



# Fishery Limits Act 1976

## 1976 CHAPTER 86

### *General*

#### **6 Orders**

- (1) Orders made under any provision of this Act shall be made by statutory instrument.
- (2) Power conferred by any provision of this Act to make an Order in Council or other order includes power to vary or revoke by a further Order in Council or order under that provision.

#### **7 Finance**

- (1) The Minister of Agriculture, Fisheries and Food may, with the approval of the Treasury, incur expenditure in employing officers and vessels and generally taking such measures as appear to him necessary to protect British fisheries.
- (2) Expenses incurred by the Ministers which are attributable to the provisions of this Act, being—
  - (a) such expenses as are referred to in subsection (1) above; or
  - (b) increased administrative expenses,shall be defrayed out of money provided by Parliament.

#### **8 Interpretation**

In this Act—

- " enactment " includes an enactment of the Parliament of Northern Ireland and a Measure of the Northern Ireland Assembly;
- " fishing boat " means any vessel for the time being employed in fishing operations or any operations ancillary thereto;
- " foreign fishing boat " means a fishing boat which is not—
  - (a) registered in the United Kingdom, the Channel Islands or the Isle of Man ;or

- (b) exempted from registration by regulations under section 373 of the Merchant Shipping Act 1894; or
- (c) owned wholly by a person who is (within the meaning of the Merchant Shipping Act 1894) qualified to own a British ship ;
  - " miles " means international nautical miles of 1,852 metres ;
  - " the Ministers " means the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with sea fishing in Scotland and Northern Ireland respectively;
  - "sea fish " includes shellfish, salmon and migratory trout, and " sea fishing " has a corresponding meaning.

## **9 Amendments, transitional provisions and repeals**

- (1) The enactments mentioned in Schedule 2 to this Act are amended as there provided, being amendments consequential on the provisions of this Act.
- (2) The transitional provisions in Schedule 3 to this Act have effect.
- (3) The enactments mentioned in Schedule 4 to this Act are repealed to the extent there specified.

## **10 Northern Ireland**

- (1) This Act, except the repeals in section 13 of the Sea Fisheries Act 1968 (compensation for damage caused by offence), extends to Northern Ireland.
- (2) Subject to subsection (3) below,—
  - (a) nothing in this Act affects the extent of British fishery limits in the waters adjacent both to Northern Ireland and the Republic of Ireland to a distance of 12 miles from the baselines from which the breadth of the respective territorial seas is measured ; and
  - (b) references to " British fishery limits" in any enactment for the time being in force relating to sea fishing or whaling shall be construed as including a reference to those limits as well as to the limits set by or under section 1 of this Act.
- (3) The power conferred on Her Majesty by section 1(2) of this Act to declare the extent of British fishery limits by Order in Council includes power to declare the extent of the limits in the waters referred to in subsection (2)(a) above.

## **11 Isle of Man and Channel Islands**

- (1) Her Majesty may by Order in Council make such provision for the Isle of Man and the Channel Islands as appears to Her Majesty to be necessary in consequence of the extension of British fishery limits by or under this Act.
- (2) Such an Order may, in particular, specify waters adjacent to the Isle of Man or any of the Channel Islands as waters to which enactments relating to sea fishing or whaling apply—
  - (a) by virtue of having been extended by Order in Council to the Isle of Man or any of the Channel Islands; and

- (b) with the exceptions, adaptations and modifications (if any) specified in the extending Order.
- (3) Her Majesty may by Order in Council direct that all or any of the provisions of sections 2(2) to (7), 3, 4, 5, 8 and 9 and of the Schedules to this Act—
  - (a) shall extend, with such exceptions, adaptations and modifications, if any, as may be specified in the Order, to the Isle of Man or any of the Channel Islands ;
  - (b) shall apply, with such exceptions, adaptations and modifications as may be specified in the Order, in relation to British fishing boats registered in the Isle of Man or any of the Channel Islands as they apply in relation to British fishing boats registered in the United Kingdom.

## **12 Short title and commencement**

- (1) This Act may be cited as the Fishery Limits Act 1976.
- (2) The provisions of this Act come into force on such day as the Ministers may by order appoint and different days may be appointed for different provisions and for different purposes.
- (3) Without prejudice to subsection (2) orders under that subsection may so provide that the extension of British fishery limits by section 1 of this Act comes into force on different days in relation to different parts of the United Kingdom, the Channel Islands and the Isle of Man.
- (4) An order under subsection (2) may contain such supplementary, incidental and transitional provisions as appear to the Ministers to be necessary or expedient in connection with the provisions of this Act which are thereby brought (wholly or partly) into operation, including such adaptations of those provisions then in force as appear to the Ministers to be necessary or expedient in consequence of their partial operation (whether before, on or after the day appointed by the order).