



Jersey

SEA FISHERIES (CHANNEL ISLANDS) ORDER 1973

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APPENDIX



Jersey

SEA FISHERIES (CHANNEL ISLANDS) ORDER 1973

Jersey Order in Council 15/1973

SEA FISHERIES (CHANNEL ISLANDS) ORDER 1973.

(Registered on the 17th day of August, 1973).

At the Court at Buckingham Palace.

27th November, 1973.

PRESENT

The Queen's Most Excellent Majesty in Council.

HER MAJESTY, in exercise of the powers conferred upon Her by section 21(1)(a) of the Sea Fisheries Act, 1968, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows: -

1. This Order may be cited as the Sea Fisheries (Channel Islands) Order 1973 and shall come into operation on 1st October 1973.

2. In this Order the expression "the Channel Islands" means Jersey and Guernsey and the words "Jersey" and "Guernsey" mean the Bailiwicks of Jersey and of Guernsey respectively and the waters adjacent thereto within the fishery limits of the British Islands.

3. Sections 5 to 14, 16, 17, 19, 22 and 23 of the Sea Fisheries Act 1968, and Part II of Schedule 1 and Part II of Schedule 2 to that Act, shall extend to the Channel Islands subject to the exceptions, adaptations and modifications specified in the case of Jersey in Part I of the Schedule to this Order and in the case of Guernsey in Part II of the Schedule.

W.G. AGNEW

*SCHEDULE***(Article 3)****EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF CERTAIN PROVISIONS OF THE SEA FISHERIES ACT 1968 TO THE CHANNEL ISLANDS***PART I***JERSEY**

1. In section 5(4) the words “on summary conviction” shall be omitted.
2. In section 6(4) after the word “Ministers” there shall be inserted the words “whether before or after the coming into operation of the Sea Fisheries (Channel Islands) Order 1973”.
3. In section 6(5) in paragraph (a) the words “on summary conviction” and the words from “and (c)” to the end of the subsection shall be omitted.
4. In section 7(4) after the word “Ministers” there shall be inserted the words “whether before or after the coming into operation of the Sea Fisheries (Channel Islands) Order 1973”.
5. At the end of section 7(5) there shall be added the following paragraph: -

“(d) and, in relation to Jersey, the Harbours and Airport Committee of the States of Jersey.”.
6. In section 10(4) the words “on summary conviction” shall be omitted.
7. For section 12 there shall be substituted the following section: -

“12. Where a fine is imposed on the master, owner or charterer or a member of the crew of a fishing boat who is convicted by the court of an offence under section 5, 6 or 10 of this Act, the court may –

 - (a) authorise Her Majesty’s Viscount to seize and detain the boat and its gear and catch and any property of the person convicted for the purpose of levying the amount of the fine; and
 - (b) if the boat is a foreign fishing boat, order it to be detained for a period not exceeding three months from the date of the conviction or until the fine is paid or the amount of the fine is levied in pursuance of any such authority, whichever occurs first.”.
8. In section 13(1) for the words “England and Wales or Northern Ireland” there shall be substituted the word “Jersey”.
9. Section 13(2) shall be omitted.

10. In section 13(3) the words “by a magistrates’ court or sheriff” shall be omitted.

11. In section 14 after the words “United Kingdom” there shall be inserted the words “or in Jersey”.

12. For section 17 there shall be substituted the following section: -

“17. Fishing boats or fishing gear lost or abandoned at sea and either –

- (a) found or taken possession of within the territorial waters of the British Islands adjacent to Jersey; or
- (b) found or taken possession of beyond those waters and brought within those waters;

shall be treated as wreck for the purposes of Article 2 of the Seigniorial Rights (Abolition) (Jersey) Law, 1966.”.

13. In section 19(1) –

- (a) in the definition of “British fishing boat” after the words “United Kingdom” there shall be inserted the words “in the Isle of Man or any of the Channel Islands”;
- (b) after the definition of “contravention area” there shall be inserted the following definition: -

‘ “court” means the Royal Court or the Police Court;’;

- (c) for the definition of enactment there shall be substituted the following definition: -

‘ “enactment” includes an enactment of the State of Jersey;’;

- (d) in the definition of “outer belt” the words “subject to subsection (2) below” shall be omitted.

