
STATUTORY INSTRUMENTS

1995 No. 2437

SEA FISHERIES
COMMUNITY RESTRICTIONS

**The Third Country Fishing
(Enforcement) (Amendment) Order 1995**

<i>Made</i>	- - - -	<i>11th September 1995</i>
<i>Laid before Parliament</i>		<i>15th September 1995</i>
<i>Coming into force</i>	- -	<i>6th October 1995</i>

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with sea fishing in Scotland, Wales and Northern Ireland, in exercise of the powers conferred on them by section 30(2) and (3) of the Fisheries Act 1981,⁽¹⁾ and of all other powers enabling them in that behalf, hereby make the following Order:

Title, commencement and interpretation

1.—(1) This Order may be cited as the Third Country Fishing (Enforcement) (Amendment) Order 1995 and shall come into force on 6th October 1995.

(2) In this Order “the principal Order” means the Third Country Fishing (Enforcement) Order 1995.⁽²⁾

Amendment of the principal Order

2. The principal Order shall be amended in accordance with articles 3 to 5 of this Order and any reference in those provisions to any specified provision shall, unless the context requires otherwise, be taken to be a reference to the provision so specified of the principal Order.

3. In article 1(2) the words “as read with any qualifying words relating to that provision in that column” shall be omitted.

4. In article 6—

(a) before “Any British sea-fishery officer” there shall be inserted “— (1)”;

(1) 1981 c. 29.
(2) S.I.1995/907.

- (b) for the words “provision, being article 2(1) or (2), or 3(1), or (4) of a Council Regulation referred to in column 1 of the Schedule hereto”there shall be substituted the words “provision to which paragraph (2) below applies”;
- (c) at the end of the article there shall be inserted the following paragraph—
 - “(2) This paragraph applies to articles 2(1) and (2), 3(1) and 4 of the Council Regulation referred to in paragraph 1 of the Schedule to this Order and articles 2(1) and (2) and 3(1) of the first Council Regulation referred to in paragraph 2 of the Schedule to this Order.”.

5. In the Schedule—

- (a) in paragraph 1, for the words “Council Regulation (EEC) No. 3376/94 laying down for the period until 31st March 1995 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway” there shall be substituted the words “Council Regulation (EC) No. 747/95 laying down for 1995 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway”;(3)
- (b) in paragraph 2, after the words “the Faroe Islands”there shall be inserted the words “as amended by Council Regulation (EC) No. 750/95”.(4)

19th July 1995

Tony Baldry
Minister of State, Ministry of Agriculture,
Fisheries and Food

20th July 1995

Raymond Robertson
Parliamentary Under Secretary of State, Scottish
Office

Signed by authority of the Secretary of State for Wales

31st July 1995

Rod Richards
Parliamentary Under Secretary of State, Welsh
Office

11th September 1995

Patrick Mayhew
Secretary of State for Northern Ireland

(3) OJ No. L74, 1.4.95, p.10.
(4) OJ No. L74, 1.4.95, p.23.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Third Country Fishing (Enforcement) Order 1995 (“the principal Order”) in consequence of the repeal of Council Regulation (EC) No. 3376/94 laying down for the period until 31st March 1995 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway (OJ No. L363, 31.12.94, p.114), enforced by the principal Order, and its replacement by Council Regulation (EC) No. 747/95 laying down for 1995 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway (OJ No. L74, 1.4.95, p.10), so as to enable the principal Order to give effect to that Regulation.

The Order additionally amends the principal Order in consequence of an amendment to Council Regulation (EC) No. 3364/94 laying down for 1995 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of the Faroe Islands (OJ No. L363, 31.12.94, p.50), to which the principal Order also gives effect, by Council Regulation (EC) No. 750/95 (OJ No. L74, 1.4.95, p.23) and provides for certain other, minor, amendments to the principal Order.