SCOTTISH STATUTORY INSTRUMENTS

2009 No. 317

The Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures and Restriction on Days at Sea) (Scotland) Order 2009

PART II

ENFORCEMENT OF COMMUNITY QUOTA AND THIRD COUNTRY FISHING MEASURES

Offences

7.—(1) Where there is, in respect of any—

(a) Scottish fishing boat wherever it may be; or

(b) Community fishing boat within the Scottish zone,

a contravention of, or failure to comply with, any Community quota measure, the person in charge of the fishing boat is guilty of an offence.

(2) Where there is, in respect of any third country fishing boat within the Scottish zone, a contravention of, or failure to comply with, the Community quota measures specified in entry 6.(a) to (l) in Schedule 1 or with any Community third country fishing measure, the person in charge of the fishing boat is guilty of an offence.

(3) Nothing in this Order shall be taken to constitute an offence to land, from a Scottish fishing boat, an unsorted catch at a harbour outwith Scotland where sampling programmes mentioned in Article 10.3 are in place.