



Fishery Limits Act 1976

1976 CHAPTER 86

Extension of British fishery limits

1 British fishery limits.

[^{F1}(1) Subject to the following provisions of this section, British fishery limits extend to the seaward limits of any area for the time being designated by Order in Council under section 41(3) of the Marine and Coastal Access Act 2009 (exclusive economic zone).]

(2) Her Majesty may by Order in Council, for the purpose of implementing any international agreement or the arbitral award of an international body, or otherwise, declare that British fishery limits extend to such other line as may be specified in the Order.

^{F2}(3)

^{F2}(4)

(5) Subject to section 10(2)(b) below, references to British fishery limits in any enactment for the time being in force relating to sea fishing or whaling are to the limits set by or under this section.

Textual Amendments

F1 S. 1(1) substituted (12.11.2009 for specified purposes, 31.3.2014 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(1)(c)(d), [Sch. 4 para. 2\(2\)](#); S.I. 2013/3055, art. 2

F2 S. 1(3)(4) repealed (31.3.2014) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), [Sch. 4 para. 2\(3\)](#), [Sch. 22 Pt. 1](#); S.I. 2013/3055, art. 2; S.I. 2013/3055, art. 2

Modifications etc. (not altering text)

C1 S. 1: power to repeal, substitute or amend conferred (31.3.2014) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), [Sch. 4 para. 2\(4\)\(5\)](#); S.I. 2013/3055, art. 2

Changes to legislation: There are currently no known outstanding effects for the Fishery Limits Act 1976. (See end of Document for details)

F³2 Access to British fisheries.

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Textual Amendments

- F3** S. 2 repealed (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 3(1)** (with Sch. 4 para. 31)

Regulation of sea fishing, etc.

F⁴3 Licensing of fishing boats.

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Textual Amendments

- F4** S. 3 omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 7** (with Sch. 4 para. 31)

4 Extension of power to regulate conduct of fishing operations, etc.

- (2) In section 5 of the ^{M1}Sea Fisheries Act 1968 (regulation of conduct of fishing operations) in subsection (1) for the words “for the purpose of giving effect to any convention for the time being in force between Her Majesty’s Government in the United Kingdom and the government of any other country” there are inserted the words “whenever it appears to them necessary or expedient”.
- (2) In subsection (2) of that section, in paragraph (a) (British fishing boats) for the words “anywhere within the convention area to which the order relates” there are substituted the words “wherever they may be”.
- (3) In subsection (2) of that section, in paragraph (b) (foreign fishing boats) for the words “waters which are within both the fishery limits of the British Islands and that convention area” there are substituted the words “waters within British fishery limits”.
- (4) At the end of section 10 of the ^{M2} Sea Fisheries (Scotland) Amendment Act 1885 (powers of sea fishery officers) there are added the words “and section 10 of that Act shall apply for the purposes of this Act as if for any reference to section 8 or 9 of that Act there were substituted a reference to this section.”.

Modifications etc. (not altering text)

- C2** The text of ss. 3–5, 9(1)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

- M1** 1968 c. 77.
M2 1885 c. 70.

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5 Revised penalties for offences.

The enactments mentioned in Schedule 1 to this Act are amended as there provided, being amendments which revise the penalties for certain offences under enactments relating to sea fishing.

Modifications etc. (not altering text)

- C3** The text of ss. 3–5, 9(1)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

General

6 Orders.

- (1) Orders made under any provision of this Act shall be made by statutory instrument.
- (2) Power conferred by any provision of this Act to make an Order in Council or other order includes power to vary or revoke by a further Order in Council or order under that provision.

Modifications etc. (not altering text)

- C4** [S. 6\(1\)](#) excluded (28.3.2002) by S.I 2002/790, art. 3(3), Sch. 3 para. 4(2)

7 Finance.

- (1) The Minister of Agriculture, Fisheries and Food may, with the approval of the Treasury, incur expenditure in employing officers and vessels and generally taking such measures as appear to him necessary to protect British fisheries.
- (2) Expenses incurred by the Ministers which are attributable to the provisions of this Act, being—
 - (a) such expenses as are referred to in subsection (1) above; or
 - (b) increased administrative expenses,shall be defrayed out of money provided by Parliament.

