
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2015 No.

The Marine Conservation (Fixed Monetary Penalties) Order (Northern Ireland) 2015

PART 5

General provisions

Recovery of payments

16. The Department may recover any amount of unpaid fixed monetary penalty imposed under this Order, and any amount of unpaid penalty for late payment payable under Article 9, as a civil debt.

Payment of certain discharge payments into Consolidated Fund

17. Where the Department receives any payment under this Order, the Department must pay it into the Northern Ireland Consolidated Fund.

Amending or withdrawing final notices

18. The Department may at any time withdraw a final notice, reduce the amount payable in the final notice, or amend a final notice to correct an error.

Service of notices

19.—(1) Any notice that is required or authorised to be served on a person under this Order may be served on that person by any of the following methods—

- (a) personal delivery;
- (b) addressing it to the person and leaving it at the appropriate address;
- (c) addressing it to the person and sending it to that address by post; or
- (d) in the case where an address for service using electronic communications has been given by the person, sending it using electronic communications, in accordance with the conditions set out in paragraph (4), to that person at that address.

(2) In paragraph (1), “the appropriate address” means—

- (a) in the case of a body corporate, its registered or principal office in Northern Ireland;
- (b) in the case of a firm, the principal office of the firm;
- (c) in the case of an unincorporated body or association, the principal office of the body or association; and
- (d) in any other case, the person’s usual or last known place of residence in Northern Ireland or last known place of business in Northern Ireland.

(3) In the case of—

- (a) a company registered outside Northern Ireland;

- (b) a firm carrying on business outside Northern Ireland; or
- (c) an unincorporated body or association with offices outside Northern Ireland;

the references in paragraph (2) to its principal office include references to its principal office within Northern Ireland (if any).

- (4) The condition mentioned in paragraph (1)(d) is that the notice must be—
 - (a) capable of being accessed by the person mentioned in that provision;
 - (b) legible in all material respects; and
 - (c) in a form sufficiently permanent to be used for subsequent reference.

(5) For the purposes of paragraph (4), “legible in all respects” means that the information contained in the notice is available to that person to no lesser extent, than it would be if served by means of a notice in printed form.

Amendment to the Water and Sewerage Services (Northern Ireland) Order 2006

20.—(1) The Water and Sewerage Services (Northern Ireland) Order 2006 is amended in accordance with paragraph (2).

- (2) In Article 293(9) (Procedure of the Appeals Commission)—
 - (a) At the end of sub-paragraph (e) for “.” substitute “; and”; and
 - (b) after sub-paragraph (e) insert—

“(f) The Marine Conservation (Fixed Monetary Penalties) Order (Northern Ireland) 2015.”.