

## SCHEDULE

Articles 3 and 4(1) and (2)

**COMMUNITY CONTROL MEASURES, CONTRAVENTION  
OF WHICH CONSTITUTES AN OFFENCE**

<i>Column 1</i> <i>Community</i> <i>Provision</i>	<i>Column 2</i> <i>Detailed Rules</i>	<i>Column 3</i> <i>Subject Matter</i>	<i>Column 4</i> <i>Maximum fine</i> <i>on summary</i> <i>conviction</i>	<i>Column 5</i> <i>Persons liable</i>
<b>1. Regulation</b>				
<b>1382/87</b>				
(a) Article 3.1		Requirement to stop, manoeuvre or carry out other actions to facilitate boarding.	The Statutory Maximum.	The master, the owner, the charterer (if any) and any other person responsible for the vessel.
(b) Article 3.2 and Annex II		Provision of boarding ladder.	The Statutory Maximum.	The master, the owner, the charterer (if any) and any other person responsible for the vessel.
(c) Article 3.3		Use of communications equipment and operator thereof.	The Statutory Maximum.	The master, the owner, the charterer (if any) and any other person responsible for the vessel.
<b>2. Regulation</b>				
<b>2847/93</b>				
(a) Article 4.2		Requirement to co-operate in facilitating inspections of fishing vessels, premises and transport vehicles.	The Statutory Maximum.	The master, the owner, the charterer (if any) and any other person responsible for the vessel or, as the case may be, the person responsible for the premises or vehicle.
(b) Article 6	Article 1 of and Annexes I, II, IIa, IV, V, VI and	Requirement to keep a logbook in computer readable form	£50,000	The master, the owner and the charterer (if any).

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(c) Article 7	VII of Regulation 2807/83	<p>or on paper, for fishing boats of 10 metres or more, and submit it to the flag Member State, and the Member State of landing, if different, within 48 hours of landing.</p> <p>Requirement for a Community fishing boat wishing to land catches into a Member State other than the flag state to—</p> <p>(a) comply with the requirements of any designated ports scheme established in accordance with article 38 of Regulation 2847/93 by the Member State in whose zone it is intended to land; or</p> <p>(b) if no such scheme</p>	£50,000	The master, the owner and the charterer (if any).

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		has been established to give at least 4 hours advance notification (or 2 hours where article 1 of Regulation 728/1999(1) applies) to the control authority of the Member State in whose zone it is intended to land fish of—		
		(i) landing location and estimated time of arrival there; and		
		(ii) quantities of each species to be landed.	£50,000	
(d) Article 8.1	Article 2 of, and Annexes I, IIa,	Requirement to submit, after	£50,000	The master, his representative,

(1) Commission Regulation (EC) No. 728/1999 providing, pursuant to Article 7(3) of Regulation 2847/93, for a notification period for Community fishing vessels carrying on fishing activities in the Baltic Sea, the Skagerrak and the Kattegat (OJ No. L 93, 8.4.1999, p.10).

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	III, IV and V of Regulation 2807/83	each trip and within 48 hours of landing, to the flag Member State and the Member State of landing, if different, for vessels of 10 metres or more, a landing declaration of quantities of each species and area where caught.		the owner and the charterer (if any).
(e) Article 9.1 as read with Article 9.5		Requirement, where first marketing of fishery products is carried out by an auction centre or authorised body/person, to submit a completed sales note within 48 hours of sale.	£50,000	The first seller of the fish.
(f) Article 9.2 as read with Articles 9.3, 9.4, 9.4b, 9.5 and 13		Requirement, where first marketing of fishery products is carried out other than in accordance with article 9.1 of Regulation 2847/93, to submit—  (a) (a) a completed sales note (when products have been sold or	£50,000	As regards the requirement to submit—  (a) (a) a completed sales note, the buyer of the fish;

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<p>(g) Article 9.5 as read with</p>		<p>are offered for sale at place of landing); or</p> <p>(b) (b) a copy of a transport document (when the products are offered for sale at a location other than place of landing); or</p> <p>(c) (c) a completed take-over declaration (when products are not offered for sale or are intended for sale at a later date),</p> <p>before the products are collected.</p> <p>Requirement—</p>		<p>(b) (b) a transport document, the transporter of the fish;</p> <p>(c) (c) a completed take-over declaration, the owner of the fish and his agent (if any).</p> <p>As regards the requirement to submit—</p>

