
SCOTTISH STATUTORY INSTRUMENTS

2003 No. 623

**The Sea Fishing (Restriction on Days at Sea)
(Scotland) Amendment (No. 3) Order 2003**

Amendment of the Sea Fishing (Restriction on Days at Sea) (Scotland) Order 2003

2.—(1) The Sea Fishing (Restriction on Days at Sea) (Scotland) Order 2003⁽¹⁾ is amended as follows.

(2) In article 2(1) (interpretation) for the definition of “Annex XVII” substitute—

“Annex XVII” means Annex XVII to Council Regulation (EC) No. 2341/2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required⁽²⁾, as amended by Council Regulation (EC) No. 671/2003 of 10th April 2003⁽³⁾ and as applied for the period from 1st January 2004 to 31st January 2004 by Council Regulation (EC) No. 2287/2003 of 19th December 2003⁽⁴⁾.

(3) In article 3 (absence from port)—

(a) in paragraph (2)(c), for “December 2003” substitute “each of December 2003 and January 2004”; and

(b) in paragraph (9)(a)(ii) and (b)(iii), after “December 2003” insert “or January 2004”.

(4) In article 4 (exception in relation to absence from ports etc)—

(a) for “4.” substitute “4.—(1)”; and

(b) after paragraph (1) insert—

“(2) A person shall not be guilty of an offence under article 3(1) in respect of an activity relating to a boat in January 2004 if the activity would not have been treated as an offence had December 2003 and January 2004 together been treated as a whole period equivalent to one of the two month periods specified in article 3(2)(b).”.

(1) S.S.I. 2003/56 amended by S.S.I. 2003/66 and 300.

(2) O.J. No. L 356, 31.12.02, p.12.

(3) O.J. No. L 97, 15.4.03, p.11.

(4) O.J. No. L 344, 31.12.03, p.1.