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STATUTORY INSTRUMENTS

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**2004 No. 3226**

The Sea Fishing (Enforcement of Community  
Satellite Monitoring Measures) Order 2004

PART 6

MISCELLANEOUS AND SUPPLEMENTAL

**Provisions as to offences and proceedings**

**20.**—(1) Where any offence under this Order, or under any equivalent provision, committed by a body corporate is proved to have been committed with the consent or approval of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or a person purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of the offence and liable to be proceeded against and punished accordingly.

(2) Where any offence under this Order, or under any equivalent provision, committed by a partnership is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, that partner, as well as the partnership, shall be guilty of the offence and liable to be proceeded against and punished accordingly.

(3) Where any offence under this Order, or under any equivalent provision, committed by an unincorporated association (other than a partnership) is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any officer of the association, that officer, as well as the association, shall be guilty of the offence and liable to be proceeded against and punished accordingly.

**Admissibility in evidence of logbooks and other documents**

**21.** Any—

- (a) logbook kept under Articles 6, 17(2) or 28c;
- (b) declaration submitted under Articles 8(1), 11, 12, 17(2) or 28f;
- (c) effort report completed under Articles 19b and 19c; or
- (d) document drawn up under Articles 9 or 13,

of Council Regulation 2847/93 and any required information received by a Fisheries Monitoring Centre shall, in any proceedings for an offence under this Order or under any equivalent provision, be received in evidence without being produced or sworn to by any witness and shall be sufficient evidence of the matters stated therein or appearing therefrom.