14. Section 19(2) shall be omitted.

15. In section 22(1) and (2) before the word “Schedule” where it first appears there shall be inserted the words “Part II of”.

16. Section 22(3) and (4) shall be omitted.

17. Section 23(2) and (3) shall be omitted.

18. In Part II of Schedule 1 all except paragraphs 23, 31, 32, 33, 36 and 38 shall be omitted.

19. In Part II of Schedule 2 all references except those to the Sea Fisheries Act 1868, the Sea Fisheries Act 1883, the Fisheries Act 1891, the Sea Fish Industry

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Act 1959, the Sea Fish Industry Act 1962, the Fishery Limits Act 1964 and the Sea Fish (Conservation) Act 1967 shall be omitted.

PART II

GUERNSEY

* * * * *

SEA FISHERIES ACT 1968**CHAPTER 77**

ARRANGEMENT OF SECTIONS

Section

* * * * *

Regulation of sea fishing operations.

5. Regulation of conduct of fishing operations.
6. Restriction on fishing within the fishery limits of the British Islands.
7. Sea-fishery officers.
8. General powers of British sea-fishery officers.
9. Powers of sea-fishery officers to enforce conventions.
10. Miscellaneous provisions as to sea-fishery officers.
11. Evidence.
12. Recovery of fines imposed on master, etc., or crew.
13. Compensation for damage caused by offence.
14. Jurisdiction to try offences.

Miscellaneous.

* * * * *

16. Amendments of Sea Fish (Conservation) Act 1967.
17. Fishing boats and gear lost or abandoned at sea.

Supplemental.

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19. Interpretation.

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22. Minor and consequential amendments and repeals, and savings.
23. Short title and commencement.

Schedules:

- Schedule 1 – Minor and consequential amendments.
Schedule 2 – Enactments repealed.

ELIZABETH II**1968 CHAPTER 77**

AN ACT to make further provision with respect to the subsidies payable to, and the levies which may be imposed on, the white fish and herring industries, to make further provision for the regulation of sea fishing, to amend the Sea Fisheries (Shellfish) Act 1967 and the Sea Fish (Conservation) Act 1967, to make provision with respect to fishing boats and gear lost or abandoned at sea, to remove anomalies in certain enactments relating to sea fisheries and the white fish and herring industries and to repeal other such enactments which are obsolete or unnecessary; and for connected purposes.

[18th December, 1968]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: ⁻²

* * * * *

Regulation of sea fishing operations

REGULATION OF CONDUCT OF FISHING OPERATIONS

5.-(1) The Ministers may, for the purpose of giving effect to any convention for the time being in force between Her Majesty's Government in the United Kingdom and the government of any other country, by order make provision for regulating the conduct of, and safeguarding, fishing operations and operations ancillary thereto, including provision with respect to the identification and marking of fishing boats and fishing gear.

(2) The provisions of any order under subsection (1) above shall, except as provided by the order, apply –

- (a) to all British fishing boats, and things done by such boats and their crews, anywhere within the convention area to which the order relates, and
- (b) to all foreign fishing boats, and things done by such boats and their crews, in waters which are within both the fishery limits of the British Islands and that convention area.

(3) The Ministers may by order make such provision as is mentioned in subsection (1) above with respect to foreign fishing boats which, in pursuance of an arrangement for the time being in force between Her Majesty's Government in the

² Deletions and words in brackets indicate adaptations and modifications made by the Sea Fisheries (Channel Islands) Order 1973.

United Kingdom and the government of any other country, enter the fishery limits of the British Islands for the purpose of carrying on fishing operations or operations ancillary thereto, including provisions regulating the movement of those boats within those limits.

(4) Where a provision of an order under this section is not complied with in the case of a fishing boat or its crew, any person prescribed by the order in relation to that provision, being one or more of the following, that is to say the master, the owner, and the charter, if any, shall be liable * * * in the case of a first offence under this section to a fine not exceeding £200 and in the case of a second or subsequent offence thereunder to a fine not exceeding £400.

(5) The provisions of any order under this section shall be taken to be in addition to and not to derogate from the provisions of any other enactment or any instrument made under any other enactment.

