

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 II

**INSPECTIONS OF THIRD COUNTRY FISHING
VESSELS IN [F¹UNITED KINGDOM] PORTS**

SECTION 1

Conditions for access to port by third country fishing vessels

Article 8

Recording of landing or transhipment operations

1 Masters of third country fishing vessels or their representative shall submit to the authorities of [F¹a fisheries administration, in circumstances when they use landing or transhipment facilities in the United Kingdom], if possible by electronic means prior to landing or transhipment operations, a declaration indicating the quantity of fishery products by species to be landed or transhipped, and the date and place of each catch. Masters and their representatives shall be held responsible for the accuracy of such declarations.

2 [F²A fisheries administration must] keep the originals of the declarations set out in paragraph 1, or a hard copy when transmitted electronically, for a period of three years or longer in accordance with national rules.

[F³ A fisheries administration may, by regulations, specify landing and transhipment declaration procedures and forms.

3A. Subject to paragraph 3B, the Secretary of State may, by regulations, specify landing and transhipment declaration procedures and forms.

3B. Where the exercise of the power to make regulations under paragraph 3 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making such regulations under the power in paragraph 3A the Secretary of State must obtain the consent of—

- (a) the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of that Regulation;
- (b) the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation;
- (c) the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of that Regulation.]

F⁴4

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1005/2008, Article 8. (See end of Document for details)

Textual Amendments

- F1** Words in Art. 8(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(10)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 8(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **9(10)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Art. 8(3)-(3B) substituted for Art. 8(3) (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **28(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 8(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(10)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C1** Ch. 2 applied (with modifications) (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1599), regs. 1(3), **5**

Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 1005/2008, Article 8.