
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 90

**The Sea Fishing (Restriction on
Days at Sea) (Scotland) Order 2005**

PART II

COD

Use of regulated gear

6.—(1) A person in charge of a relevant fishing boat which fishes in contravention of the notification requirement in the first sub-paragraph of paragraph 7 of Annex IVa is guilty of an offence.

(2) A person in charge of a relevant fishing boat which carries or uses, whilst present in the cod recovery zone, regulated gear other than the regulated gear notified under a requirement in paragraph 7 of Annex IVa is guilty of an offence.

(3) The competent authority for the purpose of the second indent of the third sub-paragraph of paragraph 7 of Annex IVa is the Scottish Ministers.

(4) A relevant fishing boat or a foreign fishing boat which is present in the cod recovery zone carrying on board regulated gear falling within one of the groupings of fishing gears specified in paragraph 4 of Annex IVa shall not simultaneously carry on board regulated gear falling within any of the other groupings of fishing gear specified in paragraph 4 of Annex IVa.

(5) A person in charge of a relevant fishing boat or a foreign fishing boat which contravenes the prohibition in paragraph (4) is guilty of an offence.