
WELSH STATUTORY INSTRUMENTS

2010 No. 2369

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

PART 1

Preliminary

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) 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

⁽¹⁾ 1995 c. 21.

⁽²⁾ OJ No L409, 30.12.2006, p. 1

⁽³⁾ OJ No L295, 4.11.2008, p. 3.

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, transshipment 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.

⁽⁴⁾ OJ No L343, 22.12.2009, p. 1.

⁽⁵⁾ 1967 c. 84.

⁽⁶⁾ 2006 c. 32.