



Sea Fish (Conservation) Act 1967

1967 CHAPTER 84

Restrictions on commercial use of under-sized, etc., sea fish

[^{F1}1] **Size limits, etc. for fish.**

- (1) Subject to the provisions of this section and of section 9(1) of this Act, no person shall land in [^{F2}England and Wales] any sea fish of any description [^{F3}which does not meet such requirements as to 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 [^{F2}England and Wales], sell, expose or offer for sale or have in his possession for the purpose of sale, any sea fish of any description [^{F4}which does not meet such requirements as to size as may be prescribed] in relation to sea fish of that description by an order of the Ministers.
- [^{F5}(3) Sea fish of any description which do not meet the requirements as to size prescribed in relation to sea fish of that description by an order of the appropriate national authority shall not be carried, whether within or outside relevant British fishery limits, on a relevant British vessel; and an order under this subsection may prohibit the carrying by a Scottish or Northern Ireland fishing boat or a foreign vessel in waters to which subsection (3A) applies of sea fish of any description prescribed by the order which do not meet the requirements as to size so prescribed in relation to sea fish of that description.
- (3A) This subsection applies to the sea within British fishery limits, other than the Scottish zone and the Northern Ireland zone.

“Northern Ireland zone” has the meaning given by the Northern Ireland Act 1998 (see section 98 of that Act).]
- (4) [^{F6}Different requirements as to size] may be prescribed for the purposes of each of the foregoing provisions of this section; and an order under subsection (1) above may prescribe [^{F7}different requirements as to size] in relation to different areas and in relation to fish of different sexes.
- (5) Where an order under subsection (1) above prescribes [^{F8}requirements as to size] for fish of any description (or of any description and sex), whether generally or in relation

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to any particular area, then, except so far as provision to the contrary is made by such an order, a person who in [^{F2}England and Wales] 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 [^{F9}if the part does not meet the requirements as to size 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 [^{F10}a relevant British vessel, a Scottish fishing boat or a Northern Ireland 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 [^{F11}foreign vessel], the master shall be guilty of an offence under that subsection.

[^{F12}(9) In this section—

“the appropriate national authority” means—

- (a) in relation to Wales [^{F13}or the Welsh zone] (within the meaning of the Government of Wales Act 2006), the Welsh Ministers;
- (b) in any other case, the Secretary of State;

“foreign vessel” means any vessel other than a relevant British vessel, a Scottish fishing boat or a Northern Ireland fishing boat;

“Northern Ireland fishing boat” means a fishing boat which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Northern Ireland as the port to which the boat is to be treated as belonging;

“relevant British vessel” means a vessel, other than a Scottish fishing boat or a Northern Ireland fishing boat, which—

- (a) is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995, or
- (b) is owned wholly by persons qualified to own British ships for the purposes of that Part of that Act.]]

Textual Amendments

- F1** S. 1 substituted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), **s. 19(1)(3)**
- F2** Words in s. 1(1)(2)(5) substituted (1.7.1999) by [S.I. 1999/1820, art. 4, Sch. 2 Pt. I para 43\(2\)\(a\)](#); [S.I. 1998/3178, art. 3](#)
- F3** Words in s. 1(1) substituted (E.W.) (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 194(2)**, 324(1)(c)(d); [S.I. 2009/3345, art. 2, Sch. para. 8; and amendment extended \(S.\) \(24.2.2011\) by \[Marine \\(Scotland\\) Act 2010 \\(asp 5\\)\]\(#\), **ss. 158**, 168\(1\) \(with s. 162\); \[S.S.I. 2011/58, art. 2\\(a\\)\]\(#\)](#)
- F4** Words in s. 1(2) substituted (E.W.) (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), **ss. 194(3)**, 324(1)(c)(d); [S.I. 2009/3345, art. 2, Sch. para. 8; and amendment extended \(S.\) \(24.2.2011\) by \[Marine \\(Scotland\\) Act 2010 \\(asp 5\\)\]\(#\), **ss. 158**, 168\(1\) \(with s. 162\); \[S.S.I. 2011/58, art. 2\\(a\\)\]\(#\)](#)

