



# Aquaculture and Fisheries (Scotland) Act 2013

2013 asp 7

## PART 3

### SEA FISHERIES

#### *Forfeiture*

#### **46 Forfeiture of prohibited items**

- (1) This section applies to any item—
  - (a) seized by a British sea-fishery officer in the exercise of any power conferred by the sea fisheries legislation, and
  - (b) which was seized—
    - (i) in the Scottish enforcement area, or
    - (ii) on board a Scottish fishing boat.
- (2) The item is liable to forfeiture under this section if the use of the item for sea fishing would in any circumstances constitute an offence under the law of Scotland.
- (3) An item forfeited under this section is to be forfeited to the Scottish Ministers who may dispose of it in any manner they think fit.

#### **Commencement Information**

**II** S. 46 in force at 16.9.2013 by [S.S.I. 2013/249](#), [art. 2](#)

#### **47 Forfeiture of fish failing to meet size requirements**

- (1) This section applies to any fish—
  - (a) seized by a British sea-fishery officer in the exercise of any power conferred by the sea fisheries legislation, and
  - (b) which were seized—

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

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- (i) in the Scottish enforcement area, or
  - (ii) on board a Scottish fishing boat.
- (2) The fish are liable to forfeiture under this section if, by virtue of the fish failing to meet requirements as to size, an offence under the law of Scotland has been committed in respect of the fish.
- (3) Any fish forfeited under this section are to be forfeited to the Scottish Ministers who may dispose of the fish in any manner they think fit.

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**Commencement Information**

**I2** [S. 47](#) in force at 16.9.2013 by [S.S.I. 2013/249](#), [art. 2](#)

**48 Further provision about forfeiture under section 46 or 47**

Schedule 2, which makes further provision about forfeiture under section 46 or 47, has effect.

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**Commencement Information**

**I3** [S. 48](#) 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, Cross Heading: Forfeiture.