
WELSH STATUTORY INSTRUMENTS

2000 No. 2230

The Sea Fishing (Enforcement of Community
Conservation Measures) (Wales) Order 2000

Recovery of fines

5.—(1) Where a magistrates' court imposes a fine on a fishing-boat master, owner, charterer, or crew-member who is convicted of a relevant offence or an offence under article 11 of this Order, the court may —

- (a) issue a warrant of distress against the boat involved in the commission of the offence and its gear and catch and any property of the person convicted for the purpose of levying the amount of the fine; and
- (b) order such boat and its gear and catch to be detained for a period not exceeding three months from the date of the conviction or until the fine is paid or the amount of the fine is levied in pursuance of any such warrant, whichever occurs first.

(2) Sections 77(1) and 78 of the Magistrates' Courts Act 1980⁽¹⁾ (postponement of issue of, and defects in, warrants of distress) shall apply to a warrant of distress issued under this article as they apply to a warrant of distress issued under Part III of that Act.

(3) Where in relation to a fine in respect of a relevant offence a transfer of fine order under article 95 of the Magistrates' Courts (Northern Ireland) Order 1981⁽²⁾ or section 222 of the Criminal Procedure (Scotland) Act 1995⁽³⁾ specifies a petty sessions area in Wales this article shall apply as if the fine were imposed by a court within that petty sessions area.

(1) 1980 c. 43; the maximum fines in section 78 were converted to levels on the standard scale by sections 37 and 46 of the Criminal Justice Act 1982 (c. 48).
(2) S.I.1981/1675 (NI 26).
(3) 1995 c. 46.