
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 497

**The Fishery Products (Official Controls
Charges) Regulations (Northern Ireland) 2007**

PART 1

PRELIMINARY

Interpretation

2.—(1) In these Regulations —

“Directive 2004/41”, “Regulation 2406/96”, “Regulation 178/2002”, “Regulation 1642/2003”, “Regulation 852/2004”, “Regulation 853/2004”, “Regulation 854/2004”, “Regulation 882/2004”, “Regulation 1688/2005”, “Regulation 2073/2005”, “Regulation 2074/2005”, “Regulation 2075/2005”, “Regulation 2076/2005”, “Regulation 776/2006” and “Regulation 1791/2006” have the meanings respectively given to them in the Schedule;

“EEA State” means a member State, Norway, Iceland or Liechtenstein;

“establishment” has the meaning given to it in paragraph 1(c) of Article 2 of Regulation 852/2004;

“first placing on the market” has the meaning that it bears in Regulation 882/2004;

“first sale in a fish market” shall be construed in accordance with the phrase “first sale in fish market” in Regulation 882/2004;

“fishery products” has the meaning given to it in point 3.1 of Annex I to Regulation 853/2004;

“imported” means introduced into Northern Ireland other than from the United Kingdom, Channel Islands or the Isle of Man;

“official controls” shall be construed in accordance with the definition of the term “official control” in paragraph 1 of Article 2 of Regulation 882/2004;

“processing” has the meaning that it bears in Chapter V of Section B of Annex IV to Regulation 882/2004;

“processing establishment” means an establishment at which processing occurs;

“relevant district council” means the district council in whose district there arises an obligation under these Regulations to pay a charge to that district council;

“relevant fishery products” means fishery products which —

- (a) were caught in their natural environment;
- (b) are imported by a fishing vessel flying the flag of a third country;
- (c) have not been on land prior to being imported; and
- (d) are intended for placing on the market for human consumption, other than relevant landed fishery products and third country imports;

“relevant landed fishery products” means fishery products which —

- (a) are landed in Northern Ireland;
- (b) have not been on land previously; and
- (c) are intended for placing on the market for human consumption, other than relevant fishery products and third country imports;

“specified pelagic fish” means —

- (a) herring of the species *Clupea harengus*;
- (b) sardines of the species *Sardinia pilchardus*;
- (c) mackerel of the species *Scomber scombrus* or *Scomber japonicus*;
- (d) horse mackerel (*Trachurus spp.*);
- (e) anchovies (*Engraulis spp.*);
- (f) picarels of the species *Maena smaris*; and
- (g) sprat of the species *Sprattus sprattus*;

“third country”, except in the expression “third country import”, means any country or territory, other than Greenland, which does not comprise the whole or part of an EEA State;

“third country import” means an import in respect of which a charge is payable under regulation 54 of the Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007⁽¹⁾; and

“vendor” means —

- (a) where a first placing on the market or first sale in a fish market of relevant fishery products or relevant landed fishery products is effected on behalf of the owner or master of a vessel by another person, that other person; and
- (b) where there is a first placing on the market or first sale in a fish market of relevant fishery products or relevant landed fishery products in any other circumstances, the owner or master of the vessel from which they are landed.

(2) The Interpretation Act (Northern Ireland) 1954⁽²⁾ shall apply to these Regulations as it applies to an Act of the Assembly.

(1) S.R. 2007 No. 199

(2) 1954 c.33 (N.I.)