



# Fisheries Act 2020

## 2020 CHAPTER 22

*Access and licensing: offences and consequential amendments*

### 19 Penalties for offences

- (1) A person who commits an offence under section 12(3), 14(6) or 16(6) or paragraph 1(4) or 3(2) or (3) of Schedule 3 is liable—
  - (a) on summary conviction in England and Wales, to a fine;
  - (b) on summary conviction in Scotland or Northern Ireland—
    - (i) in the case of an offence under paragraph 3(2) or (3) of Schedule 3, to a fine not exceeding the statutory maximum, and
    - (ii) in any other case, to a fine not exceeding £50,000;
  - (c) on conviction on indictment, to a fine.
- (2) The court by or before which a person is convicted of an offence under section 12(3), 14(6) or 16(6) or paragraph 1(4) of Schedule 3 may—
  - (a) order that the owner or charterer (if any) of the fishing boat used to commit the offence or, as the case may be, of the fishing boat named in the licence of which a condition is broken, be disqualified for a specified period from holding a sea fishing licence in respect of that fishing boat;
  - (b) (subject to subsection (4)) order the forfeiture of any fish, or any net or other fishing gear, in respect of which the offence was committed and of any net or other fishing gear used in committing the offence.
- (3) A person who commits an offence under section 14(6) or 16(6) or paragraph 1(4) of Schedule 3 is (subject to subsection (4)) liable on summary conviction to a fine not exceeding the value of the fish in respect of which the offence was committed.
- (4) A person is not liable to a fine under subsection (3) if, under subsection (2)(b), the court orders the forfeiture of the fish in respect of which the offence was committed; and where a fine is imposed under subsection (3), the court may not under subsection (2)(b) order the forfeiture of the fish in respect of which the offence was committed.

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**Changes to legislation:** *There are currently no known outstanding effects for the Fisheries Act 2020, Section 19. (See end of Document for details)*

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- (5) A fine to which a person is liable under subsection (3) is in addition to any other penalty (whether pecuniary or otherwise) to which the person is liable in respect of the same offence (whether under this section or under any other enactment).

**Changes to legislation:**

There are currently no known outstanding effects for the Fisheries Act 2020, Section 19.