

# Fisheries Bill

[AS INTRODUCED]

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A

## **B I L L**

TO

Make provision about fisheries.

**B**E IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

### *Sea fisheries*

#### **Sea-fishing**

1.—(1) The 1966 Act is amended as follows.

(2) In section 124 (sea-fishing regulations), after subsection (2)(d) insert—

5 “(da) prohibiting or restricting fishing for sea-fish (whether by persons or by fishing boats) without a permit issued by the Department (see section 124A for further provision about regulations made by virtue of this paragraph);”.

(3) After that section insert—

10 **“Sea-fishing regulations: permits**

124A.—(1) Regulations made by virtue of section 124(2)(da) may apply—

- (a) to all Northern Ireland inshore waters or the whole of the Northern Ireland zone, or to a specified area in those waters or that zone;
- 15 (b) to fishing for all sea-fish, or to fishing for a specified description of sea-fish;
- (c) to fishing by any person or boat, or to fishing by a specified description of persons or a specified description of boats;
- (d) to fishing by any method, or to fishing by a specified method;
- 20 (e) to fishing at any time, or to fishing during a specified season of the year or during another specified period;

(but this subsection does not limit the application of section 17(5) of the Interpretation Act (Northern Ireland) 1954).

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(2) In subsection (1) “specified” means specified in the regulations.

(3) Such regulations may include—

(a) provision about the procedure for applying for, and about the issuing of, permits;

5 (b) provision for the charging of fees for permits;

(c) provision enabling the Department to attach such conditions to a permit as it considers appropriate for the purposes mentioned in section 124(1) and (2A);

10 (d) provision enabling the Department to limit the number of permits issued by it.

(4) A permit may be issued—

(a) to the owner or charterer of a boat named in the permit, in respect of that boat, or

(b) to an individual named in the permit.

15 (5) A permit may authorise fishing generally or may confer limited authority by reference to, in particular,—

(a) the area within which fishing is authorised;

(b) the descriptions (including descriptions by reference to size) and quantities of fish which may be taken;

20 (c) the method of fishing;

(d) the periods, times or particular voyages during which fishing is authorised.

(6) The conditions which may be attached to a permit include, in particular,—

25 (a) conditions as to the landing of fish or parts of fish taken under the authority of the permit (including specifying the ports at which the catch is to be landed);

(b) conditions as to the use to which the fish taken may be put;

30 (c) conditions restricting the time which a vessel may spend at sea (and a permit to which such a condition is attached may make provision as to the circumstances in which time is, or is not, to count as time spent at sea);

(d) conditions requiring the permit holder (or, in the case of a permit issued in respect of a boat, the master of the boat) to provide the Department with such information as the Department may direct;

35 (e) conditions requiring a vessel to be fitted with such equipment as may be described in the conditions.

(7) The Department may, by general notice, establish general conditions which are to be attached to all permits, or to all permits of a description specified in the notice.

40 (8) The Department must—

(a) before issuing a general notice under subsection (7), consult such persons as it considers appropriate, and

(b) publish the notice in such manner as it considers appropriate.

(9) The regulations may provide that breach of a condition attached to a permit is an offence; and if they do so, breach of such a condition is to be treated as a contravention of the regulations for the purposes of section 124(3) (and section 124(4) accordingly applies to any such offence).

5 (10) In this section “Northern Ireland inshore waters” has the same meaning as in section 124.

**Further provision about permits**

124B.—(1) A permit (including any conditions attached to it) may be varied, revoked or suspended, if it appears to the Department—

- 10 (a) that any conditions attached to the permit have been breached, or  
(b) that the variation, revocation or suspension is necessary or expedient for the purposes mentioned in section 124(1) or (2A).

(2) If a permit is varied, revoked or suspended the Department may, if it considers it appropriate in all the circumstances of the case, refund the whole or part of any fee charged for the permit.

15 (3) Where the Department—  
(a) attaches a general condition to a permit, or  
(b) varies a permit—  
(i) by adding a general condition, or  
20 (ii) to reflect a variation to the general conditions,  
the Department must give to the applicant or permit-holder (as the case may be) a written notice of the decision in question.

(4) Where the Department—  
(a) refuses an application for a permit,  
25 (b) attaches to a permit a condition which is not a general condition,  
(c) revokes or suspends a permit, or  
(d) varies a permit otherwise than—  
(i) by adding a general condition, or  
(ii) to reflect a variation to the general conditions,  
30 the Department must give to the applicant or permit-holder (as the case may be) a written notice of the decision in question and the reasons for it.

