

**EXPLANATORY MEMORANDUM TO
THE SEA FISHING (RECOVERY MEASURES) ORDER 2008
2008 No. 2347**

1. This Explanatory Memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Description

This Order brings together into one Statutory Instrument, the implementation and enforcement of control provisions contained in four different EC Regulations which together provide controls on fishing for hake, cod, sole and plaice in differently defined areas of Community waters. These control measures seek to improve the traceability of the cod, northern hake, Western Channel sole and North Sea sole and plaice stocks, to facilitate more effective enforcement of fisheries quota limits and in so doing prevent an increase in fishing effort and ensure the sustainability of fishing patterns. The Regulations are:

Council Regulation (EC) No 423/2004 establishing measures for the recovery of cod stocks (“the Cod Regulation”),

Council Regulation (EC) No 811/2004 establishing measures for the recovery of the Northern hake stock (“the Hake Regulation),

Council Regulation (EC) No 676/2007 establishing a multi-annual plan for the sustainable exploitation of stocks of plaice and sole in the North Sea (“the Sole and Plaice Regulation”) and

Council Regulation (EC) No 509/2007 establishing a multi-annual plan for the sustainable exploitation of the stock of sole in the Western Channel (“the Sole Regulation”).

3. Matters of special interest to the Joint Committee on Statutory Instruments

This instrument carries forward and corrects a provision from the Sea Fishing (Restriction on Days at Sea Order) 2005 (S.I. 2005/393) (which Order is also revoked by this instrument), which had been reported by the Joint Committee on Statutory Instruments for failing to implement properly the relevant provision of the cod Regulation and for defective drafting (Second Report of Session 2005-06),

4. Legislative Background

4.1 The Hake Regulation imposes certain additional obligations and restrictions on those fishing for hake in the Kattegat, the Skagerrak, the North Sea, the Channel, waters to the West of Scotland and all around Ireland and the Bay of Biscay.

4.2 The Cod Regulation applies similar controls to fishing for cod in the Kattegat, the North Sea, including the Skagerrak and the Eastern Channel, waters to the West of Scotland and in the Irish Sea.

4.3 The Sole Regulation imposes certain additional obligations and restrictions on those fishing for sole in the Western Channel.

4.4 The Sole and Plaice Regulation (676/2007) imposes certain additional obligations and restrictions on those fishing for sole and plaice in the North Sea.

5. Extent

The Order applies in England and Wales, and in respect of English and Welsh fishing boats wherever they are and in respect of other boats when they are within British Fishery Limits

(excluding the territorial sea adjacent to Jersey, Guernsey and the Isle of Man, and the Scottish and Northern Ireland Zones). Separate legislation establishing equivalent arrangements for cod and hake has been made by the devolved administrations in respect of the Scottish Zone and Scottish fishing boats. Legislation in respect of Northern Ireland fishing boats and the Northern Ireland Zone is expected to follow shortly.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend any primary legislation, no statement is required.

7. Policy Background

7.1 Scientific evidence shows that many of the main fish stocks found in the waters of the European Community are near to or at historically low levels caused mainly by over fishing. Without the improved fisheries control, that the EC Regulations are intended to ensure, conservation and other measures designed to safeguard fish stocks and to ensure their long-term sustainability will not be fully effective. Certain fish stocks risk collapse and this would have a significant impact on the fishing industry.

7.2 Failing to provide for implementation and enforcement of the EU controls could leave the UK open to infraction procedures by the Commission. The likelihood of this risk being realised is high, since the Commission is taking a close interest in the implementation of fisheries enforcement requirements by Member States. Effective fisheries management is a key requirement in meeting the goals of sustainable development.

8. Impact

8.1 An Impact Assessment has been carried out.

9. Contact

Julie Fitton at the Department for Environment, Food and Rural Affairs Tel: 0207 238 4435 or email Julie.Fitton@defra.gsi.gov.uk can answer any queries regarding the instrument.

Summary: Intervention & Options

| | | |
|--|---|---------------------------|
| Department /Agency: Defra | Title: Impact Assessment of The Sea Fishing (Recovery Measures) order 2008. | |
| Stage: FINAL | Version: 1 | Date: 22 July 2008 |
| Related Publications: Initial impact assessment | | |

Available to view or download at:

<http://www.>

Contact for enquiries: Julie Fitton

Telephone: 020 7 238 4435

What is the problem under consideration? Why is government intervention necessary?

