STATUTORY INSTRUMENTS

1986 No. 1115

SEA FISHERIES

CONSERVATION OF SEA FISH

The Saithe (Channel, Western Waters and Bay of Biscay) (Prohibition of Fishing) Order 1986

Made - - -	*1st July* 1986
Laid before Parliament	*3rd July* 1986
Coming into Operation	*7th July* 1986

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(1) 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, commencement and interpretation

1.— (1) This order may be cited as the Saithe (Channel, Western Waters and Bay of Biscay) (Prohibition of Fishing) Order 1986 and shall come into operation on 7th July 1986.

(2) In this order "ICES" followed by a roman numeral shall be construed as a reference to whichever of the statistical sub-areas of the International Council for the Exploration of the Sea(**b**) described in the Schedule to this order is identified therein by that roman numeral.

Prohibition

2. Fishing for saithe (*Pollachius virens*)—

(a) by any British fishing boat registered in the United Kingdom, the Isle of Man or the Channel Islands within that part of ICES VII (Channel and Western Waters) and ICES VIII (Bay of Biscay) which lies inside British fishery limits; or

(b) by any British fishing boat registered in the United Kingdom or the

(**a**) 1967 c.84; section 5(1) was substituted by section 22(1) of the Fisheries Act 1981 (c.29) and, by virtue of S.I. 1973/238, section 5 applies in relation to British fishing boats registered in the Isle of Man as it applies in relation to British fishing boats registered in the United Kingdom; section 15(3) was substituted by paragraph 38(3) of Schedule 1 to the Sea Fisheries Act 1968 (c.77) and amended by paragraph 16(1) of Schedule 2 to the Fishery Limits Act 1976 (c.86); 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*).

(**b**) Cmnd. 2586.

Isle of Man within that part of ICES VII (Channel and Western Waters) and ICES VIII (Bay of Biscay) which lies outside British fishery limits

is prohibited.

Enforcement

3.— (1) For the purpose of the enforcement of this order, the powers that may be exercised by any British sea-fishery officer by virtue of section 15(3) of the Sea Fish (Conservation) Act 1967 in relation to any fishing boat referred to in that subsection if it is a fishing boat to which a prohibition imposed by article 2 of this order applies are the powers of a British sea-fishery officer under section 8(2) to (4) of the Sea Fisheries Act 1968(**a**).

(2) For the purpose mentioned in paragraph (1) of this article—

(a) section 8(3) of the Sea Fisheries Act 1968 shall be construed as if article 2 of this order were one of the provisions mentioned in section 8(1) of that Act; and

(b) section 8(4) of that Act shall be construed as if article 2 of this order were one of the provisions mentioned in that subsection.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 27th June 1986.

L.S.

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

Gray of Contin,
Minister of State, Scottish Office.

27th June 1986.

Nicholas Edwards,
Secretary of State for Wales.

1st July 1986.

Tom King,
Secretary of State for Northern Ireland.

30th June 1986.

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

Article 1(2) SCHEDULE

STATISTICAL SUB-AREAS OF THE INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA

ICES Statistical Sub-area VII (Channel and Western Waters)

The waters bounded by a line beginning at a point on the west coast of the Republic of Ireland in 54°30′ north latitude; thence due west to 18°00′ west longitude; thence due south to 48°00′ north latitude; thence due east to the coast of France; thence in a northerly and north-easterly direction along the coast of France to a point in 51°00′ north latitude; thence due west to the south-east coast of England; thence in a westerly and northerly direction along the coasts of England, Wales and Scotland to a point on the West coast of Scotland in 55°00′ north latitude; thence due west to the coast of Northern Ireland; thence in a northerly and westerly direction along the coasts of Northern Ireland and the Republic of Ireland to the point of beginning.

ICES Statistical Sub-area VIII (Bay of Biscay)

The waters bounded by a line beginning at a point on the coast of France in 48°00′ north latitude; thence due west to 18°00′ west longitude; thence due south to 43°00′ north latitude; thence due east to the coast of Spain; thence in a northerly direction along the coasts of Spain and France to the point of beginning.

EXPLANATORY NOTE

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

This order prohibits fishing for saithe (Pollachius virens)—

(a) by any British fishing boat registered in the United Kingdom, the Isle of Man or the Channel Islands within that part of ICES VII (Channel and Western Waters) and ICES VIII (Bay of Biscay) which lies inside British fishery limits; or

(b) by any British fishing boat registered in the United Kingdom, or the Isle of Man, within that part of ICES VII (Channel and Western Waters) and ICES VIII (Bay of Biscay) which lies outside British fishery limits (article 2).

For the purpose of enforcement British sea-fishery officers are given the powers provided by section 8(2) to (4) of the Sea Fisheries Act 1968 (article 3).

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