



Notification Number: 2009/567/UK

The Scallop Fishing (Wales) Order 2010

Date received : 23/10/2009

End of Standstill : 25/01/2010

Message

Message 001

Communication from the Commission - SG(2009) D/52483

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2009/0567/UK - Notificare.

No abre el plazo - Nezahtuje 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 - Nao 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: 200902483.EN)

1. Structured Information Line

MSG 001 IND 2009 0567 UK EN 25-01-2010 23-10-2009 UK NOTIF 25-01-2010

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills

Innovation & Enterprise Group

1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

3. Originating Department

The Welsh Assembly Government Food, Department for Rural Affairs (Fisheries, Food and Marketing Development Division)

4. Notification Number



2009/0567/UK - C10A

5. Title

The Scallop Fishing (Wales) Order 2010

6. Products Concerned

The Order will cover the commercial fishing for scallops by British fishing vessels in Wales.

7. Notification Under Another Act

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8. Main Content

The Order will introduce technical, spatial and temporal restrictions on scallop (*Pecten maximus*) fishing activity in Wales by British registered fishing vessels. The technical restrictions will lay down definitions on the type, specifications and design of scallop dredges that can be used in Wales. The Order will also introduce spatial restrictions in the form of access to the 1, 3, 6 and 12 nautical mile zones in Welsh territorial waters. Access to the various zones will be based on vessel length, engine power and the fishing gear to be used.

9. Brief Statement of Grounds

The Order is required to introduce technical restrictions on fishing vessels and fishing gear in order to protect scallop stocks in Wales. Existing restrictions do not provide adequate protection to the Welsh scallop beds and the stock will become exhausted within a very few years if present fishing activity is not effectively controlled. The method of fishing for scallops involves the use of heavy dredges which can be damaging to the seabed and its flora and fauna. Several of the major scallop beds in Wales lie within designated European Marine Sites and the measures contained within the Order will help reduce the damage to the seabed and its features.

The Welsh Assembly Government is presently commissioning scientific research on assessment of the scallop stocks in Welsh waters and will look at introducing additional non-technical measures to the Order when the evidence is available.

10. Reference Documents - Basic Texts

a) 1. Government of Wales Act 2006.

Specifically section 158 which include the territorial sea adjacent to Wales.

2. Sea Fish (Conservation) Act 1967.

The Act empowers Welsh Ministers make the Order in exercise of the powers conferred by sections 1, 3, 5, 15(3) and 20(1) now vested in them.

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

This Order makes provision for a purpose mentioned in section 2(2) of the European Communities Act 1972, and it appears to the Welsh Ministers that it is expedient for the reference in article 11 of the Order (i.e. the minimum size of scallop that can be carried aboard British fishing vessels in Wales). This simply refers to the method by which a scallop should be measured. Article 17 and Annex XII and Annex XIII of the Regulation refer.

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

Impact assessment not available.

16. TBT and SPS aspects

TBT Aspect

No

The draft does not have a significant effect on international trade.

SPS Aspect

No

The draft is not a sanitary or phytosanitary measure in the sense of Annex A of the SPS Agreement.

Catherine Day
General Secretary
European Commission

Contact point Directive 98/34
Fax: (32-2) 296 76 60
email: dir83-189-central@ec.europa.eu

sent to :

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1
Frau MARKL Iris

European Free Trade Association

.

Työ- ja elinkeinoministeriö
Ms. Leila Vilhunen



Malta standards Authority
Sarah Jane Meli

Kommerskollegium
Ms Gunnel Fälth

Office of standards, metrology & Testing Kralikova Dana
.

Bundesministerium für Wirtschaft und Technologie (Referat EB2)
Frau Kathrin Lettgen

Ministerio dell'industria
Sr. CASTIGLIONI Enrico

Ministry of Economy Dept for Economic Regulations
Mrs Barbara H. Kozłowska

Ministry of Economy and Commerce Division for Internal Market
Catalina Groza

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1
Frau Brigitte WIKGOLM

Ministerio de Asuntos Exteriores y Coop. DG de Coordinación del Mercado Interior
Juan Carlos Calvo Huerta

Min. of Economic Affairs & Communication
Mr. Karl Stern

Délégation Interministérielle aux Normes
Mme PORTOU-DUPIN

Min. of Industry, Energy & Technology
Mr K. Polychronidis

CU N Lovseth Hanne Leen
.

Ministerie van Financiën Belastingdienst - Douane Noord / CDIU
De Heer IJ.G. van der Heide

Instituto Português da Qualidade
Sra Eng^a. Anete Freitas

Bundesministerium für Wirtschaft und Bund Arbeit - Abteilung C2/1
Franz BORTH

Institut Belge de Normalisation
Mme F. Hombert



EU internal market coordination (Ministry of Economics)

Mr. Dainis Matulis

BELNotif (Qualité et Sécurité) SPF Economie,PME,Classes moyennes, Energ

M. Paul Caruso

Cyprus org. for the promotion of quality Ministry of Commerce, Industry & Tourism

M. Antonis Ioannou

AGENCIA ESPAÑOLA DE SEGURIDAD ALIMENTARI Comisión Interministerial para la Ordena

M^a Luisa Aguilar Zambalamberri

ELOT

Mrs. Tzolou Afroditi

NSAI

Mr Tony Losty

Lithuanian Standards Board

Daiva Lesickiene

Undersecretariat of Foreign Trade General Directorate of Standardisation

Mr Mehmet COMERT

Czech Office for Standards, Metrology and testing

Mrs Lucie Ruzickova

Erhvervs- og Byggestyrelsen/Danish Enterprise & Construction Authority

Bjarne Bang Christensen

EFTA Surveillance Authority

Mr. Gunnar Thor PETURSSON

Ministero dello sviluppo economico Dip.to Impresa e Internazionalizzazione

Sr. CASTIGLIONI Enrico

Slovenian Institute for Standardization SIST

Mrs Jozica Skof Nikolic

Department for Business, Innov. & Skills

Mr Philip Plumb

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1

Ida CSISZAR

State Agency for Metrological and Technical Surveillance

Violetta Veleva

CU FL-Amt für Handel und Transport (TPMN)

Dipl. Ing. FH Thomas Näf



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

Hungarian Notification Centre Ministry of National Development and Eco
Mr Zsolt Fazekas

Institut luxembourgeois de la normalisat (ILNAS)
Mr Manuel Turmes

Service de l' Energie de l' Etat
M. Miguel Borges

Représentation Permanente du Luxembourg

Office of standards, metrology & Testing Director of the department of European I
Mrs Kvetoslava STEINLOVA