1981 No. 297

FISHERIES

Herring (Restriction of Fishing) Regulations (Northern Ireland) 1981

Made . . . . . *4th September 1981*

Coming into operation . . . *7th September 1981*

The Department(**a**) of Agriculture, in exercise of the powers conferred on it by sections 124(1) and 124(2) of the Fisheries Act (Northern Ireland) 1966(**b**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Herring (Restriction of Fishing) Regulations (Northern Ireland) 1981 and shall come into operation on 7th September 1981.

Interpretation

2. In these regulations—

"British fishery limits" has the same meaning as in the Fishery Limits Act 1976(**c**);

"herring" means fish of the species *Clupea harengus*;

"registered length" in relation to a sea-fishing boat means the length as calculated for the purpose of registration under the Merchant Shipping Acts 1894 to 1970(**d**).

Restriction of fishing

3. Except as provided in regulation 4 fishing for herring shall be prohibited in the area of sea described in the Schedule.

4. Between 7th September 1981 and 23rd October 1981, both dates inclusive, a drift net which does not have any mesh smaller than 54 millimetres may be used in or from a sea-fishing boat of under 40 feet registered length based at a port on the coast of County Down for the purpose of catching herring in the area of sea described in the Schedule.

Determination of mesh size

5. In determining whether a mesh is smaller or larger than the size specified in regulation 4, the mesh shall be stretched diagonally lengthwise of the net and shall be measured by pushing through it a flat gauge 2 millimetres thick and of a width corresponding to the size specified. If the mesh does not allow such gauge to pass easily through it (whether the net is wet or dry), it shall be deemed to be smaller than the size specified, and if it does allow the gauge so to pass, it shall be deemed to be larger than the size specified.

(**a**) Formerly Ministry: *see* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1)
(**b**) 1966 c.17 (N.I.): new section 124 substituted — *see* Art. 6 of S.I. 1981/227 (N.I.7)
(**c**) 1976 c.86
(**d**) 1894 c.60, 1964 c.47, 1970 c.36