RESTRICTION ON FISHING WITHIN THE FISHERY LIMITS OF THE BRITISH ISLANDS

6.-(1) A foreign fishing boat not registered in a country for the time being designated under the Fishery Limits Act 1964 shall not enter the fishery limits of the British Islands except for a purpose recognised by international law, or by any convention for the time being in force between Her Majesty's Government in the United Kingdom and the government of the country to which the boat belongs; and any such boat which enters those limits –

- (a) shall return outside those limits as soon as the purpose for which it entered them has been fulfilled; and
- (b) shall not fish or attempt to fish while within those limits.

(2) A foreign fishing boat registered as aforesaid shall not enter the exclusive fishery limits except for any such purpose as aforesaid and if it enters those limits –

- (a) shall return outside them as soon as the purpose for which it entered them has been fulfilled; and
- (b) shall not fish or attempt to fish while within those limits.

(3) A foreign fishing boat so registered shall not fish or attempt to fish in the outer belt except in an area and for any description of fish for the time being designated under the Fishery Limits Act 1964 in relation to the country in which it is registered.

(4) The fishing gear of a foreign fishing boat which is prohibited by this section from fishing in any area within the fishery limits of the British Islands shall, while the boat is in that area, be stowed in accordance with an order made by the Ministers, [whether before or after the coming into operation of the Sea Fisheries (Channel Islands) Order 1973;] and if a fishing boat is prohibited by this section from fishing in an area for the time being designated as aforesaid for fish for the time being not so designated, all the fishing gear of the boat except that required by it for fishing for fish for the time being so designated shall, while the boat is in that area, be stowed as aforesaid.

(5) In the event of a contravention of this section in the case of a fishing boat

- (a) the master of the boat shall be liable * * * to a fine not exceeding £500; and
- (b) the court may on convicting him of an offence under this section order the forfeiture of any fish or fishing gear found in the boat or taken or used by any person from the boat;

* * * * *

(6) The foregoing provisions of this section shall not prohibit or restrict fishing by fishing boats registered in a country outside the United Kingdom in any area with respect to which special provision for fishing by such boats is made by any arrangement between Her Majesty's Government in the United Kingdom and the government of that country.

SEA-FISHERY OFFICERS

7.-(1) The following persons shall be British sea-fishery officers for the purposes of the Sea Fisheries Acts, that is to say –

- (a) officers of the sea-fishery inspectorates of each of the appropriate Ministers other than assistant fishery officers;
- (b) commissioned officers of any of Her Majesty's ships;
- (c) persons in command or charge of any aircraft or hover-craft of the Royal Navy, the Army or the Royal Air Force;
- (d) officers of the fishery protection service of the Secretary of State holding the rank of commander, first officer or second officer;
- (e) officers of Customs and Excise;
- (f) the following members of the Coastguard, that is to say, inspectors, district officers and members in charge of coastguard stations;
- (g) other persons appointed as British sea-fishery officers by one of the appropriate Ministers.

(2) The appropriate Minister may appoint any person to exercise and perform the powers and duties of a British sea-fishery officer subject to such limitations as may be specified in the instrument appointing him; and for the purposes of the Sea Fisheries Acts a person so appointed shall be a British sea-fishery officer within those limitations, but not otherwise.

(3) An appointment made under subsection (2) above may be limited in any one or more of the following ways, that is to say –

- (a) to particular matters;

- (b) to a particular area;
- (c) to a particular order or class of orders.

(4) In this Act, “foreign sea-fishery officer”, in relation to any convention with respect to the conduct or safeguarding of fishing operations or operations ancillary thereto to which Her Majesty’s Government in the United Kingdom is a party, means a person of any class specified in an order made by the Ministers, [whether before or after the coming into operation of the Sea Fisheries (Channel Islands) Order, 1973;] being a person appointed by the government of any other country which is a party to the convention to enforce its provisions or any other person having power under the laws of that other country to enforce those provisions.

(5) In this section “the appropriate Minister” means –

- (a) in relation to England and Wales, the Minister of Agriculture, Fisheries and Food;
 - (b) in relation to Scotland, the Secretary of State; and
 - (c) in relation to Northern Ireland, the Ministry of Agriculture for Northern Ireland;
- [(d) and, in relation to Jersey, the Harbours and Airport Committee of the States of Jersey.]

