
 STATUTORY INSTRUMENTS

1979 No. 1176

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Irish Sea Herring (Prohibition of Fishing) Order 1979

<i>Made</i> - - - -	19th September 1979
<i>Laid before Parliament</i>	21st September 1979
<i>Coming into operation—</i>	
Articles 1, 2(1), 3, 4	22nd September 1979
Article 2(2)	17th November 1979

The Minister of Agriculture, Fisheries and Food, 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 5(1) and (2) and 15 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, which may be cited as the Irish Sea Herring (Prohibition of Fishing) Order 1979, shall come into operation as follows:—

- (a) This article and articles 2(1), 3 and 4 shall come into operation on 22nd September 1979.
- (b) Article 2(2) shall come into operation on 17th November 1979.

Prohibition of fishing

2.—(1) From the date on which this paragraph comes into operation until 16th November 1979, both dates inclusive, fishing for herring (*Clupea harengus*) within the area specified in Part I of the Schedule to this order is hereby prohibited.

(2) On and after the date on which this paragraph comes into operation fishing for herring (*Clupea harengus*) within the area specified in Part II of the Schedule to this order is hereby prohibited.

Enforcement

3. For the purpose of 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(c).

(a) 1967 c. 84; section 15 was amended by the Sea Fisheries Act 1968 (c. 77) section 22(1) and paragraph 38 of Schedule 1, and sections 5(2) and 15 were amended by the Fishery Limits Act 1976 (c. 86), section 9(1) and paragraph 16(1) of Schedule 2.

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

(c) 1968 c. 77; section 8(4) was amended by the Fishery Limits Act 1976 (c. 86), section 9(1) and paragraph 17(1) of Schedule 2.

Declaration

4. In accordance with section 5(3) of the Sea Fish (Conservation) Act 1967, it is hereby declared that this order is not made for the sole purpose of giving effect to such a convention or agreement as is mentioned in section 5(1) of that Act.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th September 1979.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

14th September 1979.

George Younger,
Secretary of State for Scotland.

18th September 1979.

Humphrey Atkins,
Secretary of State for Northern Ireland.

17th September 1979.

Nicholas Edwards,
Secretary of State for Wales.

SCHEDULE

Article 2 (1) and (2)

PART I

AREA TO WHICH ARTICLE 2(1) OF THE ORDER APPLIES

The area of sea within British fishery limits bounded in the north by the parallel of 55° north latitude and the south-west coast of Scotland; in the east by the coasts of England and Wales; in the south by the parallel of 52° 30' north latitude; and in the west by the coasts of the Republic of Ireland and Northern Ireland; but excluding the territorial waters around the Isle of Man, and excluding that part of the waters within British fishery limits which is adjacent to Northern Ireland and is—

- (a) not nearer to any point on the baseline from which the breadth of the territorial sea adjacent to Great Britain or the Isle of Man is measured than to any point on the corresponding Northern Irish baselines, and
- (b) not more than 12 miles from the Northern Irish baselines.

PART II

AREA TO WHICH ARTICLE 2(2) OF THE ORDER APPLIES

Tidal waters and parts of the sea adjacent to England, Scotland and Wales between the parallels of 53° 20' north latitude and 55° north latitude to a distance of twelve miles measured from the baselines from which the breadth of the territorial sea is measured, but excluding that part of the waters within British fishery limits which is adjacent to Northern Ireland and is—

- (a) not nearer to any point on the baseline from which the breadth of the territorial sea adjacent to Great Britain or the Isle of Man is measured than to any point on the corresponding Northern Irish baselines, and
- (b) not more than 12 miles from the Northern Irish baselines.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order prohibits fishing for herring (a) from 22nd September to 16th November 1979 in the area of sea defined in Part I of the Schedule and (b) from 17th November 1979 in the area of sea defined in Part II of the Schedule, and applies the powers of British sea-fishery officers for the enforcement of its provisions. The order applies to all fishing boats, including foreign vessels.

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