

SCHEDULE 1

Article 7

Entries to be inserted into Schedule 1 to the Sea Fishing (EU Recording and Reporting Requirements) (Scotland) Order 2010

PART 1

<i>Column 1 Provision</i>	<i>Column 2 Detailed Rules</i>	<i>Column 3 Subject Matter</i>	<i>Column 4 Persons liable</i>
1. The Control Regulation			

“(ha) Article 63(1), as read with Article 64 and subject to Article 65(2).”		In relation to registered buyers, registered auctions or other bodies or persons authorised by Member States that are responsible for the first marketing of fisheries products landed in a Member State and have an annual financial turnover in first sales of fisheries products of €200,000 or more— Requirement to: (a) record sales note data by electronic means, and (b) send that data by electronic means to the competent authority of the Member State where the first sale takes place within 24 hours of the first sale.”	The registered buyer, the registered auction or other authorised body or person responsible for the first sale of the fishery products.
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PART 2

<i>Column 1 Provision</i>	<i>Column 2 Detailed Rules</i>	<i>Column 3 Subject Matter</i>	<i>Column 4 Persons liable</i>
1. The Control Regulation			

“(j) Article 67(1).”		In relation to registered buyers, registered auctions or other bodies or persons authorised by Member States that are responsible for the first marketing of fisheries products landed in a Member State and have an annual financial turnover in first sales of fisheries products of €200,000 or more, and where fisheries products are intended for sale at a later stage—	The registered buyer, the registered auction or other authorised body or person responsible for the first sale of the fisheries products.
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Status: This is the original version (as it was originally made).

		<p>Requirement to: (a) record take-over declaration data by electronic means, and (b) send that data by electronic means to the competent authority of the Member State where the take-over takes place within 24 hours of landing.”</p>	
<p>“(k) Article 68(1), (3), (5) and (7), subject to Article 68(2) and (8).</p>		<p>In relation to fisheries products that are landed in the EU (either unprocessed or having been processed on board), for which neither a sales note nor a take-over declaration has been submitted in accordance with Article 62, 63, 66 or 67 of the Control Regulation, and which are transported to a place other than that of landing—</p> <p>Requirement to: (a) draw up a transport document; (b) ensure that it accompanies the fisheries products until the first sale; (c) submit the transport document to the competent authority of the Member State where the landing takes place and, where the products are transported to a different Member State, submit a copy of the transport document to the competent authority of the Member State where the first marketing is declared to take place, both within 48 hours of loading the fisheries products, and (d) prove at all times by documentary evidence that a sales transaction has taken place, in cases where fisheries products have been declared as sold in a sales note and are transported to a location other than the place of landing.”</p>	<p>The transporter of fisheries products. (“Transporter” means the owner of, the hirer of, and the person responsible for, any vehicle used to transport fisheries products.)</p>

SCHEDULE 2

Article 8

Amendment of other sea fishing Orders

The Sea Fishing (Transitional EU Technical Conservation Measures) (Scotland) Order 2010

1.—(1) The Sea Fishing (Transitional EU Technical Conservation Measures) (Scotland) Order 2010(1) is amended as follows.

(2) In article 12 (admissibility in evidence of logbooks and other documents), for paragraph (1) (d) to (f) substitute—

(1) [S.S.I. 2010/100](#).

- “(d) sales note submitted under Article 62, or sent under Article 63, of Regulation 1224/2009;
- (e) declaration submitted under Article 66, or sent under Article 67, of Regulation 1224/2009;
- (f) document drawn up under Article 68 of Regulation 1224/2009; or”.

The Sea Fishing (Restriction on Days at Sea) (Scotland) Order 2010

2.—(1) The Sea Fishing (Restriction on Days at Sea) (Scotland) Order 2010(2) is amended as follows.

(2) In article 2 (interpretation)—

(a) in paragraph (1)—

(i) omit the definition of “Regulation 23/2010”; and

(ii) after the definition of “Regulation 237/2010” insert—

““Regulation 57/2011” means Council Regulation (EU) No. 57/2011 of 18 January 2011 fixing for 2011 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non-EU waters(3);”;

(b) in the following provisions, for “23/2010” substitute “57/2011”—

(i) paragraph (1), in the definitions of “cod recovery zone”, “equivalent provision” and “regulated gear”; and

(ii) paragraph (4).

(3) In article 14 (admissibility in evidence of logbooks and other documents), for paragraph (1) (d) to (f) substitute—

- “(d) sales note submitted under Article 62, or sent under Article 63, of the Control Regulation;
- (e) declaration submitted under Article 66, or sent under Article 67, of the Control Regulation;
- (f) document drawn up under Article 68 of the Control Regulation; or”.

(2) S.S.I. 2010/238.

(3) O.J. No. L 24, 27.1.11, p.1.