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## EXPLANATORY NOTE

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

Article 3 of this Order prescribes, in accordance with section 1(1) and (2) of the Sea Fish (Conservation) Act 1967 (c. 84), a minimum size of 40 centimetres for bass that can be landed or sold in England. Articles 4 and 5 exempt foreign fishing vessels (except Isle of Man, Jersey or Guernsey fishing boats) and fish that are farmed commercially from the prohibitions on landing and selling bass under 40 centimetres.

Articles 6 to 8—

- (a) prescribe a minimum size of 40 centimetres for bass that can be carried on relevant British fishing boats, Isle of Man, Jersey or Guernsey fishing boats, and Scottish fishing boats in certain British fishery limits; and
- (b) provide that any enmeshing gear carried on any relevant British fishing boat, any Isle of Man, Jersey or Guernsey fishing boat or any Scottish fishing boat that is fishing for bass in certain British fishery limits must have a mesh size of no less than 100 millimetres.

Article 9 sets out the powers of British sea-fishery officers in respect of this Order, in addition to their powers under the Sea Fish (Conservation) Act 1967.

This Order was notified in draft to the European Commission in accordance with Directive 98/34/EC (OJ No L 204, 21.7.1998, p.37), as amended by Directive 98/48/EC (OJ No L 217, 5.8.1998, p.18).

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from Defra Resource Centre, Lower Ground Floor, Ergon House, 17 Smith Square, London SW1P 3JR and is annexed to the Explanatory Memorandum which is available alongside the instrument on the Office of Public Sector Information website.