
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 101

**The Aquaculture and Fisheries (Scotland)
Act 2007 (Fixed Penalty Notices) Order 2008**

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Aquaculture and Fisheries (Scotland) Act 2007 (Fixed Penalty Notices) Order 2008 and comes into force on 1st April 2008.

(2) In this Order “the Act” means the Aquaculture and Fisheries (Scotland) Act 2007.

Specification of relevant offences

2. A relevant offence for the purposes of section 25(1) of the Act⁽¹⁾ is specified as—

- (a) an offence under or by virtue of an enactment listed in Part 1 of Schedule 1 to this Order; and
- (b) an offence under or by virtue of an enactment listed in Part 2 of Schedule 1 to this Order, proceedings in respect of which may be taken in Scotland by virtue of section 30(2A) of the Fisheries Act 1981⁽²⁾.

Specification of shorter period for paying fixed penalty notice

3. The period specified for the purposes of section 26(4) of the Act is 7 days in relation to a person to whom a notice⁽³⁾ is issued who is domiciled or resident outside the United Kingdom.

Scale of fixed penalty

4. The scale of fixed penalties for the purposes of sections 25 to 31 of the Act is as prescribed in Schedule 2.

Address at which and method by which fixed penalty is payable

5.—(1) The address specified for the purposes of section 27(3) of the Act is Scottish Government, Banking Section, Financial Management Branch, Mail Point 8, Area 3-A South, Victoria Quay, Edinburgh EH6 6QQ.

(2) The methods of payment specified for the purposes of section 27(3) of the Act are payment by—

- (a) cheque;
- (b) transfer using the Bankers Automated Clearing Service; and
- (c) debit card.

(1) Section 25(1) of the Aquaculture and Fisheries (Scotland) Act 2007 (“the Act”) provides that a British sea fishery officer may issue a fixed penalty notice in respect of a relevant offence.

(2) 1981 c. 29. Section 30(2A) was inserted by S.I.1999/1820, Schedule 2, paragraph 68.

(3) “Notice” is defined in section 25(3) of the Act to mean a fixed penalty notice issued under section 25(1) of the Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Person to whom and address to which intimation of non payment of fixed penalty to be sent

6. The person and address specified for the purposes of section 29(2)(b) of the Act is Head of Prosecutions and Enforcement Policy, SFPA, Room 527, Pentland House, 47 Robbs's Loan, Edinburgh, EH14 1TY.

St Andrew's House,
Edinburgh
6th March 2008

RICHARD LOCHHEAD
A member of the Scottish Executive