



CYNULLIAD CENEDLAEYHOL CYMRU
NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

2000 Rhif 1075 (Cy.69)

PYSGODFEYDD MÔR, CYMRU

Gorchymyn Pysgota Môr
(Gorfodi Mesurau Rheoli'r Gymuned) (Cymru) 2000

Wedi'i wneud

29 Mawrth 2000

Yn dod i rym

1 Ebrill 2000

STATUTORY INSTRUMENTS

2000 No. 1075 (W.69)

SEA FISHERIES, WALES

The Sea Fishing
(Enforcement of Community Control Measures) (Wales) Order 2000

Made

29 March 2000

Coming into force

1st April 2000

£5.80



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**SEA FISHERIES,
WALES**

**Gorchymyn Pysgota Môr (Gorfodi
Mesurau Rheoli'r Gymuned)
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**The Sea Fishing (Enforcement of
Community Control Measures)
(Wales) Order 2000**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn.)

(This note does not form part of the Order.)

Mae'r Gorchymyn hwn, sy'n gymwys i Gymru, yn diddymu Gorchymyn Pysgota Môr (Gorfodi Mesurau Rheoli'r Gymuned) 1994 ("Gorchymyn 1994") a Gorchymyn Pysgota Môr (Gorfodi Mesurau Rheoli'r Gymuned) (Diwygio) 1996, i'r graddau y maent yn gymwys i Gymru.

Sefydlwyd y gyfundrefn reoli ar gyfer y polisi pysgodfeydd cyffredinol gan Reoliad y Cyngor (CEE) Rhif 2847/93 ("Y Rheoliad Rheoli"). Ceir manylion o dan y cyfeirnod (OJ Rhif L261, 20.10.93, t.1).

Diwygiwyd y Rheoliad hwnnw gan Reoliad y Cyngor (CE) 2846/98. (Gweler OJ Rhif L192, 8.7.98, t.4).

Er mwyn darparu ar gyfer gorfodi Rheoliad y Cyngor, mae'r Gorchymyn hwn yn bennaf yn ail-ddeddfu darpariaethau Rheoliad 1994 gan gyflwyno rhai darpariaethau newydd yn ogystal.

Mae'r Gorchymyn yn creu tramgwyddau mewn cysylltiad â thoriadau o'r darpariaethau y cyfeirir atynt yng ngholofn 1 (ac a ddisgrifir yn gryno yng ngholofn 3) o'r Atodlen i'r Gorchymyn hwn ac yn Erthygl 3 ohono.

Mae'r diwygiadau i'r Rheoliad Rheoli sydd wedi'u gwneud gan Reoliad y Cyngor (CE) rhif 2846/98 yn cynnwys yn arbennig -

1. y gofyn i gadw coflyfr yn gysylltiedig â llwythi o bysgod dros 50kg;

This Order, which applies to Wales, revokes the Sea Fishing (Enforcement of Community Control Measures) Order 1994 ("the 1994 Order") and the Sea Fishing (Enforcement of Community Control Measures) (Amendment) Order 1996 insofar as they apply to Wales.

Council Regulation (EEC) No. 2847/93 established a control system applicable to the common fisheries policy ("the Control Regulation"). Details can be found under reference (OJ No. L261, 20.10.93, p.1).

That Regulation was amended by Council Regulation (EC) 2846/98. (See OJ No. L192, 8.7.98, p.4).

To provide for the enforcement of the Council Regulation, this Order largely re-enacts the provisions of the 1994 Order as well as introducing some new provisions.

The Order creates offences in respect of breaches of the provisions referred to in column 1 (and briefly described in column 3) of the Schedule to this Order and in article 3 of this Order.

The amendments to the Control Regulation made by Council Regulation (EC) No. 2846/98 include in particular-

1. the requirement to keep a logbook in respect of amounts of fish of over 50kgs;

2. y gofyn i gychod sydd am ddadlwytho dalfeydd i Aelod-Wladwriaeth gwahanol i Aelod-Wladwriaeth eu baner gydymffurfio â gofynion cynllun porthladdoedd dynodedig (os oes un) neu roi 4 awr o rybudd i awdurdodau cymwys yr Aelod-Wladwriaeth dadlwytho o'u bwriad i ddadlwytho;

3. rheolau newydd ynglŷn â chyflwyno nodiadau gwerthu, datganiadau trafniadaeth a datganiadau cymryd trosodd; a

4. estyn nifer o ofynion i gychod pysgota trydydd gwledydd.

Gwelir cosbau am dorri darpariaethau'r Gymuned yn Erthyglau 4 o'r Gorchymyn a'r Atodlen iddo.

At ddibenion gorfodi mesurau rheoli'r Gymuned a benodwyd yn yr Atodlen, mae'r Gorchymyn hwn yn rhoi i swyddogion pysgodfeydd morol Prydain, yn gweithredu tu mewn i Gymru (sy'n cynnwys y moroedd tiriogaethol sy'n gyfochrog â Chymru), y pwerau canlynol:-

- i fynd ar dir neu i mewn i adeiladau;
- i fynd ar gychod pysgota;
- i stopio ac archwilio cerbydau sy'n cario pysgod;
- i archwilio pysgod;
- i orfodi cyflwyno dogfennau;
- chwilio am ddogfennau a'u cymryd;
- i fynd â chwch i'r porthladd cyfleus agosaf; ac
- i atafaelu pysgod a chyfarpar pysgota.

(Erthyglau 6, 7 ac 8 o'r Gorchymyn).

Gwneir darpariaeth hefyd ar gyfer erlyn tramgwyddwyr a chosbi unrhyw un a geir yn euog o roi gwybodaeth anghywir neu o rwystro swyddog pysgodfeydd morol Prydeinig (Erthyglau 3 a 10 o'r Gorchymyn). Ar hyn o bryd, yr uchafswm statudol a bennir yn yr Atodlen yw £5,000.

Mae'r Gorchymyn yn darparu pwerau i gasglu dirwyon a roddir gan lysoedd ynadon (Erthygl 5 o'r Gorchymyn).

Mae Erthyglau 9, 11 a 12 yn cynnwys darpariaethau atodol.

2. the requirement for vessels wishing to land catches into a Member State other than the flag Member State to comply with the requirements of a designated ports scheme (if any) or give 4 hours advance notification of their intention to land to the competent authorities of the Member State of landing;

3. new rules in respect of the submission of sales notes, transport declarations and take over declarations; and

4. the extension of a number of requirements to third country fishing vessels.

Penalties for contravention of the Community provisions are to be found in Articles 4 of, and the Schedule to, the Order.

For the purpose of enforcing the Community control measures specified in the Schedule, this Order confers on British sea-fishery officers, acting within Wales (which includes the territorial sea adjacent to Wales), the following powers:-

- to enter premises,
- to go on board fishing boats,
- to stop and search vehicles transporting fish,
- to examine fish,
- to require the production of documents,
- to search for and seize documents,
- to take a boat to the nearest convenient port and
- to seize fish and fishing gear

(articles 6, 7 and 8 of the Order).

Provision is also made for the prosecution of offenders and for the punishment of anyone found guilty of furnishing false information or obstructing a British sea-fishery officer (articles 3 and 10 of the Order). The statutory maximum penalty specified in the Schedule is currently £5,000.

The Order provides powers for the recovery of fines imposed by a magistrates court (article 5 of the Order).

Articles 9, 11 and 12 contain ancillary provisions.

2000 Rhif 1075 (Cy.69)

2000 No. 1075 (W.69)

**PYSGODFEYDD MÔR,
CYMRU**

**SEA FISHERIES,
WALES**

**Gorchymyn Pysgota Môr (Gorfodi
Mesurau Rheoli'r Gymuned)
(Cymru) 2000**

**The Sea Fishing (Enforcement of
Community Control Measures)
(Wales) Order 2000**

*Wedi'i wneud**29 Mawrth 2000**Made**29th March 2000**Yn dod i rym**1 Ebrill 2000**Coming into force**1st April 2000*

Drwy arfer y pwerau a roddwyd gan adran 30(2) o Ddeddf Pysgodfeydd 1981(a) ac a freinir ynddo, mae Cynulliad Cenedlaethol Cymru(b) drwy hyn yn gwneud y Gorchymyn canlynol:-

In exercise of the powers conferred by section 30(2) of the Fisheries Act 1981(a), which are now vested in it, the National Assembly for Wales(b) hereby makes the following Order:-

Enw, cychwyn a chymhwyso

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Pysgota Môr (Gorfodi Mesurau Rheoli'r Gymuned) (Cymru) 2000 a daw i rym ar 1 Ebrill 2000.

(2) Mae'r Gorchymyn hwn yn gymwys i Gymru'n unig.

Title, commencement and application

1.-(1) This Order may be cited as the Sea Fishing (Enforcement of Community Control Measures) (Wales) Order 2000 and shall come into force on 1st April 2000.

(2) This Order applies to Wales only.

Dehongli

2.-(1) Yn y Gorchymyn hwn:-

ystyr "cludwr" ("*transporter*") yw perchennog neu huriwr cerbyd, neu'r person sy'n gyfrifol am unrhyw gerbyd, a ddefnyddir i gario cynhyrchion pysgodfeydd;

Interpretation

2.-(1) In this Order-

"Community control measure" ("*mesurau rheoli'r Gymuned*") means a provision of Regulation 2847/93 or of Regulation 1382/87 specified in Column 1 of the Schedule;

(a) 1981 p.29. Gweler adran 30(3) am ddiffiniadau "cyfyngiad Cymunedol gorfodadwy" (enforceable Community restriction), "rhwymedigaeth Cymunedol gorfodadwy" (enforceable community obligation) ac "y Gweinidogion" (the Ministers), fel y diwygiwyd gan Atodlen 2 paragraff 68(5) i Orchymyn Deddf yr Alban 1998 (Addasiadau Canlyniadol) (Rhif 2) 1999 (O.S. 1999/1820). Mae Erthygl 3(1) o Orchymyn Deddf yr Alban (Swyddogaethau Cydgyfeiriol) 1999 (O.S. 1999/1592) ac Atodlen 1 iddo yn darparu bod y swyddogaethau o dan adran 30(2) o Ddeddf 1981 i gael eu gweithredu gan y Gweinidogion, yn gydgyfeiriol â Gweinidogion yr Alban, mewn perthynas â chychod pysgota Prydeinig perthnasol o fewn y parth Albanaidd; a chychod pysgota Albanaidd o fewn ffiniau pysgota Prydain ond y tu allan i'r parth Albanaidd (am "y parth Albanaidd" gweler adran 126 o Ddeddf yr Alban 1998 (p.46) a Gorchymyn Ffiniau Dyfroedd Cyfagos yr Alban 1999 (O.S. 1999/1126)).

(b) Yn rhinwedd Gorchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672), trosglwyddwyd swyddogaethau'r Gweinidog Amaeth, Pysgodfeydd a Bwyd a'r Ysgrifennydd Gwladol ynglŷn â physgota môr yng Nghymru, yr Alban a Gogledd Iwerddon o dan adran 30(2) o Ddeddf Pysgodfeydd 1981 (p.29) i Gynulliad Cenedlaethol Cymru i'r graddau y bônt yn arferadwy mewn perthynas â Chymru.

(a) 1981 c.29. See section 30(3) for the definitions of "enforceable Community restriction" ("cyfyngiad Cymunedol gorfodadwy"), "enforceable Community obligation" ("rhwymedigaeth Cymunedol gorfodadwy") and "the Ministers", ("y Gweinidogion") as modified by Schedule 2 paragraph 68(5) of the Scotland Act 1998 (Consequential Modifications)(No.2) Order 1999 (S.I. 1999/1820). Article 3(1) and Schedule 1 of the Scotland Act 1998 (Concurrent Functions) Order 1999 (S.I. 1999/1592) provide for the functions exercisable under section 30(2) of the 1981 Act to be exercised by the Ministers, concurrently with Scottish Ministers, in relation to relevant British fishing boats within the Scottish zone; and, Scottish fishing boats within British fishery limits but outside the Scottish zone (for "the Scottish zone" see section 126 of the Scotland Act 1998 (c.46) and the Scottish Adjacent Waters Boundaries Order 1999 (S.I. 1999/1126)).

