



Fisheries Act 1981

1981 CHAPTER 29

PART III

REGULATION OF SEA FISHING

30 Enforcement of ^{F1}rules relating to sea fishing]. **E+W**

(1) The following provisions apply in relation to ^{F2}^{F3}assimilated] restrictions relating to sea fishing, ^{F3}assimilated] obligations relating to sea fishing, Northern Ireland Protocol restrictions relating to sea fishing and Northern Ireland Protocol obligations] relating to sea fishing except where, or to the extent that, other provision is made by an order under subsection (2) below—

^{F4}(a) if any fishing boat within British fishery limits—

- (i) fishes in contravention of any such restriction, or
- (ii) fails to comply with any such obligation,

the master, the owner and the charterer (if any) are each guilty of an offence;]

^{F5}(aa) if any English or Welsh fishing boat outside British fishery limits—

- (i) fishes in contravention of any such restriction, or
- (ii) fails to comply with any such obligation,

the master, the owner and the charterer (if any) are each guilty of an offence;]

^{F5}(ab) if any person in England or Wales—

- (i) fishes in contravention of any such restriction, or
- (ii) fails to comply with any such obligation,

that person is guilty of an offence;]

(b) sections 11, 12, 14 and 15(2) of the Sea Fish (Conservation) Act 1967 (penalties, jurisdiction and powers of seizure) apply to ^{F6}offences under paragraph (a), (aa) or (ab) of this subsection] as they apply to offences under section 5(1) of that Act; and

(c) section 8 of the ^{M1}Sea Fisheries Act 1968 (general powers of British sea fishery officers) has effect in relation to such restrictions as it has effect in relation to the provisions mentioned in subsection (1) of that section.

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extentS - Scotland extentN.I. - Northern Ireland extent
Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 30. (See end of Document for details)

(2) The Ministers may by order make such provision as appears to them to be requisite for the enforcement of any [^{F7}[^{F3}assimilated] restriction relating to sea fishing, [^{F3}assimilated] obligation relating to sea fishing, Northern Ireland Protocol restriction relating to sea fishing or Northern Ireland Protocol obligation] relating to sea fishing; and any such order may in particular contain provisions which (with any necessary modifications) apply or correspond to any relevant provisions of the said Act of 1967 or the said Act of 1968.

[^{F8}(2ZA) The provision that may be made by an order made under subsection (2) by the Secretary of State includes—

- (a) provision applying to English or Welsh fishing boats outside British fishery limits;
- (b) provision applying to persons of a specified description on board any fishing boat, other than a Scottish or Northern Ireland fishing boat, outside British fishery limits.

In this subsection “specified” means specified in the order.]

[^{F9}(2A) Proceedings for an offence under any order made under subsection (2) above may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.]

[^{F10}(2B) Her Majesty may by Order in Council provide for subsection (1) or (2) above to apply, with or without modifications, to any fishing boat within subsection (2C) below that is outside British fishery limits as it applies to any English or Welsh fishing boat outside those limits.]

[^{F10}(2C) A fishing boat is within this subsection if—

- (a) it is registered under the law of the Isle of Man or any of the Channel Islands; or
- (b) it is wholly owned by persons qualified for the purposes of the law relating to the registration of vessels in the Isle of Man or any of the Channel Islands to own fishing vessels which are entitled to be registered as such under that law.]

(3) In this section—

^{F11}
...

[^{F12}“assimilated restriction” means a restriction that—

- (a) was created or arose by or under the EU Treaties before IP completion day, and
- (b) forms part of assimilated law,

as modified from time to time;]

[^{F13}“English fishing boat” means—

- (a) a fishing boat which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in England as the port to which the boat is to be treated as belonging; or
- (b) a fishing boat which is wholly owned by persons qualified to own British ships for the purposes of that Part, other than—
 - (i) a Welsh, Scottish or Northern Ireland fishing boat,
 - (ii) a fishing boat within subsection (2C) above, or
 - (iii) a fishing boat registered in any country or territory other than the United Kingdom, the Isle of Man or any of the Channel Islands;]

Status: There are multiple versions of this provision on screen. These apply to different geographical extents.**Skip to:** E+W - England and Wales extentS - Scotland extentN.I. - Northern Ireland extent
Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 30. (See end of Document for details)

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

”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 sea fishing in Scotland, Wales and Northern Ireland.

