 4 to this order;

"specified method" means a method of fishing with drift-net, trawl net, seine net, troll or long-line, but does not include beach seining or fishing from the shore by net and coble.

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

Prohibition of Landings

3. There is hereby prohibited the landing in Great Britain during the period from 15th February 1971 to 14th February 1973, both days inclusive, of:—

(*a*) salmon caught in North-West Atlantic waters;

(*b*) salmon and migratory trout caught in North-East Atlantic waters;

(*c*) salmon and migratory trout caught by a specified method in the Northern part of British fishery limits;

(*d*) salmon and migratory trout caught in waters within the territorial waters of England and Wales and included in the Southern part of British fishery limits, and salmon and migratory trout caught in the course of fishing by way of trade or business in the remainder of that Southern part, subject nevertheless to the provisions of Article 4 of this order.

Exemption from prohibition of Landings

4. Notwithstanding the prohibition contained in Article 3 of this order, it shall be lawful to land in Great Britain salmon and migratory trout caught in the Southern part of British fishery limits provided that such catching was effected in the course of fishing under the authority of and in accordance with the conditions of a licence granted:—

(*a*) in respect of fishing for salmon and migratory trout in waters within the territorial waters of England and Wales and included in the Southern part of British fishery limits, by the River Authority having jurisdiction in those waters, or

(*b*) in respect of fishing for salmon and migratory trout in the remainder of the Southern part of British fishery limits, by the Minister of Agriculture, Fisheries and Food.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th January 1971.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 29th January 1971.

(L.S.)

Gordon Campbell,
Secretary of State for Scotland.

(a) 1889 c. 63.

Given under the hand of the Secretary of State for the Home Department on 2nd February 1971.

R. Maudling,
Secretary of State for the
Home Department.

SCHEDULE 1

North-west Atlantic Waters

All waters, except territorial waters, bounded by a line beginning at a point on the coast of Rhode Island in 71° 40′ west longitude; thence due south to 39° 00′ north latitude; thence due east to 42° 00′ west longitude; thence due north to 59° 00′ north latitude; thence due west to 44° 00′ west longitude; thence due north to the coast of Greenland; thence along the west coast of Greenland to 78° 10′ north latitude; thence southward to a point in 75° 00′ north latitude and 73° 30′ west longitude; thence along a rhumb line to a point in 69° 00′ north latitude and 59° 00′ west longitude; thence due south to 61° 00′ north latitude; thence due west to 64° 30′ west longitude; thence due south to the coast of Labrador; thence in a southerly direction along the coast of Labrador to the southern terminus of its boundary with Quebec; thence in a westerly direction along the coast of Quebec, and in an easterly and southerly direction along the coasts of New Brunswick, Nova Scotia, and Cape Breton Island to Cabot Strait; thence along the coasts of Cape Bretan Island, Nova Scotia, New Brunswick, Maine, New Hampshire, Massachusetts, and Rhode Island to the point of beginning.

SCHEDULE 2

North-east Atlantic Waters

Those areas of the Atlantic and Arctic Oceans and seas adjacent to those oceans which lie outside the fishery limits of the British Islands north of 36° north latitude, between 42° west longitude and 51° east longitude and north of 59° north latitude between 44° west longitude and 42° west longitude but excluding the Mediterranean and Baltic Seas and Belts lying to the south and east of lines drawn from Hasenore Head, Denmark, to Gniben Point, Denmark, from Korshage, Denmark, to Spodsbierg, Denmark and from Gilbierg Head, Denmark, to Kullen, Sweden.

SCHEDULE 3

Northern part of British Fishery Limits

Those areas of sea within the fishery limits of the British Islands lying north of 54° 30′ north latitude, excluding:—

(*a*) the territorial waters of England except in so far as they lie within the mouth of the River Tweed;

(*b*) waters, other than the territorial waters mentioned in sub-paragraph (*a*) of this paragraph, lying on the east coast of England south of the southern boundary of the mouth of the River Tweed and of a line drawn due east from the eastmost point of that boundary;

(*c*) waters within such part of the fishery limits of the British Islands as is mentioned in Section 4(2) of the Fishery Limits Act 1964(a).

(a) 1964 c. 72.

SCHEDULE 4

Southern part of British Fishery Limits

The area of sea contained within a line drawn eastward from the coast of England along the southern boundary of the mouth of the River Tweed to the eastmost point of that boundary ; thence due east to the intersection with the boundary of the fishery limits of the British Islands ; thence along that boundary in a clockwise direction around the coasts of England and Wales to the intersection with the parallel of latitude 54° 30′ north in the Irish Sea ; thence eastwards along that parallel until it meets the coast of England.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order made under powers contained in section 6 of the Sea Fish (Conservation) Act 1967 prohibits the landing in Great Britain of salmon and migratory trout caught in certain specified waters.