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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 26**

**The Sea Fishing (Enforcement of Measures for the Recovery of the Stock of Irish Sea Cod) (Scotland) Order 2000**

**Penalties**

4.—(1) A person guilty of an offence under article 3, or under any equivalent provision extending to any other part of the United Kingdom proceedings in respect of which were brought in Scotland by virtue of section 30(2A) of the Fisheries Act 1981, shall be liable on summary conviction—

- (a) to a fine not exceeding the statutory maximum; and
- (b) either—
  - (i) to a fine not exceeding the value of any fish in respect of which the offence was committed; or
  - (ii) to the forfeiture of any fish in respect of which the offence was committed; and
- (c) to the forfeiture of any net or other fishing gear in respect of which the offence was committed, or which was used in committing the offence, or which was used for catching any fish in respect of which the offence was committed.

(2) A person found guilty of an offence under article 3, or any equivalent provision referred to in paragraph (1), shall be liable on conviction on indictment—

- (a) to a fine;
- (b) to the forfeiture of any fish in respect of which the offence was committed; and
- (c) to the forfeiture of any net or other fishing gear in respect of which the offence was committed, or which was used in committing the offence, or which was used for catching any fish in respect of which the offence was committed.