GENERAL POWERS OF BRITISH SEA-FISHERY OFFICERS

8.-(1) For the purpose of enforcing the provisions of any order under section 5 above or of section 6 above or any order thereunder a British sea-fishery officer may exercise in relation to any fishing boat within the fishery limits of the British Islands and in relation to any British fishing boat anywhere outside those limits the powers conferred by subsections (2) to (4) below.

(2) He may go on board the boat, with or without persons assigned to assist him in his duties, and for that purpose may require the boat to stop and do anything else which will facilitate the boarding of the boat.

(3) He may require the attendance of the master and other persons on board the boat and may make any examination and inquiry which appears to him to be necessary for the purpose mentioned in subsection (1) above and, in particular, –

- (a) may examine any fish on the boat and the equipment of the boat, including the fishing gear, and require persons on board the boat to do anything which appears to him to be necessary for facilitating the examination; and
- (b) may require any person on board the boat to produce any documents relating to the boat or the persons on board which are in his custody or possession and may take copies of any such document.

(4) Where it appears to a British sea-fishery officer that a contravention of any provision of an order under section 5 above or of section 6 above or any order

thereunder has at any time taken place within the fishery limits of the British Islands, he may take the boat in relation to which the contravention took place and the crew of the boat to the port which appears to him to be the nearest convenient port and detain the boat and the crew in the port until the completion of proceedings for the contravention.

(5) If it appears to a British sea-fishery officer that a British fishing boat or a fishing boat belonging to a country which is party to a convention to which Her Majesty's Government in the United Kingdom is a party is being so navigated or stationed as to interfere or be likely to interfere with fishing operations which are being carried on, or about to be carried on, within the fishery limits of the British Islands, he may require the boat to move away or to move in a direction or to a position specified by him.

(6) For the purpose of enforcing the collision regulations made under section 418 of the Merchant Shipping Act 1894, so far as they apply to fishing boats, a British sea-fishery officer may exercise, in relation to any fishing boat within the fishery limits of the British Islands and in relation to a British fishing boat anywhere outside those limits, the powers conferred by section 723(1) of that Act (enforcement), whether or not he is mentioned in that subsection, and also the powers conferred by the foregoing provisions of this section, and section 723(2) of that Act so far as it relates to the former powers shall apply accordingly.

POWERS OF SEA-FISHERY OFFICERS TO ENFORCE CONVENTIONS

9.-(1) For the purpose of enforcing the provisions of any convention with respect to the conduct or safeguarding of fishing operations to which Her Majesty's Government in the United Kingdom is a party a foreign sea-fishery officer may, in relation to a British fishing boat, and a British sea-fishery officer may, in relation to any foreign fishing boat, exercise anywhere within the convention area outside the fishery limits of the British Islands the powers conferred by section 8(2) and (3) above.

(2) Nothing in this section shall authorise a British or foreign sea-fishery officer to do anything not authorised by the convention he is purporting to enforce or authorise him to exercise in relation to a boat belonging to a country which is a party to the convention any power which the government of that country has informed the other parties to the convention is not to be exercised in relation to its fishing boats.

MISCELLANEOUS PROVISIONS AS TO SEA-FISHERY OFFICERS

10.-(1) A British or foreign sea-fishery officer shall not be liable in any civil or criminal proceedings for anything done in purported exercise of the powers conferred on him by section 8 or 9 of this Act if the court is satisfied that the act was done in good faith and that there were reasonable grounds for doing it.

(2) Any person who on any fishing boat within the fishery limits of the British Islands, or on a British fishing boat anywhere outside those limits, –

- (a) fails to comply with any requirement imposed, or to answer any question asked, by a British sea-fishery officer under section 8 or 9 of this Act;

- (b) prevents, or attempts to prevent, any other person from complying with any such requirement or answering any such question; or
- (c) assaults any such officer while exercising any of the powers conferred on him by or by virtue of section 8 or 9 of this Act or obstructs any such officer in the exercise of any of those powers;

shall be guilty of an offence.

