



Sea Fish (Conservation) Act 1967

1967 CHAPTER 84

Exemption for certain operations

9 Exemption for operations for scientific and other purposes.

- (1) Nothing in section [^{F1}1(1) or (5)] of this Act shall restrict the landing of fish taken in the course of fishing operations which, under the authority of one of the Ministers, are conducted for the purpose of scientific investigation.
 - (2) Nothing in section 1(3) of this Act or in any order made under section 3 thereof shall apply in relation to fishing operations which, under the authority of one of the Ministers, are conducted for the purpose of scientific investigation or for the purpose of transplanting fish from one fishing ground to another.
 - (3) Neither a prohibition imposed by an order under section 5 of this Act, nor the obligation imposed by subsection (6) of that section, shall apply in relation to fishing operations conducted under the authority of one of the Ministers for either of the purposes mentioned in subsection (2) above.
 - (4) No enactment to which this subsection applies, and no order or byelaw made (whether before or after the passing of this Act) under any such enactment, shall restrict the carrying on of any operations which, under the authority of one of the Ministers, are conducted for the purpose of scientific investigation, or for the purpose of transplanting sea fish from one fishing ground to another, or shall restrict the landing of sea fish caught in the course of any such operations.
 - (5) Subsection (4) above applies to sections ^{F2}... [^{F3}4A,] 5, 6 and 8 of this Act and to any other enactment which provides for regulating the catching or landing of sea fish.
 - (6) Subsection (4) above shall have effect in addition to, and not in derogation of, subsections (1), (2) and (3) above and any express saving or exemption contained in such other enactment as is referred to in subsection (5) above or in any order or byelaw made under an enactment to which the said subsection (4) applies.
- [^{F4}(6A) The Secretary of State may make regulations with respect to applications to the Marine Management Organisation for authority under this section.

Changes to legislation: There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 9. (See end of Document for details)

- (6B) The provision that may be made in any such regulations includes provision as to—
- (a) the manner in which, and time before which, any such application is to be made, and
 - (b) the charging of a reasonable fee by the Marine Management Organisation for dealing with an application.
- (6C) The power to make regulations under this section shall be exercisable by statutory instrument.
- (6D) A statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.]
- (7) In this section “sea fish” includes salmon and migratory trout.

Textual Amendments

- F1** Words substituted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), **s. 19(2)(b)(3)**
- F2** Word in [s. 9\(5\)](#) omitted (31.12.2020) by virtue of [Fisheries Act 2020 \(c. 22\)](#), [s. 54\(3\)\(b\)](#), **Sch. 4 para. 6(6)** (with [Sch. 4 para. 31](#))
- F3** Word inserted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), **s. 21(2)(a)**
- F4** [S. 9\(6A\)-\(6D\)](#) inserted (12.11.2009 for specified purposes, 1.4.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 8(2)**, [324\(1\)\(c\)](#) (with [s. 8\(3\)](#)); [S.I. 2010/907](#), [art. 2\(2\)\(e\)](#)

Modifications etc. (not altering text)

- C1** [S. 9\(1\)-\(4\)](#): transfer of functions (12.11.2009 for specified purposes, 1.4.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 8(1)**, [324\(1\)\(c\)](#) (with [s. 8\(3\)](#)); [S.I. 2010/907](#), [art. 2\(2\)\(e\)](#)
- C2** [S. 9\(2\)-\(4\)](#): certain functions made exercisable in or as regards N.I. for the purposes of [1998 c. 47](#), **ss. 6, 86** and transferred (28.3.2002) by [S.I. 2002/790](#), [art. 3\(1\)](#), **Sch. 1 para. 3(1)(2)(k)**

Changes to legislation:

There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 9.