



Fisheries Act 1981

CHAPTER 29

FISHERIES ACT 1981

PART I

THE SEA FISH INDUSTRY AUTHORITY

Constitution, duties and powers

- 1 Constitution of the Authority.
- 2 Duties of the Authority.
- 3 Powers of the Authority.

Financial provisions

- 4 Levies.
- 5 Records and information for levy purposes.
- 6 Borrowing powers.
- 7 Government loans.
- 8 Government grants.
- 9 Government guarantees.
- 10 Investment of reserve funds.

Supplementary

- 11 Accounts and reports.
- 12 Restriction on disclosure of information.
- 13 Abolition of White Fish Authority and Herring Industry Board.
- 14 Interpretation of Part I.

Changes to legislation: Fisheries Act 1981 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART II

FINANCIAL ASSISTANCE FOR SEA FISH INDUSTRY

- 15 Schemes of financial assistance.
- 16 Administration of schemes by Sea Fish Industry Authority.
- 17 Offences in connection with schemes.
- 18 Interpretation of Part II.
- 18A (1) This Part of the Act has effect in relation...

PART III

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- 19 Size limits for fish.
- 20 Licensing of fishing boats.
- 21 Licensing of vessels receiving trans-shipped fish.
- 22 Power to restrict sea fishing.
- 23 Prohibition of trans-shipment of sea fish.
- 24 Penalties for offences.
- 25 Enforcement of Act of 1967.
- 26 British sea-fishery officers.
- 27 Enforcement of provisions as to trans-shipment.
- 28 Offences by bodies corporate.
- 29 Jurisdiction.
- 30 Enforcement of rules relating to sea fishing.

PART IV

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- 31 Financial assistance.
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- 34 Structures for propagating or cultivating shellfish.

PART V

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- 36 Landing etc. of whales in Scotland.
- 37 Import of live fish.
- 38 Fisheries offences on River Tweed.
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- 42 Offences by bodies corporate.
- 43 Financial provisions.
- 44 General interpretation.
- 45 Amendment of section 22(2) of Sea Fish (Conservation) Act 1967.
- 46 Short title, repeals, commencement and extent.

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SCHEDULES

SCHEDULE 1 — The Sea Fish Industry Authority

Status

- 1 The Authority shall be a body corporate.
- 2 Except as provided in sections 2(5), 3(6) and 16(1) of...

Members

- 3 A member of the Authority shall hold and vacate office...
- 4 A member of the Authority may resign by a notice...
- 5 The Ministers may terminate the appointment of a member of...
- 6 A person who ceases or has ceased to be a...
- 7 The Ministers shall pay to the members of the Authority...
- 8 The Ministers may, with the approval of the Minister for...
- 9 It shall be the duty of the Ministers to satisfy...
- 10 In Part II of Schedule 1 to the House of...

Officers and servants

- 11 (1) The Authority may make arrangements for providing pensions, superannuation...

Proceedings

- 12 The quorum for meetings of the Authority shall be determined...
- 13 If at any meeting of the Authority the votes are...
- 14 The validity of any proceedings of the Authority shall not...
- 15 (1) If a member of the Authority has any pecuniary...
- 16 (1) For the purpose of assisting the Authority in the...
- 17 Subject to paragraphs 12 to 16 above and section 16(2)...

Execution of instruments etc.

- 18 The application of the common seal of the Authority to...
- 19 Any document purporting to be a document duly executed or...

SCHEDULE 2 — Sea Fish Industry Levies

- 1 At least twenty-eight days before making any regulations under section...
- 2 When submitting any regulations to the Ministers the Authority shall...
- 3 The order confirming any regulations shall set out the regulations;...

SCHEDULE 3 — White Fish Authority and Herring Industry Board: Consequential Provisions

General

- 1 On the date of the coming into force of section...

Staff and pensions

- 2 The rights and obligations transferred by paragraph 1 above include...

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- 3 (1) Any pension scheme maintained by either of the existing...

Schemes of financial assistance

- 4 (1) Any scheme in force immediately before the transfer date...