The transposition of four Council Regulations concerned with stock recovery or management measure. This SI applies in respect of English and Welsh fishing boats, and Crown Dependency boats wherever they are fishing and in respect of other boats when they are fishing within British Fishery Limits (excluding the territorial sea adjacent to the Scottish Zone and the Northern Ireland Zone). Government intervention is necessary to put the necessary powers in place to properly enforce these Regulations.

What are the policy objectives and the intended effects?

Scientific evidence shows that these fish stocks are near to or at historically low levels caused mainly by over fishing. Without improved fisheries control, conservation and other measures designed to safeguard fish stocks and ensure their long-term sustainable exploitation will not be fully effective and these stocks could risk collapse with significant impact on the fishing industry. The monitoring, control and surveillance provisions provided will enable enforcement officers to monitor compliance with the measures more effectively and ensure there is no increase in UK fishing effort.

What policy options have been considered? Please justify any preferred option.

The proposed option is to implement the Regulations. This will provide appropriate powers to be made available to enforcement officers and avoid the risk of infraction by the European Commission for non-implementation of EU provisions. Better controls will ensure long term future of the stock.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? The uptake of fishing effort in the stock recovery zones will be monitored continuously by Member States against agreed ceilings which may be adjusted annually by the EU according to the stock levels.

Ministerial Sign-off For final proposal/implementation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) the benefits justify the costs.

Signed by the responsible Minister:

Jonathan Shaw

.....Date: 26th August 2008

Summary: Analysis & Evidence

| | |
|-----------------------|---------------------|
| Policy Option: | Description: |
|-----------------------|---------------------|

| | | | |
|--|---|------------------------|--|
| COSTS | ANNUAL COSTS | | Description and scale of key monetised costs by 'main affected groups' Additional administrative costs to fishing vessels due to requirements of regulations e.g. giving prior notification of their intention to land into the designated port, complying with weighing requirements, complying with requirement for landing declaration |
| | One-off (Transition) | Yrs | |
| | £ 2,583 | 1 | |
| | Average Annual Cost (excluding one-off) | | |
| £ 340,081 | 1-10 | Total Cost (PV) | £ 2.9M |
| Other key non-monetised costs by 'main affected groups' Time spent completing logbooks on entry and exit from the relevant zones; calculating the permitted margin of tolerance; separate stowage of the relevant stocks on board the fishing vessel. | | | |

| | | | |
|--|--|---------------------------|--|
| BENEFITS | ANNUAL BENEFITS | | Description and scale of key monetised benefits by 'main affected groups' |
| | One-off | Yrs | |
| | £ n/a | | |
| | Average Annual Benefit (excluding one-off) | | |
| £ n/a | | Total Benefit (PV) | £ |
| Other key non-monetised benefits by 'main affected groups' To aid the recovery and stability of the northern hake, cod Western Channel Sole and North Sea Sole and Plaice stocks and to avoid the threat of infraction by the European Commission for non-compliance with EU Regulations. Fishermen can fish legally within the EU requirements. | | | |

Key Assumptions/Sensitivities/Risks The hours spent on each task and assumed wage rate are detailed in the evidence section. Enforcement is assumed to be absorbed into business as usual activities by Marine Fisheries Agency and the Welsh Assembly. The costings for the 2004 regulations are based on the baseline administrative assessment carried out for Defra by PwC, with adjustments detailed in the body of the text

| | | | |
|-------------------------|-------------------------|-------------------------------------|---|
| Price Base Year 2008 | Time Period Years 10 | Net Benefit Range (NPV) £ | NET BENEFIT (NPV Best estimate) £ |
|-------------------------|-------------------------|-------------------------------------|---|

| | |
|---|--|
| What is the geographic coverage of the policy/option? | England & Wales |
| On what date will the policy be implemented? | CIF date |
| Which organisation(s) will enforce the policy? | MFA & WAG |
| What is the total annual cost of enforcement for these organisations? | £ 0 |
| Does enforcement comply with Hampton principles? | Yes |
| Will implementation go beyond minimum EU requirements? | No |
| What is the value of the proposed offsetting measure per year? | £ n/a |
| What is the value of changes in greenhouse gas emissions? | £ n/a |
| Will the proposal have a significant impact on competition? | Yes/No |
| Annual cost (£-£) per organisation (excluding one-off) | Micro £2,657 Small n/a Medium n/a Large n/a |
| Are any of these organisations exempt? | No No N/A N/A |

| | | |
|---|-------------|----------------------------------|
| Impact on Admin Burdens Baseline (2005 Prices) | | (Increase - Decrease) |
| Increase of £ 16k | Decrease of | Net Impact £ 16k increase |

