

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 IX

IMMEDIATE ENFORCEMENT MEASURES, SANCTIONS AND ACCOMPANYING SANCTIONS

Article 42

Serious infringements

- 1 For the purpose of this Regulation, serious infringement means:
 - a the activities considered to constitute IUU fishing in accordance with the criteria set out in Article 3;
 - b the conduct of business directly connected to IUU fishing, including the trade in/or the importation of fishery products;
 - c the falsification of documents referred to in this Regulation or the use of such false or invalid documents.
- 2 The serious character of the infringement shall be determined by [^{F1}a fisheries administration] taking into account the criteria set out in Article 3(2).

Textual Amendments

- F1** Words in [Art. 42\(2\)](#) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **9(38)**; 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 42.