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Article 9.2		<p>(a) (a) to submit a sales note within 48 hours of landing or first marketing of products (except where the sales note must be submitted before the products are collected) and append where required a copy of the transport document relating to the products;</p> <p>(b) (b) to submit a take-over declaration within 48 hours of landing of products (except</p>	<p>£50,000</p> <p>£50,000</p>	<p>(a) (a) a sales note, the buyer of the fish;</p> <p>(b) (b) a take-over declaration, the owner of the fish and his agent (if any);</p>

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where the take-over declaration must be submitted before the products are collected);

(c) where £50,000

products are first marketed in a Member State other than that in which they were landed, to transmit, within 48 hours following the products being landed, a copy of the transport document to the competent authorities of the Member State in which first

(c) (c) a transport document, the transporter of the fish.

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		marketing takes place.		
(h) Article 11		Requirement in respect of any trans-shipping vessel, receiving vessel and third country vessel to keep and notify details of trans-shipments anywhere and landings of specified stocks outside Community territory.	£50,000	The master, the owner and the charterer (if any).
(i) Article 12		Requirements to keep and notify within 15 days of the catch, the details required under articles 8 and 11 of Regulation 2847/93 where trans-shipment or landing will take place more than 15 days after the catch.	£50,000	The master, the owner and the charterer (if any).
(j) Article 13		Where the fisheries products are transported outside the compound of the port of landing or place of import—  (a) (and first sale has not taken place) requirement to provide	£50,000	The transporter of the fish.



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		<p>completed transport document and ensure it accompanies fisheries products until time of first sale;</p> <p>(b) (and where the goods have been declared as sold in accordance with article 9 of Regulation 2847/93) requirement to prove at all times by means of documentary evidence that sales transaction has taken place.</p>		<p>The master, the owner and the charterer (if any).</p>
(k) Article 17.2	Articles 1 and 2 of, and Annexes I, II, IIa, IV, V, VI and VII to Regulation 2807/83	In respect of catches made outside Community waters, requirement to—		

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		(a) <del>(b)</del> keep a logbook recording catches; and	£50,000	
		(b) <del>(b)</del> submit a landing declaration to the flag Member State, and the Member State of landing, if different, when landing made at a Community port; and	£50,000	
		(c) <del>(b)</del> submit details of trans- shipments on to third country fishing boats or of landings in third countries.	£50,000	
(l) Article 19a.2		Prohibition from carrying out of fishing activities in the areas specified in article 19a.1 and 19a.1a of	£50,000	The master, the owner and the charterer (if any).

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		Regulation 2847/93 in relation to Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length which have not been authorised by Member States in accordance with articles 2, 3.5 and 9 of Council Regulation (EEC) No.685/95 on the management of the fishing effort relating to certain Community fishing areas and resources <sup>(2)</sup> or article 2 of Council Regulation (EC) No. 779/97 introducing arrangements for the management of fishing effort in the Baltic Sea. <sup>(3)</sup>		
(m) <del>Articles</del> 19b and 19c	Article 3a of, and Annexes VIIIa and VIIIb of, Regulation 2807/83, and Regulation 1449/98	Requirement in relation to Community fishing boats exceeding 15 metres in length between		The master, his representative, the owner and the charterer (if any).

(2) OJ No. L71, 31.3.95, p.5. The provisions laid down in articles 2 and 3 of Regulation 685/95 apply only to vessels over 15 metres in length between perpendiculars. Under article 19a.2 of Regulation 2847/93 vessels over 15 metres in length between perpendiculars are considered equivalent to vessels over 18 metres in overall length. Article 19f.3 of Regulation 2870/95 requires the Commission of the European Communities to ensure that Member States responsible for control have available data concerning identification of fishing boats having access to their waters.

(3) OJ No. L113, 30.4.97, p.1.

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		<p>perpendiculars or over 18 metres in overall length authorised to carry out fishing activities directed at demersal species to complete an effort report containing the information prescribed in article 19b of Regulation 2847/93 as read with Regulation 1449/98—</p> <p>(a) (a) by £50,000 one of the methods prescribed in article 19c.1 (as read with article 19c.3) of Regulation 2847/93 or, in the case of boats carrying out fishing activities in the waters of the State in which they are registered, in accordance</p>		

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		with arrangements adopted under article 19c.2, second indent, of Regulation 2847/93;		
		(b) (b) to £50,000 communicate it to the authorities prescribed in article 19c.1 of Regulation 2847/93;		
		(c) (c) at £50,000 the time or times prescribed in article 19c.1 of Regulation 2847/93 or—		
		(i) in the case of boats conducting trans-zonal fisheries as defined in article 19b.2, prescribed in		

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			article 19b.2 and 19c.2, first indent, of Regulation 2847/93;  (ii) in the case of boats spending less than 72 hours at sea, prescribed in article 29c.2, third indent, of Regulation 2847/93 (including the requirement in such case to notify changes occurring in the information provided in the report).	