(3) Subsection (2) above shall apply in relation to things done on a British fishing boat anywhere within the convention area outside the fishery limits of the British Islands by or in relation to a foreign sea-fishery officer who is exercising powers to enforce the provisions of the convention relating to that area as it applies in relation to things done on any fishing boat within those limits by or in relation to a British sea-fishery officer.

(4) A person guilty of an offence under this section shall be liable * * * * in the case of a first offence thereunder to a fine not exceeding £200 and in the case of a second or subsequent offence thereunder to a fine not exceeding £400.

EVIDENCE

11.-(1) In any civil or criminal proceedings a written statement purporting to be a report made by a British or foreign sea-fishery officer on matters ascertained in the course of exercising his powers under section 9 above for the purpose of enforcing the provisions of any convention mentioned in that section shall be admissible as evidence to the like extent as oral evidence to the like effect by that officer.

(2) Subsection (1) above shall be taken to be in addition to, and not to derogate from, the provisions of any other enactment relating to the reception or admissibility of documentary evidence.

RECOVERY OF FINES IMPOSED ON MASTER, ETC., OR CREW

[12.] Where a fine is imposed on the master, owner or charterer or a member of the crew of a fishing boat who is convicted by the court of an offence under section 5, 6 or 10 of this Act, the court may –

- (a) authorise Her Majesty's Viscount to seize and detain the boat and its gear and catch and any property of the person convicted for the purpose of levying the amount of the fine; and
- (b) if the boat is a foreign fishing boat, order it to be detained for a period not exceeding three months from the date of the conviction or until the fine is paid or the amount of the fine is levied in pursuance of any such authority, whichever occurs first.]

COMPENSATION FOR DAMAGE CAUSED BY OFFENCE

13.-(1) Where on convicting a person of an offence under section 5, 6 or 10 of this Act it appears to a court in [Jersey] that personal injury or damage to property has been caused by the offence, the court may by the conviction adjudge the person convicted to pay, in addition to any fine, a reasonable sum, not exceeding £400, as

compensation for the injury or damage, and the sum when recovered shall be paid to the person who has suffered the injury or damage.

* * * * *

(3) Section 12 of this Act shall apply in relation to compensation adjudged or ordered to be paid under this section by the master, owner or charterer or a member of the crew of a fishing boat as it applies in relation to a fine imposed * * * * * on such a person.

(4) The provisions of this section shall not be taken to derogate from any right of a person who has suffered personal injury or damage to property in consequence of an offence under section 5, 6 or 10 of this Act to recover damages in respect of the injury or damage in civil proceedings.

JURISDICTION TO TRY OFFENCES

14. Proceedings for an offence under section 5, 6 or 10 of this Act may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom [or in Jersey].

* * * * *

AMENDMENTS OF SEA FISH (CONSERVATION) ACT 1967

16. In section 1 of the Sea Fish (Conservation) Act 1967 (size limits for fish) for subsections (3) to (5) (obligation to return fish below the minimum size to the sea, and power to exempt from the obligation), there shall be substituted the following subsections: -

“(3) Sea fish of any description which are of less than the minimum size prescribed in relation to sea fish of that description by an order under subsection (1) above shall not be carried, whether within or outside the fishery limits of the British Islands, on a British fishing boat.

(4) An order under subsection (1) above may prohibit the carrying, by any foreign fishing boat in waters adjacent to the United Kingdom and within the fishery limits of the British Islands, of sea fish of any description prescribed by the order which are of less than the minimum size so prescribed in relation to sea fish of that description.

(5) An order under subsection (1) above may confer exemptions from any prohibition imposed by or by virtue of this section; and any such exemption may be general or subject to conditions and may relate to all fish to which the order applies or to fish of any specified description.”

