



# Board of Agriculture and Fisheries Act 1903

## 1903 CHAPTER 31

An Act to transfer to the Board of Agriculture powers and duties relating to the Industry of Fishing and to amend the Board of Agriculture Act, 1889. [14th August 1903]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

### **1 Superintendence of Fisheries transferred to Board of Agriculture.**

- (1) The Board of Agriculture shall after the commencement of this Act be styled the Board of Agriculture and Fisheries, and references in any Act or document to the Board of Agriculture shall be construed as references to the Board of Agriculture and Fisheries.
- (2) The powers and duties of the Board of Trade, under the enactments specified in the Schedule to this Act and under any certificate given or order made in pursuance of any of those enactments, and any powers and duties of the Board of Trade or any officer of that Board under any local and personal Act, which relate solely to the industry of fishing, shall be transferred to the Board of Agriculture and Fisheries or, in the case of the powers and duties of any officer, to such officer of the Board of Agriculture and Fisheries as the Board nominate for the purpose.
- (3) Section four of the Board of Agriculture Act, 1889, shall have effect, as respects the transfer of any powers and duties of a Government Department which appear to His Majesty to relate to the industry of fishing, in the same manner as with respect to powers and duties which appear to His Majesty to relate to agriculture or forestry, and sections two and four of that Act shall be read as if the words " the industry of fishing " were added after the word " agriculture. "
- (4) Sections nine (transfer of officers) and eleven (construction of Acts and documents) of the Board of Agriculture Act, 1889, shall apply, in relation to the powers and duties transferred by or in pursuance of this Act, as if they were transferred by or in pursuance

of that Act and as if the date of the commencement of this Act were substituted for the date of the establishment of the Board of Agriculture.

- (5) The limitation contained in section thirty-one of the Salmon Fishery Act, 1861, as to the number and term of office of the inspectors of fisheries, shall cease to apply, and those inspectors may be appointed by the Board of Agriculture and Fisheries under section five of the Board of Agriculture Act, 1889.
- (6) The Board of Agriculture and Fisheries shall be substituted for the Board of Trade as respects communication and returns in section six of the Sea Fisheries (Scotland) Amendment Act, 1885.
- (7) Where any portion of the sea shore, proposed to be comprised in an order under Part III. of the Sea Fisheries Act, 1868, is under the management of the Board of Trade, the order shall not be made without the consent of that Board, and section forty-six of that Act shall be construed accordingly.
- (8) The Merchandise Marks (Prosecutions) Act, 1894 (which relates to the undertaking by the Board of Agriculture of prosecutions under the Merchandise Marks Act, 1887, in certain cases) shall apply to the produce of any fishing industry as it applies to agricultural or horticultural produce.
- (9) Subsection three of section five of the Board of Agriculture Act, 1889, shall apply to expenses incurred by the Board of Agriculture and Fisheries, in the execution of any powers and duties transferred by or in pursuance of this Act, as it applies to expenses incurred by that Board in the execution of their duties under that Act.

## **2 Amendment of 52 & 53 Vict, c.30.**

- (1) Any Order in Council made under section four of the Board of Agriculture Act, 1889, may be varied or revoked by an Order in Council made in accordance with the provisions of that section.
- (2) The expression " Secretary" in the Board of Agriculture Act, 1889, shall include assistant secretary.

## **3 Extent, commencement and short title.**

- (1) Nothing in this Act shall transfer or authorise the transfer of any powers or duties exercisable in or in relation to Scotland or any part of the sea adjoining Scotland, except so far as is expressly provided by this Act as respects communications and returns, and except so far as respects the river Esk and its banks and tributaries, referred to in section sixty-three of the Salmon Fishery Act, 1865.
- (2) This Act may be cited as the Board of Agriculture and Fisheries Act, 1903, and shall come into operation on the first day of October nineteen hundred and three.
- (3) The Board of Agriculture Act, 1889, and this Act may be cited together as the Board of Agriculture and Fisheries Acts, 1889 and 1903.

## SCHEDULE

ENACTMENTS RELATING TO POWERS AND DUTIES OF THE BOARD  
OF TRADE TRANSFERRED TO THE BOARD OF AGRICULTURE**1. SALMON AND FRESHWATER FISHERIES ACTS.**

24 & 25 Vict. c. 109.	The Salmon Fishery Act, 1861.
26 & 27 Vict. c. 10.	The Salmon Acts Amendment Act, 1863.
28 & 29 Vict. c. 121.	The Salmon Fishery Act, 1865.
33 & 34 Vict. c. 33.	The Salmon Acts Amendment Act, 1870.
36 & 37 Vict. c. 71.	The Salmon Fishery Act, 1873.
39 & 40 Vict. c. 19.	The Salmon Fishery Act, 1876.
39 & 40 Vict. c. 34.	The Elver Fishing Act, 1876.
40 & 41 Vict. c. 65.	The Fisheries (Dynamite) Act, 1877.
41 & 42 Vict. c. 39.	The Freshwater Fisheries Act, 1878.
42 & 43 Vict. c. 26.	The Salmon Fishery Law Amendment Act, 1879.
47 & 48 Vict. c. 11.	The Freshwater Fisheries Act, 1884.
49 & 50 Vict. c. 2.	The Freshwater Fisheries Act, 1886.
49 & 50 Vict. c. 39.	The Salmon and Freshwater Fisheries Act, 1886.
54 & 55 Vict. c. 37.	The Fisheries Act, 1891, Parts III. and IV.
55 & 56 Vict. c. 50.	The Salmon and Freshwater Fisheries Act, 1892.

**2. NORFOLK AND SUFFOLK FISHERIES.**

40 & 41 Vict. c. xcvi.	1 The Norfolk and Suffolk Fisheries Act, 1877.
59 & 60 Vict. c. 18.	The Fisheries (Norfolk and Suffolk) Act, 1896.

**3. SEA FISHERIES REGULATION ACTS.**

51 & 52 Vict. c. 54.	The Sea Fisheries Regulation Act, 1888.
54 & 55 Vict. c. 37.	The Fisheries Act, 1891, Part II.
57 & 58 Vict. c. 26.	The Sea Fisheries (Shell Fish) .Regulation Act, 1894.

**4. OYSTERS, &C.**

29 & 30 Vict. c. cxlv.	The Roach River Oyster Fishery Act, 1866.
31 & 32 Vict. c. 45.	The Sea Fisheries Act, 1868, Part III.
32 & 33 Vict. c. 31.	The Oyster and Mussel Fisheries Orders Confirmation Act, 1869 (No. 2).

*Status: This is the original version (as it was originally enacted).*

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38 & 39 Vict. c. 15.

The Sea Fisheries Act, 1875.

40 & 41 Vict. c. 42.

The Fisheries (Oyster, Crab and Lobster) Act, 1877.

47 & 48 Vict. c. 27.

The Sea Fisheries Act, 1884.

**5. MISCELLANEOUS.**

59 & 60 Vict. c. 48.

Subsection one of section five of the Light Railways Act, 1896, so far as it relates to the industry of fishing.