
STATUTORY INSTRUMENTS

1985 No. 171

The Wildlife (Northern Ireland) Order 1985

PART IV

Supplemental

Penalties and forfeitures

27.—^[F1](1) Subject to paragraph (7), a person guilty of an offence under—

- (a) any of Articles 4 to 14,
- (b) Article 15B,
- (c) Article 16,
- (d) Part 3,
- (e) Article 24, or
- (f) Article 25B(7),

shall be liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale, or to both.

(2) A person guilty of an offence under Article 15 or 15A shall be liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or to both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or to both.

(3) Except in a case falling within paragraph (4), a person guilty of an offence under Article 25A(4), 25B(8) or 25C(7) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) A person guilty of an offence under Article 25B(8) or 25C(7)(a) in relation to a wildlife inspector entering premises to ascertain whether an offence under Article 15 or 15A is being or has been committed shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to a fine.]

(7) Where an offence to which paragraph (1), ^[F2]or (2)] applies was committed in respect of more than one bird, nest, egg, other animal, plant or other thing, the maximum fine which may be imposed under that paragraph shall be determined as if the person convicted had been convicted of a separate offence in respect of each bird, nest, egg, animal, plant or thing.

(8) The court by which any person is convicted of an offence under this Order—

- (a) shall order the forfeiture of any bird, nest, egg, other animal, plant or other thing in respect of which the offence was committed; and

(b) may order the forfeiture of any vehicle, animal, weapon or other thing which was used to commit the offence and, in the case of an offence under Article 15 [^{F3}or 15A], any animal or plant which is of the same kind as that in respect of which the offence was committed and was found in his possession.

(9) Any offence under this Order shall, for the purpose of conferring jurisdiction, be deemed to have been committed in any place where the offender is found or to which he is first brought after the commission of the offence.

- | |
|---|
| <p>F1 Art. 27(1)-(4) substituted (17.8.2011) for art. 27(1)-(6) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15), ss. 24(1), 40(1) (with s. 24(2)); S.R. 2011/285, art. 2, Sch.</p> <p>F2 Words in art. 27(7) substituted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15), ss. 39(1), 40(1), Sch. 2 para. 17(a); S.R. 2011/285, art. 2, Sch.</p> <p>F3 Words in art. 27(8)(b) inserted (17.8.2011) by Wildlife and Natural Environment Act (Northern Ireland) 2011 (c. 15), ss. 39(1), 40(1), Sch. 2 para. 17(b); S.R. 2011/285, art. 2, Sch.</p> |
|---|

Changes to legislation:

There are currently no known outstanding effects for the The Wildlife (Northern Ireland) Order 1985, Section 27.