8 Interpretation.

In this Act—

“enactment” includes an enactment of the Parliament of Northern Ireland and a Measure of the Northern Ireland Assembly;

“fishing boat” means any vessel for the time being employed in fishing operations or any operations ancillary thereto;

[^{F5}“foreign fishing boat” means a fishing boat which is not—

- (a) registered in the United Kingdom, the Channel Islands or the Isle of Man; or
- (b) wholly British-owned;]

“miles” means international nautical miles of 1,852 metres;

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“the Ministers” means [^{F6}, in relation to England and Wales and Northern Ireland,] the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with sea fishing in Scotland and Northern Ireland respectively [^{F6}and, in relation to Scotland, the Scottish Ministers];

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Textual Amendments

- F5** Words in s. 8 substituted (1.1.1996) by virtue of 1995 c. 21, ss. 314(2), 316(2), **Sch. 13 para. 49(a)** (with s. 312(1))
- F6** Words in s. 8 inserted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. 1 para. 57(3)(b)**; S.I. 1998/3178, **art. 3**
- F7** Words in s. 8 repealed (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 3(2)(a)** (with Sch. 4 para. 31)

Modifications etc. (not altering text)

- C5** Joint functions of Ministers now exercisable by Ministers and Secretary of State for Wales jointly: S.I. 1978/272, art. 2(3), **Sch. 1**
- C6** S. 8 excluded (E.W.N.I.) (21.2.2000) by S.I. 2000/181, **art. 2(2)(a)(v)**

9 Amendments, transitional provisions and repeals.

- (1) The enactments mentioned in Schedule 2 to this Act are amended as there provided, being amendments consequential on the provisions of this Act.
- (2) The transitional provisions in Schedule 3 to this Act have effect.
- (3) The enactments mentioned in Schedule 4 to this Act are repealed to the extent there specified.

Modifications etc. (not altering text)

- C7** The text of ss. 3–5, 9(1)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

10 Northern Ireland.

- (1) This Act, except the repeals in section 13 of the ^{M3}Sea Fisheries Act 1968 (compensation for damage caused by offence), extends to Northern Ireland.
- (2) Subject to subsection (3) below,—
 - (a) nothing in this Act affects the extent of British fishery limits in the waters adjacent both to Northern Ireland and the Republic of Ireland to a distance of 12 miles from the baselines from which the breadth of the respective territorial seas is measured; and
 - (b) references to “British fishery limits” in any enactment for the time being in force relating to sea fishing or whaling shall be construed as including a

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reference to those limits as well as to the limits set by or under section 1 of this Act.

- (3) The power conferred on Her Majesty by section 1(2) of this Act to declare the extent of British fishery limits by Order in Council includes power to declare the extent of the limits in the waters referred to in subsection (2)(a) above.

Marginal Citations

M3 1968 c. 77.

11 Isle of Man and Channel Islands.

- (1) Her Majesty may by Order in Council make such provision for the Isle of Man and the Channel Islands as appears to Her Majesty to be necessary in consequence of the extension of British fishery limits by or under this Act.
- (2) Such an Order may, in particular, specify waters adjacent to the Isle of Man or any of the Channel Islands as waters to which enactments relating to sea fishing or whaling apply—
 - (a) by virtue of having been extended by Order in Council to the Isle of Man or any of the Channel Islands; and
 - (b) with the exceptions, adaptations and modifications (if any) specified in the extending Order.
- (3) Her Majesty may by Order in Council direct that all or any of the provisions of sections 2(2) to (7), 3, 4, 5, 8 and 9 and of the Schedules to this Act—
 - (a) shall extend, with such exceptions, adaptations and modifications, if any, as may be specified in the Order, to the Isle of Man or any of the Channel Islands;
 - (b) shall apply, with such exceptions, adaptations and modifications as may be specified in the Order, in relation to British fishing boats registered in the Isle of Man or any of the Channel Islands as they apply in relation to British fishing boats registered in the United Kingdom.

12 Short title and commencement.

- (1) This Act may be cited as the Fishery Limits Act 1976.
- (2) The provisions of this Act come into force on such day as the Ministers may by order appoint and different days may be appointed for different provisions and for different purposes.
- (3) Without prejudice to subsection (2) orders under that subsection may so provide that the extension of British fishery limits by section 1 of this Act comes into force on different days in relation to different parts of the United Kingdom, the Channel Islands and the Isle of Man.
- (4) An order under subsection (2) may contain such supplementary, incidental and transitional provisions as appear to the Ministers to be necessary or expedient in connection with the provisions of this Act which are thereby brought (wholly or partly) into operation, including such adaptations of those provisions then in force as appear to the Ministers to be necessary or expedient in consequence of their partial operation (whether before, on or after the day appointed by the order).

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Modifications etc. (not altering text)

C8 1.1.1977 appointed under s. 12(2) by [S.I. 1976/2215](#), [art. 2](#)

Changes to legislation:

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