



# Fishery Limits Act 1976

## 1976 CHAPTER 86

### *Extension of British fishery limits*

#### **2 Access to British fisheries**

- (1) The Ministers may by order designate any country outside the United Kingdom, the Channel Islands and the Isle of Man and, in relation to it, areas within British fishery limits in which, and descriptions of sea fish for which, fishing boats registered in that country may fish.
- (2) A foreign fishing boat not registered in a country for the time being designated under subsection (1) shall not enter British fishery limits 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 for such a purpose—
  - (a) shall return outside the limits as soon as the purpose has been fulfilled; and
  - (b) shall not fish or attempt to fish while within the limits.
- (3) A foreign fishing boat registered in a country designated under subsection (1) shall not fish or attempt to fish within British fishery limits except in an area and for descriptions of fish for the time being designated under this section in relation to that country.
- (4) At any time when a foreign fishing boat is in an area within British fishery limits and either—
  - (a) it is prohibited by this section from fishing in that area at all; or
  - (b) it is permitted under this section to fish only for certain descriptions of fish, then, its fishing gear, or so much of the gear as is not required for permitted fishing, shall be stowed in accordance with an order made by the Ministers.
- (5) If this section is contravened in the case of any fishing boat—
  - (a) the master of the boat is liable on summary conviction to a fine not exceeding £50,000 or on conviction on indictment to a fine ;

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*Status: This is the original version (as it was originally enacted).*

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- (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; and
  - (c) where the contravention takes place in Scotland, any fish or fishing gear forfeited under paragraph (b) above may be destroyed or disposed of as the court may direct.
- (6) The foregoing provisions of this section do 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 is made by any arrangement between Her Majesty's Government in the United Kingdom and the government of that country for fishing by such boats for the purpose of scientific research.
- (7) Orders made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) Without prejudice to section 38(1) of the Interpretation Act 1889 (references to provisions repealed and replaced), a reference to this section is substituted for every reference to section 6 of the Sea Fisheries Act 1968 in the following enactments, that is to say, in—
  - (a) sections 4, 6, 7, 8 and 10 of the Sea Fisheries (Scotland) Amendment Act 1885;
  - (b) section 374 of the Merchant Shipping Act 1894 ;
  - (c) section 17(2) of the Sea Fish Industry Act 1962 ; and
  - (d) sections 8(1) and (4), 12(1) and (2), 13(2) and (4) and 14 of the Sea Fisheries Act 1968.