EXECUTIVE NOTE

THE SEA FISHING (MARKING AND IDENTIFICATION OF PASSIVE FISHING GEAR AND BEAM TRAWLS) (SCOTLAND) ORDER 2006 SSI/2006/284

1. The above Order was made in exercise of the powers conferred by Section 30(2) of the Fisheries Act 1981. The instrument is subject to negative resolution procedure.

Policy Objective

2. The purpose of this instrument is to transpose the measures contained in Commission Regulation (EC) 356/2005 as amended by Commission Regulation 1805/2005 which lays down detailed rules for the marking and identification of passive fishing gear and beam trawls.

3. Scientific evidence is that many of the main fish stocks found in waters around Scotland and elsewhere in the European community are outwith safe biological limits, caused mainly by overfishing. Without improved fisheries control, conservation and other measures designed to safeguard fish stocks and ensure their long-term sustainable exploitation will not be fully effective. Certain stocks could collapse with significant impact on the fishing industry and dependant communities.

4. This instrument specifies that masters of a fishing vessel using beam trawls must ensure that the beams of the beam trawl carried on board or used for fishing display the port letters and numbers of the vessel. In addition masters of fishing vessels using passive gear (longlines and fixed nets) must ensure that the port letters and numbers of the vessel are displayed on a label which is permanently attached to specified parts of the gear and when the gear extends more than one nautical mile that the gear is labelled every nautical mile. Marker buoys must also be attached at each end of fixed nets and intermediary buoys must be attached every 5 nautical miles.

Consultation

5. Consultation with the fishing industry and other interested parties took place when the Council Regulations were drafted.

Financial Effects

6. A Regulatory Impact Assessment has been carried out and is attached. Vessels which use beam trawls will suffer little additional expenditure. However, vessels which use longlines or fixed nets will be required to purchase marker buoys at an additional cost of between £400 and £800. They will also need to be maintained at an additional cost of £20 per year and some may need replaced costing £50 each.

Scottish Executive Environment and Rural Affairs Department
Sea Fisheries (Management) Division

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