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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 106**

**The Sea Fishing (Illegal, Unreported and  
Unregulated Fishing) Order (Northern Ireland) 2018**

**Refusal of importation**

6.—(1) The Department shall refuse importation or permission to use transshipment facilities where a declaration has not been submitted in accordance with Article 8 of the Council Regulation and Article 3 of, and Annex IIIA or as the case may be, Annex IIIB to, the Commission Regulation.

(2) For the purposes of Article 18(3) of the Council Regulation, an authorised officer may seize any fishery products, including any receptacle which contains the fishery products.

(3) Any fishery products which are seized under paragraph (2) may be sold, disposed of or destroyed by the competent authority in any manner it thinks fit if—

- (a) it has given written notice to the importer of its intention to sell, dispose of or destroy the fishery products; and
- (b) either no appeal is made under paragraph (4) within the period specified in that paragraph or, where an appeal has been made—
  - (i) the appeal has been withdrawn; or
  - (ii) the court dismisses the appeal.

(4) Where the competent authority has refused importation pursuant to Article 18(1) or (2) of the Council Regulation or paragraph (1) above, the importer may appeal to a court of summary jurisdiction within 28 days of the refusal.

(5) The procedure on an appeal under paragraph (4) is by way of notice, and Part VII of the Magistrates' Courts (Northern Ireland) Order 1981(1) applies to the proceedings.