(5) The applicant or permit-holder may, within 28 days from the day on which notice is given under subsection (4), appeal to the county court against the decision set out in the notice.

35 (6) Where an appeal is made under subsection (5), the Department or the court may, on the application of the applicant or permit-holder, suspend the effect of a variation, revocation or suspension pending the determination of the appeal.

(7) Any person who, for the purpose of obtaining a permit—  
40 (a) furnishes information which the person knows to be false in a material particular, or

(b) recklessly furnishes information which is false in a material particular,  
is guilty of an offence under this subsection.

(8) Any person guilty of an offence under subsection (7) is liable—

5 (a) on summary conviction, to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to a fine.

(9) In this section—

10 “permit” means a permit under regulations made by virtue of section 124A(3);

“general condition” means a condition established under section 124A(7).”.

### **Size limits for sea fish**

15 **2.**—(1) Section 127 of the 1966 Act (minimum sizes of sea-fish) is amended as follows.

(2) In the heading, for “Minimum sizes” substitute “Requirements as to sizes”.

(3) In subsection (1)—

20 (a) for “being a fish of a smaller size than such size as may be prescribed” substitute “which does not meet such requirements as to size as may be prescribed”;

(b) for “a different size” substitute “different requirements as to size”.

(4) In subsection (3)—

(a) for “a size” substitute “requirements as to size”;

25 (b) for the words from “if the part” to the end substitute “if the part does not meet the requirements as to size so prescribed.”.

(5) In subsection (6)—

(a) for “of less than the prescribed size” substitute “which do not meet the prescribed requirements as to size”;

30 (b) in paragraph (a), for “lesser size than the size prescribed” substitute “requirements as to size that differ from the requirements as to size prescribed”.

(6) Section 192 of the 1966 Act (additional defence for persons charged with buying etc undersized fish) is amended as follows.

35 (7) In the heading, for “undersized fish” substitute “fish which do not meet the requirements as to size”.

(8) In subsection (1), for “undersized fish” in each place it occurs substitute “fish which do not meet the prescribed requirements as to size”.

(9) For subsection (2) substitute—

40 “(2) For the purposes of subsection (1), fish do not meet the prescribed requirements as to size if—

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(a) the fish are of a size less than the size prescribed with respect to fish of that description by section 51(2) or 52(2) or regulations under section 15(1)(c)(iv) or section 26(1)(f); or

5 (b) the fish do not meet the prescribed requirements as to size under section 127.”.

(10) In section 195 of the 1966 Act (forfeiture of boat, fishing engine etc as statutory consequence of conviction)—

(a) in subsection (3) for “undersized fish” in both places it occurs substitute “fish which do not meet the prescribed requirements as to size”;

10 (b) for subsection (4) substitute—

“(4) For the purposes of subsection (3), fish do not meet the prescribed requirements as to size if—

(a) the fish are of a size less than the size prescribed with respect to fish of that description by section 51(2) or 52(2) or regulations under section 15(1)(c)(iv) or section 26(1)(f); or

15 (b) the fish do not meet the prescribed requirements as to size under section 127.”.

### **Grant of licences subject to conditions imposed for environmental purposes**

20 **3.**—(1) In section 4 of the 1967 Act (licensing of fishing boats) after subsection (6) insert—

“(6ZA) The conditions subject to which a licence may be granted under this section include conditions imposed for the purposes of—

25 (a) conserving or enhancing the natural beauty or amenity of marine or coastal areas (including their geological or physiographical features) or of any features of archaeological or historic interest in such areas; or

(b) conserving flora or fauna which are dependent on, or associated with, a marine or coastal environment.”.

### **Powers of British sea-fishery officers to enforce sea fisheries legislation**

30 **4.**—(1) For the purposes of enforcing the sea fisheries legislation, a British sea-fishery officer has—

(a) the common enforcement powers (see section 5(2)); and

(b) the fisheries enforcement powers (see section 5(4)).

(2) Those powers may (subject to subsection (3)) be exercised—

35 (a) in the Northern Ireland inshore region and the Northern Ireland zone; and

(b) in relation to any Northern Ireland fishing boat, wherever it may be.

(3) Those powers may not be exercised in relation to any ship belonging to Her Majesty and forming part of the armed forces.

