

## 1981 No. 1295

## SEA FISHERIES

## BOATS AND METHODS OF FISHING

**The Herring (North Sea and Specified Western Waters) Licensing Order 1981**

<i>Made</i> - - - -	7th September 1981
<i>Laid before Parliament</i>	8th September 1981
<i>Coming into Operation</i>	9th September 1981

The Minister of Agriculture, Fisheries and Food and 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 by sections 4, 15(3) and 20(1) as read with section 22(2), but not as applied by any Order in Council made under section 24(1), 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. This Order may be cited as the Herring (North Sea and Specified Western Waters) Licensing Order 1981 and shall come into operation on 9th September 1981.

*Revocation*

2. The Herring (North Sea Fishing) Licensing Order 1975(b) is hereby revoked.

*Prohibition of fishing without a licence and exception thereto*

3.—(1) Subject to paragraph (2) below, fishing for herring (*Clupea harengus*) by British fishing boats in the areas specified in the Schedule to 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(c).

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(a) 1967 c. 84; the 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 section 45 of the Act of 1981.

(b) S.I. 1975/998.

(c) 1894 c. 60.

*Enforcement*

4. 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 21st August 1981.

(L.S.)

*Peter Walker,*  
Minister of Agriculture, Fisheries  
and Food.

1st September 1981.

*George Younger,*  
Secretary of State for Scotland.

25th August 1981.

*Michael Roberts,*  
Parliamentary Under-Secretary  
of State for Wales.

7th September 1981.

*Humphrey Atkins,*  
Secretary of State for Northern  
Ireland.

Article 2

SCHEDULE

AREA TO WHICH THE ORDER APPLIES

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 in a westerly and then northerly direction along the coasts of England and Wales to a point on the west coast of Wales in 52° 30' north latitude; thence due west to the coast of the Republic of Ireland; thence in a south-westerly direction to a point on the coast in 9° 00' west longitude; thence due south to 48° 00' north latitude; thence due east to the coast of France; thence generally in a north-easterly direction along the coasts of France, Belgium, the Netherlands, the Federal Republic of Germany and Denmark 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 northerly direction along the coast of Norway to the point of beginning, but excluding any part of that area which is within twelve miles from the baselines from which the breadth of the territorial sea adjacent to any of the Channel Islands is measured and does not extend beyond a line every point of which is equidistant from the nearest points of such baselines and the corresponding baselines of France.

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

## EXPLANATORY NOTE

*(This Note is not part of the Order)*

This Order prohibits fishing for herring in ICES Area IV (the North Sea), ICES Area VII d-h and part of ICES Area VIIa (excluding any part of those areas which is within the fishery limits of the Channel Islands) by British fishing boats other than those registered in the Isle of Man or any of the Channel Islands unless such fishing is authorised by a licence granted by one of the Fisheries Ministers. There is excepted from the prohibition fishing by handline or fishing by any British fishing boat having a registered length of less than 40 ft.

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