
WELSH STATUTORY INSTRUMENTS

2006 No. 2798

**The Sea Fishing (Enforcement of Community
Satellite Monitoring Measures) (Wales) Order 2006**

PART 1

GENERAL

Interpretation

2.—(1) In this Order—

“British fishing boat” (“*cwch pysgota Prydeinig*”) means a fishing boat which is registered in the United Kingdom under Part II of the Merchant Shipping Act 1995⁽¹⁾ or is owned wholly by persons qualified to own British ships for the purposes of that part of the Act;

“Commission Regulation” (“*Rheoliad y Comisiwn*”) means Commission Regulation (EC) No. 2244/2003 laying down detailed provisions regarding satellite-based Vessel Monitoring Systems⁽²⁾;

“Community fishing boat” (“*cwch pysgota Cymunedol*”) means a fishing boat flying the flag of, and registered in, a Member State of the European Community other than the United Kingdom;

“equivalent provision” (“*darpariaeth gyfatebol*”) means any provision in any other Order made for the purposes of making provision for the administration and enforcement of the Commission Regulation, extending to any part of the United Kingdom, which has equivalent effect to a provision in this Order, proceedings in respect of which may be taken in Wales by virtue of section 30(2A) of the Fisheries Act 1981;

“Fisheries Monitoring Centre” (“*Canolfan Monitro Pysgodfeydd*”) means a Fisheries Monitoring Centre established under Article 3(7) of Council Regulation 2847/93;

“National Assembly” (“*Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“person in charge” (“*person sydd â gofal*”), in relation to a fishing boat, means the owner, master or charterer, if any, of the fishing boat or the agent of any of them;

“Council Regulation 2847/93” (“*Rheoliad y Cyngor 2847/93*”) means Council Regulation (EEC) No. 2847/93 establishing a control system applicable to the common fisheries policy⁽³⁾ as amended by Council Regulation (EC) No. 2870/95⁽⁴⁾, Council Decision (EC) No. 95/528⁽⁵⁾, Council Regulation (EC) No. 2489/96⁽⁶⁾, Council Regulation (EC) No. 686/97⁽⁷⁾, Council Regulation (EC) No. 2205/97⁽⁸⁾, Council Regulation (EC)

(1) 1995 c. 21.

(2) O.J. No. L333, 20.12.03, p.17.

(3) O.J. No. L261, 20.10.93, p.1.

(4) O.J. No. L301, 14.12.95, p.1.

(5) O.J. No. L301, 14.12.95, p.35.

(6) O.J. No. L338, 28.12.96, p.12.

(7) O.J. No. L102, 19.4.97, p.1.

(8) O.J. No. L304, 7.11.97, p.1.

No. 2635/97⁽⁹⁾, Council Regulation (EC) No. 2846/98⁽¹⁰⁾, Council Regulation (EC) No. 806/2003⁽¹¹⁾, Council Regulation (EC) No. 1954/2003⁽¹²⁾ and Council Regulation (EC) No. 768/2005⁽¹³⁾;

“required information” (“*yr wybodaeth sy'n ofynnol*”) means the information set out in Article 5(1) of the Commission Regulation;

“satellite-tracking device” (“*dyfais olrhain drwy loeren*”) means a device which sends the required information by way of satellite and land earth station to a Fisheries Monitoring Centre;

“third country fishing boat” (“*cwch pysgota trydedd gwlad*”) means a fishing vessel flying the flag of, and registered in, a state other than a Member State of the European Communities and includes a receiving vessel within the meaning of Council Regulation 2847/93; and

“Wales” (“*Cymru*”) has the same meaning as in section 155(1) and (2) of the Government of Wales Act 1998⁽¹⁴⁾.

(2) Any reference to a logbook, declaration or document or any required information includes, in addition to a logbook, declaration or document or required information in writing—

- (a) any map, plan, graph, drawing or diary;
- (b) any photograph;
- (c) any disk, tape, sound track or other device in which sounds or other data (not being visual aids) are recorded so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom; and
- (d) any film (including microfilm), negative, tape, disk or other device in which one or more visual images are recorded so as to be capable (as aforesaid) of being reproduced therefrom.

⁽⁹⁾ O.J. No. L356, 31.12.97, p.14.

⁽¹⁰⁾ O.J. No. L358, 31.12.98, p.5.

⁽¹¹⁾ O.J. No. L122, 16.5.03, p.1.

⁽¹²⁾ O.J. No. L289, 7.11.03, p.1.

⁽¹³⁾ O.J. No. L128, 21.5.05, p.1.

⁽¹⁴⁾ 1998 c. 38.