



Fishery Limits Act 1964

1964 CHAPTER 72

An Act to extend the British fishery limits and amend the definition of " sea-fishing " in the Sea Fisheries Act 1883. [31st My 1964]

BE IT ENACTED by the Queen'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 **British fishery limits**

- (1) For the purposes of the Sea Fisheries Acts the fishery limits of the British Islands shall be the seas surrounding the United Kingdom, the Channel Islands and the Isle of Man to a distance of twelve miles from the baselines from which the breadth of the territorial sea is measured and shall be divided into—
 - (a) the exclusive fishery limits, that is to say, the said fishery limits to a distance of six miles from those baselines; and
 - (b) the remainder, in this section referred to as " the outer belt".
- (2) The following provisions shall have effect with respect to foreign fishing boats within the outer belt—
 - (a) if the boat is not registered in a country for the time being designated under this Act, section 7 of the Sea Fisheries Act 1883 shall apply as it applies with respect to the exclusive fishery limits ;
 - (b) if the boat is registered in a country for the time being so designated, the boat shall not fish or attempt to fish except in an area and for any description of sea fish so designated in relation to that country;and any contravention of this subsection shall be treated as a contravention of the said section 7.
- (3) For the purpose of giving effect to any Convention, agreement or arrangement providing for sea-fishing by foreign fishing boats the Ministers may by order designate any country outside the United Kingdom, the Channel Islands and the Isle of Man, and the area in which and descriptions of sea fish for which fishing boats registered in

that country may fish in the outer belt, and any such order shall be made by statutory instrument and may be varied or revoked by a subsequent order so made.

- (4) Notwithstanding anything in subsection (1) of this section, the fishery limits of the British Islands shall not include any part of the sea which is beyond the median line between the coasts of England or the Channel Islands and France, that is to say a line every point of which is equidistant from the nearest points on the low water lines of those coasts or any other line agreed between the government of the United Kingdom and the government of France.

2 Temporary concessions

In relation to fishing boats registered in such of the countries designated by an order under section 1 of this Act as may be specified in that order for the purposes of this section, the said section 1 shall have effect—

- (a) until the end of the year 1965; and
- (b) so far as concerns any area where the base line of the territorial sea is a straight line other than a bay-closing line or is a straight line exceeding ten miles, until the end of the year 1966;

as if subsection (1) referred to three instead of six miles.

3 Interpretation, amendments, repeals and saving

- (1) In this Act—

" fishing boat " means a vessel of whatever size, and in whatever way propelled, which is for the time being employed in sea-fishing;

" foreign fishing boat " means a fishing boat which is neither registered in the United Kingdom, the Channel Islands or the Isle of Man nor exempted from registration by regulations under section 373 of the Merchant Shipping Act 1894;

" mile " means nautical mile ;

" Sea Fisheries Acts " means any enactments for the time being in force relating to sea-fishing, including any enactment relating to fishing for shellfish, salmon or migratory trout and any such enactment passed by the Parliament of Northern Ireland; and

" the Ministers " means the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with sea-fishing in Scotland and Northern Ireland respectively.

- (2) So much of the definition of " sea-fishing " in the Sea Fisheries Act 1883 as excludes fishing for salmon shall cease to have effect.
- (3) The enactments mentioned in Schedule 1 to this Act shall have effect subject to the amendments specified in that Schedule, being amendments consequential on the extension of the fishery limits of the British Islands.
- (4) The enactments mentioned in Schedule 2 to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (5) Nothing in section 7 of the Sea Fisheries Act 1883 or section 1(2) of this Act shall prohibit or restrict fishing by French fishing boats in any area with respect to which special provision for fishing by such boats is made by any agreement or arrangement between the government of the United Kingdom and the government of France.

4 Provisions as to Northern Ireland

- (1) This Act extends to Northern Ireland.
- (2) References in the Government of Ireland Act 1920 to the portion of Ireland within the jurisdiction of the Parliament of Northern Ireland shall be construed as including, in relation to any matter concerning or connected with fishing, so much of the fishery limits of the British Islands as is adjacent to Northern Ireland but is not nearer to any point on the coasts of Scotland than to any point on the coasts of Northern Ireland.
- (3) For the purposes of section 6 of that Act (conflict of laws) so much of this Act as relates to matters with respect to which the Parliament of Northern Ireland has power to make laws shall be deemed to be contained in an Act passed before the day appointed for the purposes of that section.

5 Short title and commencement

- (1) This Act may be cited as the Fishery Limits Act 1954.
- (2) This Act shall come into operation on such day as the Ministers may by order made by statutory instrument appoint.

