
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 286

**The Registration of Fish Sellers and Buyers and
Designation of Auction Sites (Scotland) Regulations 2005**

Maintenance of records by registered buyer

9.—(1) Subject to paragraph (2), a registered fish buyer shall maintain records of every purchase of first sale fish made by that buyer at the place in the United Kingdom notified to the Scottish Ministers for that purpose in the registered fish buyer's application for registration.

(2) Where a registered fish buyer does not operate that buyer's business from the United Kingdom or where a registered fish buyer is not established in the United Kingdom a registered fish buyer shall—

- (a) send records of every purchase of first sale fish made by the buyer to the Scottish Ministers by 31st December in each year; and
- (b) produce those records to the Scottish Ministers within 28 days of a request from a British sea fishery officer under paragraph (5) to produce those records.

(3) The records referred to in this regulation shall include all of the following information in relation to each individual purchase—

- (a) date and location of the purchase;
- (b) quantity of each species purchased;
- (c) price paid for each species purchased;
- (d) name and PLN number of the vessel which landed the fish;
- (e) name, address and registration number of the seller; and
- (f) reference number of the invoice or contract of sale.

(4) A registered fish buyer shall keep the records of each purchase as required by this regulation until the end of the second calendar year following that purchase.

(5) Subject to paragraph (2)(b), a registered fish buyer shall, upon the request of a British sea fishery officer, produce the records referred to in this regulation.

(6) A registered fish buyer who fails to keep the records required by this regulation or to produce the records in accordance with paragraph (5) is guilty of an offence.

(7) Any person who knowingly or recklessly maintains or produces records which are false in a material particular is guilty of an offence.