Key: Annual costs and benefits: Constant Prices (Net) Present Value

Evidence Base (for summary sheets)

[Use this space (with a recommended maximum of 30 pages) to set out the evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Ensure that the information is organised in such a way as to explain clearly the summary information on the preceding pages of this form.]

These Regulations transpose the provisions of:

- Council Regulation 811/2004 establishing measures for the recovery of the northern hake stock;
- Council Regulation 423/2004 establishing measures for the recovery of cod stocks;
- Council Regulation 509/2007 establishing a multi-annual plan for the sustainable exploitation of sole in the western channel;
- Council Regulation (EC) No 676/2007 establishing a multi-annual plan for the sustainable exploitation of north sea plaice and sole stocks.

And seek to improve the traceability of the cod, northern hake, western channel sole and north sea sole and plaice catch to facilitate more effective enforcement of quota limits and in doing so prevent an increase in fishing effort and ensure the sustainability of fishing patterns

The SI applies in respect of English and Welsh fishing boats, and Crown Dependency boats wherever they are fishing and in respect of other boats when they are fishing within British Fishery Limits (excluding the territorial sea adjacent to Wales, the Scottish Zone and the Northern Ireland Zone). Separate legislation establishing equivalent arrangements has been made by the devolved administrations in respect of the Scottish Zone and Scottish fishing boats and in respect of Welsh waters for hake. Legislation in respect of Northern Ireland fishing boats and the Northern Ireland Zone will follow shortly.

The objective of the regime is to implement the monitoring, inspection and surveillance provisions contained within the above regulations which are designed to improve the monitoring of fishing effort and traceability of the affected stocks.

(ii) Background

Measures set out in the four regulations are intended to aid the recovery and stability of the northern hake and cod stocks and establish a multi-annual plan for the sustainable exploitation of the western channel sole and north sea sole and plaice stocks by imposing certain additional conditions and restrictions on those fishing for them. The main common elements are:

- records of entry and exits to the relevant sea areas must be noted in vessel logbooks (this does not apply to western channel sole).
- the permitted margin of tolerance for recording in the logbook the amounts retained onboard is reduced from 20% to 8% .
- the affected stocks must be stowed separately from other species in vessel fish rooms.
- all quantities of the affected stocks over 50Kg (over 300kg for western channel sole and north sea sole and 500kg for north sea plaice) which are transported for first sale to a location other than the place of landing must be accompanied by a copy of the landing declaration(s) relating to the quantity being transported.

The following requirements apply to cod and northern hake only:

- vessels landing over 1 tonne of cod or 2 tonnes of hake must provide four hours prior notification of entry into port
- vessels landing more than 2 tonnes of either stock must land into a designated port

- at least 1 in 5 of all landings at designated ports must be sample weighed in presence of controllers. For England, those controllers are British sea-fishery officers from the Marine and Fisheries Agency

The following requirement applies to western channel sole and north sea sole and plaice only:

- All quantities of sole exceeding 300kg caught in the western channel and north sea (500kg for north sea plaice) must be sample weighed in the presence of controllers. For England, those controllers are British sea fishery officers from the Marine and Fisheries Agency.

Costs and Benefits

Costs

2004 regulations: costs for the 2004 regulations were calculated as part of Defra's baseline administrative burdens exercise¹

For Council Regulation 433/2004 (cod recovery), the annual costs calculated in the baseline are shown in Table 1:

