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## SCOTTISH STATUTORY INSTRUMENTS

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### 2005 No. 286

# The Registration of Fish Sellers and Buyers and Designation of Auction Sites (Scotland) Regulations 2005

## Interpretation

2.—(1) In these Regulations—

“Article 9” means Article 9 of Council Regulation (EEC) No. 2847/93 establishing a control system applicable to the Common Fisheries Policy(1) as last amended by Council Regulation (EC) No. 806/2003(2) and any reference to a paragraph of Article 9 shall be interpreted accordingly;

“the CFP Regulation” means Council Regulation 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy(3);

“designated auction site” means a site where fish are marketed which has been designated by the Scottish Ministers under regulation 6(3);

“equivalent provision” means any provision in any other regulations made under section 2(2) of the European Communities Act 1972 for the purposes of implementing Article 9 or Article 22 of the CFP Regulation, extending to any part of the United Kingdom, which has equivalent effect to a specified provision in these Regulations;

“first sale fish” means fish which are being sold for the first time but does not include farmed fish;

“fish” means fishery products to which Article 9 or Article 22 of the CFP Regulation applies and which are landed from a fishing vessel;

“licensed fishing vessel” means a fishing vessel in respect of which a licence has been issued under section 4 of the Sea Fish (Conservation) Act 1967(4) or under similar provisions by another Member State or by another country;

“PLN number” means a vessel’s port letters and number within the meaning of regulation 31 of the Merchant Shipping (Registration of Ships) Regulations 1993(5);

“registered fish buyer” means a person who is registered by the Scottish Ministers in accordance with regulation 7;

“registered fish seller” means a person who is registered by the Scottish Ministers in accordance with regulation 3.

“Scottish fishing boat” means a fishing boat which is registered in the register maintained under section 8 of the Merchant Shipping Act 1995(6) and whose entry in the register specifies a port in Scotland as the port to which the vessel is to be treated as belonging; and

“the Scottish zone” has the same meaning as in section 126(1) of the Scotland Act 1998(7).

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(1) O.J. No. L 261, 20.10.93, p.1.

(2) O.J. No. L 122, 16.5.03, p.1.

(3) O.J. No. L 358, 31.12.02, p.59.

(4) 1967 c. 84.

(5) S.I.1993/3138; the relevant amending instrument is 1999/3206.

(6) 1995 c. 12.

(7) 1998 c. 46.

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**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Registration of Fish Sellers and Buyers and Designation of Auction Sites (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

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(2) In these Regulations, any reference to a registered fish buyer or registered fish seller shall include an agent who buys or sells fish on behalf of the buyer or seller, and any similar expressions shall be interpreted accordingly.

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**Commencement Information**

**11** Reg. 2 in force at 20.6.2005, see [reg. 1\(2\)\(a\)](#)

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.S.I. 2015/320 art. 31\(1\)\(d\)](#)