(b) By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the functions of the Minister of Agriculture Fisheries and Food, and the Secretaries of State respectively concerned with sea fishing in Wales, Scotland and Northern Ireland under section 30(2) of the Fisheries Act 1981 (c.29) were, so far as they were exercisable in relation to Wales, transferred to the National Assembly for Wales.

mae ystyr "cwch pysgota" ("*fishing boat*") yn cynnwys cwch derbyn a chwch trydydd gwlad o fewn yr ystyr yn Rheoliad 2847/93;

ystyr "cwch pysgota Albanaidd" ("*Scottish fishing boat*") yw cwch pysgota a gofrestrwyd ar y rhestr a gedwir o dan adran 8 o Ddeddf Llongau Masnachol 1995(a) ac y mae'r manylion ar y gofrestr yn dangos porthladd yn yr Alban fel y porthladd y dylid ei drin fel y porthladd y mae'n perthyn iddo;

ystyr "cwch pysgota Prydeinig perthnasol" ("*relevant British fishing boat*") yw cwch pysgota nad yw'n gwch pysgota Albanaidd sydd wedi ei gofrestru yn y Deyrnas Unedig o dan Rhan II o Ddeddf Llongau Masnachol 1995 neu sydd wedi ei pherchnogi'n llwyr gan bersonau sy'n gymwys i berchnogi llongau Prydeinig at ddibenion y rhan honno o'r Deddf;

mae "cynhyrchion pysgodfeydd" ("*fishery products*") yn cynnwys pysgod;

ystyr "dogfen drafndiaeth" ("*transport document*") yw dogfen wedi'i pharatoi yn unol ag Erthygl 13 o Reoliad 2847/93;

ystyr "mesurau rheoli'r Gymuned" ("*Community control measure*") yw darpariaeth o Reoliad 2847/93 neu o Reoliad 1382/87 a bennir yng Ngholofn 1 o'r Atodlen;

ystyr "Rheoliad 2807/83" ("*Regulation 2807/83*") yw Rheoliad y Comisiwn (CEE) Rhif 2807/83 a osododd allan reolau manwl ar gyfer cofnodi gwybodaeth ar ddalfeydd o bysgod Aelod-Wladwriaethau(b) fel a ddiwygiwyd gan Reoliad y Comisiwn (CEE) Rhif 473/89(c), Rheoliad y Comisiwn (CE) Rhif 2945/95(ch), Rheoliad y Comisiwn (CE) Rhif 395/98(d), Rheoliad y Comisiwn 1488/98(dd) a Rheoliad y Comisiwn (CE) Rhif 2737/99(e);

ystyr "Rheoliad 1382/87" ("*Regulation 1382/87*") yw Rheoliad y Comisiwn (CEE) Rhif 1382/87 a sefydlodd reolau manwl ynglŷn ag archwilio cychod pysgota(f);

"fishing boat" ("*cwch pysgota*") includes a receiving vessel and a third country vessel, within the meaning of Regulation 2847/93;

"fishery products" ("*cynhyrchion pysgodfeydd*") includes fish;

"Regulation 2807/83" ("*Rheoliad 2807/83*") means Commission Regulation (EEC) No. 2807/83 laying down detailed rules for recording information on Member States' catches of fish(a) as amended by Commission Regulation (EEC) No. 473/89(b), Commission Regulation (EC) No. 2945/95(c), Commission Regulation (EC) No. 395/98(d), Commission Regulation (EC) No. 1488/98(e) and Commission Regulation (EC) No. 2737/99(f);

"Regulation 1382/87" ("*Rheoliad 1382/87*") means Commission Regulation (EEC) No. 1382/87 establishing detailed rules concerning the inspection of fishing vessels(g);

"Regulation 2847/93" ("*Rheoliad 2847/93*") means Council Regulation (EEC) No. 2847/93 establishing a control system applicable to the common fisheries policy(h) as amended by Council Regulation (EC) No. 2870/95(i), Council Decision (EC) 95/528(j), Council Regulation (EC) 2489/96(k), Council Regulation (EC) 686/97(l), Council Regulation (EC) 2205/97(m), Council Regulation (EC) 2635/97(n) and Council Regulation (EC) 2846/98(o);

"Regulation 1449/98" ("*Rheoliad 1449/98*") means Commission Regulation (EC) No. 1449/98 laying down detailed rules for the application of Council Regulation (EEC) No. 2847/93 as regards effort reports(p)

"relevant British fishing boat" ("*cwch pysgota Prydeinig berthnasol*") means a fishing boat, other than a Scottish fishing boat, which is registered in the United Kingdom under Part II of the Merchant Shipping Act 1995(q) or is owned wholly by persons qualified to own British ships for the purposes of that part of the Act;

(a) 1995 p.21.

(b) OJ Rhif L276 10.10.83, t.1.

(c) OJ Rhif L53 25.2.89, t.34.

(ch) OJ Rhif L308, 21.12.95, t.18.

(d) OJ Rhif L50, 20.2.98, t.17.

(dd) OJ Rhif L196, 14.7.98, t.3.

(e) OJ Rhif L328, 22.12.99, t.54.

(f) OJ Rhif L132, 21.5.87, t.11.

(a) OJ No. L276, 10.10.83, p.1.

(b) OJ No. L53, 25.2.89, p.34.

(c) OJ No. L308, 21.12.95, p.18.

(d) OJ No. L50, 20.2.98, p.17.

(e) OJ No. L196, 14.7.98, p.3.

(f) OJ No. L328, 22.12.99, p.54.

(g) OJ No. L132, 21.5.87, p.11.

(h) OJ No. L261, 20.10.93, p.1.

(i) OJ No. L301, 14.12.95, p.1.

(j) OJ No. L301, 14.12.95, p.35.

(k) OJ No. L338, 28.12.96, p.12.

(l) OJ No. L102, 19.4.97, p.1.

(m) OJ No. L304, 7.11.97, p.1.

(n) OJ No. L356, 31.12.97, p.14.

(o) OJ No. L358, 31.12.98, p.5.

(p) OJ No. L192, 8.7.98, p.4.

(q) 1995, c.21

ystyr "Rheoliad 2847/93" ("*Regulation 2847/93*") yw Rheoliad y Cyngor (CEE) Rhif 2847/93 a sefydlodd gyfundrefn reoli gymwys i'r polisi pysgodfeydd cyffredin(a) fel y'i diwygiwyd gan Reoliad y Cyngor (CE) Rhif 2870/95(b), Penderfyniad y Cyngor (CE) 95/528(c), Rheoliad y Cyngor (CE) 2489/96(ch), Rheoliad y Cyngor (CE) 686/97(d), Rheoliad y Cyngor (CE) 2205/97(dd), Rheoliad y Cyngor (CE) 2635/97(e) a Rheoliad y Cyngor (CE) 2846/98(f);

ystyr "Rheoliad 1449/98" ("*Regulation 1449/98*") yw Rheoliad y Comisiwn (CE) Rhif 1449/98 a osododd allan reoliadau manwl ar gyfer cymhwyso Rheoliad y Cyngor (CEE) Rhif 2847/93 i adroddiadau ymdrech(ff).

ystyr "tramgwydd perthnasol" ("*relevant offence*") yw tramgwydd o dan:

(a) Erthygl 3 o'r Gorchymyn hwn, neu

(b) unrhyw ddarpariaeth mewn gorchymyn sy'n ymestyn i unrhyw ran arall o'r Deyrnas Unedig a wnaed at ddibenion gweithredu mesur rheoli'r Gymuned, sydd yn ddarpariaeth, yn rhinwedd adran 30(2A) o Deddf Pysgodfeydd 1981(g), y gellid cychwyn achos ynglŷn ag ef mewn unrhyw le yn y Deyrnas Unedig.

Mae "Cymru" i'w ddehongli yn unol ag Adrannau 155(1) a (2) o Ddeddf Llywodraeth Cymru 1998(ng).

(2) Yn y Gorchymyn hwn mae unrhyw gyfeiriad at goflyfr, datganiad neu ddogfen yn cynnwys, yn ogystal â choflyfr, datganiad neu ddogfen ysgrifenedig-

- (i) unrhyw fap, plan, graff neu ddarlun,
- (ii) unrhyw ffotograff,
- (iii) unrhyw ddata, ym mha bynnag ffordd yr hatgynhyrchir, a gyfathrebir trwy system fonitro cychod sy'n seiliedig ar loeren a sefydlwyd o dan Erthygl 3.1 o Reoliad 2847/93,
- (iv) unrhyw ddisg, tâp, trac sain neu ddyfais arall sy'n recordio synau neu ddata arall (heb fod yn gymhorthion gwledol) fel

"relevant offence" ("*tramgwydd perthnasol*") means an offence under:

(a) article 3 of this Order, or

(b) any provision in an order extending to any other part of the United Kingdom made for the purposes of implementing a Community control measure, being a provision in respect of which, by virtue of section 30(2A)(a) of the Fisheries Act 1981, proceedings may be commenced in any place in the United Kingdom;

"Scottish fishing boat" ("*cwch pysgota Albanaidd*") means a fishing vessel which is registered in the register maintained under section 8 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Scotland as the port to which the vessel is to be treated as belonging;

"transport document" ("*dogfen drafndiaeth*") means a document drawn up in accordance with Article 13 of Regulation 2847/93;

"transporter" ("*cludwr*") means the owner or the hirer of, or the person responsible for, any vehicle used to transport fisheries products.

"Wales" is to be interpreted in accordance with section 155(1) and (2) of the Government of Wales Act 1998(b).

(2) In this Order any reference to a logbook, declaration or document includes, in addition to a logbook, declaration or document in writing-

- (i) any map, plan, graph or drawing,
- (ii) any photograph,
- (iii) any data, howsoever reproduced, communicated via a satellite-based vessel monitoring system established under Article 3.1 of Regulation 2847/93,
- (iv) 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

(a) OJ Rhif L261, 20.10.93, t.1.

(b) OJ Rhif L301, 14.12.95, t.1.

(c) OJ Rhif L301, 14.12.95, t.35.

(ch) OJ Rhif L338, 28.12.96, t.12.

(d) OJ Rhif L102, 19.4.97, t.1.

(dd) OJ Rhif L304, 7.11.97, t.1.

(e) OJ Rhif L356, 31.12.97, t.14.

(f) OJ Rhif L358, 31.12.98, t.5.

(ff) OJ Rhif L192, 8.7.98, t.4.

(g) A fewnosodwyd gan Orchymyn Deddf yr Alban 1998 (Addasiadau Canlyniadol) (Rhif 2) 1999 (O.S. 1999/1820).

(ng) 1998 p.38.

(a) Inserted by the Scotland Act 1998 (Consequential Modifications) (No.2) Order 1999 (S.I. 1999/1820).

(b) 1998, c.38.

bod modd eu hatgynhyrchu (gyda neu heb gymorth unrhyw gyfarpar arall), a

(v) unrhyw ffilm (gan gynnwys microffilm), negatif, tâp, disg neu ddyfais arall y mae un neu fwy o ddelweddau gweledol yn cael eu recordio arnynt fel bod modd eu hatgynhyrchu ohonynt.

(3) Mae unrhyw gyfeiriad yn y Gorchymyn hwn-

(a) at Atodlen yn gyfeiriad at Atodlen i'r Gorchymyn hwn; a

(b) at offeryn y Gymuned yn gyfeiriad at yr offeryn hwnnw ac unrhyw ddiwygiad i offeryn o'r fath ar y dyddiad y gwneir y Gorchymyn hwn;

(c) at Erthygl wedi'i rifo o Reoliad y Cyngor 2847/93 yn gyfeiriad i'r Erthygl a rifwyd felly yn y Rheoliad hwnnw wrth ei ddarllen gydag unrhyw reolau manwl ar gyfer dehongli'r Erthygl honno a ragnodir yn yr eitem briodol yng ngholofn 2 o'r Atodlen.

(4) Ni ddylid darllen colofn 3 o'r Atodlen (sy'n dangos pwnc pob mesur rheoli'r Gymuned) mewn modd sy'n cyfyngu cwmpas unrhyw fesur rheoli'r Gymuned a dylid ei anwybyddu mewn perthynas ag unrhyw gwestiwn sy'n codi ynglŷn â dehongli'r Gorchymyn hwn.