Table 1

| | | Hours spent on task | Wage rate | Unit cost | Internal overhead | Total unit cost | Population affected | Total cost |
|---|--|---------------------|-----------|-----------|-------------------|-----------------|---------------------|------------------|
| Providing 4 hours prior notice of landing | Familiarisation | 107.5 | 15.14 | 1628 | 488 | 2116 | 231 | 488,796 |
| | Gathering/preparing | 46.67 | 16.2 | 756 | 226 | 982 | 231 | 227,043 |
| | External cost | | | | | 901 | 231 | 208,131 |
| | Total | | | | | | | 923,970 |
| Cooperating with audits/inspections | Gathering/preparing | 0.5 | 16.2 | 8.1 | 2.43 | 10.53 | 259 | 2,727 |
| | Inspections | 0.5 | 16.2 | 8.1 | 2.43 | 10.53 | 259 | 2,727 |
| | Submitting information | 0.5 | 16.2 | 8.1 | 2.43 | 10.53 | 259 | 2,727 |
| | Settlements | 0.5 | 16.2 | 8.1 | 2.43 | 10.53 | 259 | 2,727 |
| | External cost | | | | | 600 | 259 | 155,400 |
| | Total | | | | | | | 166,309 |
| Returns and reports | Calculation/reporting | 0.25 | 9.6 | 2.4 | 0.7 | 3.1 | 1079 | 3,345 |
| | Familiarisation | 0.25 | 9.6 | 2.4 | 0.7 | 3.1 | 1079 | 3,345 |
| | Gathering/preparing | 0.25 | 9.6 | 2.4 | 0.7 | 3.1 | 1079 | 3,345 |
| | Total (assuming 41% of estimated cost is business as usual) | | | | | | | 5,944 |
| Grand total | | | | | | | | 1,096,161 |

Notes: figures may not sum correctly due to rounding
 Internal overhead assumed to be 30% of internal unit costs
 Population affected calculated according to relevant number of boats, number of landings etc

¹ Department for Environment, Food and Rural Affairs: Administrative Burdens Measurement Exercise July 2006

For Council Regulation 811/2004 (northern hake recovery), the annual costs calculated in the baseline exercise are shown in Table 2:

Table 2

| | | Hours spent on task | Wage rate | Unit cost | Internal overhead | Total unit cost | Population affected | Total cost |
|---|--|---------------------|-----------|-----------|-------------------|-----------------|---------------------|------------------|
| Providing 4 hours prior notice of landing | Familiarisation | 55.75 | 15.18 | 846 | 254 | 1100 | 62 | 68,188 |
| | Gathering/preparing | 24.83 | 45.19 | 1122 | 337 | 1459 | 62 | 90,458 |
| | Calculation/reporting | 0.833 | 16.2 | 13.5 | 4 | 17.5 | 62 | 1,085 |
| | Inspection | 12 | 9.6 | 115 | 35 | 150 | 62 | 9,285 |
| | Meetings | 0.75 | 16.2 | 12.15 | 3.6 | 15.8 | 62 | 980 |
| | External cost | | | | | 450.5 | 62 | 27,931 |
| | Total | | | | | | | 197,927 |
| Cooperating with audits/inspections | Familiarisation | 0.0833 | 9.6 | 0.8 | 0.24 | 1.04 | 68 | 71 |
| | Gathering/preparing | 0.5 | 9.6 | 4.8 | 1.44 | 6.24 | 68 | 424 |
| | Inspections | 0.5 | 9.6 | 4.8 | 1.44 | 6.24 | 68 | 424 |
| | Total (assuming 29% of estimated cost is business as usual) | | | | | | | 653 |
| Accompanying hake with appropriate landings declaration | Gathering/preparing | 50 | 46.2 | 2,310 | 693 | 3003 | 796 | 2,390,388 |
| | Total | | | | | | | 2,390,388 |
| Grand total | | | | | | | | 2,588,985 |

Notes: figures may not sum correctly due to rounding
 Internal overhead assumed to be 30% of internal unit costs
 Population affected calculated according to relevant number of boats, number of landings etc

The figures for the 2004 regulations use estimates that were calculated as part of the administration burdens exercise. However, they are considered to be high for a number of reasons:

- The familiarisation and gathering/preparing figures for the 4 hour prior notification seem excessive, in terms of the hours spent on the task. The requirement is simply to make a call/send a fax or email to the port.;
- The wage rates used for the different activities vary considerably and seem high, especially for gathering/preparing hake notifications/declarations; in addition, it is not clear why different wage rates should be used for one regulation compared to another;
- The activities covered in each of the assessments varies: for example, both 2004 regulations require that all quantities of the affected stocks over 50Kg which are transported for first sale to a location other than the place of landing must be accompanied by a copy of the landing declaration(s) relating to the quantity being transported. This makes up the bulk of costings for the hake regulations but not for the cod regulations.
- There are no specific actions arising from this Regulation in respect of co-operation with audits/inspections. Inspections etc would be carried out as a normal part of control and enforcement work under the Control Regulation.

