



Notification Number: 2016/667/UK

## The Regulation of Scallop Fishing (Scotland) Order 2017

Date received : 19/12/2016

End of Standstill : 20/03/2017

### Message

Message 001

Communication from the Commission - TRIS/(2016) 03852

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2016/0667/UK - Notificare.

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201603852.EN)

#### 1. Structured Information Line

MSG 001 IND 2016 0667 UK EN 19-12-2016 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Energy & Industrial Strategy  
Europe Directorate  
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London, SW1H 0ET

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#### 3. Originating Department

Marine Scotland  
Scottish Government  
Area 1B South



Victoria Quay  
Edinburgh, EH6 6QQ

#### **4. Notification Number**

2016/0667/UK - C10A

#### **5. Title**

The Regulation of Scallop Fishing (Scotland) Order 2017

#### **6. Products Concerned**

This proposed Order will regulate fishing for king scallops (*Pecten Maximus*) by UK fishing boats within those waters within British fishery limits which form the area known as the Scottish zone.

The part of the Order covered by the Technical Standards procedures is in relation to the length of the tow bar to which scallop dredges can be attached and which can either be carried on board a British fishing boat, or deployed or towed from a British fishing boat within the Scottish zone.

#### **7. Notification Under Another Act**

- The draft Order is an amended version of a draft Order that the Commission was notified about in 2015 (see Notification No. 2015/587/UK). The draft Order was not brought into force at that time as changes needed to be made to the text of its provisions. This is effectively a re-submission of that previous notification.

#### **8. Main Content**

The draft Order seeks to amend existing management measures relating to the use of scallop dredges by UK fishing boats in three separate areas within the Scottish zone. The draft Order seeks to reinforce existing limits in the number of dredges that can be towed from either side of the boat – with different limits applying in Scottish inshore waters, the territorial sea of the United Kingdom adjacent to Scotland and the remainder of the Scottish zone.

The technical restrictions which are the subject of this notification would apply as part of exemptions to these dredge number limits. The exemptions, if relied on, would be subject to one of two alternative conditions being met. Under each condition, there would be specified requirements: including requirements that the total length of any tow bar deployed does not exceed 7.5 metres; that no more than 2 tow bars are deployed at any time; and that no more than 8 scallop dredges are towed from each of the port and starboard sides of the fishing boat at any time.

The draft Order also seeks to make provision requiring a fully functional remote electronic monitoring system to be installed in those UK fishing boats which tow scallop dredges in certain areas within the Scottish zone. This requirement would not apply to those boats which were subject to one of the exemptions.

The draft Order would also specify a new standard minimum conservation reference size in relation to the landings of king scallops into most of coastline of Scotland. This would increase the permitted minimum landing size of king scallops from 100 millimetres to 105 millimetres in this area of coastline. This provision would amount to a condition designed to limit catches by technical measures which go beyond the minimum conservation and management requirements laid down in EU legislation – which is permissible under Council Regulation (EC) No 850/98 for the conservation of the fishery resources through technical measures for the protection of juveniles of marine organisms, and also under Articles 19 and 20 of Regulation (EU) No 1380/2013



of the European Parliament and of the Council on the Common Fisheries Policy.

#### **9. Brief Statement of Grounds**

The draft Order contains measures for the better protection, conservation and management of king scallop stocks within the Scottish zone.

The proposed provisions in the draft Order – including the conditions which restrict the overall length of the tow bar which can be used to tow scallop dredges from boats – form part of a package of management measures which are intended to limit fishing effort in the king scallop fishery within the Scottish zone. It is also considered necessary to introduce these management measures to ensure that more scallops have the opportunity to contribute to spawning stock biomass before being harvested.

#### **10. Reference Documents - Basic Texts**

References of the Basic Texts: 1. Sea Fish (Conservation) Act 1967 - sections 1, 3 and 5 of that Act provide the powers to make the order regulating scallop fishing.

2. Council Regulation (EC) No 850/98 for the conservation of fishery resources through technical measures for the protection of juvenile marine organisms - Article 46.

3. Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy - Articles 19 and 20.

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

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#### **13. Confidentiality**

No

#### **14. Fiscal measures**

No

#### **15. Impact assessment**

-

#### **16. TBT and SPS aspects**

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect



EUROPEAN COMMISSION  
GROWTH DIRECTORATE-GENERAL

Single Market for goods  
Prevention of Technical Barriers

No - The draft is not a sanitary or phytosanitary measure

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European Commission

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