40 (4) The powers which a British sea-fishery officer has by virtue of subsection (1) are without prejudice to any other powers exercisable by the officer for the purposes of enforcing the sea fisheries legislation.

(5) Sections 289 to 292 of the 2009 Act (which provide for the identification, liability and protection of enforcement officers under that Act) apply in relation to a British sea-fishery officer as they apply to such enforcement officers, but with the substitution—

- 5 (a) for references to any power conferred by Part 8 of the 2009 Act of references to such a power as conferred by subsection (1);
- (b) for references to an enforcement officer's functions under that Act of references to the functions of a British sea-fishery officer under Part 8 of that Act as applied by subsection (1); and
- 10 (c) for the reference in section 292(10) to the United Kingdom of a reference to Northern Ireland.

#### **Section 4: interpretation etc**

5.—(1) This section supplements section 4.

15 (2) The common enforcement powers are the powers set out in Chapter 2 of Part 8 of the 2009 Act.

(3) Accordingly, that Chapter applies (with any appropriate modifications) where those powers are conferred by section 4(1)(a) as it applies where those powers are conferred by the 2009 Act.

20 (4) The fisheries enforcement powers are the powers set out in Chapter 4 of Part 8 of the 2009 Act.

(5) Accordingly, that Chapter applies (with any appropriate modifications) where those powers are conferred by section 4(1)(b) as it applies where those powers are conferred by the 2009 Act.

25 (6) In section 4 the “Northern Ireland inshore region” means the area of sea within the seaward limits of the territorial sea of the United Kingdom adjacent to Northern Ireland, including the bed and subsoil of the sea within that area.

(7) In subsection (6) “sea” includes—

- (a) any area submerged at mean high water spring tide;
- 30 (b) the waters of every estuary, river or channel, so far as the tide flows at mean high water spring tide.

(8) The area of sea referred to in subsection (7)(a) includes waters in any area—

- (a) which is closed, whether permanently or intermittently, by a lock or other artificial means against the regular action of the tide, but
- 35 (b) into which seawater is caused or permitted to flow, whether continuously or from time to time, and
- (c) from which seawater is caused or permitted to flow, whether continuously or from time to time.

40 (9) The boundaries between the parts of the territorial sea of the United Kingdom adjacent to Northern Ireland and the parts not so adjacent are to be determined by reference to an Order in Council under section 98(8) of the Northern Ireland Act 1998 if, or to the extent that, the Order in Council is expressed to apply—

- (a) for the purposes of this Act, or

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(b) if no such provision has been made, for the general or residual purposes of that Act.

(10) In this section and section 4—

“the 2009 Act” means the Marine and Coastal Access Act 2009;

5 “British sea-fishery officer” means a person who is a British sea-fishery officer by virtue of section 7(1) of the Sea Fisheries Act 1968;

“enforceable EU obligation” means an obligation to which section 2(1) of the European Communities Act 1972 applies;

10 “enforceable EU restriction” means a restriction to which section 2(1) of that Act applies;

“Northern Ireland zone” has the same meaning as in the Northern Ireland Act 1998 (see section 98(1) and (8) of that Act);

“sea fisheries legislation” means—

(a) any statutory provision relating to sea fishing,

15 (b) any enforceable EU restrictions and enforceable EU obligations relating to sea fishing,

and for these purposes “sea fishing” includes fishing for shellfish, salmon or migratory trout.

**Enforcement of EU rules**

20 **6.—**(1) Section 30 of the Fisheries Act 1981 (enforcement of Community rules) is amended as follows.

(2) In subsection (1)—

(a) for “enforceable Community restrictions” substitute “enforceable EU restrictions, and enforceable EU obligations,”;

25 (b) for paragraph (a) substitute—

“(a) if any fishing boat within the Northern Ireland zone—

(i) fishes in contravention of any such restriction, or

(ii) fails to comply with any such obligation,

30 the master, the owner and the charterer (if any) are each guilty of an offence;”;

(c) after paragraph (a) insert—

“(aa) if any Northern Ireland fishing boat outside the Northern Ireland zone—

(i) fishes in contravention of any such restriction, or

35 (ii) fails to comply with any such obligation,

the master, the owner and the charterer (if any) are each guilty of an offence;

(ab) if any person in Northern Ireland—

(i) fishes in contravention of any such restriction, or

40 (ii) fails to comply with any such obligation,

that person is guilty of an offence;”;

(d) in paragraph (b), for “such offences” substitute “offences under paragraph (a), (aa) or (ab) of this subsection”;

(e) in paragraph (c), after “restrictions” insert “and obligations”.