[^{F13}“Northern Ireland fishing boat” means a fishing boat which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Northern Ireland as the port to which the boat is to be treated as belonging;]

[^{F14}“Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;

“Northern Ireland Protocol obligation” means any obligation created or arising by or under the Northern Ireland Protocol, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;

“Northern Ireland Protocol restriction” means any restriction created or arising by or under the Northern Ireland Protocol, whether or not a restriction to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;
^{F15} ...]

[^{F13}“Scottish fishing boat” means a fishing boat which is registered in the United Kingdom under Part 2 of that Act and whose entry in the register specifies a port in Scotland as the port to which the boat is to be treated as belonging;]

[^{F13}“Welsh fishing boat” means a fishing boat which is registered in the United Kingdom under Part 2 of that Act and whose entry in the register specifies a port in Wales as the port to which the boat is to be treated as belonging.]

(4) Any order under subsection (2) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.

[^{F16}(5) This section has effect in relation to Scotland with the following modifications (and any other necessary modifications)–

(a) in subsection (3), in the definition of ”the Ministers”, from ”Minister” to the end there is substituted ”Scottish Ministers”; and

(b) in subsection (5) for “either House of” there is substituted “the Scottish”.]

Extent Information

E1 This version of this provision extends to England and Wales only; separate versions have been created for Northern Ireland and Scotland only

Textual Amendments

F1 Words in s. 30 heading substituted (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, **3(4)(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**

F2 Words in s. 30(1) substituted (E.W.S.) (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, **3(4)(b)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**

F3 Word in s. 30 substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 13(2)**

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Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 30. (See end of Document for details)

- F4** S. 30(1)(a) substituted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), **ss. 293(2)(b)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 24
- F5** S. 30(1)(aa)(ab) inserted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), **ss. 293(2)(c)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 24
- F6** Words in s. 30(1)(b) substituted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), **ss. 293(2)(d)**, 324(3); S.I. 2009/3345, art. 2, Sch. para. 24
- F7** Words in s. 30(2) substituted (E.W.S.) (31.12.2020) by The Fisheries (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/746), regs. 1, **3(4)(c)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F8** S. 30(2ZA) inserted (E.W.) (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), **ss. 293(3)**, 324(1)(c), (d)
- F9** S. 30(2A) inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 68(5)(a)**; S.I. 1998/3178, **art. 3**
- F10** S. 30(2B)(2C) inserted (E.W.) (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), **ss. 293(4)**, 324(1)(c), (d)
- F11** Words in s. 30(3) omitted (31.12.2020) by The Fisheries (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/746), regs. 1, **3(4)(d)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F12** Words in s. 30(3) inserted (1.1.2024) by The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 13(3)(a)**
- F13** Definitions in s. 30(3) inserted (E.W.S.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), **ss. 293(5)**, 324(3); S.I. 2009/3345, art. 2, **Sch. para. 24**
- F14** Words in s. 30(3) inserted (E.W.S.) (31.12.2020) by The Fisheries (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/746), regs. 1, **3(4)(d)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F15** Words in s. 30(3) omitted (1.1.2024) by virtue of The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 13(3)(b)**
- F16** S. 30(5) inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 68(5)(b)**; S.I. 1998/3178, **art. 3**

Modifications etc. (not altering text)

- C2** Pts. 2-4 functions transferred (1.4.2018) by Wales Act 2017 (c. 4), **s. 53(2)(c)(3)**, 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, **reg. 3(1)**
- C3** S. 30(2) certain functions made exercisable (28.3.2002) in or as regards N.I. for the purposes of 1998 c. 47, **ss. 6**, 86 and transferred by S.I. 2002/790, art. 3(2), **Sch. 2 para. 3(1)**
- C4** S. 30(2): transfer of functions (5.12.2012) by The Transfer of Functions (Sea Fisheries) Order 2012 (S.I. 2012/2747), arts. 1(2), **3(1)(d)** (with art. 5)
- C5** S. 30(2) functions made exercisable concurrently with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 2 (as inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 4 para. 2** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, **reg. 3(p)**)
- C6** S. 30(4) excluded (28.3.2002) by S.I. 2002/790, art. 3(2), **Sch. 2 para. 3(3)**

Marginal Citations

- M1** 1968 c. 77.

