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STATUTORY RULES OF NORTHERN IRELAND

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**2018 No. 106**

**The Sea Fishing (Illegal, Unreported and  
Unregulated Fishing) Order (Northern Ireland) 2018**

**Recovery of fines**

**10.**—(1) Where a magistrates' court imposes a fine on a person convicted of an offence under this Order or under an equivalent provision, the court may for the purposes of recovering the fine—

- (a) order that any fishing vessel involved in the commission of the offence, its gear and catch be detained until the earlier of—
  - (i) the expiry of a period not exceeding three months from the date of the conviction;
  - (ii) the fine being paid; or
  - (iii) the amount of the fine being levied on execution of any warrant issued under subparagraph (b); or
- (b) issue a warrant of distress against—
  - (i) the vessel;
  - (ii) its gear and catch; and
  - (iii) any property of the person convicted.

(2) The court shall not issue a warrant under paragraph (1)(b) without first affording the owner of the vessel, gear or catch liable to be included in the warrant an opportunity to be heard.

(3) Articles 114(2) and 154 of the Magistrates' Courts (Northern Ireland) Order 1981(1) (postponement of issue of certain warrants and objections as to want of form or variance between complaint etc and evidence adduced) apply to a warrant of distress issued under this article as they apply to a warrant issued under Part IX of that Order.

(4) Where, in relation to a fine in respect of any offence under this Order or under an equivalent provision, an order under section 90 of the Magistrates' Courts Act 1980(2) or section 222 of the Criminal Procedure (Scotland) Act 1995(3) (both of which deal with the transfer of fines from one jurisdiction to another) specifies a petty sessions district in Northern Ireland, this article applies as if the fine were imposed by a court in Northern Ireland.

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**Commencement Information**

**II** Art. 10 in operation at 1.6.2018, see [art. 1\(1\)](#)

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(1) [S.I. 1981/1675 \(N.I. 26\)](#)  
(2) [1980 c.43](#)  
(3) [1995 c.46](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order (Northern Ireland) 2018, Section 10.