
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes breaches of specified articles of Commission Regulation [\(EEC\) No. 1381/87](#) (establishing detailed rules concerning the marking and documentation of fishing vessels) offences for the purposes of United Kingdom law wherever they occur in respect of any British fishing boat and within British fishery limits in respect of any Community fishing boat or Islands fishing boat.

The Commission Regulation requires—

- (1) fishing vessels to be marked with the port or district in which it is registered (article 1 of the Regulation);
- (2) small boats carried on fishing vessels and marker buoys to be marked with the letter and number of the vessel to which they belong (article 2 of the Regulation);
- (3) vessels over 10 metres in length to carry on board specified documents (article 3(1) of the Regulation); and
- (4) vessels over 17 metres in length to keep on board certified drawings or descriptions of fish rooms and documents indicating calibration of sea-water tanks (article 3(2) of the Regulation).

On summary conviction the offender will be liable to a fine not exceeding the amount specified in relation to the offence in column 3 of the Schedule to the Order (currently the statutory maximum is £5,000) and, on conviction on indictment, to a fine (article 4 of the Order). There is provision for a defence of due diligence (article 5). The Order provides powers for the recovery of fines imposed by a magistrates' court in England and Wales or Northern Ireland, or in Scotland by the sheriff (article 6).

The Order confers powers of enforcement on British sea-fishery officers (article 7). Provision is made for the punishment of anyone found guilty of obstructing a British sea-fishery officer (article 8).