5 (3) In subsection (2), for “enforceable Community restriction” substitute “enforceable EU restriction”.

(4) After subsection (2) insert—

“(2ZA) The provision that may be made by an order under subsection (2) includes—

10 (a) provision applying to Northern Ireland fishing boats outside the Northern Ireland zone;

(b) provision applying to persons of a specified description on board a Northern Ireland fishing boat outside the Northern Ireland zone.

In this subsection “specified” means specified in the order.”.

(5) In subsection (3)—

15 (a) for “Community”, wherever it occurs, substitute “EU”;

(b) insert at the appropriate places the following definitions—

20 ““Northern Ireland fishing boat” means a fishing boat which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Northern Ireland as the port to which the boat is to be treated as belonging;”;

““Northern Ireland zone” has the same meaning as in the Northern Ireland Act 1998 (see section 98(1) and (8) of that Act);”.

(6) In the heading, for “Community” substitute “EU”.

## 25 **Penalties for certain offences under the 1966 Act**

7.—(1) The 1966 Act is amended as follows.

(2) In section 124 (sea-fishing regulations), for subsection (3) substitute—

30 “(3) A person who contravenes a regulation made under this section is guilty of an offence and is liable on summary conviction to a fine not exceeding £50,000 or on conviction on indictment to a fine; and if in the case of any sea-fishing boat there is a contravention of such a regulation—

(a) the master of the boat, and

(b) the charterer of the boat or, if there is no charterer, the owner,

35 is each guilty of an offence and liable on summary conviction to a fine not exceeding £50,000 or on conviction on indictment to a fine.”.

(3) In section 126 (landing etc fish caught in contravention of regulations), for the words from “on summary conviction” to the end substitute “—

(a) on summary conviction to a fine not exceeding £50,000; or

(b) on conviction on indictment to a fine.”.

40 (4) In section 127(9) (minimum sizes of sea-fish), for the words from “on summary conviction” to the end substitute “—

(a) on summary conviction to a fine not exceeding £50,000; or

(b) on conviction on indictment to a fine.”.

(5) In section 182 (penalty for assaulting authorised person)—

(a) omit the words from “and shall be liable” to the end;

5 (b) the existing provision (as amended by paragraph (a)) becomes subsection (1) of that section;

(c) after that subsection insert—

“(2) A person who commits an offence under subsection (1) is liable—

10 (a) on summary conviction to a fine not exceeding £50,000 or to imprisonment for a term not exceeding 6 months or to both; or

(b) on conviction on indictment to a fine or to imprisonment for a term not exceeding 6 months or to both.”.

(6) In section 183 (obstructing or impeding authorised person), after subsection (2) insert—

15 “(3) A person who commits an offence under this section is liable—

(a) on summary conviction to a fine not exceeding £20,000; or

(b) on conviction on indictment to a fine.”.

(7) This section does not apply in relation to an offence committed before this section comes into operation.

## 20 **Penalties for certain offences under the 1967 Act**

**8.**—(1) The 1967 Act is amended as follows.

(2) In section 11 (penalties for offences), in subsection (1)—

(a) in paragraph (a)—

(i) for “section 4(3) or (6)” substitute “section 1, 3, 4(3), (6) or (9A)”;

25 (ii) for “5(1) or 6(5A)(a)” substitute “5(1) or (6) or 6(5) or (5A)”;

(b) omit paragraph (b);

(c) in paragraph (c), omit “1, 2,” and “, 6(5) or (5A)(b)”.

(3) In section 15 (powers of British sea-fishery officers for enforcement of that Act)—

30 (a) in subsection (2C) (penalties for certain offences) omit paragraph (b) and the “or” preceding it;

(b) after that subsection insert—

35 “(2D) Any person who assaults an officer who is exercising any of the powers conferred on that officer by subsection (2A) or (2B) is guilty of an offence and liable on summary conviction to a fine not exceeding £50,000.

(2E) Any person who wilfully obstructs an officer in the exercise of any of the powers conferred on that officer by subsection (2A) or (2B) is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000.”.

