



Fisheries Act (Northern Ireland) 1966

1966 CHAPTER 17

PART XII

SUPPLEMENTAL PROVISIONS

FORFEITURES

198^{F1} Disposal of forfeitures.

- (1) Where any thing is forfeited under this Act, [^{F2} and an order for its destruction is not made under section 180(*b*), the person by whom it was seized or any other person in whose custody it is shall^{F3} . . . apply to the Ministry for a direction as to the disposal of that thing, and whether or not such an application is made the Ministry may direct], subject to section 199, that it be sold or otherwise disposed of in such manner as the Ministry thinks fit, or be returned to the person who appears to the Ministry to be the owner.

[^{F3}(1AA) An application under subsection (1) shall be made—

- (a) before the expiration of the period of 28 days from the date of the order by, or the conviction in consequence of, which the thing was forfeited, or
- (b) where notice of appeal against the order or conviction is given, before the expiration of 14 days from the date on which the order or conviction is affirmed or, as the case may be, the appeal is abandoned.]

^{F4}(1A) Where the Ministry proposes to direct that any thing be sold under subsection (1) or otherwise disposed of (except by returning it to a person who appears to be its owner), the Ministry shall serve notice in writing of the proposal on the person, if any, in consequence of whose conviction the thing was, or was ordered to be, forfeited, and shall also—

- (a) serve a like notice on any other person who appears to the Ministry to have an interest in that thing; or
- (b) if that thing appears not to be the property of the person convicted, if any, and the Ministry is not aware of the name and address of any other person such as is mentioned in paragraph (*a*), publish in one or more than one newspaper

Changes to legislation: *There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 198 . (See end of Document for details)*

circulating in the locality where the offence was committed, or in such other locality as appears to the Ministry to be appropriate, a notice stating that the Ministry proposes to direct as aforesaid.]

- (2) Subject to any directions given by the court on an appeal under section 199, any sum of money representing the net proceeds of the sale under subsection (1) of any thing, shall be disposed of in like manner as is provided with respect to any fine that is or might have been imposed under this Act for the offence in relation to which the forfeiture was incurred.

F1	Mod., 1967 c.7 (NI)
F2	1968 c.31 (NI)
F3	1991 NI 13
F4	1968 c.31 (NI)

Changes to legislation:

There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 1966, Section 198 .