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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement key provisions of the Convention for the Conservation of Antarctic Marine Living Resources (“the Convention”).

Part 1 provides that the regulations will come into force immediately before IP Completion Day (11p.m. on 31st December 2020), unless they are registered by the Royal Court later in either the Bailiwick of Guernsey or the Bailiwick of Jersey in which case they come into force in those jurisdictions the day after such registration. The extent and application of the regulations are the whole of the United Kingdom, the Bailiwick of Guernsey, the Bailiwick of Jersey and the Isle of Man.

Part 2 provides that no British vessel may fish for profit in the Convention Area unless it has an authorisation from the Secretary of State (regulation 4). Prior to this, the Secretary of State must notify the Commission established under the Convention (“the Commission”) of any British vessels intending to fish in the forthcoming season (regulation 3). Regulation 5 enables the Secretary of State to grant an authorisation with conditions. Regulation 6 obliges the Secretary of State to publish guidance on the relevant conservation measures as well as the authorisation application process. The Secretary of State may revoke, vary or suspend an authorisation (regulation 7).

Part 3 creates criminal offences of entering the Convention Area intending to fish for profit without an authorisation, and fishing for profit within the Convention Area without an authorisation or in breach of any condition of an authorisation, the penalty for which is a maximum of two years’ imprisonment.

Part 4 enables the Secretary of State to designate contact officers to carry out tasks under the Convention’s Catch Documentation Scheme, as agreed by the Commission in the relevant conservation measures adopted in accordance with the Convention.

Part 5 provides that the Secretary of State may designate inspectors under the Convention to carry out the functions set out in the Convention System of Inspection. Inspectors must report to the Secretary of State on all inspections (regulation 13) and British vessels are obliged to facilitate the work of inspectors (irrespective of nationality) (regulation 14).

Part 6 provides that the Secretary of State may designate observers under the Convention to carry out the functions set out in the Convention Scheme of International Scientific Observation. Observers must report to the Secretary of State on all observation visits (regulation 18). Regulation 19 obliges British vessels to facilitate the work of observers in accordance with directions given by the Secretary of State.

A full impact assessment has not been prepared for this instrument as no, or no significant, impact is foreseen on the private, voluntary or public sectors.