

## SCHEDULE

Regulation 9

## Application and modification of the Order

## PART 1

## General

1. The following provisions of the Order apply for the purposes of these Regulations with the following modifications—

<i>Article of the Order</i>	<i>Modification</i>
Article 4 (presumptions that food intended for human consumption)	For “this Order” substitute “the Fish Labelling Regulations (Northern Ireland) 2013”
Article 19 (offences due to fault of another person)	For “any of the preceding provisions of this Part”, substitute “Article 9(2), as applied by regulation 4 of the Fish Labelling Regulations (Northern Ireland) 2013, or regulation 7 or 8 of those Regulations”
Article 20 (defence of due diligence)	In paragraph (1), for “any of the preceding provisions of this Part” substitute “Article 9(2), as applied by regulation 4 of the Fish Labelling Regulations (Northern Ireland) 2013, or regulation 6 or 7 of those Regulations”  Omit paragraphs (2) to (4)
Article 29 (procurement of samples)	In paragraph (b)(ii), after “under Article 34”, insert “as applied by regulation 9 of and the Schedule to the Fish Labelling Regulations (Northern Ireland) 2013”
Article 30(8) (which relates to documentary evidence)	In paragraph (1), after “Article 34(1)”, insert “as applied by regulation 9 of, and the Schedule to, the Fish Labelling Regulations (Northern Ireland) 2013”
Article 34 (obstruction etc of officers)	
Article 36 (1) and (2) (punishment of offences)	After paragraph (1), insert—  “(1A) A person guilty of an offence under Article 9(2), as applied by regulation 4 of the Fish Labelling Regulations (Northern Ireland) 2013, shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”  In paragraph (2)—

**Status:** This is the original version (as it was originally made).

<i>Article of the Order</i>	<i>Modification</i>
	(a) for “any other offence under this Order”, substitute “an offence under Article 34(2) as applied by regulation 9 of, and the Schedule to, the Fish Labelling Regulations (Northern Ireland) 2013”;
	(b) in paragraph (b), for “the relevant amount” substitute “the statutory maximum”

## PART 2

### Powers of entry

1. For the purpose of enabling an authorised officer of an enforcement authority to ascertain whether there is, or has been, any contravention of a consumer information requirement or traceability requirement, Article 33 of the Order (powers of entry) is modified in its application to these Regulations as follows —

- (a) in paragraph (1)(a), after “made under it” insert “, or of a consumer information requirement or a traceability requirement”;
- (b) after paragraph (9), insert—
  - “(10) In this Article, “consumer information requirement” and “traceability requirement” have the meanings given by regulation 3(1) of the Fish Labelling Regulations (Northern Ireland) 2013.”.