
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 117

The Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Scotland) Order 2001

Admissibility in evidence of logbooks and other documents

13.—(1) 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 reported completed under Articles 19b and 19c;
- (d) document drawn up under Article 9 or 13; or
- (e) document containing required information received by a fisheries monitoring centre established under Article 3.7,

of Regulation 2847/93 shall, in any proceedings for an offence under article 4(1), or any equivalent provision extending to any other part of the United Kingdom made for the purposes of implementing a Community quota measure, be received in evidence without being produced or sworn to by any witness and shall, unless the contrary is shown, be conclusive evidence as to the matters stated therein.

(2) For the purposes of paragraph (1), “required information” shall mean data relating to—

- (a) a fishing boat’s identification;
- (b) the most recent geographical position of the fishing boat expressed in degrees and minutes of longitude and latitude; and
- (c) the date and time of the fixing of that position,

as communicated via a satellite based vessel monitoring system established under Article 3.1 of Regulation 2847/93.

(3) Any logbook, declaration, report or other document kept on board or held in pursuance of Article 14 of the Council Regulation shall, in any proceedings for an offence under article 4(2), or under any equivalent provision extending to any other part of the United Kingdom, proceedings in respect of which were brought in Scotland by virtue of section 30(2A) of the Fisheries Act 1981⁽¹⁾, be received in evidence without being produced or sworn to by any witness and shall, unless the contrary is shown, be conclusive evidence as to the matters stated therein.

⁽¹⁾ 1981 c. 29; section 30(2A) was inserted by S.I. 1999/1820.