30 Enforcement of ^{F17}rules relating to sea fishing]. **S**

- (1) The following provisions apply in relation to [^{F2}[^{F3}assimilated] restrictions relating to sea fishing, [^{F3}assimilated] obligations relating to sea fishing, Northern Ireland Protocol restrictions relating to sea fishing and Northern Ireland Protocol obligations] relating to sea fishing except where, or to the extent that, other provision is made by an order under subsection (2) below—

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Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 30. (See end of Document for details)

- [^{F18}(a) if any fishing boat within the Scottish Zone—
- (i) fishes in contravention of any such restriction; or
 - (ii) fails to comply with any such obligation,
- the master, the owner and the charterer (if any) are each guilty of an offence;]
- [^{F19}(aa) if any Scottish fishing boat outside the Scottish Zone—
- (i) fishes in contravention of any such restriction; or
 - (ii) fails to comply with any such obligation,
- the master, the owner and the charterer (if any) are each guilty of an offence;]
- [^{F19}(ab) if any person in Scotland—
- (i) fishes in contravention of any such restriction; or
 - (ii) fails to comply with any such obligation,
- the person is guilty of an offence;]
- (b) sections 11, 12, 14 and 15(2) of the Sea Fish (Conservation) Act 1967 (penalties, jurisdiction and powers of seizure) apply to [^{F20}offences under paragraph (a), (aa) or (ab) of this subsection] as they apply to offences under section 5(1) of that Act; and
 - (c) section 8 of the ^{M2}Sea Fisheries Act 1968 (general powers of British sea fishery officers) has effect in relation to such restrictions [^{F21}and obligations] as it has effect in relation to the provisions mentioned in subsection (1) of that section.
- (2) The Ministers may by order make such provision as appears to them to be requisite for the enforcement of any [^{F7}[^{F3}assimilated] restriction relating to sea fishing, [^{F3}assimilated] obligation relating to sea fishing, Northern Ireland Protocol restriction relating to sea fishing or Northern Ireland Protocol obligation] relating to sea fishing; and any such order may in particular contain provisions which (with any necessary modifications) apply or correspond to any relevant provisions of the said Act of 1967 or the said Act of 1968.
- [^{F22}(2A) Proceedings for an offence under any order made under subsection (2) above may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.]
- (3) In this section—
- ^{F11} ...
 - [^{F12}“assimilated restriction” means a restriction that—
 - (a) was created or arose by or under the EU Treaties before IP completion day, and
 - (b) forms part of assimilated law, - as modified from time to time;]
 - “fishing boat” means any vessel for the time being employed in fishing operations or any operations ancillary thereto;
 - “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 sea fishing in Scotland, Wales and Northern Ireland.
 - [^{F14}“Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents.***Skip to:** E+W - England and Wales extentS - Scotland extentN.I. - Northern Ireland extent
Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 30. (See end of Document for details)

“Northern Ireland Protocol obligation” means any obligation created or arising by or under the Northern Ireland Protocol, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;

“Northern Ireland Protocol restriction” means any restriction created or arising by or under the Northern Ireland Protocol, whether or not a restriction to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;

^{F15} ...]

^{F23}“Scottish fishing boat” means a fishing boat which is registered in the register maintained under section 8 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Scotland as the port to which the boat is to be treated as belonging;]

^{F23}“Scottish Zone” has the same meaning as in the Scotland Act 1998 (see section 126(1) and (2) of that Act);]

(4) Any order under subsection (2) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.

