
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the enforcement of Community restrictions and other obligations relating to the removal of shark fins on board vessels as set out in [Council Regulation \(EC\) No. 1185/2003](#) on the removal of fins of sharks on board vessels (OJ No L167, 04.07.2003, p.1).

This Order applies to English and Welsh fishing boats wherever they are, except when they are within the territorial sea adjacent to Wales, and to all other boats in British fishery limits, excluding the Scottish zone, the Northern Ireland zone, the territorial sea adjacent to Wales and the territorial seas of the Isle of Man and the Channel Islands.

Article 4 of the Order creates offences in respect of breaches of those Articles of the Regulation referred to in column 1 of the Schedule to the Order. Penalties are specified for such offences in article 5. Provision is made for the recovery of fines in article 6.

The Order confers powers of enforcement on British sea-fishery officers (articles 7, 8 and 10). Article 9 allows a justice of the peace to issue warrants for entry to premises. Article 11 makes provision for the protection of British sea-fishery officers and their assistants and article 12 provides for offences and penalties should they be obstructed in the course of their investigations under this Order. Article 13 makes provision in respect of offences by bodies corporate, partnerships and unincorporated associations. Article 14 allows for the admissibility in evidence of records compiled for the purposes of [Council Regulation \(EEC\) No. 2847/93](#) establishing a control system applicable to the common fisheries policy (OJ No L261, 20.10.93, p.1).

An Impact Assessment in relation to this Order has been prepared and placed in the library of each House of Parliament. Copies can be obtained from Defra, Sea Fisheries Conservation Division, Area 7B, 3-8 Whitehall Place, London SW1A 2HH.