



# Fisheries Act (Northern Ireland) 1966

## 1966 CHAPTER 17

### PART XI

#### AUTHORISED PERSONS

#### POWERS

#### **180 Procedure for disposal of boat or fishing engine seized in certain cases.**

Where a persons in exercise of powers conferred on him by this Act, seizes any boat (other than a sea-fishing boat)<sup>F1</sup>, fishing engine, vehicle or equipment] and no other person is charged with an offence under any provision of this Act in relation thereto, the first-mentioned person shall, as soon as may be, apply to a court of summary jurisdiction <sup>F2</sup>... for an order for its disposal under this section, and thereupon the following provisions shall have effect:—

- (a) if, in the case of a boat<sup>F1</sup> or a vehicle or equipment], the court finds that, at the time of its seizure,<sup>F1</sup> the boat, vehicle or equipment] had been, was being, or was about to be, used for a purpose which under this Act<sup>F1</sup> or any regulation made under section 124] is unlawful, the court shall order it to be forfeited;
- (b) if, in the case of a fishing engine, the court finds that it is a fishing engine the use of which is prohibited by law, the court shall order it to be forfeited and destroyed;
- (c) if, in the case of a fishing engine, the court finds that it is a lawful fishing engine which at the time of its seizure had been, was being or was about to be, unlawfully used, the court shall order it to be forfeited;
- (d) in any other case, the court shall order the boat<sup>F1</sup>, fishing engine, vehicle or equipment] to be returned to the person who appears to the court to be the owner thereof;

and where any fishing engine is forfeited in pursuance of this section any fishing gear appurtenant to or used for the purposes of that fishing engine which has been seized in the exercise of any power conferred by this Act shall also be forfeited.

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**Changes to legislation:** There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 180. (See end of Document for details)

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**F2** Words in s. 180 repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 58(2), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

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