
STATUTORY RULES OF NORTHERN IRELAND

2018 No. 106

**The Sea Fishing (Illegal, Unreported and
Unregulated Fishing) Order (Northern Ireland) 2018**

Interpretation

2.—(1) Subject to article 17(1), the Interpretation Act (Northern Ireland) 1954(1) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

“authorised officer” means a person authorised in writing by the Department or a district council for the purposes of this Order;

“British sea-fishery officer” has the same meaning as in section 7 of the Sea Fisheries Act 1968(2);

“the Commission Regulation” means [Commission Regulation \(EC\) No 1010/2009](#) laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008;

“the Commissioners” mean the Commissioners for Her Majesty’s Revenue and Customs;

“the competent authority” has the meaning given in article 3;

“controlled consignment” means a consignment prohibited from movement under article 4;

“the Control Regulation” means Council Regulation (EC) No. 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy;

“the Council Regulation” means Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing;

“the Department” means the Department of Agriculture, Environment and Rural Affairs;

“equivalent provision” means any provision in any other order extending to any part of the United Kingdom and made for the purposes of implementing the Council Regulation or the Commission Regulation, which has equivalent effect to a provision in this Order, proceedings in respect of which may be taken in Northern Ireland by virtue of section 30(2A) of the Fisheries Act 1981(3);

“Northern Ireland” and “the Northern Ireland zone” have the same meanings as in the Northern Ireland Act 1998(4).

“Northern Ireland fishing boat” means a fishing vessel which is registered in the register maintained under Section 8 of the Merchant Shipping Act 1995 (5), and whose entry in the register specifies a port in Northern Ireland as the port to which the vessel is to be treated as belonging; and

(1) 1954 c. 33 (NI)

(2) 1968 c. 77; section 7 is relevantly amended by the Scotland Act 1998 (Consequential Modifications) (No.2) Order 1999 (S.I. 1999/1820), Schedule 2, paragraph 48(3); the Fisheries Act 1981 (1981 c. 29), section 46; the Marine and Coastal Access Act 2009 (2009 c.23), section 239 and Schedule 22, Part 6; and the Wales Act 2017 (2017 c.4) Schedule 4, paragraph 2.

(3) 1981 c.29. section 30(2A) was inserted by S.I. 1999/1820, article 4 and Schedule 2, paragraph 68(5)(a)

(4) 1998 c.47. See section 98(1)

(5) 1995 c.21

“third country fishing vessel” means a fishing vessel which is not a [F¹United Kingdom] fishing vessel.

(3) Terms used in this Order that are also used in the Council Regulation have the meaning they bear in that Regulation.

(4) In this Order any reference to the Council Regulation, the Control Regulation, or the Commission Regulation is a reference to that Regulation as amended from time to time.

(5) Any written notice which an authorised officer is required to give to a person under this Order may be given by electronic means only if–

- (a) the person has indicated to the authorised officer that notices under the Order may be given by electronic means and the person has provided an email address for that purpose;
- (b) that indication has not been withdrawn; and
- (c) the notice is sent to that address.

F1 Words in art. 2(2) substituted (31.12.2020) by [The Fisheries \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/209), regs. 1(1), 7(2); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

II Art. 2 in operation at 1.6.2018, see [art. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order (Northern Ireland) 2018, Section 2.