



North Sea Fisheries Act 1893

1893 CHAPTER 17

1 Confirmation of Convention

The Convention set out in the schedule to this Act (hereinafter referred to as the scheduled Convention) is, with the Protocol thereto annexed, hereby confirmed, and the articles thereof shall be of the same force as if they were enacted in the body of this Act.

2 Penalty for supplying, exchanging, or otherwise selling spirits

If within the North Sea limits but outside territorial waters any person on board or belonging to a British vessel supplies spirituous liquors to any person on board or belonging to a sea fishing boat he shall be liable—

- (a) if the liquors are supplied in exchange for any article not belonging to the person supplied, to a fine not exceeding fifty pounds, or, in the discretion of the court, to imprisonment for a term not exceeding three months, with or without hard labour; and
- (b) if the liquors are sold otherwise than by way of exchange for any such article, to a fine not exceeding thirty pounds, or in the discretion of the court, to imprisonment for a term not exceeding three months, with or without hard labour.

3 Penalty for purchasing spirits by exchange or otherwise

If within the North Sea limits but outside territorial waters any person on board or belonging to a British sea fishing boat purchases spirituous liquors, he shall be liable—

- (a) if he gives any article not belonging to him in exchange for the liquors, to a fine not exceeding fifty pounds, or, in the discretion of the court, to imprisonment for a term not exceeding three months, with or without hard labour; and
- (b) if he purchases the liquors otherwise than by way of exchange for any such article, to a fine not exceeding ten pounds.

4 Penalty for breach of licence

If within the North Sea limits but outside territorial waters any person on board or belonging to a British vessel deals with any person on board or belonging to a sea fishing boat in any provisions or other articles for his use, except spirituous liquors, without a licence granted in pursuance of Article Three of the scheduled Convention, or without carrying on his vessel the mark agreed upon in pursuance of that Article, or in contravention of any conditions of a licence so granted, he shall be liable to a fine not exceeding twenty pounds, and his licence may be revoked.

5 Power to make regulations as to licences and other matters

Her Majesty the Queen may from time to time by Order in Council make regulations for any of the following purposes :

- (a) for prescribing the mode in which licences under Article Three of the scheduled Convention are to be granted, renewed, and revoked; and
- (b) for prescribing the mode of application for such licences, and the conditions under which, and the time for which, the licences are to be granted ; and
- (c) generally for giving effect to any of the provisions of this Act or any .of the articles of the scheduled convention.

6 Enforcement of Act

For the purpose of enforcing the provisions of this Act in the case of British and foreign vessels, whether within or beyond the North Sea limits, all British and foreign sea fishery officers respectively within the meaning of the Sea Fisheries Act, 1883, shall have the same powers, and be entitled to the same protection, as they have and are entitled to for the purpose of enforcing the provisions of that Act in the case of British and foreign sea fishing boats respectively.

Provided that in the case of a vessel not being either a sea fishing boat or a vessel habitually employed in dealing with fishermen the power of a sea fishery officer to take the vessel to any port shall not be exercised, unless the sea fishery officer is satisfied that its exercise is necessary for the suppression of grave disorder.

7 Legal proceedings

Sections sixteen, eighteen, nineteen, twenty, twenty-one, and twenty-two of the Sea Fisheries Act, 1883, shall apply in the case of offences, fines, and legal proceedings under this Act in the same manner as they apply in the case of offences, fines, and legal proceedings under that Act, and in those sections as so applied the expression "sea fishing boat" shall include any vessel.

8 Evidence

Section seventeen of the Sea Fisheries Act, 1883, shall apply in the case of any formal statement drawn up in pursuance of Article Seven of the scheduled Convention in the same manner as it applies in the case of any document drawn up in pursuance of the Convention set out in the First Schedule to that Act.

9 Definitions

In this Act—

The expression " North Sea limits " shall mean the limits of the North Sea as fixed by Article Four of the Convention set out in the First Schedule to the Sea Fisheries Act, 1883.

The expression " territorial waters " shall mean the territorial waters of Her Majesty's dominions as defined by the Territorial Waters Jurisdiction Act, 1878.

The expression " sea fishing boat " shall have the same meaning as in the Sea Fisheries Act, 1883.

The expression " vessel " shall include ship, boat, lighter, and craft of every kind, whether navigated by steam or otherwise.

The expression " spirituous liquors " shall include every liquid obtained by distillation and containing more than five per centum of alcohol.

10 Commencement and continuance of Act

- (1) This Act shall come into force on such day as may be fixed by a notice in that behalf published in the London Gazette.
- (2) The provisions of this Act relating to the sea fishery officers of any foreign State bound by the Convention set out in the First Schedule to the Sea Fisheries Act, 1883, shall continue in operation notwithstanding the termination of the operation of that Convention as respects that foreign State.
- (3) So much of this Act as has effect outside territorial waters shall, if the scheduled Convention ceases to be binding on Her Majesty, cease to apply to the vessels and officers of any foreign State bound by the scheduled Convention, but, subject as aforesaid, this Act shall continue in force notwithstanding the determination of the scheduled Convention.
- (4) A notification in the London Gazette shall be sufficient evidence of the adhesion of any foreign State to the scheduled Convention, and of the application of this Act to the vessels and officers of any foreign States.

11 Repeal of 51 & 52 Vict. c.18

The North Sea Fisheries Act, 1888, is hereby repealed.

12 Short title

This Act may be cited as the North Sea Fisheries Act, 1893.