



Fisheries Act 1981

1981 CHAPTER 29

PART III

REGULATION OF SEA FISHING

24 Penalties for offences.

(1) For section 11(1) to (3) of the ^{M1}Sea Fish (Conservation) Act 1967 (penalties for offences) there shall be substituted—

“(1) Any person found guilty of an offence under this Act shall be liable—

- (a) in the case of an offence under section 4(3), 4A(3), 5(1) or 6(5A) (a), on summary conviction to a fine not exceeding £50,000 or on conviction on indictment to a fine;
- (b) in the case of an offence under section 3, 4(6) or (9A), 4A(6) or 5(6), on summary conviction to a fine not exceeding £5,000 or on conviction on indictment to a fine;
- (c) in the case of an offence under section 1, 2, 4(7) or (7A), 4A(7) or (8), 6(5) or (5A)(b) or 7(3), on summary conviction to a fine not exceeding £1,000 or on conviction on indictment to a fine.

(2) Subject to the following provisions of this section, the court by or before which a person is convicted of an offence under any of the following provisions of this Act, that is to say, sections 1, 3, 4(3), (6) and (9A), 4A(3) and (6), 5(1) and (6) and 6(5) and (5A)(b) may—

- (a) in the case of an offence under section 1, order the forfeiture of any fish in respect of which the offence was committed;
- (b) in the case of an offence under section 2, order the forfeiture of the net or other fishing gear in respect of which the contravention constituting the offence occurred;
- (c) in the case of an offence under section 4(3), (6) or (9A) or 4A(3) or (6), order that the owner or the charterer (if any) of the vessel used to commit the offence or, as the case may be, of the vessel named in the licence of which a condition is broken, be disqualified for a

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 1981, Section 24. (See end of Document for details)

- specified period from holding a licence under that section in respect of that vessel;
- (d) in the case of an offence under section 4(3), (6) or (9A) or section 5(1) or (6), order the forfeiture of any fish in respect of which the offence was committed and of any net or other fishing gear used in committing the offence;
 - (e) in the case of an offence under section 6(5) or (5A)(b), order the forfeiture of any fish in respect of which the offence was committed and of any net or other fishing gear used on the vessel in catching any fish landed or trans-shipped in contravention of an order under that section.
- (3) Any person guilty of an offence under section 1, 3, 4(3), (6) or (9A), 4A(3) or (6), 5(1) or (6) or 6 of this Act shall, subject to subsection (5) below, be liable on summary conviction to a fine not exceeding the value of the fish in respect of which the offence was committed or, in the case of an offence under section 3, the fish caught with the net or other fishing gear in respect of which the contravention constituting the offence occurred.”
- (2) In section 5(4) of the ^{M2}Sea Fisheries Act 1968 (penalty for contravening order regulating fishing operations) after the words “on summary conviction to a fine not exceeding £1,000” there shall be inserted the words “ or on conviction on indictment to a fine ”.
- (3) [^{F1}In section 10(4) of that Act (penalty for obstructing officer etc.) for the words “on summary conviction” onwards there shall be substituted the words “ on summary conviction to a fine not exceeding £5,000 or on conviction on indictment to a fine. ”]

Textual Amendments

- F1** S. 24(3) omitted (E.W.) (12.3.2015) by virtue of [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 4 para. 95(2)** (with reg. 5(1))

Modifications etc. (not altering text)

- C1** Pts. 2-4 functions transferred (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. **53(2)(c)(3)**, 71(4) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), **reg. 3(1)**
- C2** The text of s. 3(6), 19–26, 28, 29, 35(2)–(7), 36(2), 37–39, 45, 46(2), Sch. 1 para. 10, Sch. 3 para. 8(2) (3), Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1967 c. 84.
M2 1968 c. 77.

Changes to legislation:

There are currently no known outstanding effects for the Fisheries Act 1981, Section 24.