

SCHEDULE

Articles 3 and 4(1) and (2)

COMMUNITY CONTROL MEASURES, CONTRAVENTION OF WHICH CONSTITUTES AN OFFENCE

<i>Column 1 Provision</i>	<i>Column 2 Detailed rules</i>	<i>Column 3 Subject Matter</i>	<i>Column 4 Maximum fine on summary Conviction</i>	<i>Column 5 Persons liable</i>
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. The Council Regulation				
(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, the person responsible for the premises or vehicle.
(b) Article 6	Article 1 of and Annexes I, II, IV, V, VI and VII	Requirement to keep a logbook in computer	£50,000	The master, the owner and the charterer (if any).

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	to Regulation 2807/83	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.		
(c) Article 7		Requirement for a Community fishing boat wishing to land catches into a Member State other than the flag state—£50,000 (a) to 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 (b) if no such scheme has been established to give at least 4 hours advance notification	£50,000	The master, the owner and the charterer (if any).

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		(or 2 hours where Article 1 of Regulation 728/1999(1) applies) to the control authority of the Member State in whose zone it is intended to land fish of— (i) landing location and estimated time of arrival there; and (ii) quantities of each species to be landed.		
(d) Article 8.1	Article 2 of, and Annexes I, II, 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, if different, for vessels of 10 metres or more, a landing declaration of quantities of each	£50,000	The master, his representative, the owner and the charterer (if any).

(1) Commission Regulation (EC) No. 728/1999 providing pursuant to Article 7.3 of the Council Regulation, for a notification period for Community fishing vessels carrying on fishing activities in the Baltic Sea, the Skogerrak and the Kattegat (O.J. No. L93, 8.4.1999, p.10).

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		species and area where caught.		
(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 other authorised body or person to submit a completed sales note within 48 hours of sale.	£50,000	The first seller of the fishery products.
(f) Articles 9.2 as read with Articles 9.3, 9.4, 9.4b, 9.5 and 13		Requirement, where first marketing of fishery products is carried out other than in accordance with Article 9.1 Regulation 2847/83, to submit– (a) a completed sales note (where products are offered for sale at place of landing); or (b) a transport document (when the products are offered for sale at a location other than place of landing); or (c) a completed take over declaration (where	£50,000	As regards the requirement to submit– (a) a completed sales note, the buyer of the fishery product; (b) a transport document, the transporter of such product; and (c) a completed take-over declaration, the owner of such product and his agent (if any).

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		products are not offered for sale or are intended for sale at a later date), before the products are collected.		
(g) Article 9.5 as read with Article 9.2		Requirement— (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 a copy of the transport document relating to the products where there is one; or (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	£50,000	As regards the requirement to submit— (a) a sales note, the buyer of the fishery product; (b) a take over declaration, the owner of such product and his agent (if any); and (c) a transport document, the transporter of such product.

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		<p>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>		
(h) Article 11		Requirement in respect of any trans-shipment vessel or receiving vessel to keep and notify details of transhipments anywhere and landing of specified stocks outside Community territory.	£50,000	The master, the owner and the charterer (if any).
(i) Article 12		Requirement to keep and notify within	£50,000	The master, the owner and the charterer (if any).

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		15 days of the catch, the details required under Articles 8 and 11 of the Council Regulation where trans-shipment or landing will take place more than 15 days after the catch.		
(j) Article 13		Where the fisheries products are transported outside the compound of the port of landing the requirement— (a) if the first sale has not taken place, to provide completed transport document, ensure it accompanies fisheries products until time of first sale; (b) if the goods have been declared as sold in accordance with Article 9 of the Council Regulation, to prove at all times by means of documentary evidence that a sales transaction	£50,000	The transporter of the fishery products.

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		has taken place.		
(k) Article 17.2	Articles 1 and 2 of, and Annexes I, II, IV, V, VI and VII to Regulation 2807/83	In respect of catches made outside Community waters, requirement to— (a) keep a logbook for recording catches; and (b) submit a landing declaration to the 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	The master, the owner and the charterer (if any).
(l) Article 19a.2		Prohibition from carrying out of fishing activities in the areas specified in Articles 19a.1 and 19a.1a of the Council Regulation in relation to	£50,000	The master, the owner and the charterer (if any).