Tramgwyddo

3.-(1) Pan fydd, mewn cysylltiad ag-

(a) unrhyw gwch pysgota o fewn y môr tiriogaethol cyfagos at Gymru(a);

(b) unrhyw fynediad i'r môr tiriogaethol cyfagos at Gymru gan unrhyw gwch pysgota; neu

(c) unrhyw gynhyrchion pysgodfeydd, tir ac adeiladau neu gerbyd yng Nghymru,

mesur rheoli'r Gymuned a ragnodir yng ngholofn 1 o'r Atodlen yn cael ei dorri, neu fethiant i gydymffurfio ag ef, bydd y personau a bennir yn yr eitem briodol yng ngholofn 5 o'r Atodlen yn euog o dramgwyddo.

(2) Yn ddarostyngedig i baragraff (3) bydd unrhyw berson sydd yn honni cydymffurfio ag Erthyglau 6, 7, 8.1, 9.1, 9.2, 9.5, 11, 12, 13 neu 17.2, Erthyglau 19b a 19c neu Erthyglau 19e, 20.2, 28.2a, 28c, 28e neu 28f o Reoliad 2847/93 drwy roi gwybodaeth y mae'n gwybod ei fod yn anghywir mewn manylyn perthnasol, neu sy'n rhoi gwybodaeth sy'n anghywir mewn manylyn

(with or without the aid of some other equipment) of being reproduced therefrom, and

(v) 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.

(3) Any reference in this Order-

(a) to the Schedule is a reference to the Schedule to this Order; and

(b) to a Community instrument is a reference to that instrument and any amendment of such instrument in force on the date this Order is made;

(c) to a numbered Article of Council Regulation 2847/93 is a reference to the Article so numbered in that Regulation as read with any detailed rules for the implementation of that Article specified in the appropriate entry in column 2 of the Schedule.

(4) Column 3 of the Schedule (which provides in relation to each Community control measure an indication of the subject matter of the measure) shall not be read as limiting the scope of any Community control measure and shall be disregarded in relation to any question arising as to the construction of this Order.

Offences

3.-(1) Where there is, in respect of-

(a) any fishing boat within the territorial sea adjacent to Wales(a) ;

(b) any entry into the territorial sea adjacent to Wales by any fishing boat; or

(c) any fishery products, premises or vehicle in Wales,

a contravention of, or failure to comply with, a Community control measure specified in column 1 of the Schedule, the persons specified in the appropriate entry in column 5 of the Schedule shall each be guilty of an offence.

(2) Subject to paragraph (3), any person who in purported compliance with Articles 6, 7, 8.1, 9.1, 9.2, 9.5, 11, 12, 13 or 17.2, Articles 19b and 19c or Articles 19e, 20.2, 28.2a, 28c, 28e or 28f of Regulation 2847/93, furnishes information which he or she knows to be false in a material particular or recklessly furnishes information which is false in a material

(a) At ddbenion y Gorchymyn hwn dehongli'r "môr tiriogaethol cyfagos at Gymru" yn unol â darpariaethau adran 1 o Ddeddf Môr Tiriogaethol 1987 (p.47) a gyda unrhyw ddarpariaethau a wnaed, neu sydd ag effaith fel petaent wedi eu gwneud, o dan yr adran honno. Bydd y ffin rhwng y darnau hynny o Aberoedd yr Hafren a'r Ddyfrdwy sydd i'w hystyried fel môr tiriogaethol cyfagos at Gymru, a'r darnau sydd ddim, i'w pennu yn unol ag Erthygl 6 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672).

(a) For the purposes of this Order "the territorial sea adjacent to Wales" shall be determined in accordance with the provisions of section 1 of the Territorial Sea Act 1987 (c.47) and with any provisions made, or having effect as if made, under that section. The boundary between those parts of the sea within the Severn and Dee Estuaries which are to be treated as being territorial seas adjacent to Wales, and those which are not, shall in each case, be determined in accordance with Article 6 and Schedule 3 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

perthnasol yn fyrbwyll, yn euog o dramgwydd.

(3) Mae paragraff (2) yn gymwys i roddi unrhyw wybodaeth -

(a) yng Nghymru (sy'n cynnwys y môr tiriogaethol cyfagos at Gymru),

(b) i swyddog pysgodfeydd môr Prydeinig sy'n cyflawni unrhyw swyddogaeth o dan Erthygl 6 neu 7 o'r Gorchymyn hwn,

(c) mewn perthynas ag unrhyw weithgaredd gan gwch pysgod Prydeinig perthnasol, i'r awdurdodau cymwys mewn Aelod-Wladwriaeth arall o fewn ystyr Rheoliad 2847/93.

Cosbi

4.-(1) Bydd person a geir yn euog o dramgwydd o dan Erthygl 3(1) o'r Gorchymyn hwn, neu unrhyw ddarpariaeth cyfatebol mewn gorchymyn sy'n ymestyn i unrhyw ran arall o'r Deyrnas Unedig, os y bu i'r achos gael ei ddwyn yng Nghymru yn rhinwedd adran 30(2A) o Ddeddf Pysgodfeydd 1981, yn agored-

(a) ar gollfarn ddiannod, i ddirwy o ddim mwy na'r swm a bennir yn yr eitem briodol yng ngholofn 4 o'r Atodlen;

(b) ar gollfarn ar inditiad, i ddirwy.

(2) Bydd person a geir yn euog o dramgwydd o dan Erthygl 3(1) o'r Gorchymyn hwn, neu unrhyw ddarpariaeth gyfatebol mewn gorchymyn sy'n ymestyn i unrhyw ran arall o'r Deyrnas Unedig, os y bu i'r achos gael ei ddwyn yng Nghymru yn rhinwedd adran 30(2A) o Ddeddf Pysgodfeydd 1981, wedi'i seilio ar doriad o, neu fethiant i gydymffurfio ag-

(a) Erthyglau 19a.2, 20.1, 20a neu 21c.2 o Reoliad 2847/93 hefyd yn agored-

(i) i fforffedu unrhyw rwyd neu offer pysgota arall y cyflawnwyd y dramgwydd mewn cysylltiad ag ef, neu a ddefnyddiwyd ar gyfer cyflawni'r tramgwydd, neu a ddefnyddiwyd ar gyfer dal unrhyw bysgod arall y cyflawnwyd y tramgwydd mewn cysylltiad â hwy; a

(ii) i fforffedu unrhyw bysgod y cyflawnwyd y dramgwydd mewn cysylltiad â nhw, neu, ar gollfarn ddiannod yn unig, i ddirwy o ddim mwy na gwerth unrhyw bysgod y cyflawnwyd y dramgwydd mewn cysylltiad â nhw; neu

(b) Erthyglau 6, 8.1, 9, 11, 12, 13 neu 17.2, Erthyglau 19b a 19c neu Erthyglau 19e, 20.2, 28c (mewn perthynas â'r gofynion ynglŷn â choflyfr a nodi dalfeydd ar fwrdd y cwch) neu 28d o Reoliad 2847/93 hefyd yn agored i fforffedu unrhyw bysgod y cyflawnwyd y tramgwydd mewn

particular shall be guilty of an offence.

(3) Paragraph (2) applies to any furnishing of information -

(a) in Wales (which includes the territorial sea adjacent to Wales),

(b) to a British sea-fishery officer performing any function under article 6 or 7 of this Order,

(c) in relation to any activity of a relevant British fishing boat, to the competent authorities in another Member State within the meaning of Regulation 2847/93.

Penalties

4.-(1) A person found guilty of an offence under article 3(1) of this Order, or under any equivalent provision in an order extending to any other part of the United Kingdom, proceedings in respect of which were brought in Wales by virtue of section 30(2A) of the Fisheries Act 1981, shall be liable-

(a) on summary conviction to a fine not exceeding the amount specified in the appropriate entry in column 4 of the Schedule;

(b) on conviction on indictment to a fine.

(2) A person found guilty of an offence under Article 3(1) of this Order, or under any equivalent provision in an order extending to any other part of the United Kingdom proceedings in respect of which were brought in Wales by virtue of section 30(2A) of the Fisheries Act 1981, founded on a contravention of, or failure to comply with-

(a) Articles 19a.2, 20.1, 20a or 21c.2 of Regulation 2847/93 shall also be liable-

(i) to the forfeiture of any net or other fishing gear in respect of which the offence was committed, or which was used in committing the offence, or which was used for catching any fish in respect of which the offence was committed; and

(ii) to the forfeiture of any fish in respect of which the offence was committed, or, on summary conviction only, to a fine not exceeding the value of any fish in respect of which the offence was committed; or

(b) Articles 6, 8.1, 9, 11, 12, 13 or 17.2, Articles 19b and 19c or Articles 19e, 20.2, 28c (in relation to the requirements in respect of logbooks and recording of catches on board) or 28d of Regulation 2847/93 shall also be liable to the

cysylltiad â nhw, neu i ddirwy o ddim mwy na gwerth y pysgod y cyflawnwyd y tramgwydd mewn cysylltiad â nhw.

(3) Bydd person a geir yn euog o dramgwydd o dan Erthygl 3(2) o'r Gorchymyn hwn, neu unrhyw ddarpariaeth gyfatebol sy'n ymestyn i unrhyw ran arall o'r Deyrnas Unedig, os y bu i'r achos gael ei ddwyn yng Nghymru yn rhinwedd adran 30(2A) o Ddeddf Pysgodfeydd 1981, hwn yn agored -

(a) ar gollfarn ddiannod, i ddirwy o ddim mwy na £50,000;

(b) ar gollfarn ar inditiad, i ddirwy.

Casglu Dirwyon

5.- (1) Pan orfodir dirwy gan lys ynadon ar feistr, perchennog, siartrwr, person sy'n gyfrifol am gwch neu unrhyw berson arall a gollfernir gan y llys o dramgwydd perthnasol neu dramgwydd o dan Erthygl 10 o'r Gorchymyn hwn, caiff y llys, at ddibenion casglu'r ddirwy, -

(a) gyhoeddi gwarant atafaelu yn erbyn y cwch a oedd yn gysylltiedig â chyflawni'r dramgwydd a'i offer a'i haldiad ac unrhyw eiddo'r person a gollfarnwyd at bwrpas casglu swm y ddirwy; neu

(b) wneud gorchymyn i atal y cwch a'i offer a'i dalfa am gyfnod o ddim mwy na thri mis o ddyddiad y gollfarn neu'r dyddiad y telir y ddirwy neu y cesglir y ddirwy yn unol â gwarant o'r fath, p'un bynnag fydd yn digwydd gyntaf.

(2) Bydd Adranau 77(1) a 78 o Ddeddf Llysoedd Ynadon 1980(a) (gohirio cyhoeddi gwarantau atafaelu, a diffygion ynddynt) yn gymwys i warantau atafaelu a gyhoeddir o dan yr Erthygl hon yn y modd y maent yn gymwys i warantau atafaelu a gyhoeddwyd o dan Ran III o'r Ddeddf honno.

(3) Pan fydd gorchymyn trosglwyddo dirwy mewn cysylltiad â thrangwydd perthnasol yn cael ei wneud o dan adran 90 o Ddeddf Llysoedd Ynadon 1980, Erthygl 95 o Orchymyn Llysoedd Ynadon (Gogledd Iwerddon) 1981(b) neu adran 222 o Ddeddf Gweithdrefn Troseddol (yr Alban) 1995(c) ac yn pennu rhanbarth llys ynadon yng Nghymru, bydd yr Erthygl hon yn gymwys fel petai'r ddirwy wedi ei rhoi gan lys o fewn y rhanbarth llys ynadon hwnnw.

Pwerau swyddogion pysgodfeydd môr Prydeinig mewn perthynas â chychod pysgota

6.-(1) At ddibenion gorfodi Erthygl 3 o'r Gorchymyn hwn, neu unrhyw ddarpariaeth gyfatebol mewn

forfeiture of any fish in respect of which the offence was committed, or to a fine not exceeding the value of any fish in respect of which the offence was committed.

(3) A person found guilty of an offence under article 3(2) of this Order, or under any equivalent provision extending to any other part of the United Kingdom, proceedings in respect of which were brought in Wales by virtue of section 30(2A) of the Fisheries Act 1981, shall be liable -

(a) on summary conviction, to a fine not exceeding £50,000;

(b) on conviction on indictment to a fine.

Recovery of fines

5.-(1) Where a fine is imposed by a magistrates court on the master, owner, charterer, person responsible for the vessel or any other person who is convicted by the court of a relevant offence or an offence under article 10 of this Order, the court may, for the purposes of recovering the fine -

(a) issue a warrant of distress against the boat involved in the commission of the offence and its gear and catch and any property of the person convicted for the purpose of levying the amount of the fine; or

(b) order such boat and its gear and catch to be detained for a period not exceeding three months from the date of the conviction or until the fine is paid or the amount of the fine is levied in pursuance of any such warrant, whichever occurs first.

