
STATUTORY INSTRUMENTS

2003 No. 229

The Sea Fishing (Restriction on Days at Sea) Order 2003

Exception in relation to absences from ports etc.

4.—(1) A person shall not be guilty of an offence under article 3(1) in respect of an activity relating to a boat in a period specified in article 3(2)(b) if—

- (a) the identification of the activity as an offence depends on the application of paragraph 9 of Annex XVII to the period,
- (b) the boat has not been the subject of any adjustment in respect of the period under article 3(4) or (5), and
- (c) the activity would not have comprised an offence if, instead of paragraph 11(a) of the Annex being applied to the period—
 - (i) the period had been divided into two separate month periods, and
 - (ii) the number applied to December 2003 by article 3(2)(a) had applied to each such period.