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- F5** S. 1(3)(3A) substituted for s. 1(3) (E.W.) (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), **ss. 194(4)**, 324(1)(c)(d); S.I. 2009/3345, art. 2, Sch. para. 8
- F6** Words in s. 1(4) substituted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 15 para. 1(2)(a)**; S.I. 2009/3345, art. 2, **Sch. para. 8**; and amendment extended (S.) (24.2.2011) by Marine (Scotland) Act 2010 (asp 5), **ss. 158**, 168(1) (with s. 162); S.S.I. 2011/58, **art. 2(a)**
- F7** Words in s. 1(4) substituted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 15 para. 1(2)(b)**; S.I. 2009/3345, art. 2, **Sch. para. 8**; and amendment extended (S.) (24.2.2011) by Marine (Scotland) Act 2010 (asp 5), **ss. 158**, 168(1) (with s. 162); S.S.I. 2011/58, **art. 2(a)**
- F8** Words in s. 1(5) substituted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 15 para. 1(3)(a)**; S.I. 2009/3345, art. 2, **Sch. para. 8**; and amendment extended (S.) (24.2.2011) by Marine (Scotland) Act 2010 (asp 5), **ss. 158**, 168(1) (with s. 162); S.S.I. 2011/58, **art. 2(a)**
- F9** Words in s. 1(5) substituted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 15 para. 1(3)(b)**; S.I. 2009/3345, art. 2, **Sch. para. 8**; and amendment extended (S.) (24.2.2011) by Marine (Scotland) Act 2010 (asp 5), **ss. 158**, 168(1) (with s. 162); S.S.I. 2011/58, **art. 2(a)**
- F10** Words in s. 1(8) substituted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 15 para. 1(4)(a)**; S.I. 2009/3345, art. 2, Sch. para. 8
- F11** Words in s. 1(8) substituted (E.W.) (12.1.2010) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 15 para. 1(4)(b)**; S.I. 2009/3345, art. 2, Sch. para. 8
- F12** S. 1(9) substituted (E.W.) (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), **ss. 194(5)**, 324(1)(c)(d); S.I. 2009/3345, art. 2, Sch. para. 8
- F13** Words in s. 1(9) inserted (31.3.2010) by The Welsh Zone (Boundaries and Transfer of Functions) Order 2010 (S.I. 2010/760), arts. 1(3), **4(3)** (with art. 4(5))

Modifications etc. (not altering text)

- C1** S. 1(1) amended by Fisheries Act 1981 (c. 29, SIF 52:1), s. 33(1), **Sch. 4 Pt. I para. 12**
- C2** S. 1(2) amended by Fisheries Act 1981 (c. 29, SIF 52:1), s. 33(5), **Sch. 4 Pt. II para. 33**
- C3** S. 1(3)(4): functions made exercisable concurrently with Welsh Ministers (1.4.2018) by 2006 c. 32, **Sch. 3A para. 2** (as inserted by Wales Act 2017 (c. 4), s. 71(4), Sch. 4 para. 2 (with Sch. 7 paras. 1, 6); S.I. 2017/1179, **reg. 3(p)**)
- C4** S. 1(6): functions made exercisable concurrently with Welsh Ministers (1.4.2018) by 2006 c. 32, **Sch. 3A para. 2** (as inserted by Wales Act 2017 (c. 4), s. 71(4), Sch. 4 para. 2 (with Sch. 7 paras. 1, 6); S.I. 2017/1179, **reg. 3(p)**)

2 Size limits for fish for use in course of any business.

- (1) Subject to any exemption granted under this section, no person shall in [^{F14}England and Wales] have in his possession any fish to which this section applies for the purpose of processing or otherwise using it in the course of any business.
- (2) This section applies to any fish which under section [^{F15}1(2)] of this Act is prohibited from being sold in [^{F14}England and Wales].
- (3) Where it appears to an officer authorised in that behalf by the appropriate Minister that any fish which have been caught are fish to which this section applies, the officer may grant to any person such exemption from subsection (1) above as the officer considers requisite to enable the fish to be disposed of.

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(4) Any person who contravenes this section shall be guilty of an offence under this section.

Textual Amendments

F14 Words in s. 2(1)(2) substituted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 42(2)(a)**; S.I. 1998/3178, **art. 3**

F15 “1(2)” substituted by Fisheries Act 1981 (c. 29, SIF 52:1), **s. 19(2)(a)**

Modifications etc. (not altering text)

C5 S. 2 amended by Fisheries Act 1981 (c. 29, SIF 52:1), s. 33(5), **Sch. 4 Pt. II para. 34**

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