^{F24}(5) This section has effect in relation to Scotland with the following modifications (and any other necessary modifications)–

- (a) in subsection (3), in the definition of “the Ministers”, from “Minister” to the end there is substituted “Scottish Ministers”; and
- (b) in subsection ^{F25}(4)] for “either House of” there is substituted “the Scottish”.]

Extent Information

E2 This version of this provision extends to Scotland only; separate versions have been created for Northern Ireland and England and Wales only

Textual Amendments

- F2** Words in s. 30(1) substituted (E.W.S.) (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, **3(4)(b)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Word in s. 30 substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 13(2)**
- F7** Words in s. 30(2) substituted (E.W.S.) (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, **3(4)(c)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F11** Words in s. 30(3) omitted (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, **3(4)(d)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F12** Words in s. 30(3) inserted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 13(3)(a)**
- F14** Words in s. 30(3) inserted (E.W.S.) (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, **3(4)(d)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F15** Words in s. 30(3) omitted (1.1.2024) by virtue of [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 13(3)(b)**
- F17** Words in s. 30 heading substituted (E.W.S.) (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, **3(4)(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F18** S. 30(1)(a) substituted (S.) (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), **ss. 51(2)(a), 66(2)** (with s. 65); S.S.I. 2013/249, art. 2

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- F19** S. 30(1)(aa)(ab) inserted (S.) (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 51(2)(b), 66(2)** (with s. 65); S.S.I. 2013/249, art. 2
- F20** Words in s. 30(1)(b) substituted (S.) (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 51(2)(c), 66(2)** (with s. 65); S.S.I. 2013/249, **art. 2**
- F21** Words in s. 30(1)(c) inserted (S.) (1.8.2007) by Aquaculture and Fisheries (Scotland) Act 2007 (asp 12), **ss. 33(c), 45(2)** (with s. 39); S.S.I. 2007/333, **art. 2(1)**
- F22** S. 30(2A) inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 68(5)(a)**; S.I. 1998/3178, **art. 3**
- F23** Definitions in s. 30(3) inserted (E.W.S.) (16.9.2013) by Aquaculture and Fisheries (Scotland) Act 2013 (asp 7), **ss. 51(2)(d), 66(2)** (with s. 65); S.S.I. 2013/249, **art. 2**
- F24** S. 30(5) inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 68(5)(b)**; S.I. 1998/3178, **art. 3**
- F25** Word in s. 30(5)(b) substituted (S.) (1.8.2007) by Aquaculture and Fisheries (Scotland) Act 2007 (asp 12), s. 45(2), **Sch. para. 4** (with s. 39); S.S.I. 2007/333, art. 2(1)

Modifications etc. (not altering text)

- C7** Pts. II-IV functions transferred (1.4.2018) by Wales Act 2017 (c. 4), **s. 53(2)(c)(3), 71(4)** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, **reg. 3(1)**
- C8** S. 30(2) certain functions made exercisable (28.3.2002) in or as regards N.I. for the purposes of 1998 c. 47, **ss. 6, 86** and transferred by S.I. 2002/790, art. 3(2), **Sch. 2 para. 3(1)**
- C9** S. 30(2): transfer of functions (5.12.2012) by The Transfer of Functions (Sea Fisheries) Order 2012 (S.I. 2012/2747), arts. 1(2), **3(1)(d)** (with art. 5)
- C10** S. 30(2) functions made exercisable concurrently with the Welsh Ministers by 2006 c. 32, Sch. 3A para. 2 (as inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 4 para. 2** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, **reg. 3(p)**)
- C11** S. 30(4) excluded (28.3.2002) by S.I. 2002/790, art. 3(2), **Sch. 2 para. 3(3)**

Marginal Citations

- M2** 1968 c. 77.