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

SCHEDULES

SCHEDULE 1

Section 3.

CONSEQUENTIAL AMENDMENTS

THE HERRING FISHERIES (SCOTLAND) ACT 1860

In section 2, in the definition of " the coasts of Scotland ", for the words " within the distance of three miles from the mainland or adjacent islands" there shall be substituted the words " surrounding Scotland which are within the fishery limits of the British Islands ".

THE HERRING FISHERIES (SCOTLAND) ACT 1867

In section 11, in the definition of "the coasts of Scotland" for the words " within the distance of three miles from the mainland or adjacent islands " there shall be substituted the words " surrounding Scotland which are within the fishery limits of the British Islands ".

THE FISHERIES (DYNAMITE) ACT 1877

In section 3, for the words " within one marine league of the coast" there shall be substituted the words " within such part of the fishery limits of the British Islands as is mentioned in section 4(2) of the Fishery Limits Act 1964 ".

THE SEA FISHERIES (CLAM AND BAIT BEDS) ACT 1881

In section 2, for the words from " within the territorial waters " to " 1878 " there shall be substituted the words " within the fishery limits of the British Islands ".

THE SEA FISHERIES ACT 1883

The word "exclusive" shall be omitted in sections 4, 5, 18, 25 and 31.

In section 12, for the words " exclusive limits " there shall be substituted the words " fishery limits ".

THE SEA FISHERIES (SCOTLAND) AMENDMENT ACT 1885

In section 4 the word " exclusive " shall be omitted.

THE SEA FISHERIES REGULATION ACT 1888

In paragraph (a) of section 1(1) for the words from " within " to " fishing" there shall be substituted the words " within the national or territorial waters of the United Kingdom ".

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

THE STEAM TRAWLING (IRELAND) ACT 1889

In section 3, for the words from " within three miles " to " coast of Ireland" there shall be substituted the words " within the national or territorial waters of the United Kingdom adjacent to Northern Ireland ".

THE FISHERIES ACT 1891

In section 5 the word " exclusive " shall be omitted.

THE WHALE FISHERIES (SCOTLAND) ACT 1907

In section 3(4), for the words " within three miles of low-water mark of any part of the coast of Scotland " there shall be substituted the words " in any waters off the coast of Scotland which are within the fishery limits of the British Islands ".

THE WHALE FISHERIES (IRELAND) ACT 1908

In section 3(4), for the words " within three miles of low-water on any part of the coast of Ireland" there shall be substituted the words " within such part of the fishery limits of the British Islands as is mentioned in section 4(2) of the Fishery Limits Act 1964 ".

THE SALMON AND FRESHWATER FISHERIES ACT 1923

In section 9(a) for the words from " territorial waters " to " Wales " there shall be substituted the words " waters adjoining the coast of England and Wales and within the fishery limits of the British Islands ".

THE SEA-FISHING INDUSTRY ACT 1933

In section 3 the following subsection shall be inserted after subsection (1):—

“(1A) An order under this section may be so made as to extend to nets or other fishing gear carried in any waters adjacent to the United Kingdom and within the fishery limits of the British Islands by fishing boats registered in any country outside the United Kingdom or not registered in any country”.

In section 4(5) and in section 4A for the words " within the limits of the territorial waters adjacent to the United Kingdom " there shall be substituted the words " in waters adjacent to the United Kingdom and within the fishery limits of the British Islands ".

THE WHALING INDUSTRY (REGULATION) ACT 1934

In section 17(1) for the definition of " coastal waters " there shall be substituted the following:

“" coastal waters " means—

- (a) in relation to the United Kingdom, the Channel Islands and the Isle of Man, so much of the waters adjoining those countries respectively as is within the fishery limits of the British Islands ; and
- (b) in relation to any other country, so much of the waters adjoining that country as is within the distance to which provisions of the law of that country corresponding to the provisions of this Act extend.”

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THE WHITE FISH AND HERRING INDUSTRIES ACT 1948

In section 2(5) for the words from " within the limits " to " adjacent to the United Kingdom " there shall be substituted the words " in any waters adjacent to the United Kingdom which are within the fishery limits of the British Islands ".

THE SALMON AND FRESHWATER FISHERIES (PROTECTION) (SCOTLAND) ACT 1951

In section 4(a), for the words " up to the limit of territorial waters " there shall be substituted the words " within the fishery limits of the British Islands ".

THE SEA FISH INDUSTRY ACT 1959

In section 7, in subsections (3) and (6), for the words from " within the limits " to " adjacent to the United Kingdom " there shall be substituted the words " in any waters adjacent to the United Kingdom which are within the fishery limits of the British Islands ".