A number of adjustments have therefore been made:

- For the requirement to provide 4 hours prior notification: the costs for familiarisation have been adjusted downwards to reflect a more realistic number of hours and wage rate. 75% of the gathering/preparing and calculation/reporting costs are assumed to be business as usual. In addition, for hake, no additional inspection and meeting costs are expected, therefore these have been reduced to zero.
- The section on co-operating with audits/inspections has been recorded as 0 as there are no specific costs involved arising from this Regulation. The costs are reflected in costs under Council Regulation 2847/93 the Control Regulation.
- For the hake regulations, the costings associated with providing the relevant landing declaration have been adjusted to reflect a more realistic number of hours and wage rate.

These adjustments are shown in Table 3 and 4 below:

Table 3: Council Regulation 433/2004 (cod recovery) baseline adjustments

| | | Hours spent on task | Wage rate | Unit cost | Internal overhead | Total unit cost | Population affected | Total cost |
|---|---|---------------------|-----------|-----------|-------------------|-----------------|---------------------|------------|
| Providing 4 hours prior notice of landing | Familiarisation | 0.166 | 9.6 | 1.6 | 0.48 | 2.08 | 231 | 480 |
| | Gathering/preparing (assuming 75% of costs are BAU) | | | | | | | 56,760 |
| Audits/Inspections | All costs | | | | | | | 0 |

Table 4: Council Regulation 811/2004 (northern hake recovery) adjustments

| | | Hours spent on task | Wage rate | Unit cost | Internal overhead | Total unit cost | Population affected | Total cost |
|---|--|---------------------|-----------|-----------|-------------------|-----------------|---------------------|------------|
| Providing 4 hours prior notice of landing | Familiarisation | 0.166 | 9.6 | 1.6 | 0.48 | 2.08 | 62 | 129 |
| | Gathering/preparing (assuming 75% of costs is BAU) | | | | | | | 22,610 |
| | Calculation/reporting (assuming 75% of costs is BAU) | | | | | | | 271 |
| | Inspection | | | | | | | 0 |
| | Meetings | | | | | | | 0 |
| Accompanying hake with appropriate landings declaration | Gathering/preparing | 0.5 | 9.6 | 4.8 | 1.44 | 6.24 | 524 | 3,270 |

This has the effect of reducing the department's baseline administrative burden by £3.36M and will be reflected in the admin burdens baseline accordingly.

In the majority of cases the requirement in the cod and hake regulations for vessels to land into a designated port does not give rise to any additional cost as landings are normally made into those ports listed.

It has not been possible to estimate the additional costs for logbook entries (although these are expected to be relatively small as they only represent additional entries into existing logbooks), or separate stowage.

No additional enforcement costs have been included as it is assumed that the activities will be included in business as usual.

To calculate the NPV of these regulations, the following assumptions have been made:

- The familiarisation activities are assumed to occur in year 1 only; other activities are assumed to be annual;
- The policy has been assessed over a 10 year period since the aim is to aid recovery of these stocks. It is assumed this will have been successful over this time period.

The NPV for these regulations is shown in Table 5 below:

Table 5

| | |
|-------------------------------------|---------------------------|
| | NPV (over 10 years) £M |
| 423/2004 – cod recovery | 2.3 |
| 811/2004 – northern hake recover | 0.47 |

2007 regulations:

The 2007 regulations have few requirements than the 2004 requirements, for example there is no requirement for logbook entries for western channel sole, and the thresholds for a required declaration where the first sale is made at a location other than the place of landing are higher.

