



Fisheries Act 1981

1981 CHAPTER 29

PART III

REGULATION OF SEA FISHING

19 Size limits for fish.

(1) For section 1 of the ^{M1}Sea Fish (Conservation) Act 1967 (size limits for fish) there shall be substituted—

- (1) Subject to the provisions of this section and of section (1) of this Act, no person shall land in Great Britain 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 Ministers.
- (2) Subject to the provisions of this section, no person shall, in Great Britain, sell, expose or offer 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 Ministers.
- (3) Sea fish of any description which are of less than the minimum size prescribed in relation to sea fish of that description by an order of the Ministers shall not be carried, whether within or outside British fishery limits, on a British fishing boat; and an order under this subsection may prohibit the carrying by any foreign fishing boat in waters adjacent to the United Kingdom and within British fishery limits of sea fish of any description prescribed by the order which are of less than the minimum size so prescribed in relation to sea fish of that description.
- (4) Different sizes may be prescribed for the purposes of each of the foregoing provisions of this section; and an order under subsection (1) above may prescribe different sizes in relation to fish of different sexes.

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 19. (See end of Document for details)

- (5) Where an order under subsection (1) above prescribes a size for fish of any description (or of any description and sex), whether generally or in relation to any particular area, then, except so far as provision to the contrary is made by such an order, a person who in Great Britain or, as the case may be, in that area lands a part of a fish of that description (or of that description and sex) shall, subject to section 9(1) of this Act, be deemed to contravene subsection (1) above if the part is of a smaller size than the one so prescribed.
- (6) An order under this section may confer exemptions from any prohibition imposed by or by virtue of this section; and any such exemption may be general or subject to conditions and may relate to all fish to which the order applies or to fish of any specified description.
- (7) Any person who contravenes subsection (1) or (2) above shall be guilty of an offence under that subsection.
- (8) If subsection (3) above is contravened in the case of a British fishing boat the master, the owner and the charterer (if any) shall each be guilty of an offence under that subsection; and if a prohibition imposed by virtue of that subsection is contravened in the case of a foreign fishing boat, the master shall be guilty of an offence under that subsection.
- (9) In this section “British fishing boat” means a fishing boat which is registered in the United Kingdom, exempted from registration by regulations under section 373 of the Merchant Shipping Act 1894 or owned wholly by a person who is (within the meaning of that Act) a person qualified to own a British ship; and “foreign fishing boat” means any fishing boat other than a British fishing boat.”
- (2) In consequence of subsection (1) above the said Act of 1967 shall be amended as follows—
- (a) in section 2(2) (size limits for fish used in course of business) for “1(1)” there shall be substituted “ 1(2) ”;
 - (b) in section 9(1) (exemptions) for “1(1) or (2)” there shall be substituted “ 1(1) or (5) ”;
 - ^{F1}(c)
 - (d) in section 22(2) (definition of “the Ministers”), in paragraphs (a) and (b) for “1” there shall be substituted “ 1(1) and (2) ”;
 - (e) in section 23(4) (extent), in paragraph (a), for the words “section 1(1) and (2), section 1(6) so far as it relates to a contravention of section 1(1)” there shall be substituted the words “ section 1(1), (2), (5) and (7) ” and, in paragraphs (c) and (d), for the words “section 1(1)” there shall be substituted the words “ section 1(1) and (2) ”.
- (3) Any order in force under section 1 of the said Act of 1967 immediately before the coming into force of this section shall have effect as if made under that section as substituted by this section.

Textual Amendments

F1 S. 19(2)(c) repealed (E.W.) (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), [Sch. 22 Pt. 5\(A\)](#); [S.I. 2009/3345](#), art. 2, [Sch. para. 27\(b\)](#); and s. 19(2)(c) repealed (S.) (24.2.2011) by

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Marine (Scotland) Act 2010 (asp 5), s. 168(1), **sch. 4 para. 11(2)(a)** (with s. 162); S.S.I. 2011/58, art. 2(b)

Modifications etc. (not altering text)

- C1** Pts. 2-4 functions transferred (1.4.2018) by **Wales Act 2017 (c. 4), s. 53(2)(c)(3), 71(4)** (with **Sch. 7 paras. 1, 6**); **S.I. 2017/1179, reg. 3(1)**
- C2** The text of s. 3(6), 19–26, 28, 29, 35(2)–(7), 36(2), 37–39, 45, 46(2), Sch. 1 para. 10, Sch. 3 para. 8(2) (3), Sch. 5 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.

Marginal Citations

- M1** 1967 c. 84.

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