
STATUTORY INSTRUMENTS

2009 No. 1847

SEA FISHERIES, ENGLAND

The Sea Fishing (Enforcement of Community Control Measures) (Amendment) Order 2009 (revoked)^{F1}

<i>Made</i>	- - - -	<i>8th July 2009</i>
<i>Laid before Parliament</i>		<i>14th July 2009</i>
<i>Coming into force</i>	- -	<i>10th August 2009</i>

F1

Textual Amendments

F1 Order revoked (6.3.2015) by [The Sea Fishing \(Enforcement and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/191\)](#), art. 1(1), **Sch.**

Changes to legislation: There are currently no known outstanding effects for the The Sea Fishing (Enforcement of Community Control Measures) (Amendment) Order 2009 (revoked). (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Sea Fishing (Enforcement of Community Control Measures) Order 2000 (S.I. 2000/51) (“the 2000 Order”) in relation to England.

It provides for the enforcement of Council Regulation (EC) No 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing (OJ No L 409, 30.12.2006, p 1) and Commission Regulation (EC) No 1077/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 1966/2006 and repealing Regulation (EC) No 1566/2007 (OJ No L 295, 4.11.2008, p 3) in relation to the requirement to submit sales notes and take-over declarations electronically.

Article 2(3) establishes a public register, to be maintained by the Secretary of State, of those required to submit sales notes electronically because they have an annual financial turnover in excess of €400,000. A failure by a seller or a buyer of fish to inform the Secretary of State by 1st October in any calendar year whether it has such a financial turnover is an offence which is punishable on summary conviction by a maximum fine of £50,000 or, on indictment, by a fine.

Article 2(6) amends paragraphs 2(e) and (f) of the Schedule to the 2000 Order to make it an offence for a first seller, or a buyer, of fish with an annual financial turnover in excess of €400,000 not to submit sales notes electronically. It also makes it an offence for the holder of the fish when products are not offered for sale or are intended for sale at a later date not to submit take-over declarations electronically. The maximum fine on summary conviction for breach of either offence is £50,000 or, on indictment, a fine.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector has been prepared and placed in the library of both Houses of Parliament. It is available on the Defra website at www.defra.gov.uk/corporate/consult/fisheries-control/index.htm.

Changes to legislation:

There are currently no known outstanding effects for the The Sea Fishing (Enforcement of Community Control Measures) (Amendment) Order 2009 (revoked).