



Fisheries Act 1981

1981 CHAPTER 29

PART III

REGULATION OF SEA FISHING

22 Power to restrict sea fishing.

(1) For subsections (1) to (4) of the ^{M1}Sea Fish (Conservation) Act 1967 (power to restrict fishing for sea fish) there shall be substituted—

“(1) Subject to the provisions of this section, the Ministers may by order prohibit in any area specified in the order and either for a period so specified or without limitation of time—

- (a) all fishing for sea fish; or
- (b) fishing for any description of sea fish specified in the order; or
- (c) fishing for sea fish, or for any description of sea fish specified in the order, by any method so specified,

by any fishing boat to which the prohibition applies; and where any fishing boat is used in contravention of any prohibition imposed by an order under this section, the master, the owner and the charterer (if any) shall each be guilty of an offence under this subsection.

(2) Orders under this section may make different provision in relation to fishing boats of different descriptions.”

(2) In subsection (6) of that section (duty to return of fish to the sea)—

- (a) [^{F1} for the words “a fishing boat to which the obligation imposed by this subsection applies” there shall be substituted the words “ a fishing boat to which the order applies ” ;]
- (b) after the words “subject to section 9 of this Act” there shall be inserted the words “ and except where the order otherwise provides ”;

(3) [^{F2}For subsection (8) of that section there shall be substituted—

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 22. (See end of Document for details)

“(8) An order under this section relating to an area outside British fishery limits shall not apply to any fishing boat other than—

- (a) a British fishing boat registered in the United Kingdom; or
- (b) in do far as the order relates to fishing for salmon or migratory trout, a fishing boat which is British-owned but not registered under the Merchant Shipping Act 1894;

but an order under this section relating to an area within those limits may apply to any fishing boat.”]

- (4) Section 23(1) of the said Act of 1967 (restricted operation of section 5 in waters adjacent to Northern Ireland) shall cease to have effect.
- (5) Any order in force under the said section 5 immediately before the coming into force of this section shall have effect as if made under that section as amended by this section.

Textual Amendments

- F1** S. 22(2)(a) repealed (E.W.) (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), [Sch. 22 Pt. 5\(A\)](#); S.I. 2009/3345, art. 2, Sch. para. 27(b); and s. 22(2)(a) repealed (S.) (24.2.2011) by [Marine \(Scotland\) Act 2010 \(asp 5\)](#), s. 168(1), [Sch. 4 para. 11\(2\)\(b\)](#) (with s. 162); S.S.I. 2011/58, art. 2(b)
- F2** S. 22(3) repealed (E.W.) (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), [Sch. 22 Pt. 5\(A\)](#); S.I. 2009/3345, art. 2, Sch. para. 27(b); and s. 22(3) repealed (S.) (24.2.2011) by [Marine \(Scotland\) Act 2010 \(asp 5\)](#), s. 168(1), [Sch. 4 para. 11\(2\)\(b\)](#) (with s. 162); S.S.I. 2011/58, art. 2(b)

Modifications etc. (not altering text)

- C1** Pts. 2-4 functions transferred (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 53(2)(c)(3), 71(4) (with [Sch. 7 paras. 1, 6](#)); S.I. 2017/1179, [reg. 3\(1\)](#)
- C2** The text of s. 3(6), 19-26, 28, 29, 35(2)-(7), 36(2), 37-39, 45, 46(2), Sch. 1 para. 10, Sch. 3 para. 8(2) (3), Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1967 c. 84.

Changes to legislation:

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