
WELSH STATUTORY INSTRUMENTS

2010 No. 2369

The Fishing Boats (Electronic Transmission of Fishing Activities Data) (Wales) Scheme 2010

PART 1

Preliminary

Title, commencement and application

1.—(1) The title of this Scheme is the Fishing Boats (Electronic Transmission of Fishing Activities Data) (Wales) Scheme 2010 and it comes into force on 20 October 2010.

(2) This Scheme applies in relation to Wales.

Interpretation

2.—(1) In this Scheme—

“application” (“*cais*”) means an application for a grant under this Scheme and “applicant” (“*ceisydd*”) is to be construed accordingly;

“approved software” (“*meddalwedd a gymeradwywyd*”) means software specified in a list published by the Welsh Ministers under paragraph 3(1);

“approved supplier” (“*cyflenwr a gymeradwywyd*”) means a supplier specified in a list published by the Welsh Ministers under paragraph 3(1) in respect of the approved software;

“the closing date” (“*y dyddiad cau*”) means such date as the Welsh Ministers may from time to time determine and publish as the date on or before which an application for grant must be lodged;

“eligible Welsh fishing boat” (“*cwch pysgota Cymreig cymwys*”) means a fishing boat which—

- (a) is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995⁽¹⁾;
- (b) has its port of administration in Wales at the date of the application for grant; and
- (c) measures 15 metres or more overall in length;

“the EU Regulation” (“*y Rheoliad UE*”) means—

- (a) until 31 December 2010, the provisions relating to recording and transmission of fishing activities data set out in—
 - (i) Articles 1 to 3 of Council Regulation (EC) No. 1966/2006 of 21 December 2006 on electronic recording and reporting of fishing activities and on means of remote sensing⁽²⁾; and
 - (ii) Chapter 2 of Commission Regulation (EC) No. 1077/2008 of 3 November 2008 laying down detailed rules for the implementation of Council Regulation (EC)

(1) 1995 c. 21.

(2) OJ No L409, 30.12.2006, p. 1

No. 1966/2006 on electronic recording and reporting of fishing activities and on means of remote sensing and repealing Regulation (EC) No. 1566/2007⁽³⁾;

- (b) on and after 1 January 2011, the provisions relating to recording and transmission of fishing activities data set out in Section 1 of Chapter 1 of Title 4 of Council Regulation (EC) No. 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/ 2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006⁽⁴⁾;

“fishing activities data” (“*data gweithgareddau pysgota*”) means the logbook data, transhipment declaration data and landing declaration data required under the EU Regulation to be recorded and transmitted by electronic means;

“grant” (“*grant*”) means a grant under this Scheme;

“port of administration” (“*porthladd gweinyddu*”) means the port from which the licence granted in respect of a fishing boat under section 4 of the Sea Fish (Conservation) Act 1967⁽⁵⁾ is issued; and

“Wales” (“*Cymru*”) has the meaning given in section 158 of the Government of Wales Act 2006⁽⁶⁾.

(2) Any obligation of the Welsh Ministers to publish material under this Scheme means an obligation to make that material available in a manner that will ensure it is reasonably likely to be seen by those eligible for a grant.

⁽³⁾ OJ No L295, 4.11.2008, p. 3.

⁽⁴⁾ OJ No L343, 22.12.2009, p. 1.

⁽⁵⁾ 1967 c. 84.

⁽⁶⁾ 2006 c. 32.