**Offences by directors, partners, etc**

9. In the 1967 Act for section 12 (offences committed by bodies corporate) substitute—

**“Offences by directors, partners, etc.**

5 12.—(1) Where a relevant offence has been committed by a body corporate and it is proved that the offence—

(a) has been committed with the consent or connivance of a person falling within subsection (2), or

10 (b) is attributable to any neglect on the part of such a person, that person (as well as the body corporate) is guilty of that offence and liable to be proceeded against and punished accordingly.

(2) The persons are—

15 (a) a director, manager, secretary or similar officer of the body corporate;

(b) any person who was purporting to act in such a capacity.

(3) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member, in connection with that management, as if the member were a director of the body corporate.

20 (4) Where a relevant offence has been committed by a Scottish firm and it is proved that the offence—

(a) has been committed with the consent or connivance of a partner of the firm or a person purporting to act as such a partner, or

25 (b) is attributable to any neglect on the part of such a person, that person (as well as the firm) is guilty of that offence and liable to be proceeded against and punished accordingly.

(5) In this section “relevant offence” means an offence under any provision of sections 1 to 6 of this Act.”.

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30 **Fish dealer’s licence: no need for certificate of Justice of the Peace**

10. In section 114(1) of the 1966 Act (grant of fish dealer’s licence) omit paragraph (a) (application to be accompanied by a certificate from a Justice of the Peace that the applicant is a fit and proper person to receive a licence), including the “and” at the end of that paragraph.

35 **Restriction on removal of material from bed of lake**

11.—(1) Section 48 of the 1966 Act (taking etc of spawn or fry of salmon, trout or eels) is amended as follows.

(2) In subsection (5) after “river” insert “or lake”.

(3) In subsection (6) after “river” insert “or lake”.

40 (4) In subsection (8) after “river” insert “or lake”.

**Dams in rivers: fish passes etc**

12.—(1) Section 54 of the 1966 Act (construction of fish passes in dams in rivers) is amended as follows.

(2) In the heading at the end insert “etc”.

5 (3) In subsection (1) for “and eels” substitute “, eels and lampreys”.

(4) After subsection (5) insert—

“(5ZA) Where the Department is unable to establish who owns the dam despite taking reasonable steps to do so—

10 (a) a notice under subsection (5) may be given by causing the notice (addressed to “the owner” of the dam) to be displayed in prominent position near the dam; and

15 (b) if the notice is not complied with within any reasonable period specified in it, the Department may (instead of causing a fish pass to be constructed under subsection (5)) cause the dam to be removed.”.

(5) In subsection (5A)—

(a) for “Article 55 of the Roads (Northern Ireland) Order 1980” substitute “Article 119 of the Roads (Northern Ireland) Order 1993”;

(b) for the first “subsection (5)” substitute “subsections (5) and (5ZA)”;

20 (c) in paragraph (a) at the end insert “or removing a dam under subsection (5ZA)”;

(d) in paragraph (c) for “paragraph (7)” substitute “paragraphs (7), (7A) and (10) to (12)”.

(6) In subsection (5B)(a) after “(5)” insert “, (5ZA)”.

25 (7) In subsection (5C)—

(a) after “subsection (4)” insert “to bear the cost of providing a fish pass”;

(b) in paragraph (a) for “that subsection” substitute “subsection (5) or (5ZA)”.

**Gratings in certain watercourses**

30 13.—(1) Section 59 of the 1966 Act (gratings to be set in watercourses diverted from rivers or lakes to prevent entry therein of fish) is amended as follows.

(2) In subsection (1)(b) for sub-paragraphs (i) to (iii) substitute—

“(i) in the case of any grating installed or renewed on or after the relevant date, 10mm;

35 (ii) in the case of any grating (not falling within sub-paragraph (i)) installed or renewed on or after 27 August 1991 and placed at the point where the watercourse returns to the river or lake, 2.5cm;

(iii) in the case of any other grating, 5.1cm;”.

(3) In subsection (1)(c) after “grating” insert “(except an excepted grating)”.

40 (4) For subsection (7) substitute—

“(7) In this section—

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“excepted grating”: a grating is an “excepted grating” if the space between the bars of the grating does not exceed 10mm;

“fry”, in relation to salmon, includes parr and smolts;

5 “relevant date” means the date of the coming into operation of section 13 of the Fisheries Act (Northern Ireland) 2016;

“watercourse” includes any pipe, culvert or other device.”.

*Fixed penalty notices*

**Fixed penalty notices**

10 **14.**—(1) A relevant department may by regulations make provision for and in connection with the giving of fixed penalty notices in respect of relevant offences.

