

Registration of Buyers and Sellers Scheme

Fisheries Directorate, Thie Slieau Whallian, Foxdale Road, St Johns, Isle of Man, IM4 3AS
Tel: (01624) 685857 Fax: (01624) 685851 E-mail: fisheries@gov.im

RBS IOM 2: Registered buyers and sellers - explanatory leaflet

Applying to be a registered buyer or seller of first-sale fish (including shellfish and nephrops) in the Isle of Man

Introduction

DEFA require all buyers of first-sale fish bought directly from fishing vessels and sellers of first-sale fish sold at a designated auction site operating in their areas to be registered with them. This explanatory leaflet has been prepared to help explain the registration requirements and help guide you through the application process. Please read the guidance carefully before completing and submitting application form RBS IOM 1.

For the purpose of this scheme:

- A registered seller is an auction trader who sells first-sale fish by competitive bidding at a designated auction site in the Isle of Man: and who is, by virtue of registered status, responsible for submission of sales notes, maintaining records and the accuracy of the information they contain.
- A registered buyer is someone who buys first-sale fish direct from a vessel or agent (that is other than by competitive bidding from a registered seller at an auction in a designated auction site) and is by virtue of registered status, responsible for submission of sales notes, maintaining records and the accuracy of the information they contain.
- If the annual turnover of first-sale fishery products is more than €200,000 or sterling equivalent (being marketed for the first time), you will also be required to record and submit your records of first-sale fish by electronic means. **See RBS IOM 5 for more details.**

Sales notes must be completed in accordance with the Sea Fisheries (Registration of Fish Buyers and Sellers) (Isle of Man) Regulations 2012 and submitted by the registered buyer or seller (as appropriate). Appropriate records will need to be maintained under this arrangement, for all purchases of first-sale fish, including shellfish and nephrops.

Who must/can register?

In summary, you need to be a registered **seller** if you operate as an auction trader who sells first-sale fish by competitive bidding at a designated auction sale in the Isle of Man. You need to be a registered **buyer** if you buy first-sale fish direct from a vessel or through an agent (that is other than by competitive bidding from a registered seller by auction at a designated auction site). If you operate as both buyer and seller of first-sale fish, you may need to register as both. If in doubt, consult DEFA using the contact details provided on page 4.

Companies may only register individual offices or subsidiary companies separately if that office or subsidiary company buys or sells fish in its own right and is a separate legal entity.

Individual company employees can only apply for registered status in their own right if they are buying or selling fish in a personal capacity and not on behalf of their employer.

Status as a registered seller does not automatically grant you permission to sell at any designated auction site in the Isle of Man. You will need to approach the operators of the designated auction site for information on local port rules or other by-laws that apply in their premises.

Registration as a buyer is not required when purchases of first-sale fishy direct from a fishing vessel are **wholly for private consumption** and less than 30 kg is bought per day.

Requests for further information about this scheme can be obtained from the relevant fisheries department. Completed applications and supporting documentation should be posted to DEFA at the address provided on page 4.

Completing the application form

Section A - Applicant's details

1. Enter here the full name of the individual applying for status as either a registered buyer or seller (or both) of first-sale fish. This should be left blank for partnership, company or corporate body applications. You must provide a photocopy of one of the following documents to prove your name:
 - current passport
 - current UK or Isle of Man driving licence
 - bank statement from last three months
 - utility bill from last three months (cannot be used as both proof of name and proof of address).

Due to the dangers of postal interception and fraud, and for your own protection, do not send us original documents.

2. For partnership, company or corporate body applications please enter the registered name. We require proof of your registered name and will accept photocopies of any of the following:
 - current Business Name Registration certificate
 - current VAT certificate

We also require a photocopy of your Certificate of Incorporation (if applicable).

3. Enter the address of the individual making the application. In the case of partnership, company or corporate body applications please enter the address of the registered office. We will accept photocopies of any of the following as proof of your address or registered address in the case of partnership, company or corporate body applications:
 - current Rates bill
 - utility bill from last three months **if not** used as proof of name.

Bills provided as proof of address for partnership, company or corporate body applications must be in the name of the partnership, company or corporate body.

4. Enter the Post Code of the location of Company.
5. Enter the telephone number of the individual, partnership or company.
6. Enter the fax number, if any, of the individual, partnership or company.
7. Enter the email address, if any, of the individual, partnership or company.
8. For applications by individuals, please enter the date of the applicant.
9. Indicate by ticking the appropriate box whether this application is for status as a registered buyer, seller or both. If you want to have an auction site designated please complete application form RBS IOM 3.
10. Enter the names and addresses of all partners or company directors. Continue on a separate sheet if necessary.
11. Indicate by ticking the appropriate box(es) which industry you operate in or buy from. This information is for statistical reasons only and will not affect your registration or the species you can buy and/or sell.

Section B - Contact for further correspondence

Where an application is made by a partnership, company or corporate body you must provide the name, address and other contact details of a person within the organisation who will be responsible for this application and any future related correspondence.