Levies

- 5 (1) The provisions of— (a) any regulations in force immediately...

Lending limit

- 6 For the purposes of subsection (2) of section 7 of...

Accounts

- 7 The Authority shall on behalf of each of the existing...

Other statutory functions

- 8 (1) As from the transfer date the functions of the...

SCHEDULE 4 — Exemptions for Fish Farming

Part I — OFFENCES TO WHICH SECTION 33(1) OF THIS ACT APPLIES

Offences under the Salmon and Freshwater Fisheries Act 1975

- 1 Any offence under section 2(2)(a) of the Salmon and Freshwater...
2
3 Any offence under section 5(1) of that Act (prohibition on...
4
5 Any offence under section 27 of that Act (fishing for...

Offences against byelaws relating to salmon and other freshwater fishing

- 6 Any offence under section 211 of the Water Resources Act...

Offences relating to sea fishing

- 7 Any offence consisting of a contravention of a byelaw made...
8 Any offence under section 6(1) of the Herring Fishery (Scotland)...
9
10
11 Any offence under section 17 of the Sea Fisheries (Shellfish)...
12 Any offence under section 1(1) or (3) of the Sea...
13 Any offence under section 3(5) or (5A) of that Act...
14 Any offence under section 4(3) or (9A) of that Act...
15 Any offence under section 4A(3) of that Act (contravention of...
16 Any offence under section 5(1) or (6) of that Act...
17 Any offence under section 6 of that Act (landing or...
17A Any offence under section 3 of the Inshore Fishing (Scotland)...
17B Any offence under section 163 of the Marine and Coastal...
17C Any offence under section 190 of the Marine and Coastal...

Part II — OFFENCES TO WHICH SECTION 33(5) OF THIS ACT APPLIES

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Offences relating to freshwater fish and salmon

- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26 An offence under section 2(2)(b) of the Salmon and Freshwater...
- 27 Any offence under section 22(1) of that Act (buying, selling,...
- 28

Offences relating to sea fishing

- 29
- 30 Any offence under section 16 of the Sea Fisheries (Shellfish)...
- 31 Any offence under section 17(1) of that Act of possessing,...
- 32 Any offence under section 17(3) of that Act of selling,...
- 33 Any offence under section 1(2) of the Sea Fish (Conservation)...
- 34 Any offence under section 2 of that Act (possession for...
- 34A Any offence under section 3 of the Inshore Fishing (Scotland)...

SCHEDULE 5 — Repeals

Part I — WHITE FISH AUTHORITY AND HERRING INDUSTRY BOARD

Part II — MISCELLANEOUS

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Changes and effects yet to be applied to :

- s. 5(4) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 30(1) words substituted by [S.I. 2019/746 reg. 3\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/746, reg. 3(4)(b)-(d) substituted immediately before IP completion day by S.I. 2020/1599, regs. 1(2), 2(2))
- s. 30(1) words substituted by [S.I. 2019/746 reg. 3\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/746, reg. 3(5)(b)-(d) substituted immediately before IP completion day by S.I. 2020/1599, regs. 1(2), 2(3))
- s. 30(2) words substituted by [S.I. 2019/746 reg. 3\(4\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/746, reg. 3(4)(b)-(d) substituted immediately before IP completion day by S.I. 2020/1599, regs. 1(2), 2(2))
- s. 30(2) words substituted by [S.I. 2019/746 reg. 3\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/746, reg. 3(5)(b)-(d) substituted immediately before IP completion day by S.I. 2020/1599, regs. 1(2), 2(3))
- s. 30(3) words substituted by [S.I. 2019/746 reg. 3\(4\)\(d\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/746, reg. 3(4)(b)-(d) substituted immediately before IP completion day by S.I. 2020/1599, regs. 1(2), 2(2))
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- s. 31(3) omitted by [S.I. 2019/746 reg. 3\(6\)](#)
- Sch. 4 para. 6(c) words substituted by [2009 c. 23 Sch. 16 para. 18\(5\)\(a\) Sch. 22 Pt. 5\(B\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)