(2) Sections 77(1) and 78 of the Magistrates' Courts Act 1980(a) (postponement of issue of, and defects in, warrants of distress) shall apply to a warrant of distress issued under this article as they apply to a warrant of distress issued under Part III of that Act.

(3) Where in relation to a fine in respect of a relevant offence a transfer of fine order under section 90 of the Magistrates' Court Act 1980, Article 95 of the Magistrates' Courts (Northern Ireland) Order 1981(b) or section 222 of the Criminal Procedure (Scotland) Act 1995(c) specifies a petty sessions area in Wales, this article shall apply as if the fine were imposed by a court within that petty sessions area.

Powers of British sea-fishery officers in relation to fishing boats

6.-(1) For the purpose of enforcing article 3 of this Order or any equivalent provision in an order

(a) 1980 p.43.

(b) O.S. 1981/1675 (G.I. 26).

(c) 1995 p.46.

(a) 1980 c.43.

(b) S.I. 1981/1675 (N.I. 26).

(c) 1995 c.46.

gorchymyn sy'n ymestyn i unrhyw ran arall o'r Deyrnas Unedig, wedi'i wneud er mwyn gweithredu mesur rheoli'r Gymuned, caiff swyddog pysgodfeydd môr Prydeinig weithredu mewn perthynas ag unrhyw gwch pysgota arall sydd o fewn y môr tiriogaethol cyfagos at Gymru y pwerau a freiniwyd gan baragraffau (2) i (4) o'r Erthygl hwn.

(2) Caiff y swyddog fynd ar fwrdd y cwch, gyda neu heb bersonau a neilltuwyd i gynorthwyo, a chaiff fynnu bod y cwch yn stopio a gwneud unrhyw beth arall a fyddai'n hwyluso un ai mynd ar fwrdd y cwch neu fynd oddi arni.

(3) Caiff y swyddog fynnu presenoldeb y meist'r ac unrhyw berson arall sydd ar y cwch a chaiff wneud archwiliad ac ymholiadau sy'n ymddangos i'r swyddog yn angenrheidiol at y diben a nodwyd ym mharagraff (1) o'r Erthygl hon ac, yn arbennig-

(a) caiff chwilio am bysgod neu offer pysgota ar y cwch a chaiff archwilio unrhyw bysgod ar y cwch a chyfarpar y cwch, gan gynnwys yr offer pysgota, a chaiff fynnu bod pobl sydd ar fwrdd y cwch yn gwneud unrhyw beth sy'n ymddangos i'r swyddog yn angenrheidiol ar gyfer hwyluso'r archwiliad;

(b) caiff fynnu bod unrhyw berson sydd ar fwrdd y cwch yn cyflwyno unrhyw ddogfen ynglŷn â'r cwch, ag unrhyw weithrediadau pysgota neu unrhyw weithrediadau ategol iddynt neu â'r personau sydd ar fwrdd y cwch sydd yng ngwarchodaeth neu feddiant y person hwnnw;

(c) at bwrpas canfod a oes tramgwydd perthnasol wedi'i gyflawni, caiff chwilio'r cwch am unrhyw ddogfen a gall fynnu bod unrhyw berson ar fwrdd y cwch yn gwneud unrhyw beth sy'n ymddangos i'r swyddog yn angenrheidiol i hwyluso'r chwilio;

(ch) arolygu, copïo a chadw meddiant yn ystod y chwilio, archwilio ac arolygu y darparwyd ar ei gyfer o dan yr Erthygl hon, o unrhyw ddogfen o'r fath a gyflwynir i'r swyddog neu a ddeuir o hyd iddi ar fwrdd y cwch;

(d) heb ragfarn i is-baragraffau (c) a (ch), gall fynnu bod y meist'r ac unrhyw berson sydd am y tro yn gyfrifol am y cwch yn cyflwyno unrhyw ddogfennau o'r fath sydd ar system gyfrifiadurol mewn ffurf weladwy a darllenadwy, gan gynnwys mynnu bod unrhyw ddogfen o'r fath yn cael ei chyflwyno mewn ffurf y gellir mynd a hi oddi yno; ac

(dd) os oes gan y swyddog reswm dros amau fod tramgwydd perthnasol wedi'i gyflawni mewn perthynas â'r cwch, caiff gymryd a chadw unrhyw ddogfen a gyflwynir neu a ddeuir o hyd iddi ar fwrdd y cwch er mwyn galluogi defnyddio'r ddogfen fel tystiolaeth mewn unrhyw achos ynglŷn â'r tramgwydd;

ond nid yw unrhyw beth yn is-baragraff (dd) uchod yn caniatáu cymryd a chadw unrhyw ddogfen y mae'r gyfraith yn mynnu ei bod yn cael ei chario ar fwrdd y

extending to any other part of the United Kingdom made for the purposes of implementing a Community control measure, a British sea-fishery officer may exercise in relation to any fishing boat within the territorial sea adjacent to Wales the powers conferred by paragraphs (2) to (4) of this article.

(2) The officer may go on board the boat, with or without persons assigned to assist with his or her duties, and may require the boat to stop and do anything else which will facilitate either the boarding of, or the disembarkation from, the boat.

(3) The officer may require the attendance of the master and other persons on board the boat and may make any examination and inquiry which appears to the officer to be necessary for the purpose mentioned in paragraph (1) of this Article and, in particular -

(a) may search for fish or fishing gear on the boat and may examine any fish on the boat and the equipment of the boat, including the fishing gear, and require persons on board the boat to do anything which appears to the officer to be necessary for facilitating the examination;

(b) may require any person on board the boat to produce any document relating to the boat, to any fishing operations or other operations ancillary thereto or to the persons on board which is in that person's custody or possession;

(c) for the purpose of ascertaining whether a relevant offence has been committed, may search the boat for any such document and may require any person on board the boat to do anything which appears to the officer to be necessary for facilitating the search;

(d) inspect, take copies of and retain in his or her possession while completing any search, examination and inspection provided for under this article, any such document produced to the officer or found on board;

(e) without prejudice to sub-paragraphs (c) and (d), may require the master and any person for the time being in charge of the boat to render all such documents on a computer system into a visible and legible form, including requiring any such document to be produced in a form in which it may be taken away; and

(f) where the boat is one in relation to which the officer has reason to suspect that a relevant offence has been committed, may seize and detain any such document produced or found on board for the purpose of enabling the document to be used as evidence in proceedings for the offence;

but nothing in sub-paragraph (f) above shall permit any document required by law to be carried on board the boat to be seized and

cwch, ac eithrio pan fydd y cwch yn cael ei ddal mewn porthladd.

(4) Pan fydd yn ymddangos i swyddog pysgodfeydd môr Prydeinig fod tramgwydd perthnasol wedi'i gyflawni, caiff-

(a) fynnu bod meist'r y cwch y cyflawnwyd y tramgwydd mewn cysylltiad ag ef yn mynd â'r cwch a'i griw i'r porthladd sy'n ymddangos i'r swyddog fel y porthladd cyfleus agosaf, neu caiff y swyddog wneud hynny ei hun; a

(b) ddal, neu fynnu bod y meist'r yn dal, y cwch yn y porthladd;

a phan fydd swyddog o'r fath yn dalcwch, neu'n mynnu bod y cwch yn cael ei ddal, rhaid iddo gyflwyno i'r meist'r hysbysiad ysgrifenedig y bydd, neu fod, angen dal y cwch hyd oni thynnir yr hysbysiad yn ôl drwy gyflwyno i'r meist'r hysbysiad ysgrifenedig arall a lofnodwyd gan swyddog pysgodfeydd môr Prydeinig.

Pwerau swyddogion pysgodfeydd môr Prydeinig ar y tir

7.-(1) At bwrpas gorfodi darpariaethau Erthygl 3 o'r Gorchymyn hwn neu unrhyw ddarpariaeth cyfatebol mewn gorchymyn sy'n ymestyn i unrhyw ran arall o'r Deyrnas Unedig, wedi'i wneud er mwyn gweithredu mesur rheoli'r Gymuned, caiff unrhyw swyddog pysgodfeydd môr Prydeinig, yng Nghymru -

(a) fynd i mewn ac archwilio ar unrhyw adeg rhesymol unrhyw adeiladau a ddefnyddir ar gyfer rhedeg busnes mewn cysylltiad â gweithio cychod pysgota neu unrhyw weithgarwch sy'n gysylltiedig â hynny neu'n ategol ato neu mewn cysylltiad â thrin, cadw a gwerthu pysgod môr;

(b) cymeryd gydag ef neu hi unrhyw bersonau eraill sy'n ymddangos i'r swyddog yn angenrheidiol ac unrhyw gyfarpar ac offer;

(c) archwilio unrhyw bysgod yn yr adeiladau a mynnu bod unrhyw bersonau yno'n gwneud unrhyw beth sy'n ymddangos i'r swyddog yn angenrheidiol ar gyfer hwyluso'r archwilio;

(ch) cyflawni yn yr adeiladau o'r fath unrhyw archwiliadau ac arbrofion eraill a fydd yn rhesymol angenrheidiol;

(d) mynnu na fydd neb yn cael gwared neu beri i rywun gael gwared ar unrhyw bysgod o adeiladau o'r fath yn ystod y cyfnod a fydd yn rhesymol angenrheidiol i sefydlu os cyflawnwyd tramgwydd perthnasol ar unrhyw adeg;

(dd) mynnu fod unrhyw berson yn yr adeiladau yn cyflwyno unrhyw ddogfennau yn eu gwarchodaeth neu feddiant mewn perthynas â dal, dadlwytho, cario, trawslwytho, gwerthu neu gael gwared ar unrhyw bysgod môr;

detained except while the boat is detained in a port.

(4) Where it appears to a British sea-fishery officer that a relevant offence has at any time been committed, the officer may-

(a) require the master of the boat in relation to which the offence took place to take, or the officer may personally take, the boat and its crew to the port which appears to the officer to be the nearest convenient port; and

(b) detain or require the master to detain the boat in the port;

and where such an officer detains or requires the detention of a boat the officer shall serve on the master a notice in writing stating that the boat will be or is required to be detained until the notice is withdrawn by the service on the master of a further notice in writing signed by a British sea-fishery officer.

Powers of British sea-fishery officers on land

7.-(1) For the purpose of enforcing the provisions of article 3 of this Order or any equivalent provision in an order extending to any other part of the United Kingdom made for the purposes of implementing a Community control measure, any British sea-fishery officer may in Wales -

(a) enter and inspect at any reasonable time any premises used for carrying on any business in connection with the operation of fishing boats or activities connected therewith or ancillary thereto or with the treatment, storage or sale of sea fish;

(b) take with him or her such other persons as appear to the officer to be necessary and any equipment or materials;

(c) examine any fish on the premises and require persons on the premises to do anything which appears to the officer to be necessary for facilitating the examination;

(d) carry out at such premises such other inspections or tests as may reasonably be necessary;

(e) require any person not to remove or cause to be removed any fish from such premises for such a period as may be reasonably necessary for the purposes of establishing whether a relevant offence has at any time been committed;

(f) require any person on the premises to produce any documents which are in his or her custody or possession relating to the catching, landing, transportation, trans-shipment, sale or disposal of any sea fish;

(e) (at bwrpas canfod a oes unrhyw berson wedi cyflawni tramgwydd perthnasol) chwilio'r adeiladau am unrhyw ddogfen o'r fath a mynnu bod unrhyw berson yn yr adeiladau'n gwneud unrhyw beth sy'n ymddangos i'r swyddog yn angenrheidiol i hwyluso'r chwilio;

(f) arolygu a chymeryd copïau o unrhyw ddogfen o'r fath a gyflwynir i'r swyddog neu y deuir o hyd iddi yn yr adeiladau;

(ff) fynnu bod unrhyw berson addas neu gyfrifol yn cyflwyno unrhyw ddogfen o'r fath sydd ar system gyfrifiadurol mewn ffurf weladwy a darllenadwy, gan gynnwys mynnu bod unrhyw ddogfen o'r fath yn cael ei chyflwyno mewn ffurf y gellir mynd a hi oddi yno; ac

(g) os oes gan y swyddog reswm dros amau bod tramgwydd perthnasol wedi'i gyflawni, caiff gymryd a chadw unrhyw ddogfen a gyflwynir neu y deuir o hyd iddi yn yr adeiladau at bwrpas galluogi defnyddio'r ddogfen fel tystiolaeth mewn unrhyw achos ynglŷn â'r tramgwydd.