FISHING BOATS AND GEAR LOST OR ABANDONED AT SEA

[17.] Fishing boats or fishing gear lost or abandoned at sea and either –

(a) found or taken possession of within the territorial waters of the British Islands adjacent to Jersey; or

- (b) found or taken possession of beyond those waters and brought within those waters;

shall be treated as wreck for the purposes of Article 2 of the Seignorial Rights (Abolition) (Jersey) Law, 1966.⁵]

Supplemental

* * * * *

INTERPRETATION

19.-(1) In this Act, except so far as the context otherwise requires, –

“British fishing boat” means a fishing boat which is registered in the United Kingdom, [in the Isle of Man or any of the Channel Islands] exempted from registration by regulations under section 373 of the Merchant Shipping Act 1894 or owned wholly by a person who is (within the meaning of the Merchant Shipping Act 1894) a person qualified to own a British ship, and “foreign fishing boat” means a fishing boat which is not so registered, so exempted or so owned;

“convention” includes an agreement or other arrangement;

“convention area” means, in relation to any international convention, the area to which the convention relates;

[“court” means the Royal Court or the Police Court;]

[“enactment” includes an enactment of the States of Jersey;]

“fish” includes shellfish, and cognate expressions shall be construed accordingly;

“fishing boat” means any vessel for the time being employed in fishing operations or any operations ancillary thereto;

“foreign sea-fishery officer” has the meaning assigned to it by section 7 of this Act;

“master” includes, in relation to any fishing boat, the person for the time being in command or charge of the boat;

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

“the outer belt” * * * * has the same meaning as in section 1 of the Fishery Limits Act 1964;

“products” has the same meaning as in Part I of the Sea Fish Industry Act 1951;

⁵ Tome 1966–1967, page 226.

“Sea Fisheries Acts” means any enactments for the time being in force relating to sea-fishing, including any enactment relating to fishing for shellfish, salmon or migratory trout.

* * * * *

(3) Any reference in this Act to any other enactment is a reference thereto as amended, and includes a reference thereto as extended or applied by or under any other enactment, including this Act.

* * * * *

MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS, AND SAVINGS

22.-(1) The enactments specified in [Part II of] Schedule 1 to this Act shall have effect subject to the amendments set out in that Schedule, being minor amendments and amendments consequential on the foregoing provisions of this Act.

(2) The enactments specified in [Part II of] Schedule 2 to this Act (which include enactments which were obsolete or unnecessary before the passing of this Act) are hereby repealed to the extent specified in the third column of that Schedule.

* * * * *

(5) The amendment by Schedule 1 to this Act of section 15 of the Sea Fish (Conservation) Act 1967 shall not affect any order made under that section, but any such order which is in force immediately before the coming into force of the amendment shall have effect as if made under that subsection as so amended.

(6) The repeal by this Act of the Sea Fisheries Act 1883 shall not affect the operation –

- (a) of any Order in Council under section 23 of that Act which is in force immediately before the coming into force of the repeal; or
- (b) of any provision of that Act which is applied by any such Order or by any provision of the Fisheries Act 1891 or the North Sea Fisheries Act 1893.

SHORT TITLE AND COMMENCEMENT

23.-(1) This Act may be cited as the Sea Fisheries Act 1968.

* * * * *

*SCHEDULES**SCHEDULE 1***(Section 22(1))****MINOR AND CONSEQUENTIAL AMENDMENTS**

* * * * *

*PART II***AMENDMENTS COMING INTO FORCE ON APPOINTED DAY***The Sea Fisheries Act 1868 (c. 45)⁶*

23. In section 26 (sea-fishing boats within exclusive limits, and British sea-fishing boats outside those limits, to have official papers) –

- (a) for the words “such Order in Council” there shall be substituted the words “an Order in Council under section 373 of the Merchant Shipping Act 1894”;
- (b) after the words “British Islands” there shall be inserted the words “within the meaning of the Sea Fisheries Act 1968”;
- (c) for the words “this part of this Act”, in both places where they occur, there shall be substituted the words “that section”;
- (d) for the words “sea-fishery officer” there shall be substituted the words “British sea-fishery officer within the meaning of section 7 of the said Act of 1968”.

* * * * *

The Fisheries Act 1891 (c. 37)

31. In section 13 (powers of taking legal proceedings) the words “the Sea Fisheries Act 1883 or any other Act relating to sea fisheries or by” shall cease to have effect.

