
 STATUTORY INSTRUMENTS

1986 No. 1439

SEA FISHERIES

CONSERVATION OF SEA FISH

**The Herring and White Fish (Specified Manx Waters) Licensing
(Variation) Order 1986**

<i>Made - - - -</i>	18th August 1986
<i>Laid before Parliament</i>	26th August 1986
<i>Coming into Operation</i>	27th August 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 4, 15(3) and 20(1) 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 Herring and White Fish (Specified Manx Waters) Licensing (Variation) Order 1986, and shall come into operation on 27th August 1986.

Variation of the Herring and White Fish (Specified Manx Waters) Licensing Order 1983

2. The Herring and White Fish (Specified Manx Waters) Licensing Order 1983 (b) is hereby varied —

- (a) by substituting in article 3(2) thereof for the words “less than 10 metres” the words “not more than 10 metres”;
- (b) by inserting in article 4 thereof after the words “one or more of the specified white fish” the words “except hake (*Merluccius spp*), megrim (*Lepidorhombus whiffiagonis*), Norway lobster (*Nephrops norvegicus*) or pollack (*Pollachius pollachius*)”; and
- (c) by adding at the end of Schedule 1 thereto the following descriptions of sea fish —
 “Norway lobster (*Nephrops norvegicus*)
 Pollack (*Pollachius pollachius*)”.

(a) 1967 c.84; section 4 was amended by the Fishery Limits Act 1976 (c.86), section 3 and by the Fisheries Act 1981 (c.29), section 20; 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, Schedule 2, paragraph 16(1); section 4 was applied in relation to British fishing boats registered in the Isle of Man and any of the Channel Islands by the Sea Fish (Conservation) (Manx Boats) Order 1978 (S.I. 1978/281) and the Sea Fish (Conservation) (Channel Islands Boats) Order 1978 (S.I. 1978/280); section 22(2)(a) which contains a definition of “the Ministers” for the purposes of sections 4 and 15(3) was amended by the Fisheries Act 1981, sections 19(2)(d) and 45(b).

(b) S.I. 1983/1204, varied by S.I. 1983/1879.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 14th August 1986.



Michael Jopling,
Minister of Agriculture, Fisheries and Food.

18th August 1986.

Gray of Contin,
Minister of State, Scottish Office.

15th August 1986.

Nicholas Edwards,
Secretary of State for Wales.

15th August 1986.

Tom King,
Secretary of State for Northern Ireland.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order varies Article 4 of the Herring and White Fish (Specified Manx Waters) Licensing Order 1983 as varied which prohibits fishing for herring and for descriptions of white fish specified in the order within the twelve-mile belt around the Isle of Man but outside territorial waters without a licence.

This order —

- (a) modifies article 3(2) of that order to provide that the prohibition does not apply to white fish caught by fishing boats not more than 10 metres in length (article 2(a));
- (b) varies article 4 of that order, which permits the retention on board a fishing boat of a quantity of one of the descriptions of white fish specified therein, the fishing for which is for the time being prohibited, caught as a by-catch not exceeding ten per cent by weight of the total catch of sea fish on board the fishing boat in the course of lawful fishing for another description of sea fish, by removing hake, megrim, Norway lobster and pollack from the scope of that article in consequence of which fish of those descriptions, the fishing for which is for the time being prohibited under article 3 thereof, must in all circumstances be returned to the sea forthwith in accordance with the provisions of section 4(9A) of the Sea Fish (Conservation) Act 1967 (inserted by section 20(4) of the Fisheries Act 1981) (article 2(b)); and
- (c) adds Norway lobster and pollack to the descriptions of white fish for which it is prohibited to fish without a licence in the area of sea to which that order applies (article 2(c)).

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