STATUTORY INSTRUMENTS

1972 No. 1857

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Sea Fishing (Northwest Atlantic) Licensing Order 1972

Made - - -	30*th November* 1972
Laid before Parliament	8*th December* 1972
Coming into Operation	1*st January* 1973

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with the sea fishing industry in Scotland and Northern Ireland, in exercise of the powers conferred on them by sections 4 and 15 of the Sea Fish (Conservation) Act 1967(**a**) as the latter section is amended by section 22(1) of, and paragraph 38 of Part II of Schedule 1 to, the Sea Fisheries Act 1968(**b**) and of all other powers enabling them in that behalf, being satisfied that substantially equivalent measures are being taken by governments of other countries concerned, hereby make the following Order:—

Citation and commencement

1. This Order may be cited as the Sea Fishing (Northwest Atlantic) Licensing Order 1972 and shall come into operation on 1st January 1973.

Interpretation

2.—(1) In this Order—

"the Act" means the Sea Fish (Conservation) Act 1967;

"specified area" means the area of sea (excepting territorial waters) referred to by its short name in Column 1 of Schedule 1 to this Order and described in Column 2 of that Schedule opposite the reference to the said short name.

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

Appointed day

3. The appointed day for the purposes of section 4 of the Act (which prohibits the use of British fishing boats for fishing by way of trade or business in any area specified in an order made under that section as from a day appointed by the order except under the authority of a licence) in conjunction with the Order, is 1st January 1973.

Area, fish and period

4. This Order applies to fishing between 1st January 1973 and 31st December 1973 (both dates inclusive) in any of the specified areas for sea fish of a description specified in relation to that area by an entry in Column 2 of Schedule

(a) 1967 c. 84. (b) 1968 c. 77. (c) 1889 c. 63.

2 to this Order opposite the reference in Column 1 of that Schedule to that specified area.

Enforcement

5. For the purpose of the enforcement of section 4 of the Act in conjunction with this Order, there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8(2) and (3) of the Sea Fisheries Act 1968.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th November 1972.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

29th November 1972.

Gordon Campbell,
Secretary of State for Scotland.

30th November 1972.

W. S. I. Whitelaw,
Secretary of State for Northern Ireland.

Articles 2 and 4

SCHEDULE 1

Specified areas to which the Order applies

Column 1	Column 2
Short name	Description
Division 2J	The area lying to the east of the coast of Labrador between th parallels of 55° 20′ north latitude and 52° 15′ north latitude, an west of a rhumb line from a point in 61° north latitude and 59 west longitude to a point in 52° 15′ north latitude and 42° wes longitude.
Division 3K	The area lying between the parallels of 52° 15′ north latitud and 49° 15′ north latitude, to the east of the coast of Newfound land between Cape Freels and Cape Bauld and east of a lin extending due north from Cape Bauld to 52° 15′ north latitude and west of the meridian of 42° west longitude.
Division 3L	The area lying between the Newfoundland coast from Cap Freels to Cape St Mary and a line described as follows: beginnin at Cape Freels, thence due east to the meridian of 46° 30′ wes longitude, thence due south to the parallel of 46° north latitude thence due west to the meridian of 54° 30′ west longitude thence along a rhumb line to Cape St Mary.
Division 3N	The area lying between the parallels of 39° north latitude and 46 north latitude, west of the meridian of 46° 30′ west longitude an east of a line following the meridian of 51° west longitude sout to a point in 40° north latitude, thence along a rhumb line to point in 39° north latitude, 50° west longitude.
Division 3O	The area lying south of the parallel of 46° north latitud between the meridian of 51° west longitude and the meridian c 54° 30′ west longitude and north and east of a rhumb lin extending in a north-west direction from a point in 39° nort latitude, 50° west longitude through a point in 43° 30′ nort latitude, 55° west longitude.
Division 3Ps	The area lying between the south coast of Newfoundlan from Cape St Mary to Burgeo Island, and a line described a follows: beginning at Cape St Mary to a point in 46° nort latitude, 54° 30′ west longitude, thence due south until intersects a rhumb line extending in a north-west direction whic passes through a point in 43° 30′ north latitude, 55° wes longitude, in the direction of a point in 47° 50′ north latitud 60° west longitude, thence along the said line until it intersec a straight line extending approximately north-east from a poir in 46° 50′ north latitude, 58° 50′ west longitude to Burge Island, thence along the said line to Burgeo Island.
Division 4Vs	The area lying between the parallels of 39° north latitude an 45° 40′ north latitude, west and south of a rhumb line extendin in a north-west direction which passes through a point i 43° 30′ north latitude, 55° west longitude, in the direction of point in 47° 50′ north latitude, 60° west longitude, and ea of a line beginning at a point in 45° 40′ north latitude, 60° we longitude, thence due south to the parallel of 44° 10′ nort latitude, thence due east to the meridian of 59° west longitud thence due south to the parallel of 39° north latitude.

