

## **EXECUTIVE NOTE**

### **The Shrimp Fishing Nets (Scotland) (Amendment) Order 2008 SSI/2008/10**

1. The above instrument was made in exercise of the powers conferred by section 3(1) of the Sea Fisheries (Conservation Act 1967. The instrument is laid before the Scottish Parliament after making but is not subject to further parliamentary procedure.

#### **Policy Objectives**

2. Article 3 of the Shrimp Fishing Nets (Scotland) Order 2004 (SSI 2004/261) implements Article 25 of Council Regulation (EC) No. 850/98 as amended by Council Regulation (EC) No.1298/2000. The United Kingdom Permanent Representation to the European Union (UKREP) has advised that the European Commission are concerned that Article 3(2)(d) of the 2004 Order does not make clear that a derogation from the prohibition in Article 25 on retaining on board shrimp caught with certain nets unless a sorting grid is installed, is only available to fishing vessels retaining on board a catch which comprises of 5% or less by weight of common shrimp or Aesop shrimp or a combination of the two. The amending Order now makes it clear that the limit is 5% .

#### **Consultation**

3. This is an amending Order which deals with technical issues relating to by-catches but does not change the policy objectives of the original Order. A consultation exercise was therefore unnecessary.

#### **Financial Effects**

4. There are no additional financial implications for the fishing industry or the Scottish Government.

#### **Regulatory Impact Assessment**

5. The Order does not change the regulatory requirements imposed by the Commission Regulation. It just removes ambiguity in the drafting of the 2004 Order. Accordingly it is considered that there will be no significant impact on Scottish business and no Regulatory Impact Assessment has been prepared.

Marine Directorate,  
Scottish Government  
16 January 2008