(2) Bydd darpariaethau paragraff (1) uchod yn gymwys, gyda'r newidiadau angenrheidiol, mewn perthynas ag unrhyw dir a ddefnyddir mewn cysylltiad ag unrhyw un o'r gweithgareddau a ddisgrifir ym mharagraff (1) uchod, neu mewn cysylltiad ag unrhyw gerbyd y mae gan swyddog pysgodfeydd môr Prydeinig achos rhesymol dros gredu ei fod wedi cael ei ddefnyddio i gario cynhyrchion pysgodfeydd, yn yr un modd ac y maent yn gymwys i adeiladau, ac yn achos cerbyd maent yn cynnwys yr hawl i fynnu ar unrhyw adeg bod cerbyd yn stopio, ac, os oes angen, i gyfarwyddo'r cerbyd i ryw fan arall i hwyluso'r archwilio.

(3) Os yw ynad heddwch ar ôl derbyn datganiad ysgrifenedig ar lw wedi'i fodloni -

(a) bod sail resymol dros gredu bod unrhyw ddogfennau neu eitemau eraill y mae gan swyddog pysgodfeydd môr Prydeinig hawl i'w harchwilio o dan yr Erthygl hon ar unrhyw dir neu yn unrhyw adeilad a bod eu harchwilio yn debyg o ddatgelu tystiolaeth bod tramgwydd perthnasol wedi'i gyflawni; a

(b) naill ai-

(i) bod mynediad i'r tir ac adeiladau wedi'i wrthod neu'n debyg o gael ei wrthod a bod hysbysiad o'r bwriad i wneud cais am warant wedi'i roddi i'r meddiannydd; neu

(ii) y byddai cais am fynediad neu roi hysbysiad o'r fath yn rhwystro bwriad y mynediad i'r tir ac adeiladau, neu fod y tir ac adeiladau yn wag, neu fod y meddiannydd yn absennol dros dro, ac y gallai rwystro'r bwriad petaent yn aros i'r meddiannydd ddychwelyd;

(g) for the purpose of ascertaining whether any person on the premises has committed a relevant offence, search the premises for any such document and may require any person on the premises to do anything which appears to the officer to be necessary for facilitating the search;

(h) inspect and take copies of any such document produced to the officer or found on the premises;

(i) require any appropriate or responsible person to render any such document on a computer system into a visible and legible form; including requiring any such document to be produced in a form in which it may be taken away; and

(j) if the officer has reason to suspect that a relevant offence has been committed, seize and detain any such document produced or found on the premises for the purpose of enabling the document to be used in proceedings for the offence.

(2) The provisions of paragraph (1) above shall apply with necessary modifications in relation to any land used in connection with any of the activities described in paragraph (1) above, or in respect of any vehicle which a British sea-fishery officer has reasonable cause to believe is being used to transport fisheries products, as they apply in relation to premises and, in the case of a vehicle, shall include power to require the vehicle to stop at any time and, if necessary, direct the vehicle to some other place to facilitate the inspection.

(3) If a justice of the peace on sworn information in writing is satisfied-

(a) that there is reasonable ground to believe that any documents or other items which a British sea-fishery officer has power under this article to inspect are on any premises and that their inspection is likely to disclose evidence of the commission of a relevant offence; and

(b) either-

(i) that admission to the premises has been or is likely to be refused and that notice of intention to apply for a warrant has been given to the occupier; or

(ii) that an application for admission or the giving of such notice would defeat the object of the entry, or that the premises are unoccupied, or that the occupier is temporarily absent and it might defeat the object of the entry to await the occupier's return;

fe gaiff yr ynad lofnodi warant fydd yn ddilys am fis, a fydd yn awdurdodi swyddog pysgodfeydd môr Prydeinig i fynd ar y tir ac i'r adeiladau, gan ddefnyddio grym rhesymol petai angen, ac i fynd a'r bobl y mae'r swyddog yn credu sydd eu hangen.

Pwerau swyddogion pysgodfeydd môr Prydeinig i atafaelu pysgod ac offer pysgota

8.- Yng Nghymru (sy'n cynnwys y môr tiriogaethol sy'n gyfochrog â Chymru) caiff unrhyw swyddog pysgodfeydd môr Prydeinig, mewn perthynas ag unrhyw gwch pysgota, atafaelu-

(a) unrhyw bysgod (gan gynnwys unrhyw gynhwysydd sy'n dal y pysgod) y mae gan y swyddog sail resymol dros amau fod tramgwydd perthnasol wedi'i gyflawni mewn cysylltiad â hwy, a'r tramgwydd hwnnw wedi'i seilio ar dorri neu fethu a chydymffurfio ag Erthyglau 6, 8.1, 9, 11, 12, 13, 17.2 neu 19a.2, Erthyglau 19b a 19c, Erthyglau 19e, 20.2 neu 21c.2 neu Erthyglau 28c neu 28d o Reoliad 2847/93;

(b) unrhyw bysgod a ddaliwyd gan rwyd y mae gan y swyddog sail resymol dros amau fod tramgwydd perthnasol wedi'i gyflawni mewn cysylltiad ag ef a'r tramgwydd hwnnw wedi'i seilio ar dorri neu fethu a chydymffurfio ag Erthyglau 20.1 neu 20a o Reoliad 2847/93; ac

(c) unrhyw rwyd neu offer pysgota arall-

(i) y mae gan y swyddog sail resymol dros amau fod tramgwydd perthnasol wedi'i gyflawni mewn cysylltiad ag ef a'r tramgwydd hwnnw wedi'i seilio ar dorri neu fethu a chydymffurfio ag Erthyglau 20.1 neu 20a o Reoliad 2847/93; neu

(ii) y mae gan y swyddog sail resymol dros amau ei fod wedi cael ei ddefnyddio i ddal pysgod a bod tramgwydd perthnasol wedi'i gyflawni mewn cysylltiad â hwy a'r tramgwydd hwnnw wedi'i seilio ar dorri neu fethu a chydymffurfio ag Erthyglau 19a.2 neu 21c.2 o Reoliad 2847/93.

Amddiffyn swyddogion

9. Ni fydd swyddog pysgodfeydd môr Prydeinig neu berson sy'n ei gynorthwyo yn rhinwedd Erthyglau 6(2) neu 7(1)(b) o'r Gorchymyn hwn yn agored i achosion sifil neu droseddol am unrhyw beth a wnaeth drwy arfer honedig o'r pwerau a freiniwyd ynddo neu ynddi yn rhinwedd Erthygl 6, 7 neu 8 o'r Gorchymyn hwn os yw'r llys wedi'i fodloni fod y weithred wedi'i gwneud yn ddiwyll, bod sail resymol dros wneud hynny a'i bod wedi'i gwneud gyda gallu a gofal resymol.

the justice may by warrant signed by him or her, and valid for one month, authorise a British sea-fishery officer to enter the premises, if need be by reasonable force, and take with him or her such persons as appear to the officer to be necessary.

Powers of British sea-fishery officers to seize fish and fishing gear

8.- In Wales (which includes the territorial sea adjacent to Wales), any British sea-fishery officer may, in relation to any fishing boat, seize-

(a) any fish (including any receptacle which contains the fish) in respect of which the officer has reasonable grounds to suspect that a relevant offence founded on a contravention of, or failure to comply with, Articles 6, 8.1, 9, 11, 12, 13, 17.2 or 19a.2, Articles 19b and 19c, Articles 19e, 20.2 or 21c.2 or Articles 28c or 28d of Regulation 2847/93 has been committed;

(b) any fish caught with a net in respect of which the officer has reasonable grounds to suspect that a relevant offence founded on a contravention of, or failure to comply with, Articles 20.1 or 20a of Regulation 2847/93 has been committed; and

(c) any net or other fishing gear-

(i) in respect of which the officer has reasonable grounds to suspect that a relevant offence founded on a contravention of, or failure to comply with, Articles 20.1 or 20a of Regulation 2847/93 has been committed, or

(ii) which the officer has reasonable grounds to suspect has been used for catching any fish in respect of which a relevant offence founded on a contravention of, or failure to comply with, Articles 19a.2, or 21c.2 of Regulation 2847/93 has been committed.

Protection of officers

9. A British sea-fishery officer or a person assisting him or her by virtue of article 6(2) or 7(1)(b) of this Order shall not be liable in any civil or criminal proceedings for anything done in the purported exercise of the powers conferred on him or her by virtue of article 6, 7 or 8 of this Order if the court is satisfied that the act was done in good faith, that there were reasonable grounds for doing it and that it was done with reasonable skill and care.

Rhwystro etc.

10. Bydd unrhyw berson sydd -

(a) heb esgus rhesymol yn peidio â chydymffurfio ag unrhyw ofynion a osodir gan swyddog pysgodfeydd môr Prydeinig o dan y pwerau a freiniwyd ynddo yn rhinwedd Erthyglau 6, 7 neu 8 o'r Gorchymyn hwn;

(b) heb esgus rhesymol yn rhwystro unrhyw berson arall rhag cydymffurfio â gofynion o'r fath; neu

(c) yn rhwystro unrhyw swyddog o'r fath sy'n arfer unrhyw un o'r pwerau hynny,

yn euog o dramgwydd ac yn agored-

(i) ar gollfarn ddiannod, i ddirwy o ddim mwy na'r uchafswm statudol; neu

(ii) ar gollfarn ar inditiad, i ddirwy.

Darpariaethau ynglŷn â thramgwyddau ac achosion

11. - (1) Pan brofir bod unrhyw dramgwydd o dan Erthygl 3 o'r Gorchymyn hwn wedi'i gyflawni gan gorff corfforedig â chydsyniad neu gymeradwyaeth cyfarwyddydd, rheolydd, ysgrifennydd neu swyddog cyffelyb o'r corff corfforedig, neu y gellir ei briodoli i fethiant person o'r fath, bydd, yn ogystal â'r corff corfforedig, yn euog o dramgwydd ac felly yn agored i achos a chosb yn unol â hynny.

(2) Pan brofir bod unrhyw dramgwydd o dan Erthygl 3 o'r Gorchymyn hwn wedi'i gyflawni gan bartneriaeth gyda chydsyniad neu gymeradwyaeth partner, neu y gellir ei briodoli i fethiant partner, bydd, yn ogystal â'r bartneriaeth yn euog o dramgwydd ac felly yn agored i achos a chosb yn unol â hynny.

(3) Pan brofir bod unrhyw dramgwydd o dan Erthygl 3 o'r Gorchymyn hwn wedi'i gyflawni gan gymdeithas anghorfforedig (ac eithrio partneriaeth) gyda chydsyniad neu oddefiad swyddog o'r gymdeithas neu aelod o'i chorff llywodraethu neu y gellir ei briodoli i fethiant person o'r fath, bydd, yn ogystal a'r gymdeithas anghorfforedig, yn euog o dramgwydd ac felly yn agored i achos a chosb.

Derbynioldeb coflyfrau a dogfennau eraill fel tystiolaeth

12.-(1) Bydd unrhyw

(a) goflyfr a gedwir o dan Erthyglau 6, 17.2 neu 28c;

(b) ddatganiad a gyflwynir o dan Erthyglau 8.1, 11, 12, 17.2 neu 28f;

Obstruction etc.

10. Any person who -

(a) fails without reasonable excuse to comply with any requirement imposed by a British sea-fishery officer under the powers conferred on him by virtue of article 6, 7 or 8 of this Order;

(b) without reasonable excuse prevents any other person from complying with any such requirement; or

(c) obstructs any such officer who is exercising any of those powers,

shall be guilty of an offence, and liable-

(i) on summary conviction to a fine not exceeding the statutory maximum; or

(ii) on conviction on indictment to a fine.

Provisions as to offences and proceedings

11. - (1) Where any offence under article 3 of this Order committed by a body corporate is proved to have been committed with the consent or approval of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or a person purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of the offence and liable to be proceeded against and punished accordingly.

(2) Where any offence under article 3 of this Order committed by a partnership is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, that person as well as the partnership shall be guilty of the offence and liable to be proceeded against and punished accordingly.

(3) Where any offence under article 3 of this Order committed by an unincorporated association (other than a partnership) is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any officer of the association or any member of its governing body, that person as well as the association, shall be guilty of the offence and liable to be proceeded against and punished accordingly.

