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STATUTORY INSTRUMENTS

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**2018 No. 643**

**The Sea Fishing (Miscellaneous  
Amendments) Regulations 2018**

**Amendment of article 9**

5.—(1) Article 9 (offences) is amended as follows.

(2) For paragraph (4) substitute—

“(4) It is an offence for a person to engage in fishing for a stock in any area where, under the conservation and management measures (within the meaning of the Council Regulation) applicable in that area, such fishing is subject to a moratorium or is prohibited.”.

(3) After paragraph (6) insert—

“(6A) In relation to a non-cooperating third country listed on a list established under Article 33 of the Council Regulation, it is an offence for a person—

- (a) to import fishery products caught by a fishing vessel flying the flag of the third country unless the products are from stock or species to which the listing does not apply;
- (b) to purchase a fishing vessel flying the flag of the third country;
- (c) to reflag a fishing vessel flying the flag of a member State so that it flies the flag of the third country;
- (d) to enter into a charter agreement with the third country in relation to a fishing vessel flying its flag;
- (e) to export a Community fishing vessel to the third country;
- (f) to enter into an agreement for a fishing vessel flying the flag of a member State to use the fishing possibilities of the third country; or
- (g) to participate in joint fishing operations with a fishing vessel flying the flag of the third country.”.

(4) After paragraph (11) insert—

“(12) Paragraph (6A)(e) is an “equivalent provision” for the purposes of—

- (a) the Sea Fishing (Illegal, Unreported and Unregulated Fishing) (Scotland) Order 2013<sup>(1)</sup>; and
- (b) the Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order (Northern Ireland) 2018<sup>(2)</sup>.”.

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(1) S.S.I. 2013/189.

(2) S.R. 2018 (N.I.) No. 106.