
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 320

The Sea Fishing (EU Control Measures) (Scotland) Order 2015

PART 2

FIRST SALE OF FISHERIES PRODUCTS

Obligation of registered buyers of fisheries products to keep records

7.—(1) Subject to paragraph (2), a registered buyer of fisheries products must keep records of each purchase of first sale fisheries products made by that buyer at the place in the United Kingdom which is notified to the Scottish Ministers for that purpose in the buyer's application for registration.

(2) Where a registered buyer of fisheries products does not operate that buyer's business from the United Kingdom, or where a registered buyer of fisheries products is not established in the United Kingdom, the registered buyer of fisheries products must send records of every purchase of first sale fisheries products made by the buyer to the Scottish Ministers by 31st December in each year.

(3) The records referred to in this article must include all of the following information in relation to each individual purchase—

- (a) the date and location of the purchase;
- (b) the quantity of each species purchased;
- (c) the price paid for each species purchased;
- (d) the name and PLN number of the vessel which landed the fish;
- (e) the name, address and registration number of the seller; and
- (f) the reference number of the invoice or contract of sale.

(4) A registered buyer of fisheries products must keep the records of each purchase, as required by this article, for the period of 3 years beginning with the date of that purchase.

(5) A registered buyer of fisheries products must produce the records referred to in this article—

- (a) upon the request of a British sea-fishery officer; and
- (b) where the registered buyer of fisheries products does not operate that buyer's business from the United Kingdom, or where the registered buyer of fisheries products is not established in the United Kingdom, to the Scottish Ministers within 28 days of receiving a request from a British sea-fishery officer under sub-paragraph (a) to produce those records.

(6) A registered buyer of fisheries products who fails to keep or send the records required by this article, or to produce the records in accordance with paragraph (5), commits an offence.

(7) A person commits an offence if that person, in purported compliance with this article, keeps, sends or produces records which are false or misleading in a material way—

- (a) knowing the records to be false or misleading; or
- (b) being reckless as to whether the records are false or misleading.

Status:

Point in time view as at 05/10/2015.

Changes to legislation:

There are currently no known outstanding effects for the The Sea Fishing (EU Control Measures) (Scotland) Order 2015, Section 7.