STATUTORY INSTRUMENTS

1982 No. 1848

SEA FISHERIES

BOATS AND METHODS OF FISHING

The Sea Fish (Specified Waters of Member States) (Prohibition of Fishing) Order 1982

Made - - - -	22*nd December* 1982
Laid before Parliament	23*rd December* 1982
Coming into Operation	1*st January* 1983

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 on them by sections 5 and 15(3) of the Sea Fish (Conservation) Act 1967(**a**), and of all other powers enabling them in that behalf, hereby make the following order:—

Title and commencement

1. This order may be cited as the Sea Fish (Specified Waters of Member States) (Prohibition of Fishing) Order 1982 and shall come into operation on 1st January 1983.

Interpretation

2.—(1) In this order—

"demersal fish" means all sea fish except salmon, migratory trout, mackerel, clupeoid fish, sand eels, Norway pout, smelts, eels, great weevers, crustaceans and molluscs (other than squids);

"mile" means an international nautical mile of 1,852 metres.

(2) In this order all directions are related to the true compass.

(3) Any reference in this order to a numbered Schedule shall be construed as a reference to the Schedule to this order which bears the number so indicated.

(**a**) 1967 c. 84; section 5 was amended by the Fisheries Act 1981 (c. 29), section 22; section 15(3) was amended by the Sea Fisheries Act 1968 (c. 77), Schedule 1, paragraph 38(3) and by the Fishery Limits Act 1976 (c. 86), Schedule 2, paragraph 16(1); section 22(2)(*a*) which contains a definition of "the Ministers" for the purposes of sections 5 and 15(3) was amended by the Fisheries Act 1981, sections 19(2)(*d*) and 45(*b*).

Prohibition and exceptions thereto

3.—(1) Subject to paragraph (2) below, all fishing for sea fish by any British fishing boat registered in the United Kingdom in the area of sea specified in Schedule 1 is hereby prohibited.

(2) The prohibition in paragraph (1) of this article shall not apply to fishing—

(*a*) by any fishing boat in an area of sea specified in column 1 of Schedule 2 for a description of sea fish specified in column 2 of that Schedule in relation to that area;

(*b*) by any fishing boat registered in Northern Ireland in waters lying within 12 miles from the baselines from which the breadth of the territorial sea adjacent to the Republic of Ireland is measured for any description of sea fish.

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**).

Duration

5. This order shall cease to have effect on 31st December 1983.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd December 1982.

(L.S.)

Peter Walker,
Minister of Agriculture, Fisheries and Food.

George Younger,
Secretary of State for Scotland.

22nd December 1982.

Nicholas Edwards,
Secretary of State for Wales.

22nd December 1982.

(**a**) 1968 c. 77; section 8(3) and (4) was amended by the Fisheries Act 1981, section 26(2) and (3).

James Prior,
Secretary of State for Northern Ireland.

22nd December 1982.

Article 3(1)

SCHEDULE 1

AREA TO WHICH THE ORDER APPLIES

The waters lying within 12 miles from the baselines from which the breadth of the territorial sea adjacent to each of the Member States, except the United Kingdom, is measured but excluding any part of those waters lying beyond a line every point of which is equidistant from the nearest points of, on the one hand, the baselines of each of those Member States and, on the other hand, the corresponding baselines of other countries.

Article 3(2)

SCHEDULE 2

SPECIFIED AREAS OF SEA AND DESCRIPTIONS OF SEA FISH IN RESPECT OF WHICH PROHIBITION OF FISHING DOES NOT APPLY

Column 1	Column 2
Areas of sea	Descriptions of sea fish
1. Waters lying within 12 miles, but outside 6 miles, from the baselines from which the breadth of the territorial sea adjacent to the Republic of Ireland is measured and	
(a) between a line drawn due south from Mine Head and a line drawn due south from Hook Point	demersal herring mackerel
(b) between a line drawn due south from Hook Point and a line drawn south east from Carlingford Lough	demersal herring mackerel nephrops scallops
2. Waters lying within 12 miles, but outside 6 miles, from the baselines from which the breadth of the territorial sea adjacent to the island of Heligoland off the North Sea coast of the Federal Republic of Germany is measured	cod plaice
3. Waters lying within 12 miles, but outside 6 miles, from the baselines from which the breadth of the territorial sea adjacent to France is measured and between the border between France and Belgium and a line drawn due west from Cap d'Alprech (50° 42′ 30″ N, 1° 33′ 30″ E)	all
4. Waters lying within 12 miles, but outside 6 miles, from the baselines from which the breadth of the territorial sea adjacent to the Netherlands is measured and between a line drawn due west from the southernmost point of Texel Island and the border between the Netherlands and the Federal Republic of Germany	demersal

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order prohibits fishing for sea fish by British fishing boats registered in the United Kingdom in waters within a 12-mile limit measured from the baselines of Member States except the United Kingdom, but excluding any part of those waters extending beyond the median line between those baselines and the baselines of other countries. There is excepted from the prohibition fishing—

(a) by any fishing boat for specified descriptions of sea fish in specified areas within 12 miles, but outside 6 miles, from the baselines of the Republic of Ireland, the Federal Republic of Germany, France and the Netherlands;

(b) by fishing boats registered in Northern Ireland within 12 miles from the baselines of the Republic of Ireland for any description of sea fish.

The order applies the powers of British sea-fishery officers for the purposes of enforcement.

The order ceases to have effect on 31st December 1983.

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