
STATUTORY INSTRUMENTS

1993 No. 2532

SEA FISHERIES

The Sea Fisheries Districts (Variation) Order 1993

Made - - - - - *19th October 1993*

Coming into force - - - - - *20th October 1993*

The Minister of Agriculture, Fisheries and Food, on the application of the local fisheries committees for the Cornwall, Cumbria, Devon, Eastern, Kent and Essex, North– Eastern, Northumberland and Southern Sea Fisheries Districts, the Secretary of State, on the application of the local fisheries committee for the South Wales Sea Fisheries District and the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly, on the application of the local fisheries committee for the North Western and North Wales Sea Fisheries District and after consultation with every council concerned, in exercise of the powers conferred by section 1 of the Sea Fisheries Regulation Act 1966⁽¹⁾ upon the said Minister and now, in relation to the South Wales Sea Fisheries District, vested in the Secretary of State⁽²⁾ and in relation to the North Western and North Wales Sea Fisheries District vested in the said Minister and the Secretary of State acting jointly⁽³⁾, and of all other powers enabling them in that behalf, hereby make the following order, a draft of which has lain before Parliament for forty days prior to its being made:

Title and commencement

1. This Order may be cited as the Sea Fisheries Districts (Variation) Order 1993 and shall come into force on 20th October 1993.

Cornwall Sea Fisheries District

2. The Order made by the Board of Trade on 28th March 1890⁽⁴⁾ (which created the Cornwall Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district) shall be varied as follows—

(a) in article 1 (Creation of District), for the words—

“within three nautical miles from the baselines” there shall be substituted—

“within six nautical miles from the baselines”;

(1) 1966 c. 38, amended by the Local Government Act 1985 (c. 51), section 16 and Schedule 8, paragraph 19; see section 20(1) for the definition of “the Minister”.
(2) By the Transfer of Functions (Wales) Order 1969, Schedule 2, paragraph 6(d) (S.I. 1969/388) and the Transfer of Functions (Wales) (No. 1) Order 1978, Schedule 1 (S.I. 1978/272).
(3) By the Transfer of Functions (Wales) Order 1969, Schedule 2, paragraph 6(d) (S.I. 1969/388).
(4) Parl. Papers 1890 No. 114; the relevant amending instrument is S.I. 1980/805.

(b) at the end of article 1, there shall be inserted the following paragraph—

“In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(5) as amended by the Territorial Waters (Amendment) Order in Council 1979(6).”

Cumbria Sea Fisheries District

3. The Order made by the Board of Trade on 21st February 1895(7) (which created a sea fisheries district then called “the Cumberland Sea Fisheries District” and constituted a local fisheries committee for the regulation of the sea fisheries within that district) shall be varied as follows—

(a) in article 1 (Creation of District), for the words—

“within three nautical miles from the baselines” in each place where they occur there shall be substituted—

“within six nautical miles from the baselines”;

(b) at the end of article 1, there shall be inserted the following paragraph—

“In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(8) as amended by the Territorial Waters (Amendment) Order in Council 1979(9).”

Devon Sea Fisheries District

4. The Order made by the Board of Trade on 31st March 1892(10) (which created the Devon Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district) shall be varied as follows—

(a) in article 1 (Creation of District), for the words—

“within three nautical miles from the baselines” there shall be substituted—

“within six nautical miles from the baselines”;

(b) at the end of article 1, there shall be inserted the following paragraph—

“In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(8) as amended by the Territorial Waters (Amendment) Order in Council 1979(9).”

Eastern Sea Fisheries District

5. The Order made by the Board of Trade on 7th November 1893(11) (which created the Eastern Sea Fisheries District and constituted a local fisheries committee for the regulation of sea fisheries within that district) shall be varied as follows—

(a) in article 1 (Creation of District), for the words—

“within three nautical miles from the baselines” there shall be substituted—

“within six nautical miles from the baselines”;

(5) See 1965 III p.6452A.

(6) See 1979 II p.2866.

(7) S.R. & O. 1895/587 and Parl. Papers 1895 No. 69; the relevant amending instrument is [S.I. 1980/806](#).

(8) See 1965 III p.6452A.

(9) See 1979 III p.2866.

(10) Parl. Papers 1892 No. 132; the relevant amending instrument is [S.I. 1980/807](#).

(8) See 1965 III p.6452A.

(9) See 1979 III p.2866.

(11) S.R. & O. 1893/439 and Parl. Papers 1893/94 No. 83; the relevant amending instrument is [S.I. 1978/438](#).

(b) at the end of article 1, there shall be inserted the following paragraph—

“In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(8) as amended by the Territorial Waters (Amendment) Order in Council 1979(9).”

