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STATUTORY INSTRUMENTS

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**1994 No. 451**

**The Sea Fishing (Enforcement of  
Community Control Measures) Order 1994**

**Offences**

3.—(1) Where there is, in respect of—

- (a) any British fishing boat wherever it may be; or
- (b) any other fishing boat which is within British fishery limits,

a contravention of, or failure to comply with, a Community provision specified in Column 1 of the Schedule hereto, as read with any qualifying words relating thereto in the Schedule, the following shall each be guilty of an offence—

- (i) in the case of article 5 of Regulation 2241/87, the master and the owner or the charterer (if any) and any other person responsible for the vessel;
- (ii) in the case of article 3.1, 3.2 or 3.3 of Regulation 1382/87, the master and the owner or the charterer (if any) and any other person responsible for the vessel;
- (iii) in Regulation 2847/93—
  - (aa) in the case of article 6, 7, 10.1, 11, 12, 17.2, 20.1 or 21.3, the master and the owner or the charterer (if any);
  - (bb) in the case of article 8.1, the master and his representative, the owner or the charterer (if any).

(2) Any of the following persons who contravenes, or fails to comply with, any of the provisions of Regulation 2847/93, set out below, shall each be guilty of an offence—

- (a) in the case of article 4.2, in its application to a vessel, the master and the owner or the charterer (if any) and any other person responsible for the vessel, and in its application to premises or a vehicle, the person responsible for the premises or vehicle;
- (b) in the case of the provision of a sales note for the purposes of article 9, the first seller of the fish in circumstances where he neither caught the fish nor landed it, or, in any other circumstances, the first buyer of the fish;
- (c) in the case of the provision of a document for the purposes of article 13 where the quantities of fish are transported outside the compound of the port of landing, the transporter of the fish.

(3) Any person who in purported compliance with article 5 of Regulation 2241/87 or articles 6 to 13, 17.2 or 21 of Regulation 2847/93, furnishes information which he knows to be false in a material particular or recklessly furnishes information which is false in a material particular shall be guilty of an offence.