

## SCHEDULES

### SCHEDULE 2

#### REGISTRATION OF FISHING VESSELS: SUPPLEMENTARY PROVISIONS

##### *Offences*

- 5 (1) Regulations may provide for the creation of offences and their punishment on summary conviction in any of the following cases—
- (a) where a person with intent to deceive, uses, or lends to or allows to be used by another, a certificate of registration, whether in force or not;
  - (b) where a person required by regulations to ensure that any requirement of the regulations as to the marking of a fishing vessel is satisfied fails to ensure that that requirement is satisfied;
  - (c) where a person required by regulations to surrender a certificate of registration fails without reasonable excuse to surrender the certificate.
- (2) Any such regulations shall—
- (a) in the case of an offence created by virtue of sub-paragraph (1)(a), provide for the offence to be punishable with a fine not exceeding the fifth level on the standard scale; and
  - (b) in the case of an offence created by virtue of sub-paragraph (1)(b) or (c), provide for it to be punishable with a fine not exceeding the third level on the standard scale.
- (3) Regulations providing for the creation of an offence by virtue of sub-paragraph (1)(b) shall provide that it shall be a defence for a person charged with the offence to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.