
EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which revokes the Sea Fishing (Enforcement of Community Quota Measures) Order 1995, makes provision for the enforcement of certain of the enforceable Community restrictions and other obligations relating to sea fishing set out in the Regulation adopted by the Council of the European Community on 22nd December 1995 (“the Council Regulation”). The Council Regulation fixes total allowable catches and member States’ quotas for 1996.

Article 3 of the Order creates offences in respect of breaches of the provisions of the Council Regulation referred to in column 1 (and briefly described in column 2) of the Schedule to the Order. Penalties, which may include the forfeiture of fish, nets and other fishing gear, are specified for such offences (article 4). The statutory maximum penalty specified in the Schedule is currently #5,000.

The Order confers powers of enforcement on British sea-fishery officers in relation to fishing boats and on land and in relation to the seizure of fish and fishing gear (articles 6, 7 and 8). Provision is made for the punishment of anyone found guilty of assaulting or obstructing an officer (article 10).

A Compliance Cost Assessment in relation to this Order has been prepared and a copy has been placed in the library of each House of Parliament. A copy of it can be obtained from Fisheries III Division of the Ministry of Agriculture, Fisheries and Food, Room 425, Nobel House, 17 Smith Square, London SW1P&4uspace;3JR.