



# Sea Fish (Conservation) Act 1967

## 1967 CHAPTER 84

### *Enforcement of orders, etc.*

#### **18 Enforcement of orders in relation to salmon and migratory trout.**

(1) In so far as [<sup>F1</sup>any order under section <sup>F2</sup>... 5 or 6 of this Act], imposes any prohibition or restriction on fishing for salmon or migratory trout within [<sup>F3</sup>the waters specified in subsection (1A)] or on landing salmon or migratory trout

[<sup>F4</sup>(a) section 31(1)(d) of the <sup>M1</sup>Salmon and Freshwater Fisheries Act 1975 (which confers power of seizure) shall apply as if the reference in it to that Act included a reference to this Act, and sections 36(1) and (2) of that Act, and paragraph 8 of Schedule 4 (all of which contain ancilliary provisions), shall be construed accordingly as including references to that Act as applied by this subsection;]

[<sup>F5</sup>(b) the provisions of sections 169 and 172 of the Water Resources Act 1991 and, in relation to those sections, of Schedule 20 to that Act (which confer powers of entry) shall apply as if <sup>F6</sup>... any order under section 5 or 6 of this Act, were an enactment to which the said sections 169 and 172 applied.]

[<sup>F7</sup>(1A) The waters specified for the purposes of subsection (1) are any waters which are included in the area in relation to which—

(a) by virtue of section 6(7) of the Environment Act 1995, the Environment Agency; or

(b) by virtue of section 6(7A) of that Act, the Natural Resources Body for Wales, carries out functions relating to fisheries under the Salmon and Freshwater Fisheries Act 1975.]

[<sup>F8</sup>(2) Where any order under the said section <sup>F9</sup>... 5 or 6 imposes any prohibition or restriction on fishing for salmon or migratory trout within any waters which form part of the district of a district salmon fishery board within the meaning of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 (asp 15), or on landing salmon or migratory trout at a place within such a district as aforesaid, the provisions of sections 52, 53, 54, 55, 57, 58 and 60(3) and (4) of that Act (which relate to

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*Changes to legislation: There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 18. (See end of Document for details)*

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enforcement and forfeiture) shall apply in relation to any contravention of the orders mentioned above as they apply in relation to a contravention of that Act.

[<sup>F10</sup>(3) Where any order under the said section <sup>F11</sup>... 5 or 6 imposes any prohibition or restriction on fishing for salmon or migratory trout within any waters which form part of the Tweed district (as defined in article 2(1) of the Scotland Act 1998 (River Tweed) Order 2006 (S.I. 2006/2913)), or on landing salmon or migratory trout at a place within that district, the provisions of articles 56 to 61 and 63(3) and (4) of that Order (which relate to enforcement and forfeiture) shall apply in relation to any contravention of the orders mentioned above as they apply in relation to a contravention of that Order.]]

#### Textual Amendments

- F1** Words substituted by Fishery Limits Act 1976 (c. 86), **Sch. 2 para. 16(4)**
- F2** Word in s. 18(1) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 6(10)(a)(i)** (with Sch. 4 para. 31)
- F3** Words in s. 18(1) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 87(2)** (with Sch. 7)
- F4** S. 18(1)(a) substituted by Salmon and Freshwater Fisheries Act 1975 (c. 51), s. 42(2)
- F5** S. 18(1)(b) substituted (E.W.) (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 2(1), 4(2), **Sch. 1 para. 18(b)**
- F6** Words in s. 18(1)(b) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 6(10)(a)(ii)** (with Sch. 4 para. 31)
- F7** S. 18(1A) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 87(3)** (with Sch. 7)
- F8** S. 18(2) substituted (S.) (1.4.2005) by Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 (asp 15), s. 71(2), **sch. 4 para. 1** (with s. 71(3)(4)(6)); S.S.I. 2005/174, art. 2
- F9** Word in s. 18(2) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 6(10)(b)** (with Sch. 4 para. 31)
- F10** S. 18(3) inserted (15.11.2006) by The Scotland Act 1998 (River Tweed) Order 2006 (S.I. 2006/2913), art. 1(2), **Sch. 4 para. 1**
- F11** Word in s. 18(3) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 6(10)(b)** (with Sch. 4 para. 31)

#### Marginal Citations

- M1** 1975 c. 51.

**Changes to legislation:**

There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 18.