Admissibility in evidence of logbooks and other documents

12.-(1) Any

(a) logbook kept under Articles 6, 17.2 or 28c;

(b) declaration submitted under Articles 8.1, 11, 12, 17.2 or 28f;

(c) adroddiad ymdrech a gwblhawyd o dan Erthyglau 19b ac 19c;

(ch) ddogfen a baratoir o dan Erthyglau 9 neu 13;

(d) ddogfen sy'n cynnwys gwybodaeth a fynwyd ac a dderbyniwyd gan ganolfan monitro pysgodfeydd a sefydlwyd o dan Erthygl 3.7,

o Rheoliad 2847/93, yn dystiolaeth o'r materion a ddatgenir ynddynt mewn unrhyw achos am dramgwydd perthnasol.

(2) At ddibenion paragraff (1) bydd "gwybodaeth a fynwyd" yn golygu data sy'n gysylltiedig ag-

(a) manylion adnabod y cwch pysgota;

(b) lleoliad daearyddol diweddaraf y cwch pysgota, wedi'i gyfleu mewn graddau a munudau lledredd a hydred; ac

(c) y dyddiad a'r amser pan sefydlwyd y safle hwnnw, fel y cyfathrebir trwy system fonitro cychod sy'n seiliedig ar loeren a sefydlwyd o dan Erthygl 3.1 o Rheoliad 2847/93.

Diddymu

13. Diddymir Gorchymyn Pysgota Môr (Gorfodi Mesurau Rheoli'r Gymuned) 1994(a) a Gorchymyn Pysgota Môr (Gorfodi Mesurau Rheoli'r Gymuned) (Diwygio) 1996(b), i'r graddau y maent yn gymwys i Gymru.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66 o Ddeddf Llywodraeth Cymru 1998

29 Mawrth 2000

Y Llywydd

(c) effort report completed under Articles 19b and 19c;

(d) document drawn up under Articles 9 or 13;

(e) document containing required information received by a fisheries monitoring centre established under Article 3.7,

of Regulation 2847/93 shall, in any proceedings for a relevant offence, be evidence of the matters stated therein.

(2) For the purposes of paragraph (1), "required information" shall mean data relating to-

(a) a fishing boat's identification;

(b) the most recent geographical position of the fishing boat expressed in degrees and minutes of longitude and latitude; and

(c) the date and time of the fixing of that position, as communicated via a satellite-based vessel monitoring system established under Article 3.1 of Regulation 2847/93.

Revocation

13. The Sea Fishing (Enforcement of Community Control Measures) Order 1994(a) and the Sea Fishing (Enforcement of Community Control Measures) (Amendment) Order 1996(b) are hereby revoked insofar as they apply to Wales.

Signed on behalf of the National Assembly for Wales under section 66 of the Government of Wales Act 1998

29th March 2000

D. Elis Thomas

The Presiding Officer

(a) O.S. 1994/451.

(b) O.S. 1996/2.

(a) S.I. 1994/451.

(b) S.I. 1996/2.

ATODLEN
MESURAU RHEOLI'R GYMUNED, Y BYDDAI EU TORRI YN DRAMGWYDD

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
1. Rheoliad 1382/87				
(a) Erthygl 3.1		Gofynion i aros, symud neu gyflawni unrhyw weithred arall i hwyluso mynd ar y cwch.	Yr Uchafswm Statudol	Y meistr, y perchennog, y siartrwr (os oes un), ac unrhyw berson arall sy'n gyfrifol am y cwch.
(b) Erthygl 3.2 ac Atodiad II		Darparu ysgol i fynd ar y cwch.	Yr Uchafswm Statudol	Y meistr, y perchennog, y siartrwr (os oes un), ac unrhyw berson arall sy'n gyfrifol am y cwch.
(c) Erthygl 3.3		Defnyddio offer cyfathrebu a pherson i'w ddefnyddio.	Yr Uchafswm Statudol	Y meistr, y perchennog, y siartrwr (os oes un), ac unrhyw berson arall sy'n gyfrifol am y cwch.
2. Rheoliad 2847/93				
(a) Erthygl 4.2		Gofynion i gydweithio i hwyluso archwilio cychod pysgota, tir ac adeiladau a cherbydau cario.	Yr Uchafswm Statudol	Y meistr, y perchennog, y siartrwr (os oes un), ac unrhyw berson arall sy'n gyfrifol am y cwch, neu, yn ôl y galw, y person sydd â chyrifoldeb am y tir ac adeiladau neu'r cerbyd.
(b) Erthygl 6	Erthygl 1 o Reoliad 2807/83 ac Atodiadau I, II, IIa, IV, V, VI a VII iddo	Gofynion i gadw coflyfr mewn ffurf y gellir ei ddarllen ar gyfrifiadur neu ar bapur, i gychod pysgota 10 metr neu fwy o hyd, a'i gyflwyno i'r Aelod-Wladwriaeth y mae'n cyhwan ei baner a'r Aelod-Wladwriaeth y mae'n dadlwytho pysgod ynddi, os yn wahanol, o fewn 48 awr o'r dadlwytho.	£50,000	Y meistr, y perchennog, neu'r siartrwr (os oes un).

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
(c) Erthygl 7		<p>Gofynion i gwch pysgota'r Gymuned sydd am lanió dalfa mewn Aelod-Wladwriaeth wahanol i'r un y mae'n cario ei baner i</p> <p>(a) cydymffurfio â gofynion unrhyw gynllun porthladdoedd cofrestredig a sefydlwyd yn unol ag Erthygl 38 o Reoliad 2847/93 gan yr Aelod-Wladwriaeth y bwriedir dadlwytho'r ddalfa yn ei pharth; neu</p> <p>(b) os nad oes cynllun o'r fath wedi'i sefydlu, i roi o leia 4 awr o rybudd ymlaen llaw (neu 2 awr pan fo erthygl 1 o Reoliad 728/1999(a) yn gymwys) i awdurdod rheoli yr Aelod-Wladwriaeth y mae'n bwriadu dadlwytho'r ddalfa yn ei pharth o</p> <p>(i) leoliad y dadlwytho ac amcangyfrif o'r amser cyrraedd; a</p> <p>(ii) maint y ddalfa o bob rhywogaeth sydd i'w dadlwytho.</p>	<p>£50,000</p> <p>£50,000</p> <p>£50,000</p>	Y meistr, y perchennog, neu'r siartwr (os oes un).
(ch) Erthygl 8.1	Erthygl 2 o Reoliad 2807/83 ac Atodlenni I, IIa, III, IV, a V.	Gofynion i gyflwyno datganiad dadlwytho o faint dalfeydd pob rhywogaeth a'r ardal y daliwyd hwynt, wedi bob taith ac o fewn 48 awr o ddadlwytho, i'r Aelod-Wladwriaeth y mae'n cyhwan ei baner ac Aelod-Wladwriaeth y dadlwytho, os yw'n wahanol, ar gyfer cychod 10 metr neu fwy o hyd.	£50,000	Y meistr, ei gynrychiolydd, y perchennog, neu'r siartwr (os oes un).
(d) Erthygl 9.1 wedi'i ddarllen gydag Erthygl 9.5		Gofynion i gyflwyno nodyn gwerthu wedi'i gwblhau o fewn 48 awr i'r gwerthiant, pan fydd y marchnata cyntaf o gynhyrchion pysgodfeydd yn cael ei wneud gan ganolfan ocsiwnia neu gan berson neu gorff wedi'i awdurdodi.	£50,000	Gwerthwr cyntaf y pysgod.

(a) Darparodd Rheoliad y Comisiwn (CE) Rhif 728/1999, (yn unol ag Erthygl 7(3) o Rheoliad 2847/93), am gyfnod o hysbysiad ar gyfer cychod pysgota'r Gymuned oedd yn ymwneud â gweithgareddau pysgota ym Môr y Baltig, y Skagerrak a'r Kattegat (O.J. Rhif L93, 8.4.1999, t.10).

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
(dd) Erthygl 9.2 wedi'i ddarllen gydag Erthyglau 9.3, 9.4, 9.4b, 9.5 a 13		<p>Gofynion i gyflwyno'r canlynol cyn y bydd y cynhyrchion yn cael eu casglu:-</p> <p>(a) nodyn gwerthu wedi'i gwblhau (pan fydd cynhyrchion wedi eu gwerthu neu yn cael eu cynnig i'w gwerthu yn y man dadlwytho); neu</p> <p>(b) copi o ddogfen gario (pan fydd cynhyrchion wedi'u cynnig i'w gwerthu mewn lleoliad gwahanol i'r man dadlwytho); neu</p> <p>(c) datganiad cymryd trosodd wedi'i gwblhau (os na fydd y cynhyrchion i gael eu cynnig ar gyfer eu gwerthu neu y bwriedir eu gwerthu ar ddyddiad diweddarach) pan fydd y marchnata cyntaf o'r cynhyrchion pysgodfeydd i'w wneud heb fod yn unol ag erthygl 9.1 o Reoliad 2847/93.</p>	£50,000	<p>Ynglŷn â'r gofynion i gyflwyno -</p> <p>(a) nodyn gwerthiant wedi'i gwblhau - prynwr y pysgod;</p> <p>(b) dogfen gario - cariwr y pysgod;</p> <p>(c) datganiad cymeryd trosodd wedi'i gwblhau - perchennog y pysgod a'i asiant (os oes un).</p>
(e) Erthygl 9.5 wedi'i ddarllen gydag Erthygl 9.2		<p>Gofynion i -</p> <p>(a) gyflwyno nodyn gwerthu o fewn 48 awr o'r dadlwytho neu'r marchnata cyntaf o gynhyrchion (ar wahân i achosion pan fydd rhaid cyflwyno nodyn gwerthu cyn casglu'r cynhyrchion) ac atodi, pan fydd angen, copi o'r ddogfen gario mewn perthynas â'r cynhyrchion;</p> <p>(b) i gyflwyno datganiad cymeryd drosodd o fewn 48 awr o lanio'r dalfeydd (heblaw pan fydd angen cyflwyno'r datganiad cymeryd trosodd cyn casglu'r cynhyrchion);</p> <p>(c) anfon copi o'r ddogfen gario i'r awdurdodau cymwys yn yr Aelod-Wladwriaeth lle digwyddodd y marchnata cyntaf, pan fydd y marchnata cyntaf yn digwydd mewn Aelod-Wladwriaeth wahanol i'r un y dadlwythwyd y pysgod ynddi.</p>	<p>£50,000</p> <p>£50,000</p> <p>£50,000</p>	<p>Ynglŷn â'r gofynion i -</p> <p>(a) nodyn gwerthiant, prynwr y pysgod;</p> <p>(b) datganiad cymeryd drosodd, perchennog y pysgod a'i asiant, os oes un;</p> <p>(c) dogfen gario, cariwr y pysgod.</p>

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
(f) Erthygl 11		Gofynion i gadw a hysbysu manylion o unrhyw drawslwytho yn unrhyw le, a dadlwytho cyflenwad y tu allan i diriogaeth y Gymuned, mewn cysylltiad ag unrhyw gwch trawslwytho, y cwch sy'n derbyn a chwch trydedd gwlad.	£50,000	Y meistri; y perchennog, neu'r siartrwr (os oes un).
(ff) Erthygl 12		Gofynion i gadw a hysbysebu o fewn 15 diwrnod o'r ddalfa, y manylion a fynnir o dan erthyglau 8 ac 11 o Reoliad 2847/93 pan fydd trawslwytho neu lanio yn digwydd fwy na 15 diwrnod wedi'r ddalfa.	£50,000	Y meistri; y perchennog, neu'r siartrwr (os oes un).
(g) Erthygl 13		Pan fydd cynhyrchion pysgodfeydd yn cael eu cario y tu allan i safle'r porthladd dadlwytho neu le mewnfario- (a) (ac nid yw'r gwerthiant cyntaf wedi digwydd) gofynion i ddarparu dogfen gario wedi'i chwblhau a sicrhau ei bod yn mynd gyda'r cynhyrchion pysgodfeydd hyd y gwerthiant cyntaf; (b) (a phan fydd datganiad wedi'i wneud fod y nwyddau wedi'u gwerthu yn unol ag erthygl 9 o Reoliad 2847/93) gofynion i brofi ar bob adeg drwy dystiolaeth ddogfennol bod gwerthiant wedi digwydd.	£50,000	Cariwr y pysgod
(ng) Erthygl 17.2	Erthyglau 1 a 2 o Reoliad 2807/83 ac Atodiadau I, II, IIa, IV, V, VI a VII iddo	Mewn cysylltiad â dalfeydd a wnaed y tu allan i ddyfroedd y Gymuned, gofynion i- (a) cadw coflyfr yn cofnodi dalfeydd; a (b) cyflwyno datganiad dadlwytho, i'r Aelod-Wladwriaeth y mae'n cyhwan ei baner a'r Aelod-Wladwriaeth y mae'n dadlwytho pysgod ynddi, os yw'n wahanol, pan fydd yn dadlwytho mewn porthladd yn y Gymuned; ac	£50,000 £50,000	Y meistri; y perchennog, neu'r siartrwr (os oes un).

