



Sea Fisheries Act 1968

1968 CHAPTER 77

Supplemental

18 Orders.

- (1) Any power conferred on the Ministers by this Act to make an order shall be exercisable by statutory instrument.
- (2) A statutory instrument containing an order made by the Ministers under any provision of this Act, . . . ^{F1} shall be laid before Parliament.
- (3) Any power conferred by this Act on the Ministers to make an order includes power to vary or revoke the order by a subsequent order.

Textual Amendments

F1 Words repealed by [Sea Fish Industry Act 1970 \(c. 11\)](#), [Sch. 6 Pt. I](#)

19 Interpretation.

- (1) In this Act, except so far as the context otherwise requires,—
 - “British fishing boat” means a fishing boat which is registered in the United Kingdom, [^{F2}excluded from registration by regulations under section 13 of the Merchant Shipping Act 1988] or owned wholly by a person who is (within the meaning of the Merchant Shipping Act 1894) a person qualified to own a British ship, and “foreign fishing boat” means a fishing boat which is not so registered, [^{F2}so excluded] or so owned;
 - “convention” includes an agreement or other arrangement;
 - “convention area” means, in relation to any international convention, the area to which the convention relates;
 - “enactment” includes an enactment of the Parliament of Northern Ireland;
 - “fish” includes shellfish, and cognate expressions shall be construed accordingly;

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

“foreign sea-fishery officer” has the meaning assigned to it by section 7 of this Act;

“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 the sea fishing industry in Scotland and Northern Ireland;

F3

“Sea Fisheries Acts” means any enactments for the time being in force relating to sea-fishing, including any enactment relating to fishing for shellfish, salmon or migratory trout.

(2) F4

(3) Any reference in this Act to any other enactment is a reference thereto as amended, and includes a reference thereto as extended or applied by or under any other enactment, including this Act.

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Textual Amendments

F2 Words substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), ss. 57(4), 58(4), [Sch. 6, Sch. 8 para. 1](#)

F3 Definitions repealed by [Sea Fish Industry Act 1970 \(c. 11\)](#), [Sch. 6 Pt. I](#) and [Fishery Limits Act 1976 \(c. 86\)](#), [Sch. 4](#)

F4 [S. 19\(2\)](#) repealed by [Fishery Limits Act 1976 \(c. 86\)](#), [Sch. 4](#)

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Modifications etc. (not altering text)

C1 Reference to enactment of Parliament of Northern Ireland to be construed as including reference to Measure of Northern Ireland Assembly: [Northern Ireland Constitution Act 1973 \(c. 36\)](#), [Sch. 5 para. 1\(1\)](#)

20 F5

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Textual Amendments

F5 [S. 20](#) repealed by [Northern Ireland Constitution Act 1973 \(c. 36\)](#), [Sch. 6 Pt. I](#)

21 Isle of Man and Channel Islands.

- (1) Her Majesty may by Order in Council direct that all or any of the provisions of sections 5 to 14, 16, 17, 19, 22 and 23 of this Act and of Part II of Schedule 1 and Part II of Schedule 2 thereto—
- (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; and
 - (b) shall apply, with such exceptions, adaptations and modifications as aforesaid, in relation to British fishing boats registered in the Isle of Man or any of the

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Channel Islands as they apply in relation to British fishing boats registered in the United Kingdom.

- (2) An Order in Council under this section may be varied or revoked by a subsequent Order thereunder.

22 Minor and consequential amendments and repeals, and savings.

- ^{X1}(1) The enactments specified in Schedule 1 of this Act shall have effect subject to the amendments set out in that Schedule, being minor amendments and amendments consequential on the foregoing provisions of this act.
- ^{X1}(2) The enactments specified in Schedule 2 to this Act (which include enactments which were obsolete or unnecessary before the passing of this Act) are hereby repealed to the extent specified in the third column of that Schedule.
- (3) ^{F6}
- (5) The amendment by Schedule 1 to this Act of section 15 of the ^{M1}Sea Fish (Conservation) Act 1967 shall not affect any order made under that section, but any such order which is in force immediately before the coming into force of the amendment shall have effect as if made under that subsection as so amended.
- (6) The repeal by this Act of the ^{M2}Sea Fisheries Act 1883 shall not affect the operation—
- of any Order in Council under section 23 of that Act which is in force immediately before the coming into force of the repeal; or
 - of any provision of that Act which is applied by any such Order or by any provision of the ^{M3}Fisheries Act 1891 or the ^{M4}North Sea Fisheries Act 1893.

Editorial Information

- X1** The text of ss. 15(2)(7), 22(1)(2), Sch. 1 Pt. II paras. 24, 26–31, 34, 36–39, Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Textual Amendments

- F6** S. 22(3)(4) repealed by [Sea Fish Industry Act 1970 \(c. 11\)](#), **Sch. 6 Pt. I**

Marginal Citations

- M1** 1967 c. 84.
M2 1883 c. 22.
M3 1891 c. 37.
M4 1893 c. 17.

23 Short title and commencement.

- (1) This Act may be cited as the Sea Fisheries Act 1968.
- (2) Sections 5 to 14 of this Act and Part II of Schedule 1 and Part II of Schedule 2 thereto shall come into force on such day as the Ministers may by order appoint, and different days may be so appointed for different purposes of those provisions.
- (3) Any order under this section may make such transitional provision as appears to the Ministers to be necessary or expedient in connection with the provisions thereby

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brought into force, including such adaptations of those provisions or any provisions of this Act then in force as appear to him to be necessary or expedient in consequence of the partial operation of this Act (whether before or after the day appointed by the order).

Subordinate Legislation Made

P1 Power of appointment conferred by s. 23(2) partly exercised: [S.I. 1969/1551](#)

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