
STATUTORY INSTRUMENTS

2004 No. 1237

The Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (England) Order 2004

Weighing procedures for herring, mackerel and horse mackerel

3.—(1) For the purposes of point 12.8 of Annex IV to the Council Regulation the controller, in relation to any buyer or holder of fish at a port, shall be a British sea-fishery officer, unless—

- (a) the buyer or holder is party to an arrangement made among buyers, holders or both using the port with a person or organisation to act as the controller; and
- (b) details of the arrangement and of the buyers, holders or both who are parties to it have been notified to the competent authority,

in which case the controller shall be that person or a British sea-fishery officer.

(2) For the purposes of these Regulations, failure to weigh in the presence of the controller in circumstances where that point applies shall be treated as a contravention of that point.