



Import of Live Fish (England and Wales) Act 1980

1980 CHAPTER 27

3 Offences etc.

- (1) Subject to subsection (2) below, any person who—
- (a) imports or attempts to import into, or keeps or releases, in any part of England and Wales any live fish, or the live eggs of fish, of a species specified in an order under section 1 of this Act—
 - (i) in a case where the order forbids absolutely such import, keeping or release ;
 - (ii) without having a valid licence granted under the said section 1 authorising such import or keeping, in a case where the order forbids the import or keeping except under such a licence;
 - (b) being the holder of a licence granted to him under the said section 1, acts in contravention of or fails to comply with any term of the licence;
 - (c) obstructs any person from entering or inspecting any land in pursuance of section 2 of this Act;
- shall be guilty of an offence under this Act and shall be liable on summary conviction to a fine not exceeding £500.
- (2) A person shall not be guilty of an offence under this Act in respect of any act if he does the act for some scientific or research purpose authorised by the Minister.
- (3) The Court by whom any person is convicted of an offence under paragraph (a) or (b) of subsection (1) above shall order any fish or eggs in respect of which the offence was committed to be forfeited and destroyed.
- (4) Any person who is empowered to enter land under section 2 of this Act may seize any fish or eggs with respect to which he has reason to believe that an offence under paragraph (a) or (b) of subsection (1) above has been committed, and may detain them pending the determination of any proceedings to be instituted under the said paragraph (a) or (b), or until the Minister is satisfied that no such proceedings are likely to be instituted.