



# 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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*Changes to legislation: There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Section 51. (See end of Document for details)*

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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).”.

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**Commencement Information**

**II** [S. 51](#) in force at 16.9.2013 by [S.S.I. 2013/249](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2013, Section 51.