
STATUTORY INSTRUMENTS

2009 No. 3391

**The Sea Fishing (Illegal, Unreported
and Unregulated Fishing) Order 2009**

Interpretation

3.—(1) In this Order—

“authorised officer” means a person authorised in writing by a local authority, a port health authority, the Secretary of State or the Welsh Ministers for the purposes of this Order;

“British sea-fishery officer” has the same meaning as in section 7 of the Sea Fisheries Act 1968(1);

“the Commission Regulation” means [Commission Regulation \(EC\) No 1010/2009](#) laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008;

“the Commissioners” means the Commissioners for Her Majesty’s Revenue and Customs;

“controlled consignment” means a consignment prohibited from movement under article 5;

“the Council Regulation” means Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing;

“England” includes the waters adjacent to England up to the seaward limits of the territorial sea;

“equivalent provision” means a provision in any other instrument extending to any part of the United Kingdom which has equivalent effect to a provision in this Order, proceedings in respect of which may be taken in England or Wales by virtue of section 30(2A) of the Fisheries Act 1981(2);

“local authority” means—

- (a) in relation to England, a county council, a district council, a London Borough Council, the Common Council of the City of London or the Council of the Isles of Scilly; and
- (b) in relation to Wales, a county council or a county borough council;

“port health authority” means—

- (a) in relation to the London port health district (within the meaning given by section 7(1) of the Public Health (Control of Disease) Act 1984(3)), the Common Council of the City of London; and
- (b) in relation to any port health district constituted by order under section 2(3) of that Act, the port health authority for that district constituted by order under section 2(4) of that Act;

“third country fishing vessel” means a fishing vessel which is not a Community fishing vessel; and

(1) [1968 c. 77](#); section 7 is amended by article 4 of, and paragraph 48 of Schedule 2 to, [S.I. 1999/1820](#); by sections 26(1) and 46(2) of, and Part 2 of Schedule 5 to, the Fisheries Act 1981; by section 40 of, and Schedule 5 to, the [Northern Ireland Constitution Act 1973 \(c. 36\)](#) and by section 234 of the [Marine and Coastal Access Act 2009 \(c. 23\)](#).

(2) Section 30(2A) was inserted by [S.I. 1999/1820](#).

(3) [1984 c. 22](#).

“Wales” has the meaning given in section 158(1) of the Government of Wales Act 2006⁽⁴⁾.

(2) Terms used in this Order that are also used in the Council Regulation have the meaning they bear in that Regulation.

(3) In this Order, any reference to the Council Regulation is a reference to that Regulation as amended from time to time.

(4) In this Order, any reference to the Commission Regulation is a reference to that Regulation as amended from time to time.

⁽⁴⁾ 2006 c. 32.