

SCHEDULE

Article 2

Offences relating to sea fishing

1. An offence under section 26(3) of the Sea Fisheries Act 1868(1) (registered fishing boats and foreign fishing boats within British waters to have official papers).

Commencement Information

I1 Sch. para. 1 in force at 6.4.2011, see [art. 1\(1\)](#)

2. In the Sea Fisheries (Shellfish) Act 1967(2), an offence under—

- (a) section 3 (effect of grant of right of regulating a fishery);
- (b) section 7 (protection of fisheries);
- (c) section 14 (supplementary provisions as to orders under ss 12 and 13);
- (d) section 16 (oysters not to be sold between certain dates);
- (e) section 17 (taking and sale of certain crabs and lobsters prohibited).

Commencement Information

I2 Sch. para. 2 in force at 6.4.2011, see [art. 1\(1\)](#)

3. In the Sea Fish (Conservation) Act 1967(3), an offence under—

- (a) section 1 (size limits, etc for fish);
- (b) section 2 (size limits for use in course of any business);
- (c) section 3 (regulation of nets and other fishing gear);
- ^{F1}(d)
- (e) section 4A (licensing of vessels receiving trans-shipped fish);
- (f) section 5 (power to restrict fishing for sea fish);
- (g) section 6 (prohibition on landing of sea fish caught in certain areas);
- (h) section 8 (regulation of landing of foreign-caught sea fish).

Textual Amendments

F1 Sch. para. 3(d) omitted (31.12.2020) by virtue of [The Sea Fishing \(Penalty Notices and Designation\) \(England\) \(Amendment\) \(EU Exit\) Order 2020 \(S.I. 2020/1635\)](#), arts. 1(2), [2\(2\)\(a\)](#)

(1) [1868 c.45](#); section 26 was substituted by the Merchant Shipping Act [1995 \(c. 21\)](#), section 314(2) and Schedule 13, paragraph 2.
(2) [1967 c. 83](#); sections 3, 7 and 17 were amended by the Marine and Coastal Access Act 2009, sections 204, 210, 212 and 213.
(3) [1967 c. 84](#); section 1 was substituted by section 19 of the Fisheries Act [1981 \(c. 29\)](#) and further amended by section 314(2) of, and paragraph 38 of Schedule 13 to, the Merchant Shipping Act 1995, section 194 of, and paragraph 1 of Schedule 15 to, the Marine and Coastal Access Act 2009 and paragraph 43 of Schedule 2 to [S.I. 1999/1820](#). Section 3 was amended by section 195 of, and paragraph 7 of Schedule 14 and paragraph 2 of Schedule 15 to, the Marine and Coastal Access Act 2009 and paragraph 43 of Schedule 2 to [S.I. 1999/1820](#). Section 4 was amended by section 20 of the Fisheries Act 1981, section 1 of the Sea Fish (Conservation) Act [1992 \(c.60\)](#), sections 4, 196 and 197 of the Marine and Coastal Access Act 2009 and paragraph 1 of Schedule 2 to [S.I. 1999/1820](#). Section 4A was inserted by section 21 of the Fisheries Act 1981 and further amended by section 3 of the Sea Fish (Conservation) Act 1992 and paragraph 43 of Schedule 2 to [S.I. 1999/1820](#). Section 5 was substituted by section 22 of the Fisheries Act 1981 and further amended by section 198 of, and paragraph 3 of Schedule 15 to, the Marine and Coastal Access Act 2009 and paragraph 43 of Schedule 2 to [S.I. 1999/1820](#). Section 6 was amended by section 23 of the Fisheries Act 1981 and paragraph 43 of Schedule 2 to [S.I. 1999/1820](#). Section 8 was amended by paragraph 43 of Schedule 2 to [S.I. 1999/1820](#).

Changes to legislation: There are currently no known outstanding effects for the The Sea Fishing (Penalty Notices) (England) Order 2011, SCHEDULE. (See end of Document for details)

Commencement Information

I3 Sch. para. 3 in force at 6.4.2011, see [art. 1\(1\)](#)

4. An offence under section 5 of the Sea Fisheries Act 1968(4) (regulation of conduct of fishing operations).

Commencement Information

I4 Sch. para. 4 in force at 6.4.2011, see [art. 1\(1\)](#)

^{F2}**5.**

Textual Amendments

F2 Sch. para. 5 omitted (31.12.2020) by virtue of The Sea Fishing (Penalty Notices and Designation) (England) (Amendment) (EU Exit) Order 2020 (S.I. 2020/1635), arts. 1(2), **2(2)(b)**

6. An offence under section 30 of the Fisheries Act 1981(enforcement of Community rules).

Commencement Information

I5 Sch. para. 6 in force at 6.4.2011, see [art. 1\(1\)](#)

7. An offence under section 1 of the British Fishing Boats Act 1983(5) (restrictions on fishing etc by British boats).

Commencement Information

I6 Sch. para. 7 in force at 6.4.2011, see [art. 1\(1\)](#)

8. An offence under section 163 of the Marine and Coastal Access Act 2009 (offences).

Commencement Information

I7 Sch. para. 8 in force at 6.4.2011, see [art. 1\(1\)](#)

9. An offence under regulation 6 of the Sea Fishing (Days in Port) Regulations 1992(6).

Commencement Information

I8 Sch. para. 9 in force at 6.4.2011, see [art. 1\(1\)](#)

10. An offence under regulations 3 to 11 of the Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations 2005(7).

(4) 1968 c. 77; section 5 was amended by section 4 of, and paragraph 3 of Schedule 1 and paragraph 17 of Schedule 15 to, the Fishery Limits Act 1976, section 17 of and Schedule 4 to the Criminal Justice Act 1999 (c.53) and paragraph 48 of Schedule 2 to S.I. 1999/1820.
(5) 1983 c.8; section 1 was amended by paragraph 70 of Schedule 2 to S.I. 1999/1820.
(6) S.I. 1992/130, amended by S.I. 1992/670; there are other amending instruments but none is relevant.
(7) S.I 2005/1605, to which there are amendments not relevant to this Order.

Commencement Information

I9 Sch. para. 10 in force at 6.4.2011, see [art. 1\(1\)](#)

11. An offence under article 9 of the Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order 2009⁽⁸⁾.

Commencement Information

I10 Sch. para. 11 in force at 6.4.2011, see [art. 1\(1\)](#)

[^{F3}**11A.** In the Fisheries Act 2020, an offence under—

- (a) section 12(3) (access to British fisheries by foreign fishing boats);
- (b) section 14(6) (British fishing boats required to be licensed);
- (c) section 16(6) (foreign fishing boats required to be licensed if within British fishery limits);
- (d) paragraph 1(4) of Schedule 3 (sea fishing licences: further provision).]

Textual Amendments

F3 Sch. para. 11A inserted (31.12.2020) by [The Sea Fishing \(Penalty Notices and Designation\) \(England\) \(Amendment\) \(EU Exit\) Order 2020 \(S.I. 2020/1635\)](#), arts. 1(2), **2(2)(c)**

12. In this Schedule, reference to a section includes subordinate legislation made under that section.

Commencement Information

I11 Sch. para. 12 in force at 6.4.2011, see [art. 1\(1\)](#)

⁽⁸⁾ S.I. 2009/3391.

Changes to legislation:

There are currently no known outstanding effects for the The Sea Fishing (Penalty Notices) (England) Order 2011, SCHEDULE.