30 Enforcement of ^{F26}rules relating to sea fishing]. **N.I.**

- (1) The following provisions apply in relation to ^{F27}^{F3}assimilated] restrictions relating to sea fishing, ^{F3}assimilated] obligations relating to sea fishing, Northern Ireland Protocol restrictions relating to sea fishing and Northern Ireland Protocol obligations] relating to sea fishing except where, or to the extent that, other provision is made by an order under subsection (2) below—
- ^{F28}(a) if any fishing boat within the Northern Ireland zone—
- (i) fishes in contravention of any such restriction, or
 - (ii) fails to comply with any such obligation,
- the master, the owner and the charterer (if any) are each guilty of an offence;]
- ^{F29}(aa) if any Northern Ireland fishing boat outside the Northern Ireland zone—
- (i) fishes in contravention of any such restriction, or
 - (ii) fails to comply with any such obligation,
- the master, the owner and the charterer (if any) are each guilty of an offence;]
- ^{F29}(ab) if any person in Northern Ireland—
- (i) fishes in contravention of any such restriction, or
 - (ii) fails to comply with any such obligation,
- that person is guilty of an offence;]

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- (b) sections 11, 12, 14 and 15(2) of the Sea Fish (Conservation) Act 1967 (penalties, jurisdiction and powers of seizure) apply to [F³⁰offences under paragraph (a), (aa) or (ab) of this subsection] as they apply to offences under section 5(1) of that Act; and
- (c) section 8 of the M³Sea Fisheries Act 1968 (general powers of British sea fishery officers) has effect in relation to such restrictions [F³¹and obligations] as it has effect in relation to the provisions mentioned in subsection (1) of that section.
- (2) The Ministers may by order make such provision as appears to them to be requisite for the enforcement of any [F³²[F³assimilated] restriction relating to sea fishing, [F³assimilated] obligation relating to sea fishing, Northern Ireland Protocol restriction relating to sea fishing or Northern Ireland Protocol obligation] relating to sea fishing; and any such order may in particular contain provisions which (with any necessary modifications) apply or correspond to any relevant provisions of the said Act of 1967 or the said Act of 1968.
- [F³³(2ZA) The provision that may be made by an order under subsection (2) includes—
- (a) provision applying to Northern Ireland fishing boats outside the Northern Ireland zone;
 - (b) provision applying to persons of a specified description on board a Northern Ireland fishing boat outside the Northern Ireland zone.
- In this subsection “specified” means specified in the order.]
- [F³⁴(2A) Proceedings for an offence under any order made under subsection (2) above may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.]
- (3) In this section—
- F³⁵
...
[F¹²“assimilated restriction” means a restriction that—
- (a) was created or arose by or under the EU Treaties before IP completion day, and
 - (b) forms part of assimilated law,
- as modified from time to time;]
- “fishing boat” means any vessel for the time being employed in fishing operations or any operations ancillary thereto;
- “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 sea fishing in Scotland, Wales and Northern Ireland.
- [F³⁶“Northern Ireland fishing boat” means a fishing vessel which is registered in the register maintained under section 8 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Northern Ireland as the port to which the vessel is to be treated as belonging;]
- [F³⁷“Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;
- “Northern Ireland Protocol obligation” means any obligation created or arising by or under the Northern Ireland Protocol, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W - England and Wales extent S - Scotland extent N.I. - Northern Ireland extent
Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 30. (See end of Document for details)

“Northern Ireland Protocol restriction” means any restriction created or arising by or under the Northern Ireland Protocol, whether or not a restriction to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;]

[^{F36}“Northern Ireland zone” has the same meaning as in the Northern Ireland Act 1998 (see section 98(1) and (8) of that Act);]

^{F15}
...

(4) Any order under subsection (2) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.

[^{F38}(5) This section has effect in relation to Scotland with the following modifications (and any other necessary modifications)–

- (a) in subsection (3), in the definition of “the Ministers”, from “Minister” to the end there is substituted “Scottish Ministers”; and
- (b) in subsection (5) for “either House of” there is substituted “the Scottish”.]

