



Sea Fish (Conservation) Act 1967

1967 CHAPTER 84

Regulation of fishing for sea fish

3 Regulation of nets and other fishing gear

- (1) The Ministers may make an order for securing that the nets and other fishing gear carried in any British fishing boat registered in the United Kingdom comply with such requirements as to construction, design, material, or size, including, in the case of nets, size of mesh, as may be prescribed by the order, and an order under this section, or any provisions of such an order, may be framed so as to apply only in relation to fishing for specified descriptions of sea fish, to specified methods of fishing or to fishing in specified areas or during specified periods.
- (2) An order under this section may be made so as to extend to nets or other fishing gear carried in any waters adjacent to the United Kingdom and within the fishery limits of the British Islands by fishing boats registered in any country outside the United Kingdom or not registered in any country.
- (3) An order under this section prescribing minimum sizes of mesh may also—
 - (a) prescribe the manner in which the sizes of mesh are to be measured and, in the case of any class of nets, prescribe different sizes for the nets when in different conditions;
 - (b) make provision for securing that the restrictions imposed by the order are not evaded by the use of any nets in such manner as practically to diminish their mesh, or by the covering of nets with canvas or any other material, or by the use of any other artifice;
 - (c) provide for exempting any nets from any such restrictions as aforesaid, either generally or in relation to particular fishing boats or classes of fishing boats, if and so long as such conditions as may be imposed by or under the order are complied with.
- (4) Without prejudice to subsection (3) above, an order under this section may, in relation to any fishing gear,—
 - (a) restrict the manner in which it may be used ;
 - (b) prescribe the manner in which its size is to be measured;

Status: This is the original version (as it was originally enacted).

- (c) make provision for securing that the restrictions imposed by the order are not evaded;
 - (d) make the like provision for exemption as is mentioned in relation to nets in subsection (3)(c) above.
- (5) If any order under this section is contravened in the case of any fishing boat, the master, the owner and the charterer (if any) shall each be guilty of an offence under this section.
- (6) Any restrictions imposed by an order under this section shall be in addition to, and not in substitution for, any restriction imposed by or under any other Act, and nothing in this section shall affect any power conferred by any Act to regulate sea fishing.
- (7) Nothing in any byelaw, rule, order or regulation made under section 4 of the Sea Fisheries (Scotland) Amendment Act 1885, section 6 of the Herring Fishery (Scotland) Act 1889 or section 8 of the Sea Fisheries Regulation (Scotland) Act 1895, or in any byelaw made, or having effect as if made, under section 5 of the Sea Fisheries Regulation Act 1966, or in any regulation made, or deemed to be made, under the Fisheries Act (Northern Ireland) 1966, shall be taken to authorise the carrying of fishing nets in circumstances where the carrying of those nets would otherwise be unlawful by virtue of an order made under this section.