Column 1	Column 2
Short name	Description
Division 4W	The area lying between the coast of Nova Scotia between Halifax and Fourchu and a line described as follows: beginning at Fourchu, thence along a rhumb line in a southerly direction to a point in 45° 40′ north latitude, 60° west longitude, thence due south along the meridian of 60° west longitude to the parallel of 44° 10′ north latitude, thence due east to the meridian of 59° west longitude, thence due south to the parallel of 39° north latitude, thence due west to the meridian of 63° 20′ west longitude, thence due north to a point on that meridian in 44° 20′ north latitude, thence along a rhumb line in a north-westerly direction to the coast of Nova Scotia.
Division 4X	The area bounded by a line beginning at the terminus of the international boundary between the United States of America and Canada in Grand Manan Channel, at a point in 44° 46′ 35·34″ north latitude, 66° 54′ 11·23″ west longitude, thence due south to the parallel of 43° 50′ north latitude, thence due west to 67° 40′ west longitude, thence due south to 42° 20′ north latitude, thence due east to 66° west longitude, thence along a rhumb line in a south-easterly direction to a point in 42° north latitude, 65° 40′ west longitude, thence due south to 39° north latitude, thence due east to 63° 20′ west longitude, thence due north to 44° 20′ north latitude, thence along a rhumb line in a north-westerly direction to the coast of Nova Scotia, thence in a southerly and westerly direction along the coasts of Nova Scotia and New Brunswick to the point at the terminus of the international boundary between the United States of America and Canada mentioned above.
Division 5Y	The area lying between the coasts of Maine, New Hampshire and Massachusetts from the border between Maine and New Brunswick to 70° west longitude on Cape Cod and a line described as follows: beginning at a point on Cape Cod at 70° west longitude thence due north to 42° 20′ north latitude, thence due east to 67° 40′ west longitude, thence due north to the parallel of 43° 50′ north latitude, thence due east to the meridian of 66° 54′ 11·23″ west longitude, thence due north to the terminus of the international boundary between the United States of America and Canada in Grand Manan Channel in 44° 46′ 35·34″ north latitude.
Division 5Z	The area lying south and east of the coasts of Massachusetts and Rhode Island and bounded by a line beginning at a point on Cape Cod at 70° west longitude thence due north to 42° 20′ north latitude, thence due east to 66° west longitude, thence along a rhumb line in a south-easterly direction to a point in 42° north latitude, 65° 40′ west longitude, thence due south to the parallel of 39° north latitude, thence due west to the meridian of 71° 40′ west longitude, thence due north to the coast of Rhode Island.
Division 5Zw	That portion of Division 5Z lying west of the meridian of 70° west longitude.

Column 1	Column 2
Short name	Description
Statistical Area 6	The area bounded by a line beginning at a point on the coast of Rhode Island in 71° 40′ west longitude, thence due south to 39° north latitude, thence due east to 42° west longitude, thence due south to 35° north latitude, thence due west to the coast of North Carolina, thence northwards along the coast of the United States to the point of beginning.

Article 4

SCHEDULE 2

Type of fishing to which the Order applies in relation to specified areas

Column 1	Column 2
Specified areas by short name	Description of fish
Divisions 2J, 3K, 3Ps and 4Vs	cod (Gadus morhua)
Divisions 3L, 3N and 3O	cod (Gadus morhua), American plaice (Hippoglossoides platessoides), yellowtail flounder (Limanda ferruginea)
Division 4W	cod (Gadus morhua), haddock (Melanogrammus aeglefinus)
Division 4X	haddock (Melanogrammus aeglefinus)
Division 5Y	cod (Gadus morhua), yellowtail flounder (Limanda ferruginea), haddock (Melanogrammus aeglefinus) silver hake (Merluccius bilinearis)
Division 5Z	cod (Gadus morhua), yellowtail flounder (Limanda ferruginea), haddock (Melanogrammus aeglefinus)
Division 5Z and Statistical Area 6	silver hake (Merluccius bilinearis)
Division 5Zw and Statistical Area 6	red hake (Urophycis chuss)

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 4 of the Sea Fish (Conservation) Act 1967 provides that from a day appointed by an order, no British fishing boat registered in the United Kingdom shall be used by way of trade or business for fishing in any area specified in the order except under the authority of a licence granted by one of the fishery Ministers.

This Order, which implements the recommendations of the International Commission for the Northwest Atlantic Fisheries, appoints 1st January 1973 as the date from which no such fishing boat shall so fish in specified areas of the Northwest Atlantic for fish of a description specified in Schedule 2 to the Order in relation to those specified areas.

The Order shall cease to have effect on 1st January 1974.

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