



Sea Fisheries Act 1968

1968 CHAPTER 77

Regulation of sea fishing operations

10 Miscellaneous provisions as to sea-fishery officers.

[^{F1}(1) A British sea-fishery officer shall not be liable in any civil or criminal proceedings for anything done in the purported exercise of the powers conferred on him by section 8 or 9 of this Act, section 15 of the Sea Fish (Conservation) Act 1967 or section 27 of the Fisheries Act 1981, and a foreign sea-fishery officer shall not be liable in any such proceedings for anything done in purported exercise of the powers conferred on him by section 9 of this Act, if the court is satisfied that the act was done in good faith and that there were reasonable grounds for doing it.]

(2) Any person who on any fishing boat within [^{F2}British fishery limits], or on a British fishing boat anywhere outside those limits,—

- (a) fails [^{F3}without reasonable excuse] to comply with any requirement imposed, or to answer any question asked, by a British sea-fishery officer under section 8 or 9 of this Act;
- (b) prevents, or attempts to prevent, any other person from complying with any such requirement or answering any such question; or
- (c) assaults any such officer while exercising any of the powers conferred on him by or by virtue of section 8 or 9 of this Act or [^{F4}wilfully obstructs] any such officer in the exercise of any of those powers;

shall be guilty of an offence.

[^{F5}(2A) Any person who on any vessel within British fishery limits—

- (a) fails without reasonable excuse to comply with any requirement imposed, or to answer any question asked, by a British sea-fishery officer under section 27 of the Fisheries Act 1981;
- (b) prevents, or attempts to prevent, any other person complying with any such requirement or answering any such question; or
- (c) assaults any such officer while exercising any of the powers conferred on him by that section or wilfully obstructs any such officer in the exercise of any of those powers;

Changes to legislation: There are currently no known outstanding effects for the Sea Fisheries Act 1968, Section 10. (See end of Document for details)

shall be guilty of an offence.]

- (3) Subsection (2) above shall apply in relation to things done on a British fishing boat anywhere within the convention area outside [^{F2}British fishery limits] by or in relation to a foreign sea-fishery officer who is exercising powers to enforce the provisions of the convention relating to that area as it applies in relation to things done on any fishing boat within those limits by or in relation to a British sea-fishery officer.
- (4) A person guilty of an offence under this section shall be liable [^{F6}on summary conviction to a fine not exceeding £5,000 or on conviction on indictment to a fine.][^{F6}on summary conviction, or on conviction on indictment, to a fine.]

Textual Amendments

- F1** S. 10(1) substituted by Fisheries Act 1981 (c. 29, SIF 52:1), **s. 26(4)**
- F2** Words substituted by Fishery Limits Act 1976 (c. 86), **Sch. 2 para. 17(1)**
- F3** Words inserted by Fisheries Act 1981 (c. 29, SIF 52:1), **s. 26(5)(a)**
- F4** Words substituted by Fisheries Act 1981 (c. 29, SIF 52:1), **s. 26(5)(b)**
- F5** S. 10(2A) inserted by Fisheries Act 1981 (c. 29, SIF 52:1), **s. 26(6)**
- F6** Words in s. 10(4) substituted (E.W.) (12.3.2015) by The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on Summary Conviction) Regulations 2015 (S.I. 2015/664), reg. 1(1), **Sch. 4 para. 5** (with reg. 5(1))

Modifications etc. (not altering text)

- C1** Ss. 9, 10 applied by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 25(3), 58(4), **Sch. 8 para. 1**
S. 10 applied (21.3.1994) by 1993 c. 22, **s. 5(9)**; S.I. 1993/3137, art. 3(1), **Sch.1**
S. 10 applied (1.1.1996) by 1995 c. 21, **ss. 15(9)**, 316(2) (with s. 312(1))

Changes to legislation:

There are currently no known outstanding effects for the Sea Fisheries Act 1968, Section 10.