STATUTORY INSTRUMENTS

1981 No. 1183

SEA FISHERIES

BOATS AND METHODS OF FISHING

The West Coast Herring Licensing Order 1981

Made - - - -	10*th August* 1981
Laid before Parliament	10*th August* 1981
Coming into Operation	11*th August* 1981

The Minister of Agriculture, Fisheries and Food, the Secretaries of State respectively concerned with the sea fishing industry in Scotland, Wales and Northern Ireland acting jointly in exercise of the powers conferred on them by sections 4 and 15(3) as read with section 22(2) of the Sea Fish (Conservation) Act 1967(**a**) and of all other powers enabling them in that behalf, hereby make the following order:—

Citation and commencement

1. The Order may be cited as the West Coast Herring Licensing Order 1981 and shall come into operation on 11th August 1981.

Prohibition of Fishing without a licence and exception thereto.

2.—(1) Subject to paragraph (2) below, fishing by British fishing boats registered in the United Kingdom for herring (Clupea harengus) in waters off the West Coast of Scotland being the area of sea described in the Schedule in this order is hereby prohibited unless such fishing is authorised by a licence granted by one of the Ministers.

(2) There is hereby excepted from the prohibition imposed by paragraph (1) above fishing by handline or fishing by any British fishing boat whose length is less than 40 ft; and, for the purposes of this paragraph, "length" means the length by reference to which the tonnage of a British fishing boat is calculated for the purposes of registration under Part IV of the Merchant Shipping Act 1894(**b**).

(**a**) 1967 c. 84; relevant amendments are as follows— sections 4 and 15(3) are amended by the Fishery Limits Act 1976 (c. 86) sections 3 and 9(1) and Schedule 2 paragraph 16(1); section 4 is also amended by the Fisheries Act 1981 (c. 29) section 20; section 15(3) is also amended by the Sea Fisheries Act 1968 (c. 77) section 22(1) and Schedule 1 paragraph 38(3); and section 22(2) is amended by the Fisheries Act 1981 section 45.
(**b**) 1984 c. 60.

Enforcement

3. For the purpose of enforcement of this order, there are hereby conferred on every British sea-fishery officer all 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 10th August 1981.

Peter Walker,
Minister of Agriculture, Fisheries and Food

George Younger,
10th August 1981 Secretary of State for Scotland

Humphrey Atkins,
10th August 1981 Secretary of State for Northern Ireland

Michael Roberts,
10th August 1981 Parliamentary Under-Secretary of State for Wales

SCHEDULE

The area of sea being the whole of ICES Area VIa 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 12°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.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order prohibits fishing by British fishing boats registered in the UK for herring in waters off the West Coast of Scotland (ICES Area VIa) except under licence but exempts from this prohibition hand line fishing and fishing by British fishing boats of registered length of less than forty feet. The Order also confers powers on British sea fishery officers for the purposes of enforcement of the Order.

(**a**) 1968 c. 77; section 8 is amended by the Fishery Limits Act 1976 sections 2(8) and 9(1) and paragraph 17(1) of Schedule 2 and the Fisheries Act 1981 section 26.

SI 1981/1183
ISBN 0-11-017183-7

