



Sea Fisheries Regulation Act 1966

1966 CHAPTER 38

Power of local fisheries committees

11 Penalty for obstructing, etc. fishery officer or contravening byelaws

- (1) If any person without reasonable excuse whereof shall he on him) refuses to allow a fishery officer to exercise the powers conferred on him by this Act, or resists or obstructs any such officer in the performance of his duty, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty pounds.
- (2) Where any vessel is used for fishing in any manner constituting a contravention of any byelaw of a local fisheries committee having effect by virtue of section 5(1)(a) or (b) above, the skipper and the owner of the vessel shall, subject to subsection (3) below, each be guilty of an offence and liable on summary conviction to a fine not exceeding, in the case of a first offence, fifty pounds or, in the case of a second offence, one hundred and fifty pounds or, in the case of a third or subsequent offence, to imprisonment for a term not exceeding three months: or to a fine not exceeding three hundred pounds or to both such imprisonment and such fine.
- (3) In any proceedings which by virtue of this section are taken against the owner of a vessel in respect of an offence under subsection (2) above committed by the skipper, it shall be a good defence for the owner to prove that he exercised all due diligence to prevent the commission of that offence.
- (4) Subsections (2) and (3) above shall, in relation to any vessel which at the material time is under charter, have effect as if any reference in those subsections to the owner were a reference to the charterer.
- (5) Without prejudice to the operation of subsections (2), (3) and (4) above, any person who contravenes any byelaw of a local fisheries committee shall be guilty of an offence and liable on summary conviction to a fine not exceeding fifty pounds or, in the case of a second or subsequent offence, to a fine not exceeding one hundred pounds.
- (6) Where any offence under subsection (2) or (5) above committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other officer of the

Status: This is the original version (as it was originally enacted).

body corporate, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

- (7) Where any offence under subsection (1) or (5) above is committed on the sea coast or at sea beyond the ordinary jurisdiction of a magistrates' court and not on or from a ship or boat, it shall be deemed to have been committed within the body of any county or borough having a separate commission of the peace which abuts on that sea coast or adjoins that sea, and may be tried and punished accordingly.