



# Sea Fisheries Act 1968

## 1968 CHAPTER 77

### *Miscellaneous*

#### **15 Amendments of Sea Fisheries (Shellfish) Act 1967**

- (1) The Sea Fisheries (Shellfish) Act 1967 shall be amended in accordance with, and have effect subject to, the following provisions of this section.
- (2) In section 1(1) (orders as to fisheries for oysters, mussels and cockles) for the words " and cockles " there shall be substituted the words " cackles, clams and any other molluscs of a kind specified in regulations made by the appropriate Minister ".
- (3) The power to make an order under that section conferring on the grantees a right of regulating a fishery for any specified description of shellfish shall be construed as including a power to enable them with the consent of the appropriate Minister to impose restrictions on, and make regulations respecting, the dredging, fishing for and taking of shellfish of that description within the limits of the regulated fishery.
- (4) An order under that section which imposes tolls or royalties upon persons dredging, fishing for and taking any specified description of shellfish within the limits of a fishery shall be construed as conferring on the grantees of the fishery power with the consent of the appropriate Minister to vary the tolls or royalties so imposed.
- (5) In subsections (3) and (4) above " the appropriate Minister" has the same meaning as in the Sea Fisheries (Shellfish) Act 1967.
- (6) Anything purporting to be done at any time before the passing of this Act under or by virtue of section 1 or 3 of the Sea Fisheries (Shellfish) Act 1967 or any enactment thereby re-enacted which could have been done by virtue of subsection (3) or (4) above if that subsection had been in force at that time shall be treated as if it had been done by virtue of that subsection.
- (7) In paragraph 4(6) of Schedule 1 (notice of inquiry in connection with making of an order under section 1) for the words "fourteen days" there shall be substituted the words " twenty-eight days' ".

## 16 Amendments of Sea Fish (Conservation) Act 1967

In section 1 of the Sea Fish (Conservation) Act 1967 (size limits for fish) for subsections (3) to (5) (obligation to return fish below the minimum size to the sea, and power to exempt from the obligation), there shall be substituted the following subsections :—

- “(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 under subsection (1) above shall not be carried, whether within or outside the fishery limits of the British Islands, on a British fishing boat.
- (4) An order under subsection (1) above may prohibit the carrying, by any foreign fishing boat in waters adjacent to the United Kingdom and within the fishery limits of the British Islands, 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.
- (5) An order under subsection (1) above 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.”

## 17 Fishing boats and gear lost or abandoned at sea

Without prejudice to section 72 of the Merchant Shipping Act 1906 (wreck brought within the limits of the United Kingdom), fishing boats or fishing gear lost or abandoned at sea and either—

- (a) found or taken possession of within the territorial waters of the United Kingdom ; or
- (b) found or taken possession of beyond those waters and brought within those waters ;

shall be treated as wreck for the purposes of Part IX of the Merchant Shipping Act 1894.