
STATUTORY INSTRUMENTS

1995 No. 1472

SEA FISHERIES

The Isles of Scilly Sea Fisheries District (Variation) Order 1995

Laid before Parliament in draft

Made - - - - - *23rd May 1995*

Coming into force - - - - - *24th May 1995*

The Minister of Agriculture, Fisheries and Food, on the application of the local fisheries committee for the Isles of Scilly Sea Fisheries District and after consultation with the Council of the Isles of Scilly (being the body exercising and performing the functions of a County Council for the purposes of the Sea Fisheries Regulation Act 1966(1) by virtue of the Isles of Scilly (Functions) Order 1979(2)), in exercise of the powers conferred by section 1 of the said Act upon the said Minister, and of all other powers enabling him in that behalf, hereby makes the following Order, a draft of which has lain before Parliament for forty days prior to its being made:

Title and commencement

1. This Order may be cited as the Isles of Scilly Sea Fisheries District (Variation) Order 1995 and shall come into force on 24th May 1995.

The Isles of Scilly Sea Fisheries District

2. The Isles of Scilly Sea Fisheries District Order 1970(3) shall be varied as follows—
- (a) in article 3 (creation of Sea Fisheries District for the Isles of Scilly), for the words “within three nautical miles from the baselines” there shall be substituted “within six nautical miles from the baselines”;
 - (b) at the end of article 3, there shall be inserted the following paragraph—

“In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(4) as amended by the Territorial Waters (Amendment) Order in Council 1979(5).”

(1) 1966 c. 38, to which there is an amendment which is not relevant to this Order; see section 20(1) for the definition of “the Minister”.

(2) S.I. 1979/72, to which there is an amendment which is not relevant to this Order.

(3) S.I. 1970/1815; amended by S.I. 1980/809.

(4) See S.I. 1965 III p.6452A.

(5) See S.I. 1979 II p.2866.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

23rd May 1995

Michael Jack
Minister of State, Ministry of Agriculture,
Fisheries and Food

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies the provisions of the Isles of Scilly Sea Fisheries District Order 1970 by providing that the district shall comprise so much of the sea as is within six miles of the baselines (formerly three miles).

This Order also substitutes a new definition of “the baselines” to comply with the judgment of the European Court of Justice in *Re Territorial Sea: EC Commission v United Kingdom* (Case 146/89) [1991] 3 CMLR 649.

Copies of the Order which created the Isles of Scilly Sea Fisheries District are available from the Ministry of Agriculture, Fisheries and Food, Nobel House, 17 Smith Square, London SW1P 3JR.