

Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999

CHAPTER III

CATCH CERTIFICATION SCHEME FOR IMPORTATION AND EXPORTATION OF FISHERY PRODUCTS

Article 16

Submission and checks of catch certificates

1 The validated catch certificate shall be submitted by the importer to the competent authorities of [^{F1}a fisheries administration] at least three working days before the estimated time of arrival at the place of entry into the territory of the [^{F2}United Kingdom]. The deadline of three working days may be adapted according to the type of fishery product, the distance to the place of entry into the territory of the [^{F2}United Kingdom] or the transport means used. Those competent authorities shall, on the basis of risk management, check the catch certificate in the light of the information provided in the notification received from the flag [^{F3}state] in accordance with [^{F4}Article 20].

2 By way of derogation to paragraph 1, importers who have been granted the status of approved economic operator may advise the competent authorities of [^{F5}a fisheries administration] of the arrival of the products within the deadline referred to in paragraph 1 and keep the validated catch certificate and related documents as referred to in Article 14 available to the authorities for the purposes of checks in accordance with paragraph 1 of this Article or verifications in accordance with Article 17.

3 The criteria for granting the status of approved economic operator to an importer by the competent authorities of a [^{F6}fisheries administration] shall include:

- a the establishment of the importer on the territory of [^{F7}the United Kingdom];
- b a sufficient number and volume of import operations to justify the implementation of the procedure referred to in paragraph 2;
- c an appropriate record of compliance with the requirements of conservation and management measures;
- d a satisfactory system of managing commercial and, where appropriate, transport and processing records, which enables the appropriate checks and verifications to be carried out for the purposes of this Regulation;
- e the existence of facilities with regard to the conduct of those checks and verifications;
- f where appropriate, practical standards of competence or professional qualifications directly related to the activities carried out; and
- g where appropriate, proven financial solvency.

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Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1005/2008, Article 16. (See end of Document for details)

Textual Amendments

- F1** Words in Art. 16(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(17)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 16(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(17)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in Art. 16(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(17)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 16(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(17)(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 16(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(17)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F6** Words in Art. 16(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(17)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 16(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(17)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 16(3) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(17)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 16(3) omitted (31.12.2020) by virtue of The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **28(6)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 1005/2008, Article 16.