



# Fisheries Act (Northern Ireland) 1966

## 1966 CHAPTER 17

### PART XII

#### SUPPLEMENTAL PROVISIONS

#### PENALTIES

#### 201 Penalties for offences.

- (1) <sup>F1</sup> A person who commits an offence under any provision of this Act for which a penalty is not provided by any provision of this Act other than this section shall be liable on summary conviction to a fine not exceeding [<sup>F2</sup> £500].
- (2) <sup>F3</sup> . . . the Ministry may prescribe lower penalties for breach of a particular regulation, than the penalty provided under subsection (1), and that subsection shall, in any such case, be construed as if such lower penalties were substituted for that so provided.

**F1** Mod., 1967 c.7 (NI)

**F2** 1981 NI 7

**F3** Words in s. 201(2) repealed (1.6.2009) by [Public Authorities \(Reform\) Act \(Northern Ireland\) 2009](#) (c. 3), ss. 1(3)(b), 6, 7(1), Sch. 1 Pt. 2 para. 3(42), [Sch. 3](#) (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, [art. 2\(b\)\(e\)](#)

#### 202 Continuing offences.

- (1) Where a person is convicted of an offence under any provision of this Act and the contravention in respect of which he was convicted is continued after the conviction, he shall be guilty of a further offence and, subject to subsections (3) and (4), shall be liable on summary conviction, in addition to any other penalty, to a fine not exceeding [<sup>F4</sup> £50] for each day on which the contravention is so continued.

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*Changes to legislation:* There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966. (See end of Document for details)

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- (2) An offence under this section shall be a continuing offence and accordingly fresh proceedings in respect thereof may be taken from time to time.
- (3) In the application of this section in relation to an offence under section 73 [<sup>F5</sup> 74 or 79], subsection (1) shall have effect as if for the [<sup>F5</sup> word “50”] there were substituted the [<sup>F5</sup> word “200”].

*Subs.(4) rep. by 1981 NI 7*

**F4** 1981 NI 7

**F5** 1981 NI 7

### 203 Disposal of fines.

- (1) Every fine imposed for an offence under any provision of this Act, other than an offence under Part VIII or IX or under any other such provision in its application to sea-fisheries, shall, notwithstanding any other enactment, be paid—
- (a) if the offence was committed in the Londonderry Area [<sup>F6</sup> or the Newry Area], in like manner as is provided by section 77 of the Foyle Fisheries Act (Northern Ireland) 1952 with respect to fines imposed for offences under that Act; and
  - (b) in any other case, subject to subsection (2), to [<sup>F7</sup> the Department] .
- (2) When a fine has been imposed for an offence under any provision of this Act in a case to which subsection (1)( b) applies, and a member of the Royal Ulster Constabulary was the means of bringing to justice the person by whom the offence was committed, and the court imposing the fine so certifies, then—
- (a) one-third of the fine shall be paid to the Ministry of Home Affairs<sup>F8</sup> and shall be appropriated in aid of the moneys provided by [<sup>F9</sup> the Parliament of the United Kingdom] for defraying the costs, charges and expenses of the said Constabulary; and
  - (b) the remainder of the fine shall be paid to [<sup>F7</sup> the Department] .

**F6** Words in s. 203(1)(a) inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), 34(1), **Sch. 2 para. 2(12)** (with art. 32); S.R. 2008/232, **art. 2**, Sch.

**F7** S. 203(1)(2): words in Act substituted (1.6.2009) by Public Authorities (Reform) Act (Northern Ireland) 2009 (c. 3), ss. 1(3)(b), 7(1), **Sch. 1 Pt. 2 para. 3(1)(a)** (with Sch. 1 Pt. 1 para. 4(3)); S.R. 2009/172, **art. 2(a)(b)**

**F8** Now S of S, SI 1973/2163

**F9** SI 1973/2163

**Changes to legislation:**

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966.