STATUTORY INSTRUMENTS

1987 No. 1536

SEA FISHERIES

COMMUNITY RESTRICTIONS

The Sea Fishing (Enforcement of Community Control Measures) (Amendment) Order 1987

Made - - - -	*27th August 1987*
Laid before Parliament	*2nd September 1987*
Coming into force	*3rd September 1987*

The Minister of Agriculture, Fisheries and Food and the Secretaries of State respectively concerned with sea fishing in Scotland, Wales and Northern Ireland, in exercise of the powers conferred on them by section 30(2) of the Fisheries Act 1981(**a**), and all other powers enabling them in that behalf, hereby make the following Order:

Title and commencement

1. This Order may be cited as the Sea Fishing (Enforcement of Community Control Measures) (Amendment) Order 1987 and shall come into force on 3rd September 1987.

Amendment of the Sea Fishing (Enforcement of Community Control Measures) Order 1985

2. The Sea Fishing (Enforcement of Community Control Measures) Order 1985 (**b**) shall be amended in accordance with the following provisions of this Order.

3. In article 2 (interpretation) for the definition of "the Council Regulation" there shall be substituted the following definition—

'"the Council Regulation" means Council Regulation (EEC) No. 2241/87 establishing certain control measures for fishing activities(**c**)'.

4. In article 3(2) (offences) for the words "article 3, 6, 7 or 8" there shall be substituted the words "article 5, 6, 7 or 8".

5.—(1) In article 4(1) (penalties) for the words "article 2(2), 10(3) or 11" there shall be substituted the words "article 2(2), 11(3) or 13".

(2) In article 4(2) for the words "article 2(2), 10(3) or 11" there shall be substituted the words "article 2(2), 11(3) or 13".

(3) In article 4(3) for the words "article 3, 6, 7 or 8" there shall be substituted the words "article 5, 6, 7 or 8".

(**a**) 1981 c. 29.
(**b**) S.I. 1985/487, amended by S.I. 1986/926.
(**c**) O.J. No. L207, 29.7.87, p.1.

6.—(1) In article 8(a) (powers of British sea-fishery officers to seize fish and nets) for the words "article 10(3)" there shall be substituted the words "article 11(3)".

(2) In article 8(b) for the words "article 11" there shall be substituted the words "article 13".

(3) In article 8(c)(i) for the words "article 11" there shall be substituted the words "article 13".

(4) In article 8(c)(ii) for the words "article 10(3)" there shall be substituted the words "article 11(3)".

7. In article 12 (admissibility in evidence of logbooks and landing or trans-shipment declarations) for the words "article 3" there shall be substituted the words "article 5".

8. In the Schedule (Community provisions contravention of which constitutes an offence) in column 1 (provision of the Council Regulation), there shall be substituted—

(a) in paragraph 2 for the words "Article 3" the words "Article 5";

(b) in paragraph 5 for the words "Article 10(3)" the words "Article 11(3)";

(c) in paragraph 6 for the words "Article 11" the words "Article 13".

In witness thereof the official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 27th August 1987.

John Slwyn Gummer
Minister of State
L.S. Ministry of Agriculture, Fisheries and Food

Sanderson of Bowden
27th August 1987 Minister of State, Scottish Office

Ian Grist
26th August 1987 Parliamentary Under Secretary of State, Welsh Office

Tom King
27th August 1987 Secretary of State for Northern Ireland

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Sea Fishing (Enforcement of Community Control Measures) Order 1985 as amended ("the 1985 Order"), in consequence of the consolidation and repeal of Council Regulation (EEC) No. 2057/82 as amended, by Council Regulation (EEC) No. 2241/87 establishing certain control measures for fishing activities.

In consequence of the consolidation the 1985 Order is amended—

(a) by substituting a new definition of "the Council Regulation" (article 3); and
(b) by replacing references to numbered articles where the article numbers of the consolidating Regulation differ from the numbers of corresponding articles of the Regulation repealed (articles 4 to 8).

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