



# Aquaculture and Fisheries (Scotland) Act 2013

2013 asp 7

## PART 3

### SEA FISHERIES

#### *Enforcement of EU rules*

#### **51 Modification of the Fisheries Act 1981: enforcement of EU rules**

- (1) Section 30 of the Fisheries Act 1981 (enforcement of Community obligations) is amended in accordance with this section.
- (2) In subsection (1)—
- (a) for paragraph (a) substitute—
    - “(a) if any fishing boat within the Scottish Zone—
      - (i) fishes in contravention of any such restriction; or
      - (ii) fails to comply with any such obligation,the master, the owner and the charterer (if any) are each guilty of an offence;”
  - (b) after paragraph (a) insert—
    - “(aa) if any Scottish fishing boat outside the Scottish Zone—
      - (i) fishes in contravention of any such restriction; or
      - (ii) fails to comply with any such obligation,the master, the owner and the charterer (if any) are each guilty of an offence;
    - (ab) if any person in Scotland—
      - (i) fishes in contravention of any such restriction; or
      - (ii) fails to comply with any such obligation,the person is guilty of an offence;”
  - (c) in paragraph (b), for “such offences” substitute “offences under paragraph (a), (aa) or (ab) of this subsection”;

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*Status: This is the original version (as it was originally enacted).*

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- (d) in subsection (3), after the definition of “the Ministers” insert—
- ““Scottish fishing boat” means a fishing boat which is registered in the register maintained under section 8 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Scotland as the port to which the boat is to be treated as belonging;
- “Scottish Zone” has the same meaning as in the Scotland Act 1998 (see section 126(1) and (2) of that Act).”.