The annual costs for 509/2007 (western channel sole regulations) have been estimated as follows:

Table 6:

| | | Hours spent on task | Wage rate | Unit cost | Internal overhead | Total unit cost | Population affected | Total cost |
|---|---------------------|---------------------|-----------|-----------|-------------------|-----------------|---------------------|-------------|
| Accompanying sole with appropriate landings declaration | Gathering/preparing | 0.5 | 9.6 | 4.8 | 1.44 | 6.24 | 1056 | 6589 |
| | Total | | | | | | | 6589 |
| Grand total | | | | | | | | 6589 |

The annual costs for 676/2007 (north sea plaice and sole) have been estimated as follows:

Table 7:

| | | Hours spent on task | Wage rate | Unit cost | Internal overhead | Total unit cost | Population affected | Total cost |
|--|---------------------|---------------------|-----------|-----------|-------------------|-----------------|---------------------|--------------|
| Accompanying sole/plaice with appropriate landings declaration | Gathering/preparing | 0.5 | 9.6 | 4.8 | 1.44 | 6.24 | 1694 | 10571 |
| | Total | | | | | | | 10571 |
| Grand total | | | | | | | | 10571 |

It has not been possible to estimate the additional costs for logbook entries (although these are expected to be relatively small as they only represent additional entries into existing logbooks and do not apply to north sea sole), or separate stowage.

No additional enforcement costs have been included as it is assumed that the activities will be included in business as usual.

To calculate the NPV of these regulations, the policy has been assessed over a 10 year period since the aim is to aid recovery of these stocks. It is assumed this will have been successful over this time period.

The NPV for the 2007 regulations is shown in Table 8 below:

Table 8

| | NPV (over 10 years) £M |
|---------------------------------|---------------------------|
| 509/2007 – western channel sole | 0.057 |
| 676/2007 – north sea plaice | 0.091 |

The additional administrative burden effect on the department's baseline admin burden has been calculated by taking the total annual figures shown in Tables 6 and 7 and deflating these to 2005 prices (using a factor of 0.925):

$$6589 * 0.925 = 6095$$

$$10571 * 0.925 = 9778$$

$$\text{Total} = 15873$$

Benefits

It has not been possible to quantify or monetise the benefits arising from the measures introduced by these regulations due to the complexity in forecasting impacts on stocks and future fishing opportunities. However considerable non-monetised benefits exist, these are summarised below:

- Northern hake, Cod, Western Channel Sole and North Sea Sole and Plaice stocks are all under threat, and are at historically low levels, due to current inadequate protection from overfishing. If this were to continue, there would be a risk that stocks would eventually collapse. Introducing the proposed SI will significantly help the stock recovery process by limiting fishing effort, and move stocks in the right direction to achieve sustainable levels.
- By ensuring that stocks are adequately protected, the proposed regulation will benefit the fishing industry into the future by maintaining a stock level which can support a sustainable fishing effort. This will directly benefit those fishermen, and related industries, who rely on these fish species. In 2007, there were 1961 landing by 128 English and Welsh fishing vessels into the UK.
- Implementing the proposed SI will avoid the threat of infraction by the European Commission and fines for non-compliance with EU Regulations. In 2005 fines of €20m were levied against the French Authorities for non-compliance with the CFP. Further penalties of €57m were levied against them on a rolling 6 monthly basis for not implementing the measures properly. Implementation will also provide positive reputational benefits.

Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

| Type of testing undertaken | <i>Results in Evidence Base?</i> | <i>Results annexed?</i> |
|----------------------------|----------------------------------|-------------------------|
| Competition Assessment | No | Yes |
| Small Firms Impact Test | No | Yes |
| Legal Aid | No | No |
| Sustainable Development | No | No |
| Carbon Assessment | No | No |
| Other Environment | No | No |
| Health Impact Assessment | No | No |
| Race Equality | No | No |
| Disability Equality | No | No |
| Gender Equality | No | No |
| Human Rights | No | No |
| Rural Proofing | No | No |

Annexes

Small Firms Impact Test

Virtually all businesses in the fish catching industry are classified as small or medium size enterprises (SMEs) The vast majority are micro businesses (less than 10 employees). There is no scope to exempt small/micro businesses as the regulations would not have the desired effect. The costs to each organisation presented on the summary page assumes that the annual costs (£340,081) are spread across the 128 vessels that landed the relevant fish species in 2007.

The EU requirements came into force shortly after publication in the Official Journal. In order to continue to fish legally, Masters of those vessels concerned have been complying with the EU requirements and have incurred the costs identified since that time. The introduction of this Statutory Instrument does not add any further administrative burden or costs to those businesses but ensures that the appropriate enforcement mechanisms are in place.

Competition assessment

The competition assessment filter was applied to these Regulations, which apply equally to all businesses, and no competition concerns were identified.

Enforcement Costs

The enforcement of these EU Regulations is done as part of wider routine enforcement costs. Therefore there are no specific costs attached