

## 1987 No. 217

## SEA FISHERIES

## SHELLFISH

 The Several and Regulated Fisheries (Form of  
Application) Regulations 1987

Made - - - - - 9th February 1987

Coming into force 1st March 1987

The Minister of Agriculture, Fisheries and Food in relation to England, the Secretary of State for Scotland in relation to Scotland and the Secretary of State for Wales in relation to Wales, in exercise of the powers conferred on them by section 1(2) of the Sea Fisheries (Shellfish) Act 1967(a) and now vested in them(b), and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Several and Regulated Fisheries (Form of Application) Regulations 1987 and shall come into force on 1st March 1987.

**Interpretation**

2. In these Regulations—

“the Act” means the Sea Fisheries (Shellfish) Act 1967;

“application” means an application for an order under section 1 of the Act and

“applicant” shall be construed accordingly.

**Form of application**

3. An application shall be in the form set out in the Schedule hereto.

**Manner of application**

4.—(1) An application shall be submitted to the appropriate Minister and shall be accompanied by—

- (a) evidence in writing that all consents required under sub-sections (4) and (5) of section 1 of the Act have been obtained;
- (b) two copies of the current Admiralty chart for the area to which the application relates with that area accurately indicated on one copy;
- (c) if the applicant is a company incorporated 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;
- (d) if the applicant is 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 that body.

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(a) 1967 c.83.

(b) In the case of the Secretary of State for Wales, by virtue of S.I. 1969/388 and 1978/272.

(2) An application shall be signed by the applicant and, in the case of a corporate body, may be signed by an authorised officer of that body.

(3) The applicant shall furnish such further information as the appropriate Minister requires.

#### **Revocation**

5. The Several and Regulated Fisheries (Form of Application) Regulations 1962(a) are hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 5th February 1987.



*Michael Jopling*  
Minister of Agriculture, Fisheries and Food

*Nicholas Edwards*  
Secretary of State for Wales

9th February 1987

26th January 1987

*John J. MacKay*  
Parliamentary Under Secretary of State, Scottish Office

SCHEDULE

Article 3

Application For An Order Under Section 1 of the Sea Fisheries (Shellfish) Act 1967, as amended by the Sea Fisheries Act 1968 and the Fishery Limits Act 1976, and as extended by the Fisheries Act 1981

To the \*Minister of Agriculture, Fisheries and Food
\*Secretary of State for Wales
\*Secretary of State for Scotland

1. Application is hereby made by .....
(Name of person(s) or corporate body)

of .....
under Section 1 of the Sea Fisheries (Shellfish) Act 1967 (as amended by the Sea Fisheries Act 1968 and the Fishery Limits Act 1976, and as extended by the Fisheries Act 1981) ("the Act") for the making of an order granting to the applicant a \*several/regulated fishery for (type of shellfish) situated at

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

3. The past and present use of the land for shellfish cultivation and the type and extent of infestation by marine pests and diseases are as follows:-

4. (a) If a Several Order is made it is intended to:
\*stock/cleanse/restock/cultivate
\*erect the following structures:-

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

OR (b) If a Regulating Order is made 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 (here indicate statutory powers which the applicant is in a position to exercise)

5. The applicant considers the following additional information to be relevant to this application:-

Signature .....

Date .....

\*Delete as appropriate

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations prescribe the form of application to be submitted and the manner of submission of such application to the Minister of Agriculture, Fisheries and Food in relation to England, and the Secretary of State in relation to Scotland and in relation to Wales, by applicants for the grant of several or regulating orders in respect of oyster, mussel, cockle, clam, scallop or queen fisheries under section 1 of the Sea Fisheries (Shellfish) Act 1967.

The Regulations replace the Several and Regulated Fisheries (Form of Application) Regulations 1962, which made similar provision in respect of England and Wales only.