



# Sea Fish (Conservation) Act 1967

## 1967 CHAPTER 84

### *[<sup>F1</sup><sup>F2</sup> Supplemental*

#### **[<sup>F1</sup><sup>F2</sup>22 Interpretation.**

(1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

[<sup>F3</sup>“British-owned”, in relation to a fishing boat, means owned by a person who is for the purposes of Part II of the Merchant Shipping Act 1995 a person qualified to own a British ship, or owned by two or more persons any one of whom is for those purposes a person so qualified;]

[<sup>F4</sup>“British fishing boat” means a fishing boat—

- (a) which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995,
- (b) which is British-owned, or
- (c) which is registered under the law of Jersey, Guernsey or the Isle of Man;]

“British sea-fishery officer” means any person who by virtue of [<sup>F5</sup>section 7 of the <sup>M1</sup>Sea Fisheries Act 1968] is a British sea-fishery officer;

“fishing boat” means a vessel of whatever size, and in whatever way propelled, which is for the time being employed in sea fishing or (except in section 5 and except in section 15 in so far as that section applies to sections 5 and 6 of this Act and orders made under those sections) the sea fishing service;

“the Fishmongers’ Company” means the wardens and commonalty of the Mystery of Fishmongers in the City of London;

[<sup>F6</sup>“local fisheries committee” means a local fisheries committee constituted by an order made, or having effect as if made, under section 1 of the <sup>M2</sup>Sea Fisheries Regulation Act 1966;]

“market authority” means any person having power to regulate a market;

“master” includes, in relation to any vessel, the person for the time being in command or charge of the vessel;

“migratory trout” means trout which migrate to and from the sea;

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“processing” (in relation to fish) includes preserving or preparing fish, or producing any substance or article from fish, by any method for human or animal consumption;

[<sup>F7</sup>“relevant British fishing boat” means a British fishing boat which is not a Scottish fishing boat;]

[<sup>F8</sup>“relevant British fishery limits” means British fishery limits so far as they do not relate to the Scottish zone;]

“salmon” includes any fish of the salmon species:

[<sup>F9</sup>“Scottish fishing boat” means a fishing vessel which is registered in the register maintained under section 8 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Scotland as the port to which the vessel is to be treated as belonging;]

[<sup>F10</sup>“the Scottish zone” has the same meaning as in the Scotland Act 1998;]

“sea fish” means fish, whether fresh or cured, of any kind found in the sea, including shellfish, and any parts of any such fish but (except in sections <sup>F11</sup>... [<sup>F12</sup>4A,] 5, 6, 7 and 9) does not include salmon or migratory trout;

“shellfish” includes crustaceans and molluscs of any kind and any spat or spawn of shellfish;

“vessel” includes any ship or boat or any other description of vessel used in navigation.

[ In any order or regulations made under this Act “foreign fishing boat” means (unless <sup>F13</sup>(1A) the contrary intention appears) a fishing boat which is not a British fishing boat.]

(2) In this Act “the appropriate Minister”, in relation to England <sup>F14</sup> ..., means the Minister of Agriculture, Fisheries and Food [<sup>F15</sup>in relation to Wales, means the Secretary of State concerned with the sea fishing industry in Wales], <sup>F16</sup> ..., and “the Ministers”—

- (a) except in sections [<sup>F17</sup>1(1) and (2)] and 9(1) and (4) of this Act means the Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with the sea fishing industry in Scotland [<sup>F18</sup>Wales] and Northern Ireland;
- (b) in the said sections [<sup>F17</sup>1(1) and (2)] and 9(1) means the Minister of Agriculture, Fisheries and Food and [<sup>F19</sup>the Secretaries of State respectively] concerned with the sea fishing industry in Scotland [<sup>F20</sup>and Wales];
- (c) in the said section 9(4) means the Minister of Agriculture, Fisheries and Food, [<sup>F19</sup>the Secretaries of State respectively] concerned with the sea fishing industry in Scotland [<sup>F20</sup>and Wales] and the [<sup>F21</sup>Department] of Agriculture for Northern Ireland.

(3) Anything which is required or authorised under this Act to be done by the Ministers shall be done by the Ministers acting in conjunction.

[ Any reference in this Act to a class is a reference to a class defined or described <sup>F22</sup>(3A) by reference to any circumstances whatsoever (whether or not relating to fishing or vessels).]

