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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, which replaces and revokes the Third Country Fishing (Enforcement) Order 1994, makes breaches of specified articles of the Community Regulations (set out in column 1 of the Schedule to the Order) offences for the purposes of United Kingdom law where they occur within British fishery limits.

The Community Regulations authorise fishing in certain specified areas within member States' fishery limits for specified descriptions of fish by vessels of third countries, namely, Norway up to 31st March 1995 and the Faroe Islands throughout 1995. The offences arise out of breaches of the provisions of the Community Regulations concerning methods of fishing, the holding of licences and observance of the conditions thereof, the keeping of log books, the making of radio reports and similar matters; all are triable summarily or on indictment. On summary conviction, the master of an offending vessel will be liable to a fine not exceeding the amount specified in relation to the offence in column 4 of the Schedule to the Order and to forfeiture of fish and fishing gear and, on conviction on indictment, to a fine (article 2). The level of the maximum fine is currently £50,000 in respect of offences relating to the keeping of logbooks and the observance of licence conditions. The statutory maximum penalty specified in the Schedule is currently £5,000.

The Order confers powers of enforcement on British sea-fishery officers (articles 5 and 6). Provision is made for the punishment of anyone found guilty of obstructing or assaulting an officer (article 7).