(2) A “fixed penalty notice” is a notice that offers a person the opportunity to discharge any liability to be convicted of a specified offence by payment of a specified sum of money (the “fixed penalty”) within a specified period (the “notice period”).

15 (3) The regulations may in particular make provision about—

(a) the offences in respect of which fixed penalty notices may be given;

(b) the circumstances in which fixed penalty notices may be given;

(c) the persons who may give fixed penalty notices;

(d) the form and contents of fixed penalty notices;

20 (e) the amount of a fixed penalty;

(f) the duration of a notice period;

(g) the payment of fixed penalties;

(h) the withdrawal of fixed penalty notices;

25 (i) the giving, by the recipient of a fixed penalty notice, of a notice stating that that person does not intend to pay the fixed penalty;

(j) circumstances in which proceedings for an offence may be commenced after the payment of a fixed penalty in relation to that offence.

(4) The provision that may be made by virtue of subsection (3)(e) includes—

30 (a) provision prescribing a maximum or minimum amount of a fixed penalty (and accordingly conferring, on the person giving the fixed penalty notice, a discretion as to the amount of the penalty to be specified);

(b) provision about how any such discretion is to be exercised (including provision for the giving of guidance about the matters to be taken into account when exercising any such discretion);

35 (c) provision providing for an amount less than the amount of the fixed penalty to be payable if payment is made within a specified period (ending before the end of the notice period).

(5) The regulations may—

40 (a) require the relevant department to publish guidance about the giving of fixed penalty notices (and may provide that regard must be had to that guidance when performing functions under the regulations);

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(b) require the relevant department to publish a report, after the end of each prescribed period, giving details of fixed penalty notices given in that period.

5 (6) The regulations may provide that a certificate purporting to be signed by a person of a prescribed description, stating that payment of a fixed penalty was, or was not, received within the notice period is, in any proceedings, evidence of the facts stated.

(7) Regulations under this section may not be made unless a draft of them has been laid before, and approved by a resolution of, the Assembly.

10 (8) In this section—

“notice” means notice in writing;

“prescribed” means prescribed by the regulations;

“relevant department” means the Department or the Department of Culture, Arts and Leisure;

15 “relevant offence” means—

(a) in relation to the Department, any offence under a statutory provision contained in, or in an instrument made under, the 1966 Act (except Parts 2 to 7), the 1967 Act, the Sea Fisheries Act 1968 or the Fishery Limits Act 1976;

20 (b) in relation to the Department of Culture, Arts and Leisure, any offence under a statutory provision contained in, or in an instrument made under, the 1966 Act (except Parts 8 to 9B);

“specified” means specified in the notice.

### **Fixed penalty notices: effect on prosecution**

25 **15.**—(1) This section applies where a person is given a fixed penalty notice in respect of an offence.

(2) Proceedings against the person in respect of the offence may not be brought within the notice period (unless the fixed penalty notice is withdrawn or a notice of a kind mentioned in section 14(3)(i) is given).

30 (3) If the fixed penalty is paid before the end of the notice period, the person may not be convicted of the offence (unless the fixed penalty notice is withdrawn or the circumstances are of a kind prescribed by virtue of section 14(3)(j)).

(4) In this section—

35 (a) “fixed penalty notice”, “fixed penalty” and “notice period” have the same meaning as in section 14;

(b) the reference to giving a fixed penalty notice is to giving it in accordance with regulations made under that section.

## *General*

### **Interpretation**

40 **16.** In this Act—

“the 1966 Act” means the Fisheries Act (Northern Ireland) 1966;

“the 1967 Act” means the Sea Fish (Conservation) Act 1967;

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“the Department” means the Department of Agriculture and Rural Development;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

### 5 **Power to make consequential amendments**

17.—(1) The Department may by regulations make such amendments of statutory provisions as it considers appropriate in consequence of this Act.

10 (2) Regulations under subsection (1) that amend the text of Northern Ireland legislation or an Act of Parliament may be made only if a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(3) Any other regulations under subsection (1) are subject to negative resolution.

### **Commencement**

18.—(1) This Act comes into operation on the day after Royal Assent.

15 (2) The Department may by regulations make such transitional, transitory or saving provision as it considers appropriate in connection with the coming into operation of any provision of this Act.

### **Short title**

19. This Act may be cited as the Fisheries Act (Northern Ireland) 2016.