(4) Except in so far as the context otherwise requires, references in this Act to any enactment are references to that enactment as amended by or under any other enactment.]]

*Changes to legislation: There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 22. (See end of Document for details)*

### Textual Amendments

- F1** S. 18(2) substituted (S.) (1.4.2005) by [Salmon and Freshwater Fisheries \(Consolidation\) \(Scotland\) Act 2003 \(asp 15\)](#), s. 71(2), **sch. 4 para. 1** (with s. 71(3)(4)(6)); S.S.I. 2005/174, art. 2
- F2** S. 18(3) inserted (15.11.2006) by [The Scotland Act 1998 \(River Tweed\) Order 2006 \(S.I. 2006/2913\)](#), art. 1(2), **Sch. 4 para. 1**
- F3** Definition of “British-owned” in s. 22(1) substituted (1.1.1996) by 1995 c. 21, ss. 314(2), 316(2), **Sch. 13 para. 38(c)** (with s. 312(1))
- F4** Words in s. 22(1) inserted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(12)(a)** (with Sch. 4 para. 31)
- F5** Words substituted by [Sea Fisheries Act 1968 \(c. 77\)](#), **Sch. 1 para. 39**
- F6** Words in s. 22(1) repealed (E.W.) (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 22 Pt. 4**; S.I. 2010/630, **art. 3(b)** (with arts. 8, 12); S.I. 2011/556, **art. 2(2)(o)** (with art. 2(3)); and repeal extended (S.) (24.2.2011) by [Marine \(Scotland\) Act 2010 \(asp 5\)](#), ss. 158, 168(1) (with s. 162); S.S.I. 2011/58, **art. 2(a)**
- F7** S. 22(1): definition of “relevant British fishing boat” inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 43(11)**; S.I. 1999/3178, **art. 3**
- F8** S. 22(1): definition of “relevant British fishery limits” inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 43(11)**; S.I. 1999/3178, **art. 3**
- F9** S. 22(1): definition of “Scottish fishing boat” inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 43(11)**; S.I. 1998/3178, **art. 3**
- F10** S. 22(1): definition of “the Scottish zone” inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 43(11)**; S.I. 1998/3178, **art. 3**
- F11** Word in s. 22(1) omitted (31.12.2020) by virtue of [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(12)(b)** (with Sch. 4 para. 31)
- F12** “4A,” inserted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), s. 21(2)(c)
- F13** S. 22(1A) inserted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(b), **Sch. 4 para. 6(12)(c)** (with Sch. 4 para. 31)
- F14** Words repealed by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), s. 45(a), **Sch. 5 Pt. II**
- F15** Words inserted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), s. 45(a)
- F16** S. 22(2): words in definition of “the appropriate Minister” repealed (1.7.1999) by S.I. 1999/1820, art. 4, Sch. 2 Pt. I para. 43(12), **Sch. 2 Pt. IV**; S.I. 1998/3178, **art. 3**
- F17** “1(1) and (2)” substituted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), s. 19(2)(d)(3)
- F18** Word inserted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), s. 45(b)
- F19** Words substituted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), s. 45(c)
- F20** Words inserted by [Fisheries Act 1981 \(c. 29, SIF 52:1\)](#), s. 45(c)
- F21** Word substituted by virtue of [Northern Ireland Constitution Act 1973 \(c. 36\)](#), **Sch. 5 para. 8(1)**
- F22** S. 22(3A) inserted (E.W.) (12.1.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), ss. 196(2), 324(3); S.I. 2009/3345, art. 2, Sch. para. 8

### Modifications etc. (not altering text)

- C1** Certain functions of Minister of Agriculture, Fisheries and Food as “the appropriate Minister” now exercisable (W.) by Secretary of State, or Minister and Secretary of State jointly: S.I. 1978/272, art. 2(1)(4), **Sch. 1**
- C2** Functions of Ministers acting in conjunction now exercisable by Ministers and Secretary of State for Wales jointly: S.I. 1978/272, art. 2(3), **Sch. 1**

### Marginal Citations

- M1** 1968 c. 77.
- M2** 1966 c. 38.

**Changes to legislation:**

There are currently no known outstanding effects for the Sea Fish (Conservation) Act 1967, Section 22.