STATUTORY INSTRUMENTS

1979 No. 503

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Sea Fishing (Specified Foreign Boats) Licensing Order 1979

Made - - - -	*27th April* 1979
Coming into Operation	*30th April* 1979

**To be laid before Parliament*

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with the sea fishing industry in Scotland and Northern Ireland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 4, 15 and 20(1) of the Sea Fish (Conservation) Act 1967**(a)** and now vested in them**(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 Sea Fishing (Specified Foreign Boats) Licensing Order 1979 and shall come into operation on 30th April 1979.

Revocation

2. The orders specified in Schedule 1 to this order are hereby revoked.

Interpretation

3. In this order—

"British fishery limits" means the fishery limits set by or under the Fishery Limits Act 1976;

"mile" means a nautical mile of 1,852 metres;

"ICES areas" means those statistical areas of the International Council for the Exploration of the Sea**(c)** which are referred to by their short names in column 1 of Schedule 2 to this order and are described in column 2 of that Schedule opposite the reference to their short names, but excluding any part of those areas which is within 12 miles from the baselines from which the breadth of the territorial sea adjacent to the United Kingdom, the Channel Islands and the Isle of Man is measured or which is outside British fishery limits.

(a) 1967 c. 84; section 4 and 15 were amended by the Fishery Limits Act 1976 c. 86; sections 3 and 9(1) and Schedule 2 paragraph 16(1) and section 15 was also amended by the Sea Fisheries Act 1968 (c. 77), section 22(1) and Schedule 1 paragraph 38.

(b) by article 2(3) of the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272)

(c) Cmnd. 2586

*This instrument was laid before Parliament on 9th May 1979

Prohibition of fishing without a licence

4.—(1) During the period from the date of coming into operation of this order to 31st December 1979, both dates inclusive, fishing by fishing boats registered in any of the countries specified in column 1 of Schedule 3 to this order in any of the ICES areas specified in column 2 of Schedule 3 opposite the reference to that country for sea fish of a description specified in column 3 of Schedule 3 opposite the reference to that area is hereby prohibited unless such fishing is authorised by a licence granted by one of the Ministers.

(2) There shall be excepted from the prohibition in paragraph (1) of this article such fishing as is authorised by a licence granted by or on behalf of the European Economic Community in accordance with Community Regulations.

Enforcement

5. For the purpose of the enforcement of this order, there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8(2) to (4) of the Sea Fisheries Act 1968**(a)**.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 23rd April 1979.

(L.S.) *John Silkin*,
Minister of Agriculture, Fisheries and Food.

Bruce Millan,
27th April 1979. Secretary of State for Scotland.

Roy Mason,
24th April 1979. Secretary of State for Northern Ireland.

John Morris,
26th April 1979. Secretary of State for Wales.

(a) Subsection (4) was amended by the Fishery Limits Act 1976 c.86 section 9(1) and Schedule 2 paragraph 17(1).

Article 2 SCHEDULE 1

Orders Revoked	References
The Sea Fishing (Specified Foreign Boats) Licensing (No. 3) Order 1977	S.I. 1977/942
The Sea Fishing (Specified Foreign Boats) Licensing (No. 3) (Variation) Order 1977	S.I. 1977/1083
The Sea Fishing (Specified Foreign Boats) Licensing (No. 3) (Variation) (No. 2) Order 1977	S.I. 1977/1638
The Sea Fishing (Specified Foreign Boats) Licensing (No. 3) (Variation) (No. 3) Order 1977	S.I. 1977/2086
The Sea Fishing (Specified Foreign Boats) Licensing (No. 3) Order 1977 (Variation) Order 1978	S.I. 1978/1652

