

1979 No. 268

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Cod and Whiting (Licensing) Order 1979

<i>Made</i>	- - -	<i>6th March 1979</i>
<i>Laid before Parliament</i>		<i>19th March 1979</i>
<i>Coming into Operation</i>		<i>26th March 1979</i>

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, jointly in exercise of the powers conferred by sections 4 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 may be cited as the Cod and Whiting (Licensing) Order 1979 and shall come into operation on 26th March 1979.

Interpretation

2. In this order “length”, in relation to a vessel, means the length by reference to which its tonnage is calculated for the purposes of registration under the Merchant Shipping Act 1894(c).

Prohibition of fishing without a licence

3. Subject to the provisions of Article 4 below, fishing by British fishing boats registered in the United Kingdom for cod (*Gadus Morhua*) and for whiting (*Merlangius Merlangus*) within the areas specified in the Schedule to this order, is prohibited unless such fishing is authorised by a licence granted by one of the Ministers.

Exception from prohibition of fishing

4. The prohibition imposed in article 3 shall not apply to fishing by British fishing boats whose length is less than forty feet.

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

(b) By article 2(3) of the Transfer of Functions Order 1978 (S.I. 1978/272).

(c) 1894 c. 60.

Enforcement

5. For the purpose of the 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 2nd March 1979.

John Silkin

Minister of Agriculture, Fisheries and Food

Bruce Millan

1st March 1979

Secretary of State for Scotland

Roy Mason

5th March 1979

Secretary of State for Northern Ireland

John Morris

6th March 1979

Secretary of State for Wales

SCHEDULE

NORTH SEA (ICES AREA IV)

Article 3

The waters bounded by a line commencing at the point of intersection of the coast of Norway and the parallel of 62°00' north latitude; thence due west to the meridian of 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 the point of intersection of the south east coast of England and the parallel of 51°00' north latitude; thence due east to the coast of France; thence in a north-easterly direction along the coasts of France, Belgium and 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 southernmost point of Agger Tange; thence in a northerly direction along the west coast of Jutland to the point where the west coast of Jutland intersects the parallel of 57°00' north latitude; thence due west to the meridian of 8°00' east longitude; thence due north to the parallel of 57°30' north latitude; thence due west to the meridian of 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 commencement.

WEST OF SCOTLAND WATERS (ICES AREA VIA)

The area of sea bounded by a line commencing at the point of intersection of the north coast of Scotland and the meridian of 4°00' west longitude running due north to the parallel of 60°30' north latitude; thence due west to the meridian of 5°00' west longitude; thence due south to the parallel of 60°00' north latitude; thence due west to the meridian of 12°00' west longitude; thence due south to the parallel of 54°30' north latitude; thence due east to the coast of the Republic of Ireland; thence in a northerly and easterly direction along the coast of the Republic of Ireland and of

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

Northern Ireland to the point of intersection of the east coast of Northern Ireland and the meridian of 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 commencement.

ROCKALL AREA (ICES AREA VIB)

The area of sea bounded by a line commencing at the point of intersection of the parallel of 60°00' north latitude, and the meridian of 12°00' west longitude running due west to the meridian of 18°00' west longitude; thence due south to the parallel of 54°30' north latitude; thence due east to the meridian of 12°00' west longitude and thence due north to the point of commencement.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order prohibits fishing by British fishing boats registered in the U.K. for cod and whiting in the North Sea and in specified sea areas off the west coast of Scotland and around Rockall except under licence but exempts from this prohibition fishing by British fishing boats of registered length less than forty feet. The order also confers powers on British sea fishery officers for the purposes of enforcement of the Order.

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