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		Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length which have not been authorised by Member States in accordance with Articles 2, 3.5 and 9 of Council Regulation (EEC) No. 685/95 on the management of the fishing effort relating to certain Community fishing areas and resources(2) or article 2 of Council Regulation (EC) No. 779/97 introducing arrangements for the management of fishing effort in the Baltic Sea(3).		
(m) Articles 19b and 19c	Article 3a of, and Annexes VIIIa and VIIIb to Regulation 2807/83 as read with Regulation 1449/98	Requirement in relation to Community fishing boats exceeding 15 metres in length between perpendiculars or over 18 metres in overall length	£50,000	The master, his representative, the owner and the charterer (if any).

(2) O.J. No. L71, 31.3.95, p.5. The provisions laid down in Articles 2 and 3 of Regulation 685/95 apply only to vessels over 15 metres in length between perpendiculars. Under Article 19a.2 of Regulation 2847/93 vessels over 15 metres in length between perpendiculars are considered equivalent to vessels over 18 metres in overall length. Article 19f.3 of Regulation 2870/95 requires the Commission of the European Communities to ensure that Member States responsible for control have available data concerning identification of fishing boats having access to their waters.

(3) O.J. No. L113, 30.4.97, p.1.

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		<p>authorised to carry out fishing activities directed at demersal species to complete an effort report containing the information prescribed in Article 19b of the Council Regulation as read with Regulation 1449/98–</p> <p>(a) by one of the methods prescribed in Article 19c.1 (as read with Article 19c.3) of the Council Regulation or, in the case of boats carrying out fishing activities in the waters of the State in which they are registered, in accordance with arrangements adopted under article 19c.2, second indent, of that Regulation;</p> <p>(b) communicate it to the</p>		

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		<p>authorities prescribed in article 19c.1 of Regulation 2847/93; and</p> <p>(c) at the time or times prescribed in article 19c.1 of the Council Regulation or—</p> <p>(i) in the case of boats conducting trans-zonal fisheries as defined in Article 19b.2, prescribed in Articles 19b.2 and 19c.2, first indent, of the Council Regulation;</p> <p>(ii) in the case of boats spending less than 72 hours at sea,</p>		

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		prescribed in Article 19c.2, third indent, of the Council Regulation (including the requirement in such a case to notify changes occurring in the information provided in the report).		
(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 the Council Regulation or, in the case of boats conducting trans-zonal fisheries as defined in article 19b.2 of that Regulation, prescribed in	£50,000	The master, the owner and the charterer (if any).

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		article 19e.2 of that Regulation.		
(o) Article Article 19e.3	Article 1a of, and Annexes I, IVa and VIa to, Regulation 2807/83	Requirement on 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 the Council Regulation.	£50,000	The master, the owner and the charterer (if any).
(p) Article 20.1		Requirement to stow nets, when not in use, on 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 logbooks and landing declarations all changes in mesh size and catch composition at moment of change.	£50,000	The master, the owner and the charterer (if any).
(r) Article 20a		Requirements relating to carriage, use and stowage of gear on Community	The statutory maximum	The master, the owner and the charterer (if any).

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		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 the Council Regulation.		
(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 set for that species pursuant to Article 4 of Regulation 3760/92, to prove geographic area of origin or aquaculture	The statutory maximum.	The person responsible for selling, stocking or transporting the fishery products.

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		provenance of products.		
(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(4).	£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 the Council Regulation in a logbook; (b) to comply with a system for reporting catches retained on board; (c) to comply with the instructions of the authorities	(a) (a) In the case of a failure to comply with the instructions of the authorities responsible for monitoring and inspections or with the rules on marking and identification of fishing vessels and their gear, the	The master, the owner and the charterer (if any).

(4) O.J. No. L17, 6.7.94, p.7. Council Regulation (EC) No.1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits

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		responsible for monitoring and inspections;	statutory maximum; and	
		(d) to comply with the rules on the marking and identification of fishing vessels and their gear.	(b) in any other case, £50,000.	
(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 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		Requirement for a third-country fishing boat wishing to land catches into a Member State— (a) to give at least 72 hours advance notification to the control authority of the Member State in whose zone it is	£50,000	The master, his representative, the owner and the charterer (if any).

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		<p>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; and</p> <p>(iii) the zone or zones where the catch was made; and</p> <p>(b) to obtain authorisation from the competent authority of the Member State before landing operations are commenced.</p>		
(y) Article 28f		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,	£50,000	The master, his representative, the owner and the charterer (if any).

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		a declaration stating— (a) the quantity of fishery products landed by species; and (b) the date and place of each catch.		