THE SEA FISH INDUSTRY ACT 1962

In subsection (1) of section 10 and of section 11, there shall be substituted—

- (a) in paragraph (a) for the words from " limits " to " Great Britain " the words " fishery limits of the British Islands " and
- (b) in paragraph (b) for the words from " within " to the end of the paragraph, the words " in any waters adjacent to Great Britain and within those limits ".

In section 12(6)(b), for the words from " within " to " adjacent to the United Kingdom" there shall be substituted the words " in any waters adjacent to the United Kingdom and within the fishery limits of the British Islands ".

In section 16(1) the word " exclusive " shall be omitted.

In section 35(3) for the words from " within the limits " to " adjacent to Northern Ireland" there shall be substituted the words " within such part of the fishery limits of the British Islands as is mentioned in section 4(2) of the Fishery Limits Act 1964 ".

SCHEDULE 2

Section 3.

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
6 & 7 Vict. c. 79.	The Sea Fisheries Act 1843.	The whole Act.
31 & 32 Vict. c. 45.	The Sea Fisheries Act 1868.	Sections 3 and 4. In section 5, the definition of " consular officer ". Sections 6 to 21. Section 59. Section 61.

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Chapter	Short Title	Extent of Repeal
46 & 47 Vict. c. 22.	The Sea Fisheries Act 1883.	<p>Section 63 from the beginning to " satisfaction of the court ".</p> <p>Schedule 1.</p> <p>In section 4, the word " exclusive ".</p> <p>In section 5, the word " exclusive ".</p> <p>In section 18, the word " exclusive ".</p> <p>Section 24.</p> <p>In section 25, the word " exclusive ", the words from " the North Sea" to "or within" and the words from " the Convention " to " or by ".</p> <p>In section 28, the definition of " exclusive fishery limits of the British Islands", and in the definition of " sea-fishing " the words from " shall not" to " aforesaid ".</p> <p>Section 30.</p> <p>In section 31, the word " exclusive ".</p> <p>Schedule 2.</p>
48 & 49 Vict. c. 70.	The Sea Fisheries (Scotland) Amendment Act 1885.	In section 4, the word " exclusive ".
54 & 55 Vict. c. 37.	The Fisheries Act 1891.	In section 5, the word "exclusive ".
57 & 58 Vict. c. 60.	The Merchant Shipping Act 1894.	In section 374, the words from " either for an offence" to " 1868, or".
8 & 9 Eliz. 2. c. 7.	The Sea Fish Industry Act 1959.	<p>Section 5(5).</p> <p>In section 8, in paragraph (c) of subsection (1), the words from " for the words " to " United Kingdom ".</p>
10 & 11 Eliz. 2. c. 31.	The Sea Fish Industry Act 1962.	In section 16(1) the word " exclusive."

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TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Herring Fisheries (Scotland) Act 1860	23 & 24 Vict. c. 92.
Herring Fisheries (Scotland) Act 1867	30 & 31 Vict. c. 52.
Fisheries (Dynamite) Act 1877	40 & 41 Vict. c. 65.
Sea Fisheries (Clam and Bait Beds) Act 1881	44 & 45 Vict. c. 11.
Sea Fisheries Act 1883	46 & 47 Vict. c. 22.
Sea Fisheries (Scotland) Amendment Act 1885	48 & 49 Vict. c. 70.
Sea Fisheries Regulation Act 1888	51 & 52 Vict. c. 54.
Steam Trawling (Ireland) Act 1889	52 & 53 Vict. c. 74.
Fisheries Act 1891	54 & 55 Vict. c. 37.
Merchant Shipping Act 1894	57 & 58 Vict. c. 60.
Whale Fisheries (Scotland) Act 1907	7 Edw. 7. c. 41.
Whale Fisheries (Ireland) Act 1908	8 Edw. 7. c. 31.
Government of Ireland Act 1920	10 & 11 Geo. 5. c. 67.
Salmon and Freshwater Fisheries Act 1923	13 & 14 Geo. 5. c. 16.
Sea-Fishing Industry Act 1933	23 & 24 Geo. 5. c. 45.
Whaling Industry (Regulation) Act 1934	24 & 25 Geo. 5. c. 49.
White Fish and Herring Industries Act 1948	11 & 12 Geo. 6. c. 51.
Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951	14 & 15 Geo. 6. c. 26.
Sea Fish Industry Act 1959	8 & 9 Eliz. 2. c. 7.
Sea Fish Industry Act 1962	10 & 11 Eliz. 2. c. 31.