

FISHERIES (QUALITY CONTROL OF FISH FOR EXPORT TO THE EUROPEAN UNION) REGULATIONS 2009

PU(A) 091/2009

IN exercise of the powers conferred by paragraph 61(*ah*) of the **Fisheries Act 1985**[*Act 317*], the Minister makes the following regulations:-

28 Febraury 2009-12-17

1. Citation

These regulations may be cited as the **Fisheries (Quality Control of Fish for Export to the European Union) Regulations 2009**.

2. Interpretation

(1) In these Regulations, "European Union requirements" means any requirement imposed by the European Union relating to fish quality control.

(2) The reference to a "culture system" in these Regulations includes an aquaculture operated on a fishing vessel.

3. Compliance with European Union requirements

Any owner of any culture system and any person engaged in the operation of any activity relating to any culture system, from where fish is supplied for export to the European Union or from where fish is supplied for fish product for export to the European Union, shall comply with the European Union requirements.

4. Application for fish quality certificate

Any owner of any culture system from where fish is supplied for export to the European Union or from where fish is supplied for fish product for export to the European Union shall apply for a fish quality certificate in writing to the Director General.

5. Issuance of fish quality certificate

(1) The Director General may, after considering an application for a fish quality certificate under regulation 4 and upon being satisfied that the owner of such culture system has complied with the European Union requirements, issue a fish quality certificate.

(2) The fish quality certificate issued under this regulation shall be valid for a period of one year from the date of its issuance.

6. Revocation of fish quality certificate

The Director General may at any time revoke the fish quality certificate issued under regulation 5 if the owner of the culture system in respect of which the fish quality certificate is issued breaches any of the European Union requirements.

7. Due diligence

Any owner and any person engaged in the operation of any activity relating to any culture system from where fish is supplied for export to the European Union or from where fish is supplied for fish product for export to the European Union shall exercise due diligence to ensure that the European Union requirements are complied with at all times.

8. Power of fisheries officer

A fisheries officer of the Fisheries Biosecurity Division at the Department of Fisheries Malaysia and Fisheries Biosecurity Unit of the State Fisheries Department shall have the power to perform quality control as prescribed in the European Union requirements on fish and fish product to be exported to the European Union, in accordance with the Act.

9. Exporter to obtain supply of fish from owner of culture system with a fish quality certificate

Any exporter of fish or fish product to the European Union shall obtain his or its supply of fish from, or his or its supply of fish product from fish supplied by, the owner of a culture system, as the case may be, in respect of which a fish quality certificate has been issued under regulation 5 and is still valid.