
EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which revokes the Sea Fishing (Enforcement of Community Quota Measures) Order 1994, makes provision for the enforcement of certain of the enforceable Community restrictions and other obligations relating to sea fishing set out in Council Regulation (EC) No. 3362/94 (“the Council Regulation”). The Council Regulation fixes total allowable catches and quotas for 1995.

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 obstructing or assaulting an officer (article 9).

The Compliance Cost Assessment relating to this Order is available 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 426, Nobel House, 17 Smith Square, London SW1P 3JR.