
 STATUTORY INSTRUMENTS

1974 No. 2207

SEA FISHERIES

LANDING AND SALE OF SEA-FISH

The West Coast Herring (Restrictions on Landing) Order 1974

<i>Made - - - -</i>	<i>30th December 1974</i>
<i>Laid before Parliament</i>	<i>10th January 1975</i>
<i>Coming into Operation</i>	<i>1st February 1975</i>

The Minister of Agriculture, Fisheries and Food, and the Secretaries of State respectively concerned with the sea-fishing industry in Scotland and Northern Ireland, in exercise of the powers conferred on them by sections 6 and 15 of the Sea Fish (Conservation) Act 1967(a) as the latter section is amended by section 22(1) of, and paragraph 38 of Part II of Schedule 1 to, the Sea Fisheries Act 1968(b) and of all other powers enabling them in that behalf, after consultation with the Secretary of State for Trade (c), hereby make the following order:—

Citation and Commencement

1. This order may be cited as the West Coast Herring (Restrictions on Landing) Order 1974 and shall come into operation on 1st February 1975.

Interpretation

2.—(1) In this order:

“undersized herring” means any herring comprising a catch from which a sample, on being selected by a British Sea Fishery Officer and on being weighed by him, is shown to comprise herring which count out to an average number per kilogram in excess of 12.

(2) The Interpretation Act 1889(d) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Prohibition of Landings

3. As from 1st February 1975:

- (i) the landing in the United Kingdom of undersized herring taken within the waters off the west coast being the waters described in the Schedule to this order is hereby prohibited; and
- (ii) subject to sub-paragraph (i) of this paragraph the landing in the United Kingdom of herring (*clupea harengus*) taken in waters off

(a) 1967 c. 84.

(b) 1968 c. 77.

(c) For transfer of functions from the Board of Trade to the Secretary of State for Trade and Industry and subsequently to the Secretary of State for Trade see the Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537 (1970 III, p. 5293)) and the Secretary of State (New Departments) Order 1974 (S.I. 1974/692 (1974 I, p. 2711)).

(d) 1889 c. 63.

the west coast is also prohibited unless such herring are landed within 24 hours of being caught, or, if not so landed, were, immediately on being caught, packed in ice in boxes, stored in a refrigerated sea water tank or otherwise processed in such a way so as to secure preservation for human consumption.

Enforcement

4. For the purposes 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.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 30th December 1974.

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

17th December 1974.

William Ross,
Secretary of State for Scotland.

19th December 1974.

Merlyn Rees,
Secretary of State for Northern Ireland.

SCHEDULE

WATERS OFF THE WEST COAST

The area of sea bounded by lines drawn:

- (a) From a point on the North Coast of Scotland at $4^{\circ} 00'$ west longitude northwards to $60^{\circ} 30'$ north latitude; thence westwards to $5^{\circ} 00'$ west longitude; thence southwards to $60^{\circ} 00'$ north latitude; thence westwards to $12^{\circ} 00'$ west longitude; thence southwards to $54^{\circ} 30'$ north latitude; and thence eastwards to the coast of Ireland; and
- (b) At $55^{\circ} 00'$ north latitude from a point on the East Coast of Northern Ireland to a point on the West Coast of Scotland.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order implements a recommendation by the North East Atlantic Fisheries Commission prohibiting, as from 1st February 1975, the landing of any undersized herring from waters off the west coast of Scotland.

It also bans as from the same date the landing in the United Kingdom of any herring, other than undersized herring, taken from waters off the west coast unless such herring are landed within 24 hours of being caught, or if landed later, were, on being caught, immediately packed in ice in boxes, stored in refrigerated sea water tanks or otherwise processed in such a way so as to secure preservation for human consumption.

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