The Merchant Shipping Act 1894 (c. 60)

32. For section 37(6) (application of certain statutory provisions to registry of British fishing boats) there shall be substituted the following subsection: -

“(6) Sections 8 and 9 of the Sea Fisheries Act 1968 (general powers of British sea-fishery officers, and powers of sea-fishery officers to enforce conventions) shall apply in relation to this section and any Order in Council thereunder, and to any convention mentioned in subsection (5) above, as they apply respectively in relation to any order mentioned in the said section 8 and

⁶ Tomes I–III, page 330.

any convention mentioned in the said section 9; and sections 10, 11, 12 and 14 of that Act (offences, and supplemental provisions as to legal proceedings) shall apply accordingly.”

33. In section 374 (effect of registry of fishing boat), for the words “against the Sea Fisheries Act 1883” there shall be substituted the words “under the Sea Fisheries (Scotland) Amendment Act 1885 or under section 5, 6 or 10 of the Sea Fisheries Act 1968”.

* * * * *

The Sea Fish Industry Act 1962 (c. 31)

36. In section 17(2) (enactments to which the section’s exemption for operations for scientific and other purposes applies) for the words from “any enactment” to “this Act” there shall be substituted the words “section 6 of the Sea Fisheries Act 1968”.

* * * * *

The Sea Fish (Conservation) Act 1967 (c. 84)

38.-(1) Section 15 (powers of British sea-fishery officers) shall be amended in accordance with the following provisions of this paragraph.

(2) In subsection (1) the words from the beginning to “1962” shall cease to have effect.

(3) For subsections (3) to (7) there shall be substituted the following subsections: -

“(3) Any such officer may exercise in relation to any fishing boat in any waters adjacent to the United Kingdom and within the fishery limits of the British Islands, and in relation to any British fishing boat registered in the United Kingdom and any British owned fishing boat (not so registered) anywhere outside those limits, such of the powers of a British sea-fishery officer under section 8(2) to (4) of the Sea Fisheries Act 1968 as may be conferred on him by order of the Ministers, being powers which the Ministers consider necessary for the enforcement of any of the provisions of sections 1 to 7 of this Act or any order made under any of those sections.

(4) An order under this section may make different provision for different cases.

(5) Section 10 of the Sea Fisheries Act 1968 shall apply in relation to the provisions of an order under this section and the powers thereby conferred as they apply in relation to section 8 of that Act and the powers thereby conferred; and, in relation to an offence under the said section 10 as it applies by virtue of this subsection, sections 12 to 14 of that Act shall apply accordingly.”

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*SCHEDULE 2***(Section 22(2))****ENACTMENTS REPEALED**

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*PART II***REPEALS COMING INTO FORCE ON APPOINTED DAY**

Chapter	Short Title	Extent of Repeal
31 & 32 Vict. c. 45.	The Sea Fisheries Act 1868. ⁷	In section 5, the definitions of “Great Britain and Ireland”, “United Kingdom”, “exclusive fishery limits of the British Islands” and “exclusive fishery limits of France”. In section 57, the words from “or under” to “provided”). Section 63. In section 65, the second paragraph. Section 66. In section 70, the words from the beginning to “save as aforesaid”, the words from “the seas adjoining” to “the whole of” and the words from “and to the seas” to “British Islands” in the fourth place where it occurs.
46 & 47 Vict. c. 22.	The Sea Fisheries Act 1883.	The whole Act.
* * *	* * *	* * *
54 & 55 Vict.	The Fisheries Act	Section 5.

⁷ Tomes I–III, pages 329, 331, 333, 334 and 336.

c. 37.	1891.	In section 6(1), the words “as one with the Sea Fisheries Act 1883, and” and the word “also”, and section 6(2). In section 13, the words “the Sea Fisheries Act 1883 or any other Act relating to sea fisheries, or by”.
* * *	* * * *	* * * * *
8 Eliz. 2. c. 7.	The Sea Fish Industry Act 1959.	Section 9.
10 & 11 Eliz. 2. c. 31.	The Sea Fish Industry Act 1962.	Section 16. Section 18. Section 36(1).
1964 c. 72.	The Fishery Limits Act 1964.	Section 1(2). Section 2. Section 3(2) and (5). In Schedule 1 the amendments of the Sea Fisheries Act 1883.
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1967 c. 84.	The Sea Fish (Conservation) Act 1967.	In section 15(1), the words from the beginning to “1962”.