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
		(c) cyflwyno manylion trawslwytho i gychod pysgota trydedd gwlad neu ddadlwytho mewn trydydd gwledydd.	£50,000	
(h) Erthygl 19a.2		Gwahardd gweithgareddau pysgota yn yr ardaloedd a bennwyd yn erthygl 19a.1 ac 19a.1a o Reoliad 2847/93 mewn perthynas â chychod pysgota'r Gymuned sydd fwy na 15 metr o hyd rhwng sythlinau neu fwy na 18 metr o hyd cyflawn ac nas awdurdodwyd gan Aelod-Wladwriaethau yn unol ag Erthyglau 2, 3, 5 a 9 o Reoliad y Cyngor (CEE) Rhif 685/95 ar reoli ymdrechion pysgota mewn perthynas â rhai ardaloedd ac adnoddau pysgota'r Gymuned(a) Rheoliad y Cyngor (CE) Rhif 779/97 a gyflwynodd drefniadau ar gyfer rheoli ymdrechion pysgota yn y Môr Baltig(b).	£50,000	Y meistr, y perchennog, neu'r siartwr (os oes un).
(i) Erthyglau 19b ac 19c	Erthygl 3a o Reoliad 2807/83 ac Atodlenni VIIIa a VIIIb a Rheoliad 1449/98	Gofynion mewn perthynas â chychod pysgota'r Gymuned sydd fwy na 15 metr o hyd rhwng sythlinau neu fwy na 18 metr o hyd cyflawn a awdurdododd gyflawni gweithgareddau pysgota a anelwyd at rywogaethau dyfnforol i gyflwyno adroddiad ymdrech sy'n cynnwys yr wybodaeth a ragnodwyd gan Erthygl 19b o Reoliad 2847/93 wedi'i ddarllen gyda Rheoliad 1449/98- (a) drwy un o'r dulliau a ragnodwyd yn erthygl 19c.1 (wedi'i ddarllen gydag Erthygl 19c.3) o Reoliad 2847/93 neu, yn achos cychod sy'n cyflawni gweithgareddau pysgota yn nyfroedd y Wladwriaeth y cofrestrwyd hwy ynddi, yn unol â threfniadau a fabwysiadwyd o dan ail gil-osodiad Erthygl 19c.2 o Reoliad 2847/93;	£50,000	Y meistr, ei gynrychiolydd, y perchennog, neu'r siartwr (os oes un).

(a) OJ Rhif L71, 31.3.95, t.5. Mae'r darpariaethau a osodir yn Erthyglau 2 a 3 o Reoliad 685/95 yn gymwys i gychod y Gymuned sydd fwy na 15 metr o hyd rhwng sythlinau yn unig. O dan Erthygl 19a.2 o Reoliad 2847/93 bernir bod cychod sydd fwy na 15 metr o hyd rhwng sythlinau yn gydradd â chychod dros 18 metr o hyd cyflawn. Mae Erthygl 19f.3 o Reoliad 2870/95 yn mynnu bod Comisiwn y Cymunedau Ewropeaidd yn sicrhau bod Aelod-Wladwriaethau yn gyfrifol am reoli a bod ganddynt ar gael manylion ynglŷn ag adnabod cychod pysgota sydd â mynediad i'w dyfroedd.

(b) OJ Rhif L113, 30.4.97, t.1.

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
		<p>(b) i roi gwybod am dano i'r awdurdodau a ragnodwyd yn Erthygl 19c.1 o Reoliad 2847/93;</p> <p>(c) ar yr amser neu'r amserau a ragnodwyd yn Erthygl 19c.1 o Reoliad 2847/93 neu -</p> <p>(i) yn achos cychod sy'n cyflawni pysgota trawsbarthol fel y'i diffiniwyd yn Erthygl 19b.2, ac a ragnodwyd yn Erthygl 19b.2 a 19c.2, cil osodiad cyntaf, Rheoliad 2847/93;</p> <p>(ii) yn achos cychod sy'n treulio llai na 72 o oriau ar y môr, a ragnodwyd yn Erthygl 19c.2, trydydd cil-osodiad, o Rheoliad 2847/93 (gan gynnwys gofynion, yn yr achos hwnnw, i roi gwybod am newidiadau sy'n digwydd yn y wybodaeth a ddarperir yn yr adroddiad).</p>	<p>£50,000</p> <p>£50,000</p>	
(I) Erthyglau 19e.1 a 19e.2	Erthygl 1a o Reoliad 2807/83 ac Atodiadau I, IVa a VIa iddo	Gofynion mewn perthynas â chychod pysgota'r Gymuned sydd fwy na 15 metr o hyd rhwng sythlinau neu fwy na 18 metr o hyd cyflawn i gofnodi mewn coflyfrau yr wybodaeth (ynghlŷn ag amser a dreuliwyd ar y môr) a ragnodwyd yn Erthygl 19e.1 o Reoliad 2847/93 neu, yn achos cychod sy'n pysgota'n drawsbarthol fel y diffiniwyd yn Erthygl 19b.2, ac a ragnodwyd yn Erthygl 19e.2 o Reoliad 2847/93.	£50,000	Y meist, y perchennog, neu'r siartwr (os oes un).
(II) Erthygl 19.3	Erthygl 1a o Reoliad 2807/83 ac Atodiadau I, IVa a VIa iddo	Gofynion mewn perthynas â chychod pysgota'r Gymuned sydd fwy na 15 metr o hyd rhwng sythlinau neu fwy na 18 metr o hyd cyflawn a awdurdododd gyflawni gweithgareddau pysgota a anelwyd at rywogaethau dyfnforol i gofnodi mewn coflyfrau adroddiad ymdrech yn cynnwys yr wybodaeth a ragnodwyd yn Erthygl 19b o Reoliad 2847/93.	£50,000	Y meist, y perchennog, neu'r siartwr (os oes un).

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
(m) Erthygl 20.1		Gofynion i gadw rhwydau ar gychod pysgota'r Gymuned, pan na fyddant yn cael eu defnyddio.	Yr Uchafswm Statudol	Y meistr, y perchennog, neu'r siartrwr (os oes un).
(n) Erthygl 20.2		Gofynion mewn perthynas â chychod pysgota'r Gymuned i gofnodi mewn coflyfrau a datganiadau dadlwytho bob newid mewn maint rhwydwaith a chyfansoddiad y ddalfa ar adeg y newid.	£50,000	Y meistr, y perchennog, neu'r siartrwr (os oes un).
(o) Erthygl 20a		Gofynion mewn perthynas a chario, defnyddio a chadw offer ar gychod pysgota'r Gymuned sydd fwy na 15 metr o hyd rhwng sythlinau neu fwy na 18 metr o hyd cyflawn sy'n cyflawni gweithgareddau pysgota yn yr ardaloedd a bennwyd yn Erthygl 19a.1 o Reoliad 2847/93.	Yr Uchafswm Statudol	Y meistr, y perchennog, neu'r siartrwr (os oes un).
(p) Erthygl 21c.2		Gwaharddiad mewn perthynas â chychod pysgota'r Gymuned rhag cyflawni gweithgareddau pysgota mewn pysgodfa o'r dyddiad, a bennir gan Gomisiwn y Gymuned Ewropeaidd, y tybir bod uchafswm ymdrech bysgota'r Wladwriaeth honno ar gyfer y bysgodfa honno wedi ei gyrraedd.	£50,000	Y meistr, y perchennog, neu'r siartrwr (os oes un).
(ph) Erthygl 28.2a		Gofynion i brofi tarddiad daearyddol neu darddiad dyframaethol y cynhyrchion, pan fydd cynhyrchion pysgodfeydd sy'n cael eu cynnig i'w gwerthu, eu cadw neu eu cario, yn llai na lleiafswm y maint a osodir ar gyfer y rhywogaeth honno yn unol ag Erthygl 4 o Reoliad 3760/92.	Yr Uchafswm Statudol	Y person sy'n gyfrifol am werthu, cadw, neu gario'r pysgod.
(r) Erthygl 28b.1		Gwaharddiad ar ddal, cadw ar fwrdd cwch, neu brosesu cynhyrchion pysgodfeydd gan gychod pysgota trydedd gwlad oni bai eu bod wedi eu trwyddedu a bod caniatâd pysgota arbennig wedi'i roi iddynt yn unol ag Erthygl 9 o Reoliad y Cyngor (CE) 1627/94(a).	£50,000	Y meistr, y perchennog, neu'r siartrwr (os oes un).

(a) Mae Rheoliad y Cyngor (CE) Rhif 1627/94 yn gosod allan darpariaethau cyffredinol ynglŷn â chaniatâd pysgota arbennig. (OJ Rhif L17, 6.7.94, t.7).

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
(rh) Erthygl 28c		<p>Gofynion i gychod pysgota trydydd gwledydd sy'n gweithredu ym mharth pysgota'r Gymuned -</p> <p>(a) cofnodi mewn coflyfr yr wybodaeth y cyfeirir ati yn Rheoliad 6 o Reoliad 2847/93;</p> <p>(b) i gydymffurfio â system ar gyfer adrodd dalfeydd a gedwir ar y cwch;</p> <p>(c) i gydymffurfio â gorchmynion yr awdurdodau sy'n gyfrifol am fonitro a chwilio;</p> <p>(ch) i gydymffurfio â'r rheolau ar farcio ac adnabod cychod pysgota a'u hoffer.</p>	<p>£50,000</p> <p>£50,000</p> <p>Yr Uchafswm Statudol</p> <p>Yr Uchafswm Statudol</p>	Y meistr, y perchennog, neu'r siartrwr (os oes un).
(s) Erthygl 28d		Gwahardd cychod pysgota trydydd gwledydd rhag pysgota, cadw ar fwrdd y cwch, trawslwytho a dadlwytho cyflenwad sy'n ddarostyngedig i gwota o'r dyddiad, a bennwyd gan Gomisiwn y Cymunedau Ewropeaidd, pan dybir bod y cyflenwad wedi'i ddihsbyddu.	£50,000	Y meistr, y perchennog, neu'r siartrwr (os oes un).
(t) Erthygl 28e		<p>Gofynion i gwch bysgota trydedd gwlad sydd am ddadlwytho dalfa mewn Aelod-Wladwriaeth</p> <p>(a) i roi o leiaf 72 awr o rybudd i awdurdod rheoli'r Aelod-Wladwriaeth y bwriedir dadlwytho pysgod yn ei pharth o -</p> <p>(i) amser cyrraedd y porthladd dadlwytho,</p> <p>(ii) y dalfeydd a gedwir ar fwrdd y cwch,</p> <p>(iii) y parth neu'r parthau lle cafwyd y dalfeydd;</p> <p>(b) i gael ei awdurdodi gan awdurdod cymwys yr Aelod-Wladwriaeth cyn y bydd dadlwytho'n dechrau.</p>	<p>£50,000</p> <p>£50,000</p> <p>£50,000</p> <p>£50,000</p>	Y meistr, ei gynrychiolydd, y perchennog, neu'r siartrwr (os oes un).

Colofn 1 Darpariaeth y Gymuned	Colofn 2 Rheolau Manwl	Colofn 3 Testun	Colofn 4 Uchafswm y ddirwy ar gollfarn ddiannod	Colofn 5 Y person atebol
(th) Erthygl 28f		<p>Gofynion i gychod trydydd gwledydd gyflwyno, o fewn 48 awr o lanio, ddatganiad o -</p> <p>(a) lwyth y cynhyrchion pysgodfeydd a laniwyd yn ôl eu rhywogaeth; a</p> <p>(b) y dyddiad a'r lleoliad lle cafwyd y ddalfai</p> <p>awdurdod cymwys yr Aelod-Wladwriaeth y dadlwythwyd y cynhyrchion pysgodfeydd ynddi.</p>	£50,000	Y meist, ei gynrychiolydd, y perchennog, neu'r siartwr (os oes un).

