

1972 No. 2026**SEA FISHERIES****FISHERY LIMITS****The Fishing Boats (European Economic Community)
Designation Order 1972***Made* - - - 21st December 1972*Coming into Operation* 1st January 1973

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with sea fishing in Scotland and Northern Ireland in exercise of the powers conferred on them by section 1(3) of the Fishery Limits Act 1964(a) and of all other powers enabling them in that behalf hereby make the following Order:—

Citation and Commencement

1. This Order may be cited as the Fishing Boats (European Economic Community) Designation Order 1972 and shall come into operation on 1st January 1973.

Interpretation

2.—(1) In this Order

“the Act” means the Fishery Limits Act 1964;

“the baselines” means the baselines from which the territorial sea adjacent to the United Kingdom is measured as prescribed by the Territorial Waters Order in Council 1964(b);

“the Community States” means the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Republic of Ireland, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands;

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

“the exclusive fishery limits” means the United Kingdom fishery limits to a distance of 6 miles from the baselines;

“fishing boat” means a vessel of whatever size and in whatever way propelled which is for the time being employed in sea fishing;

“the Ministers” means the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with the sea fishing industry in Scotland and Northern Ireland respectively;

(a) 1964 c. 72.

(b) 1965 III p. 6452 A.

“the outer belt” means the United Kingdom fishery limits other than the exclusive fishery limits;

“the outer belt appurtenant to” in relation to a coast or island means that part of the outer belt which is within 12 miles of the baseline along such coast or round such island;

“the reserved waters” means the areas comprising the waters within those parts of the outer belt described in Schedule 1 to this Order;

“United Kingdom fishery limits” means those parts of the fishery limits of the British Islands which are adjacent to the United Kingdom.

(2) In this Order all directions shall be related to the true compass.

(3) The Interpretation Act 1889(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if the Order and the Orders hereby revoked were Acts of Parliament.

Revocations

3. The Orders set out in Schedule 2 to this Order are hereby revoked to the extent specified in the third column of that Schedule.

General and Special Fishing Rights

4. For the purpose of giving effect to the Treaty relating to the accession of the United Kingdom to the European Economic Community(b) (insofar as sea fishing by fishing boats is provided for under that Treaty), and for the purposes of section 1(3) of the Act (which empowers the Ministers by order to designate any country outside the United Kingdom, the Channel Islands and the Isle of Man, and the area in which and descriptions of sea fish for which fishing boats registered in that country may fish in the outer belt) the Ministers:—

- (a) as respects the area consisting of so much of the outer belt as does not include the reserved waters hereby designate (i) each of the Community States, (ii) that area and (iii) sea fish of all descriptions;
- (b) as respects the reserved waters, hereby designate (i) each of the Community States specified in column 1 of Schedule 3 to this Order, (ii) such parts of reserved waters as are in relation to each such State specified in column 2 of that Schedule and (iii) such descriptions of sea fish as are in relation to such States and such parts, specified in column 3 of that Schedule.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st December 1972.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

Gordon Campbell,
Secretary of State for Scotland.

20th December 1972.

W. S. I. Whitelaw,
Secretary of State for Northern Ireland.

21st December 1972.

(a) 1889 c. 63.

(b) Cmnd. 4862.

SCHEDULE 1

THE RESERVED WATERS (ARTICLE 2)

1. The outer belt appurtenant to the Shetland and Orkney Islands (including Fair Isle, Sule Skerry and Stack Skerry).
2. The outer belt appurtenant to the north and east coasts of Scotland (insofar as not comprised in the outer belt described in paragraph 1 hereof) between:—
 - (a) a line drawn north-east from Cape Wrath lighthouse and
 - (b) a line drawn east from the Berwick Breakwater Head lighthouse.
3. The outer belt appurtenant to the north-east coast of England between:—
 - (a) a line drawn east from Coquet Island lighthouse and
 - (b) the southernmost limit of the outer belt appurtenant to the coast of Flamborough Head.
4. The outer belt appurtenant to the south-west coasts of England between:—
 - (a) a line drawn south from Cobb Harbour Beacon at Lyme Regis and
 - (b) a line drawn north-west from Hartland Point lighthouse.
5. The outer belt appurtenant to Lundy Island (insofar as not comprised in the outer belt described in paragraph 4 hereof).
6. The outer belt appurtenant to the coast of Northern Ireland between:—
 - (a) a line drawn north-east from Mew Island lighthouse and
 - (b) a line drawn south-east from Haulbowline Rocks lighthouse.

SCHEDULE 2

REVOCATIONS (ARTICLE 3)

Number	Title of Order	Extent of Revocation
1.	The Fishing Boats (Federal Republic of Germany) Designation Order 1964(a)	The whole Order.
2.	The Fishing Boats (France) Designation Order 1965(b)	In Article 4(2), sub-paragraph (a); Schedule 1; Schedule 2 other than the entries relating to areas 18 and 19.
3.	The Fishing Boats (Republic of Ireland) Designation Order 1965(c)	In Article 4(2), sub-paragraph (a); In Article 4(3), the words from "Within the area defined" to "all descriptions"; The Schedule other than the entries relating to areas 6 and 7.
4.	The Fishing Boats (Belgium) Designation Order 1965(d)	The Schedule other than the entry relating to area 7.

