
EXPLANATORY NOTE

(This note is not part of the Order)

Article 3 of this Order provides for a closed season in respect of scallop fishing in Wales during the period from 1 November 2009 to 28 February 2010.

Article 4 sets out the powers of British sea-fishery officers in respect of this Order, in addition to their powers under the Sea Fish (Conservation) Act 1967 (“the Act”). It should also be noted that, by virtue of section 5(6) of the Act (as amended by section 22(2) of the Fisheries Act 1981), where, in the course of any fishing operations conducted in Wales, sea fish (which includes shellfish) are caught in contravention of this Order and are taken on board a fishing boat to which this Order applies, those sea fish must (subject to section 9 of the Act) be returned to the sea forthwith.

Article 5 revokes the Scallop Fishing (Wales) Order 2005.

A regulatory impact assessment has been undertaken in respect of this Order and is available for inspection at the offices of the Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ.