
STATUTORY INSTRUMENTS

1973 No. 207

SEA FISHERIES

BOATS AND METHODS OF FISHING

**The Salmon and Migratory Trout
(Prohibition of Fishing) (No. 2) Order 1972**

<i>Made</i>	- - - -	<i>18th December 1972</i>
<i>Laid before Parliament</i>		<i>21st December 1972</i>
<i>Coming into Operation</i>		<i>15th February 1973</i>

The Secretaries of State respectively concerned with the sea fishing industry in Scotland and Northern Ireland and the Minister of Agriculture, Fisheries and Food in exercise of the powers conferred on them by section 5(1) and (2) of the Sea Fish (Conservation) Act 1967 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 Salmon and Migratory Trout (Prohibition of Fishing) (No. 2) Order 1972 and shall come into operation on 15th February 1973.

Interpretation

2.—(1) In this order—

“mouth of the River Tweed” means the area as defined by the Tweed Fisheries Amendment Act 1859 as amended by byelaw dated 10th August 1863 contained in Schedule A to the Salmon Fisheries (Scotland) Act 1868.

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

3.—(1) During the period 15th February 1973 to 14th February 1983, both days inclusive, fishing for salmon or migratory trout by a specified method within the area of sea specified in the schedule to this order is hereby prohibited.

(2) In this Article—

“specified method” means a method of fishing with drift-net, trawl net, seine net, troll or long-line, but does not include beach seining or fishing from the shore by net and coble;

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“drift-net” means any length of net allowed to float or drift being either attached to or released from a fishing boat and not being a length of net attached to or held on the shore.

4. In accordance with the provisions of section 5(3) of the Sea Fish (Conservation) Act 1967 it is hereby declared that this order is not made for the sole purpose of giving effect to such a convention or agreement as is mentioned in section 5(1) of that Act.

18th December 1972

Gordon Campbell
Secretary of State for Scotland

Given under the hand of the Secretary of State for Northern Ireland on 18th December 1972.

William Whitelaw
Secretary of State for Northern Ireland

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 18th December 1972.

Joseph Godber
Minister of Agriculture, Fisheries and Food

SCHEDULE

1. The area of sea within the fishery limits of the British Islands lying west of the meridian of longitude 3° west and north of the parallel of latitude 54° 30' north, excluding—
 - (a) the waters within so much of the exclusive fishery limits as are adjacent to England but not nearer to any point on the coast of Scotland than to any point on the coast of England;
 - (b) the waters within that area, being waters within so much of those fishery limits as are mentioned in section 4(2) of the Fishery Limits Act 1964.
 2. The area of sea within those fishery limits lying east of the meridian of longitude 3° west and north of the southern boundary of the mouth of the River Tweed and of a line drawn due east from the east most point of that boundary.
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EXPLANATORY NOTE

This Order, which is made under the powers contained in section 5 of the Sea Fish (Conservation) Act 1967 prohibits fishing for salmon or migratory trout, by drift-net, trawl net, seine net, troll or long-line, but not beach seining or fishing from the shore by net and coble, in a specified area off the coast of Scotland and the Tweed, inside the fishery limits of the British Islands.

The period of prohibition extends from 15th February 1973 to 14th February 1983 both dates inclusive.

By virtue of section 5(8) of the Act, the prohibition applies to all fishing boats, including foreign vessels.