

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 VIII **U.K.**

### NATIONALS

#### Article 40 **U.K.**

##### Prevention and sanction

1 <sup>[F1]</sup>A fisheries administration must] encourage nationals to notify any information pertaining to legal, beneficial or financial interests in, or control of, fishing vessels flagged to a third country which they hold and the names of the vessels concerned.

2 Nationals shall not sell or export any fishing vessel to operators involved in the operation, management or ownership of fishing vessels included in the <sup>[F2]</sup>United Kingdom] IUU vessel list.

3 Without prejudice to other provisions laid down in <sup>F3</sup>... law pertaining to public funds, <sup>[F4]</sup>a fisheries administration must] not grant any public aid under national aid regimes <sup>F5</sup>... to operators involved in the operation, management or ownership of fishing vessels included in the <sup>[F6]</sup>United Kingdom IUU vessel list].

4 <sup>[F7]</sup>A fisheries administration must] endeavour to obtain information on the existence of any arrangement between nationals and a third country allowing the reflagging of <sup>[F8]</sup>United Kingdom fishing vessels] to such third country. <sup>F9</sup>....

#### Textual Amendments

- F1** Words in Art. 40(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(36)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 40(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(36)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in Art. 40(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(36)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 40(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(36)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 40(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(36)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 40(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(36)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Art. 40(4) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(36)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 40(4) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(36)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

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**Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EC) No 1005/2008, Article 40. (See end of Document for details)

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**F9** Words in Art. 40(4) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(36)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

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