



# Fisheries Act 1891

1891 CHAPTER 37 54 and 55 Vict

## PART I

<sup>M1</sup>BELGIAN DECLARATION AND SEA FISHERIES ACT 1883

### Modifications etc. (not altering text)

- C1 Functions of Board of Trade now exercisable concurrently by Secretary of State: [S.I. 1970/1537, art. 2\(1\)](#)

### Marginal Citations

- M1 1883 c. 22.

## 1 Confirmation of Declaration.

The Declaration set out in the Schedule to this Act (hereinafter referred to as the Scheduled Declaration) is hereby confirmed, and the articles thereof shall be of the same force as if they were enacted in the body of this Act.

## 2 Powers of Commission appointed under Declaration.

- (1) Any commission appointed by the Board of Trade in pursuance of Article One of the Scheduled Declaration shall, for the purpose of its duties, have the same powers as an inspector appointed by the Board of Trade [<sup>F1</sup>under section 256 of the Merchant Shipping Act 1995], and [<sup>F1</sup>Part X of that Act] of that Act shall apply as if the commission were such an inspector.
- (2) Any such commission may take security, in such form as the Board of Trade may by rule prescribe, for the attendance of a witness before a court of justice in Belgium, and any sum which may become due in pursuance of such a security may be recovered in like manner as a sum due in pursuance of a security given under the <sup>M2</sup>Summary Jurisdiction Act 1879.

*Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1891, Part I. (See end of Document for details)*

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**Textual Amendments**

**F1** Words in s. 2(1) substituted (1.1.1996) by 1995 c. 21, ss. 314(2), 316(2), **Sch. 13 para. 9** (with s. 312(1))

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**Marginal Citations**

**M2** 1879 c. 49.

**3 Evidence of report or certificate under Article 3 of Declaration.**

A document purporting to be certified by a Secretary or Assistant Secretary of the Board of Trade to be a report made or certificate given in pursuance of Article Three of the Scheduled Declaration shall be deemed to be such a report or certificate and to have been duly forwarded.

**4 Punishment for violation of Article 4 of Declaration.**

If either within or without [<sup>F2</sup>British fishery limits], any person belonging to a British sea fishing boat acts in contravention of Article Four of the Scheduled Declaration, he shall be liable to the like penalty as for a contravention of Articles thirteen to twenty-two of the First Schedule to the <sup>M3</sup>Sea Fisheries Act 1883.

Provided that if the Scheduled Declaration ceases to be binding on Her Majesty, this section shall cease to apply in the case of injuries to the gear or boat of a fisherman being a subject of the foreign State party to the Declaration, but shall nevertheless continue to apply as between British subjects.

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**Textual Amendments**

**F2** Words substituted by **Fishery Limits Act 1976 (c. 86), Sch. 2 para. 7**

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**Marginal Citations**

**M3** 1883 c. 22.

**5** ..... <sup>F3</sup>

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**Textual Amendments**

**F3** Ss. 5, 6(2) repealed by **Sea Fisheries Act 1968 (c. 77), Sch. 2 Pt. II**

**6 Construction, title, and commencement of this Part of Act.**

(1) This Part of this Act shall be construed . . . <sup>F4</sup>, so far as relates to Scotland and the [<sup>F5</sup>Scottish zone within the meaning of the Scotland Act 1998], . . . <sup>F4</sup> as one with the <sup>M4</sup>Sea Fisheries (Scotland) Amendment Act 1885.

(2) ..... <sup>F6</sup>

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*Changes to legislation: There are currently no known outstanding effects  
for the Fisheries Act 1891, Part I. (See end of Document for details)*

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[<sup>F7</sup>(3) The Sea Fisheries (Scotland) Amendment Act 1885 and this Part of this Act may be cited collectively as the Sea Fisheries Acts 1885 to 1891.]

(4) ..... <sup>F8</sup>

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**Textual Amendments**

- F4** Words repealed by [Sea Fisheries Act 1968 \(c. 77\)](#), **Sch. 2 Pt. II**  
**F5** Words in s. 6(1) substituted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. 1 para. 8**  
**F6** [Ss. 5, 6\(2\)](#) repealed by [Sea Fisheries Act 1968 \(c. 77\)](#), **Sch. 2 Pt. II**  
**F7** [S. 6\(3\)](#) substituted (19.11.1998) by 1998 c. 43, s. 1(2), **Sch. 2 para. 9**  
**F8** [S. 6\(4\)](#) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

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**Marginal Citations**

- M4** [1885 c. 70](#).

**Changes to legislation:**

There are currently no known outstanding effects for the Fisheries Act 1891, Part I .