(a) S.I. 1964/1597 (1964 III, p. 3574).

(c) S.I. 1965/1448 (1965 II, p. 4271).

(b) S.I. 1965/1241 (1965 II, p. 3516).

(d) S.I. 1965/1569 (1965 II, p. 4574).

SCHEDULE 2—cont.

Number	Title of Order	Extent of Revocation
5.	The Fishing Boats (Belgium) Designation (Amendment) Order 1965(a)	The whole Order.
6.	The Fishing Boats (Netherlands) Designation (No. 2) Order 1966(b)	The whole Order.
7.	The Fishing Boats (Belgium) Designation (Amendment) Order 1967(c)	The whole Order.
8.	The Fishing Boats (France) Designation (Amendment) Order 1967(d)	The whole Order.

SCHEDULE 3

SPECIAL RIGHTS TO FISH IN RESERVED WATERS (ARTICLE 4)

State	Part of Outer Belt	Description of Fish
1. Kingdom of Belgium	SCOTLAND <i>Waters in the outer belt between:—</i> (a) a line drawn north-east from Cape Wrath lighthouse and (b) a line drawn north from Strathy Point lighthouse	Demersal fish
	and between:— (a) a line drawn east from Noss Head lighthouse and (b) a line drawn due north from Troup Head	Demersal fish
	ENGLAND <i>Waters in the outer belt between:—</i> (a) a line drawn south-east from Straight Point lighthouse and (b) the northernmost limit of the outer belt appurtenant to Lundy Island	Demersal fish
2. Federal Republic of Germany	SCOTLAND <i>Waters in the outer belt between:—</i> (a) a line drawn south-east from Sumburgh Head lighthouse (Shetland) (b) a line drawn north-east from Skroo lighthouse (Fair Isle) and (c) a line drawn south-west from Skadan lighthouse (Fair Isle)	Herring

(a) S.I. 1965/1982 (1965 III, p. 5859).
(c) S.I. 1967/1930 (1967 III, p. 5376).

(b) S.I. 1966/743 (1966 II, p. 1734).
(d) S.I. 1967/1931 (1967 III, p. 5378).

SCHEDULE 3—*cont.*

State	Part of Outer Belt	Description of Fish
2. Federal Republic of Germany— <i>cont.</i>	ENGLAND <i>Waters in the outer belt between:—</i> (a) a line drawn east from Coquet Island lighthouse and (b) a line drawn east from Whitby High lighthouse	Herring
3. French Republic	ENGLAND <i>Waters in the outer belt between:—</i> (a) a line drawn due south from the Cobb Harbour Beacon at Lyme Regis and (b) a line drawn south from the Eddystone lighthouse	Demersal fish
	<i>and between:—</i> (a) a line drawn south from the Eddystone lighthouse and (b) a line drawn south-west from the Longships lighthouse	Lobsters crawfish scallops demersal fish
	<i>and between:—</i> (a) a line drawn south-west from the Longships lighthouse and (b) a line drawn north-west from Hartland Point lighthouse	Lobsters crawfish demersal fish
	Waters in such part of the outer belt appurtenant to Lundy Island as lies to the north and east of a line drawn north-west from Hartland Point lighthouse	Demersal fish
	NORTHERN IRELAND <i>Waters in that part of the outer belt which is adjacent to Northern Ireland between:—</i> (a) a line drawn north-east from Mew Island lighthouse and (b) a line drawn south-east from Haulbowline Rocks lighthouse	Demersal fish
4. Republic of Ireland	NORTHERN IRELAND <i>Waters in that part of the outer belt which is adjacent to Northern Ireland between:—</i> (a) a line drawn north-east from Mew Island lighthouse and (b) a line drawn south-east from Haulbowline Rocks lighthouse	All descriptions

SCHEDULE 3—*cont.*

State	Part of Outer Belt	Description of Fish
5. Kingdom of the Netherlands	SCOTLAND <i>Waters in the outer belt between:—</i> (a) a line drawn south-east from Sumburgh lighthouse (Shetland) (b) a line drawn north-east from Skroo lighthouse (Fair Isle) and (c) a line drawn south-west from Skadan lighthouse (Fair Isle)	Herring
	ENGLAND <i>Waters in the outer belt between:—</i> (a) a line drawn east from Coquet Island lighthouse and (b) a line drawn east from Flamborough Head lighthouse	Herring

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order is made under the Fishery Limits Act 1964 and defines the fishing rights of vessels belonging to Member States of the European Economic Community in the outer belt of the fishery limits round the United Kingdom.

The Order prescribes reserved waters in which the vessels of other Member States may not fish except as specified by the Order. The rights to fish in reserved waters reflect the provisions of designation orders in force hitherto.

In the remaining parts of the outer belt vessels belonging to Member States may fish for all species of fish.

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