



Sea Fish (Conservation) Act 1967

1967 CHAPTER 84

Regulation of fishing for sea fish

[^{F1}4C [^{F2}Proceedings for offences relating to licences]—evidence.

- (1) Where automatic recording equipment—
- (a) is used in accordance with a [^{F3}relevant condition], or
 - (b) is used to record information transmitted or derived from equipment used in accordance with such a condition,
- any record produced by means of the automatic recording equipment, or partly by those and partly by other means, shall, in any proceedings for [^{F4}a relevant offence], except proceedings in Scotland, be evidence of the matters appearing from the record.
- (2) In any proceedings in Scotland for [^{F5}a relevant offence], any document which constitutes or contains—
- (a) an entry in any logbook kept, or purported to be kept, under [^{F6}a retained][^{F7}EU] obligation relating to fishing activities, by the master of a vessel,
 - (b) a declaration made, or purported to be made, under such an obligation—
 - (i) as to fish landed, by the master of a vessel or by an agent,
 - (ii) as to trans-shipment, by the master of a vessel,
 - (c) information provided, or purported to be provided, under—
 - (i) any [^{F8}relevant condition], by the master, owner or charterer (if any) of a vessel and, in the case of any [^{F9}relevant condition within subsection (3A)(a)], by any of those persons or by an agent,
 - (ii) a [^{F10}relevant requirement], by the master, owner or charterer (if any) of a vessel and, in the case of any condition imposed under section 4A(7), by any of those persons or by an agent,
 - (d) a record referred to in subsection (1) above or anything which purports to be such a record,

shall be received in evidence without being produced or sworn to by any witness and shall be sufficient evidence of the matters stated therein or appearing therefrom.

Changes to legislation: There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 4C. (See end of Document for details)

- (3) In subsection (2) above, “document” includes, in addition to a document in writing—
- (a) any map, plan, graph or drawing,
 - (b) any photograph,
 - (c) any disk, tape, sound track or other device in which sounds or other data (not being visual aids) are recorded so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom, and
 - (d) any film (including microfilm), negative, tape, disc or other device in which one or more visual images are recorded so as to be capable (as aforesaid) of being reproduced therefrom.
- [In this section “relevant condition” means a condition—
- ^{F11}(3A) (a) attached, by virtue of paragraph 1 of Schedule 3 to the Fisheries Act 2020, to a sea fishing licence granted under section 15 or 17 of that Act, or
- (b) included by virtue of subsection (6) of section 4A of this Act in a licence granted under that section.
- (3B) In this section “relevant offence” means—
- (a) an offence under section 14(6) or 16(6) of, or paragraph 1(4) or 3(2) or (3) of Schedule 3 to, the Fisheries Act 2020 (offences relating to sea fishing licences), or
 - (b) an offence under section 4A of this Act.
- (3C) In this section “relevant requirement” means—
- (a) a requirement under paragraph 3 of Schedule 3 to the Fisheries Act 2020 (power to obtain information in connection with sea fishing licence), or
 - (b) a requirement under section 4A(7) of this Act.]

(4) This section shall have effect in relation to offences committed after the end of the period of one month beginning with the day on which the Sea Fish (Conservation) Act 1992 was passed.]

Textual Amendments

- F1** Ss. 4B, 4C inserted (17.12.1992) by [Sea Fish \(Conservation\) Act 1992 \(c. 60\)](#), **s.4** (with s. 11(4))
- F2** Words in s. 4C heading substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(5)(a)** (with [Sch. 4 para. 31](#))
- F3** Words in s. 4C(1)(a) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(5)(b)** (with [Sch. 4 para. 31](#))
- F4** Words in s. 4C(1) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(5)(c)** (with [Sch. 4 para. 31](#))
- F5** Words in s. 4C(2) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(5)(d)** (with [Sch. 4 para. 31](#))
- F6** Words in s. 4C(2)(a) substituted (31.12.2020) by [The Fisheries \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/746\)](#), regs. 1, 2; 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F7** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, **3-6**
- F8** Words in s. 4C(2)(c)(i) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(5)(e)(i)** (with [Sch. 4 para. 31](#))
- F9** Words in s. 4C(2)(c)(i) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(5)(e)(ii)** (with [Sch. 4 para. 31](#))
- F10** Words in s. 4C(2)(c)(ii) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(5)(f)** (with [Sch. 4 para. 31](#))

Changes to legislation: There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 4C. (See end of Document for details)

F11 S. 4C(3A)-(3C) inserted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 6(5)(g)** (with Sch. 4 para. 31)

Changes to legislation:

There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 4C.