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(n) Article 19e.1 and 19e.2	Article 1a of, and Annexes I, IVa and VIa to, Regulation 2807/83	Requirement in relation to Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length to record in logbooks the information (as regards time spent at sea) prescribed in article 19e.1 of Regulation 2847/93 or, in the case of boats conducting trans-zonal fisheries as defined in article 19b.2 of Regulation 2847/93, prescribed in article 19e.2 of Regulation 2847/93.	£50,000	The master, the owner and the charterer (if any).
(o) Article 19e.3	Article 1a of, and Annexes I, IVa, and VIa to, Regulation 2807/83	Requirement on Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length authorised to carry out fishing activities directed at demersal species to record in logbooks an effort report containing the information prescribed in	£50,000	The master, the owner and the charterer (if any).

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		article 19b of Regulation 2847/93.		
(p) Article 20.1		Requirement to stow nets, when not in use, in Community fishing boats.	The Statutory Maximum.	The master, the owner and the charterer (if any).
(q) Article 20.2		Requirement in relation to Community fishing boats to record in log books and landing declarations all changes in mesh size and catch composition at moment of change.	£50,000	The master, the owner and the charterer (if any).
(r) Article 20a		Requirements relating to carriage, use and stowage of gear in Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length carrying out fishing activities in the areas specified in article 19a.1 of Regulation 2847/93.	The Statutory Maximum	The master, the owner and the charterer (if any).
(s) Article 21c.2		Prohibition in relation to fishing boats of a Member State from carrying out fishing activities in a fishery from the date, fixed by	£50,000	The master, the owner and the charterer (if any).



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		the Commission of the European Communities, on which the maximum fishing effort of that State for that fishery is deemed to have been exhausted.		
(t) <del>Article</del> 28.2a		Requirement, where fisheries products offered for sale, stocked or transported are of a size smaller than the minimum size set for that species pursuant to article 4 of Regulation 3760/92, to prove geographic area of origin or aquaculture provenance of products.	The Statutory Maximum.	The person responsible for selling, stocking or transporting the fish.
(u) <del>Article</del> 28b.1		Prohibition of catching, retaining on board or processing of fishery products by third country fishing boats unless licensed and issued with special fishing permits issued in accordance with article 9 of Council Regulation (EC) 1627/94.(4)	£50,000	The master, the owner and the charterer (if any).

(4) Council Regulation (EC) No. 1627/94 laying down general provisions concerning special fishing permits (OJ No. L17, 6.7.94, p.7).

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(v) Article 28c		Requirement for third country fishing boats operating in the Community fishing zone—  (a) (a) to £50,000 record information referred to in article 6 of Regulation 2847/93 in a logbook;  (b) (b) to £50,000 comply with a system for reporting catches retained on board;  (c) (c) to The Statutory comply Maximum. with the instructions of the authorities responsible for monitoring and inspections;  (d) (d) to The Statutory comply Maximum. with the rules on the marking and identification		The master, the owner and the charterer (if any).

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		of fishing vessels and their gear.		
(w) Article 28d		Prohibition in relation to third country fishing boats of fishing for and retention on board, trans- shipment and landing of, stock subject to quota from the date, fixed by the Commission of the European Communities, on which the quota for such stock is deemed to have been exhausted.	£50,000	The master, the owner and the charterer (if any).
(x) Article 28e		Requirement for a third-country fishing boat wishing to land catches into a Member State		The master, his representative, the owner and the charterer (if any).
		(a) (a) to give at least 72 hours advance notification to the control authority of the Member State in whose zone it is intended to land	£50,000	

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		fish of—		
		(i) their time of arrival at the port of landing,		
		(ii) the catches retained on board,	£50,000	
		(iii) the zone or zones where the catch was made;	£50,000	
		(b) (b) to obtain authorisation from competent authority of Member State before landing operations are commenced.	£50,000	
(y) Article 28f		Requirement for third country fishing boats to submit, within 48 hours of landing, to the competent authority of the Member State in which the fishery products have been landed, a declaration stating—	£50,000	The master, his representative, the owner and the charterer (if any).

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		(a) the quantity of fishery products landed by species; and (b) the date and place of each catch.		