***Changes to legislation:*** *Fisheries Amendment (Northern Ireland) Order 1981 is up to date with all changes known to be in force on or before 05 May 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY INSTRUMENTS

# 1981 No. 227 (N.I. 7)

# Fisheries Amendment (Northern Ireland) Order 1981

- - - - - - *18th February 1981*

**Title and commencement**

**1.**—(1) This Order may be cited as the Fisheries Amendment (Northern Ireland) Order 1981.

(2) Except for Article 3(1)( *a*) and Part I of Schedule 1, which shall come into operation on such day as the Head of the Department of Agriculture may by order appoint[F1], this Order shall come into operation on the expiration of a period of one month from the day on which it is made.

**F1** fully exercised by SR 1983/75

**Interpretation**

**2.**—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order "the principal Act" means the Fisheries Act (Northern Ireland) 1966 .

**Variation of punishments or mode of trial for certain offences**

**3.**—(1) For the purpose of varying the maximum punishment on conviction of offences (generally described in column 2 of Schedule 1) against certain provisions of—

(a) the Foyle Fisheries Act (Northern Ireland) 1952 ;

(b) the principal Act; and

(c) the Fish Industry Act (Northern Ireland) 1972 ,

the provisions of those Acts specified in column 1 of Parts I, II and III respectively of Schedule 1 shall have effect with the substitution for the maximum punishments specified in column 3 of the respective punishments specified in column 4, and where in the case of any offence no punishment on conviction on indictment is specified in column 3 but such a punishment is specified in column 4, proceedings in respect of the offence instead of being taken summarily may alternatively be taken by way of indictment and the defendant on conviction on indictment shall be liable to a punishment not exceeding that specified in column 4.

*Para. (2) amends s. 63(5) of 1952 c. 5 (NI)*

(3) In the principal Act—

(a) the maximum fine which may be imposed on summary conviction for an offence under section 55(1), 56(3), 58(2), 59(2), 78(1), 80, 81(3), 82, 85(2) or 86(3)( *a*) and (4) shall

be increased from £100 to £500 (which is the maximum fine which may be imposed on summary conviction under section 201) and accordingly … *residue amends ss.55, 56, 58, 59, 78, 80—82, 85, 86 of 1966 c.17 (NI)*

*Sub-paras. (b)#(f) amend ss.110, 170, 174, 178, 202 of 1966 c.17 (NI)*

*Para. (4) amends s. 5 and repeals s. 6 of 1967 c. 7 (NI)*

*Para. (5) amends s. 7(6) of 1972 c. 4 (NI)*

*Art. 4 amends s. 17 of 1966 c. 17 (NI)*

*Art. 5 inserts s. 20(3)(4) in 1966 c. 17 (NI)*

*Arts.6, 7, 8, with Schedule 2, substitute ss. 124, 126, Part IX of 1966 c.17 (NI)*

*Art.9 amends s. 174 of 1966 c. 17 (NI)*

**Transitional provisions, amendments and repeals**

**10.**—(1) The transitional provisions set out in Schedule 3 shall have effect.

*Paras. (2)(3), with Schedule 4, effect amendments*

*Para. (4), with Schedule 5, effects repeals*