SCHEDULE
COMMUNITY CONTROL MEASURES, CONTRAVENTION OF WHICH
CONSTITUTES AN OFFENCE

Column 1 Community Provision	Column 2 Detailed Rules	Column 3 Subject Matter	Column 4 Maximum fine on summary convictions	Column 5 Persons liable
1. Regulation 1382/87				
(a) Article 3.1		Requirement to stop, manoeuvre or carry out other actions to facilitate boarding..	The Statutory Maximum.	The master, the owner, the charterer (if any) and any other person responsible for the vessel.
(b) Article 3.2 and Annex II		Provision of boarding ladder.	The Statutory Maximum.	The master, the owner, the charterer (if any) and any other person responsible for the vessel.
(c) Article 3.3		Use of communications equipment and operator thereof.	The Statutory Maximum.	The master, the owner, the charterer (if any) and any other person responsible for the vessel.
2. Regulation 2847/93				
(a) Article 4.2		Requirement to co-operate in facilitating inspections of fishing vessels, premises and transport vehicles.	The Statutory Maximum.	The master, the owner, the charterer (if any) and any other person responsible for the vessel or, as the case may be, the person responsible for the premises or vehicle.
(b) Article 6	Article 1 of and Annexes I, II, IIa, IV, V, VI and VII to Regulation 2807/83	Requirement to keep a logbook in computer readable form or on paper, for fishing boats of 10 metres or more, and submit it to the flag Member State, and the Member State of landing, if different, within 48 hours of landing	£50,000	The master, the owner and the charterer (if any).

Column 1 Community Provision	Column 2 Detailed Rules	Column 3 Subject Matter	Column 4 Maximum fine on summary convictions	Column 5 Persons liable
(c) Article 7		<p>Requirement for a Community fishing boat wishing to land catches into a Member State other than the flag state to-</p> <p>(a) comply with the requirements of any designated ports scheme established in accordance with article 38 of Regulation 2847/93 by the Member State in whose zone it is intended to land; or</p> <p>(b) or, if no such scheme has been established, to give at least 4 hours advance notification (or 2 hours where Article 1 of Regulation 728/1999(a) applies) to the control authority of the Member State in whose zone it is intended to land fish of -</p> <p>(i) landing location and estimated time of arrival there; and</p> <p>(ii) quantities of each species to be landed.</p>	<p>£50,000</p> <p>£50,000</p> <p>£50,000</p>	The master, the owner and the charterer (if any).
(d) Article 8.1	Article 2 of, and Annexes, I, IIa, III, IV and V to, Regulation 2807/83.	Requirement to submit, after each trip and within 48 hours of landing, to the flag Member State and the Member State of landing, for vessels of 10 metres or more, a landing declaration of quantities of each species and area where caught.	£50,000	The master, his representative, the owner and the charterer (if any).
(e) Article 9.1 as read with Article 9.5		Requirement, where first marketing of fishery products is carried out by an auction centre or authorised body /person, to submit a completed sales note within 48 hours of sale.	£50,000	The first seller of the fish.

(a) Commission Regulation (EC) No. 728/1999 providing pursuant to Article 7(3) of Regulation 2847/93, for a notification period for Community fishing vessels carrying on fishing activities in the Baltic Sea, the Skagerrak and the Kattegat (OJ No. L 93, 8.41999, p.10).

Column 1 Community Provision	Column 2 Detailed Rules	Column 3 Subject Matter	Column 4 Maximum fine on summary convictions	Column 5 Persons liable
(f) Article 9.2 as read with Articles 9.3, 9.4, 9.4b, 9.5 and 13		<p>Requirement, where first marketing of fishery products is carried out other than in accordance with Article 9.1 of Regulation 2847/93, to submit-</p> <p>(a) a completed sales note (when products have been sold or are offered for sale at place of landing); or</p> <p>(b) a copy of a transport document (when the products are offered for sale at a location other than place of landing); or</p> <p>(c) a completed take-over declaration (when products are not offered for sale or are intended for sale at a later date),</p> <p>before the products are collected.</p>	£50,000	<p>As regards the requirement to submit-</p> <p>(a) a completed sales note, the buyer of the fish;</p> <p>(b) a transport document, the transporter of the fish;</p> <p>(c) a completed take-over declaration, the owner of the fish and his agent (if any).</p>
(g) Article 9.5 as read with Article 9.2		<p>Requirement -</p> <p>(a) to submit a sales note within 48 hours of landing or first marketing of products (except where the sales note must be submitted before the products are collected) and append where required a copy of the transport document relating to the products;</p> <p>(b) to submit a take-over declaration within 48 hours of landing of products (except where the take-over declaration must be submitted before the products are collected);</p> <p>(c) where products are first marketed in a Member State other than that in which they were landed, to transmit, within 48 hours following the products being landed, a copy of the transport document to the competent authorities of the Member State in which first marketing takes place.</p>	<p>£50,000</p> <p>£50,000</p> <p>£50,000</p>	<p>As regards the requirement to submit-</p> <p>(a) a sales note, the buyer of the fish;</p> <p>(b) a take-over declaration, the owner of the fish and his agent (if any);</p> <p>(c) a transport document, the transporter of the fish.</p>

Column 1 Community Provision	Column 2 Detailed Rules	Column 3 Subject Matter	Column 4 Maximum fine on summary convictions	Column 5 Persons liable
(h) Article 11		Requirement in respect of any trans-shipping vessel, receiving vessel and third country vessel to keep and notify details of trans-shipments anywhere and landings of specified stocks outside Community territory.	£50,000	The master, the owner and the charterer (if any).
(i) Article 12		Requirements to keep and notify within 15 days of the catch, the details required under Articles 8 and 11 of Regulation 2847/93 where trans-shipment or landing will take place more than 15 days after the catch.	£50,000	The master, the owner and the charterer (if any).
(j) Article 13		Where the fisheries products are transported outside the compound of the port of landing or place of import - (a) (and first sale has not taken place) requirement to provide completed transport document and ensure it accompanies fisheries products until time of first sale; (b) (and where the goods have been declared as sold in accordance with Article 9 of Regulation 2847/93) requirement to prove at all times by means of documentary evidence that sales transaction has taken place.	£50,000	The transporter of the fish.
(k) Article 17.2	Articles 1 and 2 of, and Annexes I, II, IIa, IV, V, VI and VII to Regulation 2807/83	In respect of catches made outside Community waters, requirement to- (a) keep a logbook recording catches; and (b) submit a landing declaration to flag Member State, and the Member State of landing, if different, when landing made at a Community port; and (c) submit details of trans-shipments on to third country fishing boats or of landings in third countries	£50,000 £50,000 £50,000	The master, the owner and the charterer (if any).

Column 1 Community Provision	Column 2 Detailed Rules	Column 3 Subject Matter	Column 4 Maximum fine on summary convictions	Column 5 Persons liable
		<p>(c) at the time or times prescribed in Article 19c.1 of Regulation 2847/93 or -</p> <p>(i) in the case of boats conducting trans-zonal fisheries as defined in Article 19b.2, prescribed in Article 19b.2 and 19c.2, first indent, of Regulation 2847/93;</p> <p>(ii) in the case of boats spending less than 72 hours at sea, prescribed in Article 19c.2, third indent, of Regulation 2847/93 (including the requirement in such case to notify changes occurring in the information provided in the report).</p>	£50,000	
(n) Article 19e.1 and 19e.2	Article 1a of, and Annexes I, IVa and VIa to, Regulation 2807/83	Requirement in relation to Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length to record in logbooks the information (as regards time spent at sea) prescribed in article 19e.1 of Regulation 2847/93 or, in the case of boats conducting trans-zonal fisheries as defined in Article 19b.2 of Regulation 2847/93, prescribed in Article 19e.2 of Regulation 2847/93.	£50,000	The master, the owner and the charterer (if any).
(o) Article 19e.3	Article 1a of, and Annexes I, IVa, and VIa to, Regulation 2807/83	Requirement in relation to Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length authorised to carry out fishing activities directed at demersal species to record in logbooks an effort report containing the information prescribed in Article 19b of Regulation 2847/93.	£50,000	The master, the owner and the charterer (if any).
(p) Article 20.1		Requirement to stow nets, when not in use, in Community fishing boats.	The Statutory Maximum	The master, the owner and the charterer (if any).
(q) Article 20.2		Requirement in relation to Community fishing boats to record in log books and	£50,000	The master, the owner and the charterer (if any).

Column 1 Community Provision	Column 2 Detailed Rules	Column 3 Subject Matter	Column 4 Maximum fine on summary convictions	Column 5 Persons liable
		landing declarations all changes in mesh size and catch composition at moment of change.		
(r) Article 20a		Requirements relating to carriage, use and stowage of gear in Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length carrying out fishing activities in the areas specified in Article 19a.1 of Regulation 2847/93.	The Statutory Maximum.	The master, the owner and the charterer (if any).
(s) Article 21c.2		Prohibition in relation to fishing boats of a Member State from carrying out fishing activities in a fishery from the date, fixed by the Commission of the European Communities, on which the maximum fishing effort of that State for that fishery is deemed to have been exhausted.	£50,000	The master, the owner and the charterer (if any).
(t) Article 28.2a		Requirement, where fisheries products offered for sale, stocked or transported are of a size smaller than the minimum size set for that species pursuant to Article 4 of Regulation 3760/92, to prove geographic area of origin or aquaculture provenance of products.	The Statutory Maximum.	The person responsible for selling, stocking or transporting the fish.
(u) Article 28b.1		Prohibition of catching, retaining on board or processing of fishery products by third country fishing boats unless licensed and issued with special fishing permits issued in accordance with Article 9 of Council Regulation (EC) 1627/94(a).	£50,000	The master, the owner and the charterer (if any).
(v) Article 28c		Requirement for third country fishing boats operating in the Community fishing zone - (a) to record information referred to in Article 6 of Regulation 2847/93 in a logbook;	£50,000	The master, the owner and the charterer (if any).

(a) Council Regulation (EC) No. 1627/94 laying down general provisions concerning special fishing permits (OJ No. L17, 6.7.94, p.7).

Column 1 Community Provision	Column 2 Detailed Rules	Column 3 Subject Matter	Column 4 Maximum fine on summary convictions	Column 5 Persons liable
		<p>(b) to comply with a system for reporting catches retained on board;</p> <p>(c) to comply with the instructions of the authorities responsible for monitoring and inspections;</p> <p>(d) to comply with the rules on the marking and identification of fishing vessels and their gear.</p>	<p>£50,000</p> <p>The Statutory Maximum</p> <p>The Statutory Maximum</p>	
(w) Article 28d		Prohibition in relation to third country fishing boats of fishing for and retention on board, trans-shipment and landing of, stock subject to quota from the date, fixed by the Commission of the European Communities, on which the quota for such stock is deemed to have been exhausted.	£50,000	The master, the owner and the charterer (if any).
(x) Article 28e		<p>Requirement for a third-country fishing boat wishing to land catches into a Member State</p> <p>(a) to give at least 72 hours advance notification to the control authority of the Member State in whose zone it is intended to land fish of -</p> <p>(i) their time of arrival at the port of landing,</p> <p>(ii) the catches retained on board,</p> <p>(iii) the zone or zones where the catch was made;</p> <p>(b) to obtain authorisation from competent authority of Member State before landing operations are commenced.</p>	<p>£50,000</p> <p>£50,000</p> <p>£50,000</p> <p>£50,000</p>	The master, his representative, the owner and the charterer (if any).

Column 1 Community Provision	Column 2 Detailed Rules	Column 3 Subject Matter	Column 4 Maximum fine on summary convictions	Column 5 Persons liable
(y) Article 28f		<p>Requirement for third country fishing boats to submit, within 48 hours of landing, to the competent authority of the Member State in which the fishery products have been landed, a declaration stating-</p> <p>(a) the quantity of fishery products landed by species; and</p> <p>(b) the date and place of each catch.</p>	£50,000	The master, his representative, the owner and the charterer (if any).

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WO 6102 06/00 ON

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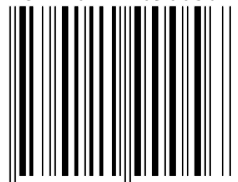
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