Kent and Essex Sea Fisheries District

6. The Order made by the Board of Trade on 5th May 1890(12) (which created the Kent and Essex Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district) shall be varied as follows—

(a) in article 1 (Creation of District), for the words—

“within three nautical miles from the baselines” there shall be substituted—

“within six nautical miles from the baselines”;

(b) at the end of article 1, there shall be inserted the following paragraph—

“In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(8) as amended by the Territorial Waters (Amendment) Order in Council 1979(9).”

North–Eastern Sea Fisheries District

7. The North–Eastern Sea Fisheries District Order 1986(13) shall be varied as follows—

(a) in article 2 (Sea fisheries district) for the words—

“within three nautical miles from the baselines” there shall be substituted—

“within six nautical miles from the baselines”;

(b) at the end of article 2, there shall be inserted the following paragraph—

“(4) In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(14) as amended by the Territorial Waters (Amendment) Order in Council 1979(15).”

Northumberland Sea Fisheries District

8. The Order made by the Board of Trade on 20th March 1890(16) (which created the Northumberland Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district) shall be varied as follows—

(a) in article 1 (Creation of District) for the words—

“within three nautical miles from the baselines” there shall be substituted—

“within six nautical miles from the baselines”;

(b) at the end of article 1, there shall be inserted the following paragraph—

(8) See 1965 III p.6452A.

(9) See 1979 III p.2866.

(12) Parl. Papers 1890 No. 159; the relevant amending instrument is [S.I. 1980/810](#).

(8) See 1965 III p.6452A.

(9) See 1979 III p.2866.

(13) [S.I. 1986/647](#) to which there are no relevant amendments.

(14) See 1965 III p.6452A.

(15) See 1979 II p.2866.

(16) Parl. Papers 1890 No. 105; the relevant amending instrument is [S.I. 1980/812](#).

“3. In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(15) as amended by the Territorial Waters (Amendment) Order in Council 1979(15).”

North Western and North Wales Sea Fisheries District

9. The North Western and North Wales Sea Fisheries District Order 1986(17) shall be varied as follows—

- (a) in article 2(1) (Sea fisheries district) for the words—

“within three nautical miles from the baselines” there shall be substituted—
“within six nautical miles from the baselines”;
- (b) at the end of article 2, there shall be inserted the following paragraph—

“(5) In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(14) as amended by the Territorial Waters (Amendment) Order in Council 1979(15).”

Southern Sea Fisheries District

10. The Southern Sea Fisheries District Order 1989(18) shall be varied as follows—

- (a) in article 2(1) (Sea Fisheries District) for the words—

“within three nautical miles from the baselines” there shall be substituted—
“within six nautical miles from the baselines”;
- (b) at the end of article 2, there shall be inserted the following paragraph—

“(6) In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(14) as amended by the Territorial Waters (Amendment) Order in Council 1979(15).”

South Wales Sea Fisheries District

11. The Order made by the Board of Agriculture and Fisheries on 27th June 1912(19) (which created the South Wales Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that district) shall be varied as follows—

- (a) in article 1 (Creation of District), for the words—

“within three nautical miles from the baselines” there shall be substituted—
“within six nautical miles from the baselines”;
- (b) at the end of article 1, there shall be inserted the following paragraph—

“In this article “the baselines” means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964(20) as amended by the Territorial Waters (Amendment) Order in Council 1979(21).”

(15) See 1979 II p.2866.

(15) See 1979 II p.2866.

(17) S.I. 1986/1201 to which there are amendments not relevant to this Order.

(14) See 1965 III p.6452A.

(15) See 1979 II p.2866.

(18) S.I. 1989/671 to which there is an amendment not relevant to this Order.

(14) See 1965 III p.6452A.

(15) See 1979 II p.2866.

(19) S. R. & O. 1926/1121 and Parl. Papers 1912 No. 68; the relevant amending instrument is S. I. 1980/823.

(20) See 1965 III p. 6452A.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th October 1993.

Gillian Shephard
Minister of Agriculture, Fisheries and Food

Gwilym Jones
Parliamentary Under Secretary of State, Welsh
Office

19th October 1993

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies the provisions of the Sea Fisheries District Orders for the Cornwall, Cumbria, Devon, Eastern, Kent and Essex, North–Eastern, Northumberland, North Western and North Wales, Southern and South Wales Sea Fisheries Districts by providing that the district shall comprise so much of the sea as is within six miles of the baselines (formerly three miles).

This Order also substitutes a new definition of “the baselines” to comply with the judgment of the European Court of Justice in *Re Territorial Sea: EC Commission v United Kingdom* (Case 146/89) [1991] 3 CMLR 649.

Copies of the orders which created the Cornwall, Cumbria, Devon, Eastern, Kent and Essex, Northumberland and South Wales Sea Fisheries Districts are available from the Ministry of Agriculture, Fisheries and Food, Nobel House, 17 Smith Square, London SW1P 3JR.