



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART VIII

SEA-FISHERIES

UNDERSIZED SEA-FISH

^{F1}127 Minimum sizes of sea-fish.

- (1) Subject to subsections (5) and (6), no person shall [^{F2} bring to land], land, sell or offer or expose for sale, or have in his possession for the purpose of sale, any sea-fish of any description, being a fish of a smaller size than such size as may be prescribed in relation to sea-fish of that description by an order of the Ministry made subject to negative resolution, and orders under this subsection may prescribe a different size in relation to landing from that prescribed for other purposes.
- ^{F2}(1A) Where an order is made under subsection (1) in relation to lobsters that subsection shall have effect as if the words “for the purpose of sale” were omitted; but that subsection as so modified shall not apply to the possession of lobsters purchased by retail in a shop.]
- (2) Subject to any exemption granted under subsection (7), no person shall have in his possession for the purpose of processing or otherwise using in the course of any business any fish to which subsection (1) applies.
- (3) Where an order under subsection (1) prescribes a size for fish of any description (whether in relation to landing only or for all the purposes of the subsection), then, except in so far as provision is made to the contrary by such an order, a person who lands a part of a fish of that description shall be deemed to contravene that subsection if the part is of a smaller size than the size so prescribed.
- ^{F2}(3A) An order under subsection (1) may confer exemptions from any prohibition imposed by this section.]

Subs.(4)(5) rep. by 1981 NI 7

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 127. (See end of Document for details)

- (6) Where an order under [^{F3} section 1(1) of the Sea Fish (Conservation) Act 1967] (which ...^{F4} prohibits the landing in Great Britain and disposal there of sea-fish of less than the prescribed size ...^{F4}) is for the time being in force with respect to fish of any description, then, in relation to fish of that description,—
- (a) no order shall be made under subsection (1) for purposes corresponding to those of the first-mentioned order prescribing any lesser size than the size prescribed by the first-mentioned order; ...^{F4}

Para.(b) rep. by 1981 NI 7

^{F4}

- (7) Where it appears to an officer authorised in that behalf by the Ministry that any fish which have been caught are fish to which subsection (1) applies, the officer may grant in writing to any person such exemption from subsection (2) as the officer considers requisite to enable the fish to be disposed of.
- (8) If any person contravenes this section, that person shall be guilty of an offence, ...^{F4}.
- (9) Any person, ...^{F4} who is guilty of an offence under subsection (8) shall be liable on summary conviction [^{F5} to a fine not exceeding £1,000.]
- (10) Any officer of a market authority acting within the limits of a market which that authority has power to regulate, may seize any sea-fish which are landed, sold or offered or exposed for sale by any person in contravention of this section or which any person has in his possession in contravention of this section and for the purposes of this subsection may exercise any power conferred on an authorised officer by section 178.
- (11) In this section “sea-fish” includes fish which has been cured, frozen or otherwise preserved, and “market authority” means any authority or person having power to regulate a market.

F1 mod. by SR 2000/20

F2 1981 NI 7

F3 1981 NI 7

F4 1981 NI 7

F5 1981 NI 7

Modifications etc. (not altering text)

C1 S. 127(1) excluded (31.12.2020) by S.R. 2000/200, art. 4 (as substituted by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(a), [Sch. 2 para. 33\(3\)](#) (with s. 50, [Sch. 4 para. 31](#)))

Changes to legislation:

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