EXPLANATORY MEMORANDUM TO

THE SEA FISH LICENSING (ENGLAND) ORDER 2015

2015 No. 647

1. This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

The primary purpose of this instrument is to consolidate, in so far as it applies to English fishing boats, the Sea Fish Licensing Order 1992 [S.I 1992/2663] with the subsequent orders which varied and amended it. The consolidated instrument prohibits fishing, subject to exceptions, by English fishing boats unless authorised by a licence.

3. Matters of special interest to the Joint Committee on Statutory Instruments.

None

4. Legislative Context

The instrument will consolidate the various instruments set out in the Schedule to the instrument.

5. Territorial Extent and Application

This instrument extends to England and Wales but applies only to English fishing vessels.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1. The key purpose of the existing instruments is to ensure compliance with the rules of the Common Fisheries Policy. They provide Ministers with the necessary powers to issue licences to British vessel owners as required by EU Law and are necessary for the effective implementation and enforcement of EU rules relating to the licensing of fishing vessels.

7.2 As part of the Red Tape Challenge initiative, the opportunity is being taken to consolidate a number of these instruments, in so far as they apply to English fishing boats, into one instrument in order to simplify the legislative landscape.

8. Consultation outcome

No consultation has been carried out because this instrument has no direct impact on the private or voluntary sector.

9. Guidance

No guidance is considered necessary for this instrument.

10. Impact

10.1 The instrument will have no adverse impact on business, charities or voluntary bodies.

10.2 The impact on the public sector is minimal.

10.3 An Impact Assessment has not been prepared for this instrument because no impact on the private or voluntary sector is foreseen.

11. Regulating small business

11.1 The legislation applies to small business.

11.2 The instrument will not impact on firms employing up to 20 people, as it simplifies the regulatory landscape by consolidating legislation

11.3 No specific action is necessary to assist small business.

12. Monitoring & review

The legislation will be regularly reviewed to ensure that it remains fit for purpose.

13. Contact

Jacinta Vaz at the Department for Environment, Food and Rural Affairs, Tel: 0207 238 4606 or email: Jacinta.vaz@defra.gsi.gov.uk can answer any queries regarding the instrument.