1962 No. 2158

SEA FISHERIES

SHELL FISH

The Several and Regulated Fisheries (Form of Application) Regulations 1962

Made - - - - 21*st September* 1962
Coming into Operation 1*st October* 1962

The Minister of Agriculture, Fisheries and Food, hereinafter called "the Minister" in exercise of the powers conferred upon him by section 23 of the Sea Fish Industry Act 1962(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and Commencement

1. These regulations may be cited as the Several and Regulated Fisheries (Form of Application) Regulations 1962 and shall come into operation on the 1st October 1962.

Interpretation

2. The Interpretation Act 1889(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Form of Application

3. Persons desirous of obtaining an order under Part III of the Sea Fisheries Act 1868(c) (under which orders may be made for the establishment or improvement and the regulation of fisheries for oysters, mussels and cockles) shall submit to the Ministry of Agriculture, Fisheries and Food, Whitehall Place, London, S.W.1, an application in the form set out in the Schedule hereto, adapted as the circumstances may require and duly completed.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed the 21st September 1962.

(L.S.) *Christopher Soames,*
Minister of Agriculture, Fisheries and Food.

(a) 10 & 11 Eliz. 2. c. 31. (b) 52 & 53 Vict. c. 63. (c) 31 & 32 Vict. c. 45.

SCHEDULE

Application for an Order under Part III of the Sea Fisheries Act 1868 in accordance with Section 23 of the Sea Fish Industry Act 1962.

To the Minister of Agriculture, Fisheries and Food

1. Application is hereby made by .....

(Name of person(s) or corporate body in block letters)

of .....

(Address in block letters)

under Part III of the Sea Fisheries Act 1868 (as amended by the Sea Fish Industry Act 1962) for the making of an order granting to the applicant a several/regulated* oyster/mussel/cockle* fishery situate at ....

2. The ground to which this application relates is known as..... ..... is owned by ..... and has an area of ..... acres, and its boundaries are as follows:—

3. The past and present use of the ground for shell fish cultivation and the type and extent of infestation by marine pests and diseases is as follows:—

4. (*a*) If the Minister makes the Several Order it is intended:

*(i) to stock

*(ii) to cleanse

*(iii) to restock

*(iv) to cultivate

*(v) to erect the following structures.....

* *Delete as appropriate.*

It is proposed to employ the following labour force .... and adopt the following methods ....

OR (*b*) If the Minister makes the Regulating Order it is intended:

(i) to make the following regulations, restrictions on fishing, tolls and charges and provisions for improving and cultivating the fishery (indicate general intentions) ....

(ii) to exercise, for the purpose of regulating the fishery, authority under ..... (*Indicate statutory powers which the applicant is in a position to exercise.*)

5. There is enclosed herewith:—

*(*a*) In the case of a company registered under the Companies Acts, a copy of the Memorandum and Articles of Association and any registered special resolution of the Company relating to its objects.

*(*b*) In the case of a corporate body incorporated in any other manner, a copy of every instrument of incorporation, charter or private or local Act of Parliament relating to the corporate body.

(*c*) An ordnance map, chart or other suitable map of the locality upon which is defined accurately the position, area, and boundaries of the ground to which the application relates, and the positions of high

water mark and low water mark in relation to the said ground. The area of the proposed fishery is coloured pink, edged red and adjoining portions of the sea or river are coloured blue.

* *Delete as appropriate.*

6. It is desired to bring the following additional facts to the Minister's attention:—

7. It is understood that the Minister may require such further information as he deems relevant to this application.

Dated

Signature

[*The application may be signed on behalf of a corporate body by one of its officers.*]

EXPLANATORY NOTE

(*This note is not part of the regulations but is intended to indicate their general purport.*)

These regulations made under powers contained in section 23 of the Sea Fish Industry Act 1962 prescribe the form of application to be submitted to the Minister of Agriculture, Fisheries and Food by applicants for the grant of several or regulating orders in respect of oyster, mussel or cockle fisheries under Part III of the Sea Fisheries Act 1868.