1. Enter the name of a contact person within the partnership, company or corporate body who will be responsible for liaising with the Department on any issues relating to your application.
2. Enter the company name, if any.
3. Enter the address of the contact person.
4. Enter the Post Code for the address of the contact person.
5. Enter the telephone number of the contact person.
6. Enter the fax number, if any, of the contact person, partnership or company.
7. Enter the email address, if any, of the contact person.

Section C - Addresses where records of transactions involving first-sale fish will be kept

It will be a condition of registration as a buyer and/or seller that you keep records of each fish sale transaction involving first-sale fish for two calendar years. These records must also be shown to a fishery officer on request.

All individuals, partnerships, companies or corporate bodies must provide details of all addresses where these records will be kept.

If you store records at an address outside the Isle of Man, then you must submit your records to fisheries departments for audit at least once each calendar year and within 28 days of a request by a Sea Fisheries Officer.

1. Enter the address of the premises where the records will be kept.
2. Enter the Post Code of the premises where the records will be kept.
3. Enter the telephone number, if any, of the premises.
4. Enter the fax number, if any, of the premises. Continue on a separate page if the records will be stored at more than one address.

Section D - Declaration and certification

1. It is important that you understand the implications and the responsibilities, of applying to be a registered buyer and/or seller of fish. You will be responsible for the submission of sales notes to DEFA; for maintaining records of fish sales/purchases; and for the accuracy of the relevant information. This will include, for example, the accuracy of the weight and species of fish sold and recorded on the sales notes: so you may wish to consider how you can be assured about that (for example by check weighing, or ensuring the requirements of marketing standards regulations are met by those responsible).
2. Failure to meet any of your legal requirements, or provision of false information, may leave you open to prosecution. If you are in any doubt about your obligations and responsibilities, DEFA will be happy to provide further advice.
3. If satisfied, please read the data protection statement and declarations and sign in the box. For partnership, company or corporate body applications as authorised signatory may sign on behalf of the partnership, company or corporate body. However, we require a photocopy of the Certificate of Incorporation and proof of authority for the signatory to sign on behalf of the partnership, company or corporate body (such as a letter from the head of the corporate body on letter headed paper stating who the authorised signatory is and providing a copy of their signature). Please enclose proof of your name and address with the application.
4. Completed applications and supporting documentation must be sent to the address on page 4.

What happens next?

Your application for registration will be considered by DEFA and you will receive written notification of the result within three weeks of receipt of your application and DEFA will notify you in writing of any conditions attached to your registered status.

If we require further information on any part of your application we will contact your responsible person in writing.

Registered **buyers** of first-sale fish landed in the Isle of Man and sold through direct sales will also be required to submit sales notes within 24 hours of obtaining all the information related to the sale. They will also be required to maintain records of each transaction for two calendar years.

All registered **sellers** of first-sale fish landed in the Isle of Man and sold through auction must submit sales notes within 24 hours of the sale and maintain records of each transaction for two calendar years.

ANNEX A

Summary guidance table for supporting documents required for an application of registration to be a buyer or seller of first sale fish.

Individual	Company	Company with multiple directors	Company with registered office at different address to business
<i>Proof of name:</i> Copy of applicant's passport or driving licence. Passports should be at least 6 months in date	<i>Proof of name:</i> Copy of companies VAT certificate (or if you do not have this a quarterly tax return)	<i>Proof of name:</i> Copy of companies VAT certificate (or if you do not have this a quarterly tax return)	<i>Proof of name:</i> Copy of companies VAT certificate (or if you do not have this a quarterly tax return)
<i>Proof of address:</i> Utility bill or equivalent from last 3 months in applicants name at the address given	<i>Proof of address:</i> Utility bill from last 3 months in the company name at the company address	<i>Proof of address:</i> Utility bill from last 3 months in the company name at the company address	<i>Proof of address:</i> Utility bill from last 3 months in the company name at the company address
Statement of premises and proposed methods of operation	Certificate of Incorporation if applicant is a Limited Company	Certificate of Incorporation if applicant is a Limited Company	Certificate of Incorporation if applicant is a Limited Company
A letter to explain the relationship of different addresses listed (if applicable) to the applicant	Statement of premises and proposed methods of operation	Statement of premises and proposed methods of operation	Statement of premises and proposed methods of operation
		A letter stating who has proof of authority to sign on behalf of the company	A letter stating who has proof of authority to sign on behalf of the company
			A letter on the company headed paper stating which address is the registered office, and how the other addresses relate to the business

If you require further advice please contact us at the address below.

Send completed RBS IOM 1 Forms to:

Registration of Buyers and Sellers Scheme
Department of Environment, Food and Agriculture (DEFA)
Fisheries Directorate
The Slieau Whallian
Foxdale Road
St Johns
Isle of Man
IM4 3AS

Tel: (01624) 685857
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