



Sea Fish (Conservation) Act 1967

1967 CHAPTER 84

Regulation of the landing of sea fish

7 Declarations required for purposes of orders under s. 6.

- (1) Any British sea-fishery officer may serve on the master of any vessel a notice in writing under the hand of the officer requiring the master to make, on each occasion when any sea fish are about to be landed in [^{F1} England and Wales or Northern Ireland] from that vessel while [^{F2} any order under section 6(1) of this Act] is in force, a written declaration that those sea fish are not sea fish the landing of which is prohibited by the order, and to deliver the declaration, before any of the sea fish are landed, to such person, or at such place, in the port of landing as may be specified in the notice:

Provided that a notice under this subsection shall not be taken to require the making or delivery of any declaration in respect of the landing of any sea fish after the end of the period of six months from the date on which the notice is served.

- (2) Where any sea fish are brought to land in [^{F1} England and Wales or Northern Ireland] in any vessel, any British sea-fishery officer may, at any time before the vessel next puts out to sea, request the master to make, in respect of any of those sea fish which have been, or are being, or are about to be, landed from the vessel while [^{F2} any order under section 6(1) of this Act] is in force a written declaration that the sea fish in question are not sea fish the landing of which is prohibited by the order, and to deliver the declaration to the officer or to such person, or at such place, in the port of landing as he may designate.

Nothing in this subsection shall be taken to affect the operation of subsection (1) above.

- [^{F3}(2A) Any British sea-fishery officer may serve on the master of any vessel a notice in writing under the hand of the officer requiring the master to make, on each occasion when any sea fish are about to be trans-shipped within [^{F4} relevant] British fishery limits from that vessel while an order under section 6(1A) of this Act is in force, a written declaration that those sea fish are not sea fish the trans-shipment of which is prohibited by the order, and to deliver the declaration, before any of the sea fish are trans-shipped, to the officer or to such other person or at such place as may be specified in the notice and as appears to the officer to be reasonable in the circumstances:

Changes to legislation: There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 7. (See end of Document for details)

Provided that a notice under this subsection shall not be taken to require the making or delivery of any declaration in respect of the trans-shipment of any sea fish after the end of the period of six months from the date on which the notice is served.

- (2B) Where any sea fish have been or are being trans-shipped, or where a British sea-fishery officer has reasonable grounds for believing that any sea fish are about to be trans-shipped, within [^{F4}relevant] British fishery limits from any vessel while an order under section 6(1A) of this Act is in force, any such officer may request the master of the vessel to make and deliver to the officer a written declaration that the sea fish in question are not sea fish the trans-shipment of which is prohibited by the order.

Nothing in this subsection shall be taken to affect the operation of subsection (2A) above.]

- (3) If the master of any vessel makes for the purposes of this section a declaration which is to his knowledge false in any material particular, he shall be guilty of an offence under this section; and if the master of any vessel fails to make, in respect of any sea fish, a declaration in accordance with the requirements of a notice duly served on him under this section or in accordance with a request duly made under this section by a British sea-fishery officer, [^{F5}the said sea fish shall—
- (a) where the notice or request was served or made under subsection (1) or (2) above, be presumed until the contrary is proved to be sea fish the landing of which is prohibited under section 6 of this Act; and
 - (b) where the notice or request was served or made under subsection (2A) or (2B) above, be presumed until the contrary is proved to be sea fish the trans-shipment of which is prohibited under that section.]
- (4) A notice under subsection (1) [^{F6}or (2A)] above relating to any vessel may be addressed to “The Master” of the vessel (identifying it by name or otherwise) and shall be deemed to be duly served if it is delivered or sent by post to, or to the agent of, the owner or the charterer (if any) of the vessel, together with a written request that it be transmitted to the master, and, if the notice is served by being so delivered or sent as aforesaid, it shall be deemed to be served on the master of the vessel for the time being and on every other person who at any material time thereafter is the master of the vessel.

Textual Amendments

- F1** Words in s. 7(1)(2) substituted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 43(7)**; S.I. 1998/3178, **art. 3**
- F2** Words substituted by **Fisheries Act 1981 (c. 29, SIF 52:1), s. 23(4)**
- F3** S. 7(2A)(2B) inserted by **Fisheries Act 1981 (c. 29, SIF 52:1), s. 23(5)**
- F4** Words in s. 7(2A)(2B) inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 43(2)(b)**; S.I. 1998/3178, **art. 3**
- F5** Words substituted by **Fisheries Act 1981 (c. 29, SIF 52:1), s. 23(6)**
- F6** Words inserted by **Fisheries Act 1981 (c. 29, SIF 52:1), s. 23(7)**

Changes to legislation:

There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 7.