Extent Information

E3 This version of this provision extends to Northern Ireland only; separate versions have been created for Scotland and England and Wales only

Textual Amendments

- F3** Word in s. 30 substituted (1.1.2024) by The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 13(2)**
- F12** Words in s. 30(3) inserted (1.1.2024) by The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 13(3)(a)**
- F15** Words in s. 30(3) omitted (1.1.2024) by virtue of The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 13(3)(b)**
- F26** Words in s. 30 heading substituted (N.I.) (31.12.2020) by The Fisheries (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/746), regs. 1, **3(5)(a)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F27** Words in s. 30(1) substituted (N.I.) (31.12.2020) by The Fisheries (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/746), regs. 1, **3(5)(b)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F28** S. 30(1)(a) substituted (N.I.) (12.5.2016) by Fisheries Act (Northern Ireland) 2016 (c. 27), **s. 1(2)(b)**
- F29** S. 30(1)(aa)(ab) inserted (N.I.) (12.5.2016) by Fisheries Act (Northern Ireland) 2016 (c. 27), **s. 1(2)(c)**
- F30** Words in s. 30(1)(b) substituted (N.I.) (12.5.2016) by Fisheries Act (Northern Ireland) 2016 (c. 27), **s. 1(2)(d)**
- F31** Words in s. 30(1)(c) inserted (N.I.) (12.5.2016) by Fisheries Act (Northern Ireland) 2016 (c. 27), **s. 1(2)(e)**
- F32** Words in s. 30(2) substituted (N.I.) (31.12.2020) by The Fisheries (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/746), regs. 1, **3(5)(c)** (as substituted by S.I. 2020/1599, regs. 1(2), **2(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F33** S. 30(2ZA) inserted (N.I.) (12.5.2016) by Fisheries Act (Northern Ireland) 2016 (c. 27), **s. 1(4)**
- F34** S. 30(2A) inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 68(5)(a)**; S.I. 1998/3178, **art. 3**
- F35** Words in s. 30(3) omitted (N.I.) (31.12.2020) by S.I. 2019/746, regs. 1, **3(5)(d)** (as substituted by The Common Fisheries Policy (Amendment etc.) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1599), regs. 1(2), **2(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F36** Words in s. 30(3) inserted (N.I.) (12.5.2016) by Fisheries Act (Northern Ireland) 2016 (c. 27), **s. 1(5)(b)**

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents.***Skip to:** *E+W - England and Wales extent**S - Scotland extent**N.I. - Northern Ireland extent*
Changes to legislation: *There are currently no known outstanding effects for the Fisheries Act 1981, Section 30. (See end of Document for details)*

- F37** Words in s. 30(3) inserted (N.I.) (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, **3(5)(d)** (as substituted by [S.I. 2020/1599](#), regs. 1(2), **2(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F38** S. 30(5) inserted (1.7.1999) by [S.I. 1999/1820](#), art. 4, **Sch. 2 Pt. I para. 68(5)(b)**; [S.I. 1998/3178](#), **art. 3**

Modifications etc. (not altering text)

- C12** Pts. II-IV functions transferred (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **s. 53(2)(c)(3)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), **reg. 3(1)**
- C13** S. 30(2) certain functions made exercisable (28.3.2002) in or as regards N.I. for the purposes of 1998 c. 47, **ss. 6, 86** and transferred by [S.I. 2002/790](#), art. 3(2), **Sch. 2 para. 3(1)**
- C14** S. 30(2): transfer of functions (5.12.2012) by [The Transfer of Functions \(Sea Fisheries\) Order 2012 \(S.I. 2012/2747\)](#), arts. 1(2), **3(1)(d)** (with art. 5)
- C15** S. 30(2) functions made exercisable concurrently with the Welsh Ministers by 2006 c. 32, **Sch. 3A para. 2** (as inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), [Sch. 4 para. 2](#) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), **reg. 3(p)**)
- C16** S. 30(4) excluded (28.3.2002) by [S.I. 2002/790](#), art. 3(2), **Sch. 2 para. 3(3)**

Marginal Citations

- M3** [1968 c. 77](#).

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W - England and Wales extent
- S - Scotland extent
- N.I. - Northern Ireland extent

Changes to legislation:

There are currently no known outstanding effects for the Fisheries Act 1981, Section 30.