

---

**Changes to legislation:** There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Paragraph 1. (See end of Document for details)

---

## SCHEDULE 2 FORFEITURE UNDER SECTION 46 OR 47

### *Application of schedule*

- 1 This schedule applies where—
- (a) property seized by a British sea-fishery officer in the exercise of any power conferred by the sea fisheries legislation is being retained by the Scottish Ministers,
  - (b) the Scottish Ministers are satisfied that there are reasonable grounds for believing that the property is liable to forfeiture under section 46 or 47, and
  - (c) any of the following applies—
    - (i) a procurator fiscal has decided not to take proceedings against any person in respect of any offence in relation to the property,
    - (ii) where a fixed penalty notice has been issued in respect of such an offence, the appropriate fixed penalty has been paid, or
    - (iii) any proceedings taken in respect of such an offence have concluded without an order for forfeiture having been made in respect of the property.

---

#### **Commencement Information**

**II** Sch. 2 para. 1 in force at 16.9.2013 by S.S.I. 2013/249, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Paragraph 1.