SCHEDULE 2 *Article 3*

Column 1	Column 2
ICES Areas	Description
IV	The waters bounded by a line beginning at a point on the coast of Norway in 62°00′ north latitude; thence due west to 4°00′ west longitude; thence due south to the coast of Scotland; thence in an easterly and southerly direction along the coasts of Scotland and England to a point in 51°00′ north latitude; thence due east to the coast of France; thence in a north-easterly direction along the coasts of France, Belgium, the Netherlands and the Federal Republic of Germany to the western terminus of its boundary with Denmark; thence along the west coast of Jutland to Thyboren; thence in a southerly and easterly direction along the south coast of the Limfjord to Egensekloster Point; thence across the eastern entrance of the Limfjord to Hals; thence in a westerly direction along the north coast of the Limfjord to the southern-most point of Agger Tange; thence in a northerly direction along the west coast of Jutland to a point in 57°00′ north latitude, thence due west to 8°00′ east longitude; thence due north to 57°30′ north latitude; thence due west to 7°00′ east longitude; thence due north to the coast of Norway; thence in a north-westerly direction along the coast of Norway to the point of beginning.
VI	The waters bounded by a line beginning at a point on the north coast of Scotland in 4°00′ west longitude; thence due north to 60°30′ north latitude; thence due west to 5°00′ west longitude; thence due south to 60°00′ north latitude; thence due west to 18°00′ west longitude; thence due south to 54°30′ north latitude; thence due east to the coast of the Republic of Ireland; thence in a northerly and easterly direction along the coasts of the Republic of Ireland and of Northern Ireland to a point on the east coast of Northern Ireland in 55°00′ north latitude; thence due east to the coast of Scotland; thence in a northerly direction along the west coast of Scotland to the point of beginning.
Part of VIA	That part of ICES area VI which lies both east of 12°00′ west longitude and north of 56°30′ north latitude.
VIB	That part of ICES area VI which lies west of 12°00′ west longitude.
Part of VIB	That part of ICES area VIB which lies north of 56°30′ north latitude.
VII	The waters bounded by a line beginning at a point on the west coast of the Republic of Ireland in 54°30′ north latitude; thence due west to 18°00′ west longitude; thence due south to 48°00′ north latitude; thence due east to the coast of France; thence in a northerly and north-easterly direction along the coast of France to a point in 51°00′ north latitude; thence due west to the south-east coast of England; thence in a westerly and northerly direction along the coasts of England, Wales and Scotland to a point on the west coast of Scotland in 55°00′ north latitude; thence due west to the coast of Northern Ireland; thence in a northerly and westerly direction along the coasts of Northern Ireland and the Republic of Ireland to the point of beginning.

Article 3 SCHEDULE 2 (*continued*)

Column 1	Column 2
ICES Areas	Description
Part of VII	All of ICES area VII except that part which lies both north of 50°30′ north latitude and east of 12°00′ west longitude.
VIII	The waters bounded by a line beginning at a point on the coast of France in 48°00′ north latitude; thence due west to 18°00′ west longitude; thence due south to 43°00′ north latitude; thence due east to the coast of Spain; thence in a northerly direction along the coasts of Spain and France to the point of beginning.

Article 4(1) SCHEDULE 3

Column 1	Column 2	Column 3
Countries	ICES areas (as defined in Article 3)	Descriptions of fish
Faroe Islands	IV	Mackerel, Horse mackerel, Norway pout, Sand eels, Sprat.
	Part of VIA	Mackerel, Horse mackerel, Norway pout, Sprat, Blue whiting.
	VIB	Ling, Tusk, Blue whiting.
Spain	Part of VIA, VIB, Part of VII, VIII	Hake, Ling, Megrim, Monkfish, Witch, Sea bream, Tunny.
	VIII	Sardine.
Sweden	VI	Cod, Haddock, Whiting, Flatfish, Ling, Mackerel, Sprat, Blue whiting.
	Part of VIA, Part of VIB	Ling, Blue whiting.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order supersedes and revokes the Sea Fishing (Specified Foreign Boats) Licensing (No. 3) Order 1977, as amended. It prohibits fishing, except under the authority of a licence granted by one of the Fisheries Ministers, by fishing boats registered in the Faroe Islands, Spain and Sweden in certain areas within British fishery limits for certain species of sea fish for a period expiring on 31st December 1979.

However, fishing boats of the above countries will be permitted to fish in the areas concerned and for the species concerned, in accordance with Regulations of the European Economic Community, under the authority of licences granted by the Community. These Regulations reflect the outcome of consultations between the Community and the countries concerned about their reciprocal fishing possibilities for 1979.

Fishing by fishing boats of the above countries in the remaining areas of British fishery limits, or for other descriptions of sea fish, is prohibited under section 2 of the Fishery Limits Act 1976.

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