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STATUTORY INSTRUMENTS

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**2019 No. 1312**

**The Common Fisheries Policy and Animals  
(Amendment etc.) (EU Exit) Regulations 2019**

**PART 4**

**OTHER AMENDMENTS**

**The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019**

**8.—**(1) The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019<sup>(1)</sup> are amended as follows.

(2) In Part 3 (amendment of the control Regulations)—

(a) in regulation 4 (Council Regulation [\(EC\) No 1224/2009](#) establishing a Union control system for ensuring compliance with the rules of the common fisheries policy) for paragraph (49) substitute—

“(49) In Article 49c omit the final sentence.”; and

(b) in regulation 8 (Regulation (EU) 2017/2403 of the European Parliament and of the Council on the sustainable management of external fishing fleets)—

(i) in paragraph (4)(a) after “Control Regulation” insert “or an authorisation”,

(ii) in paragraph (18)(a) for “State” substitute “States”,

(iii) in paragraph (23)(a) for “State” substitute “States”,

(iv) in paragraph (27)(a) for “State” substitute “States”, and

(v) in paragraph (41)(a)(i) for “each” substitute “the first”.

(3) In Part 4 (amendment of the illegal, unreported and unregulated fishing Regulations), in regulation 9 (Council Regulation [\(EC\) No 1005/2008](#) establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing), in paragraph (31) omit “vessel”.

(4) In Part 5 (amendment of multiannual plans and effort regimes), in regulation 14 (Council Regulation [\(EC\) No 1100/2007](#) establishing measures for the recovery of the stock of European eel), in paragraph (7)(c)(i) after “paragraph” insert “2”.

(5) In Part 6 (amendment of the data collection framework measures), in regulation 16 (Regulation (EU) 2017/1004 of the European Parliament and of the Council on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy)—

(a) in paragraph (14)(b)(i) for “Member States” substitute “The Member State”; and

(b) in paragraph (17)(a)(ii) for “Commission and the Member States concerned” substitute “Member States concerned and the Commission”.

(6) In Part 8 (amendment of the measures relating to the protection of vulnerable marine ecosystems in the deep seas and high seas), in regulation 26 (Council Regulation (EC) No 734/2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears)—

- (a) in paragraph (5)(b)(i) for “fishing” substitute “fisheries”; and
- (b) in paragraph (10)(a)(i) omit “special”.

(7) In Part 9 (amendment of the European Maritime and Fisheries Fund Regulations), in regulation 29 (Commission Delegated Regulation (EU) 2015/288 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the period of time and the dates for the inadmissibility of applications), in paragraph (9)(a) for “State” substitute “States”.

(8) In the Schedule omit point (e).

### **The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019**

9.—(1) The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019(2) are amended as follows.

(2) In Part 2 (amendment of the regional fisheries management organisations Regulations)—

- (a) omit regulations 3 and 4;
- (b) in regulation 5 (Regulation (EU) No 1236/2010 of the European Parliament and of the Council laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries)

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- (i) in paragraph (36)(a)(i) after “designated by it,” insert “to”, and

- (ii) in paragraph (39)(b)(i) for “State” substitute “States”;

- (c) in regulation 7 (Regulation (EU) 2017/2107 of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Convention area of the International Commission for the Conservation of Atlantic Tunas (ICCAT))—

- (i) in paragraph (18)—

- (aa) in sub-paragraph (b)(i) for “ICCA” substitute “ICCAT”, and

- (bb) in sub-paragraph (d)(iii) for ““45” days” substitute ““45 days””,

- (ii) in paragraph (23)(a)(iii) for “(ii)” substitute “(a)(ii)”,

- (iii) for paragraph (35) substitute—

“(35) In Article 38(5) omit the final sentence.”, and

- (iv) in paragraph (65)(c)(ii) omit “that”; and

- (d) in regulation 9 (Regulation (EU) No 640/2010 of the European Parliament and of the Council establishing a catch documentation programme for bluefin tuna *Thunnus thynnus*)

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- (i) in paragraph (4)—

- (aa) in sub-paragraph (a)(iii) for “Union” substitute “their”, and

- (bb) in sub-paragraph (e)(ii) after ““catching vessel”” insert “in the first place it occurs”, and

- (ii) in paragraph (16)(a) for “States” substitute “State”.
- (3) In Part 3 (amendment of the technical conservation Regulations)—
  - (a) in regulation 12 ([Commission Regulation \(EC\) No 517/2008](#) laying down detailed rules for the implementation of Council Regulation ([EC](#)) No 850/98 as regards the determination of the mesh size and assessing the thickness of twine of fishing nets), in paragraph (4)(c) for “authority” in the first place it occurs, substitute “authorities”; and
  - (b) in regulation 15 (Council Regulation ([EC](#)) No 520/2007 laying down technical measures for the conservation of certain stocks of highly migratory species)—
    - (i) in paragraph (6)(a)(ii)—
      - (aa) for “must” substitute “shall”, and
      - (bb) for “shall” substitute “must”,
    - (ii) after paragraph (6)(a)(ii) insert—
      - “(iia) in the words preceding point (a) for “Community” substitute “United Kingdom”,”, and
    - (iii) for paragraph (12) substitute—
      - “(12) In Article 19—
        - (a) in paragraph 1 for “Member States shall do their” substitute “A fisheries administration must do its”; and
        - (b) in paragraph 2 for “Member States shall” substitute “A fisheries administration must”.”.
- (4) In Part 4 (amendment of the north sea multiannual plan), in regulation 25 (Regulation (EU) 2018/973 of the European Parliament and of the Council establishing a multiannual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks, specifying details of the implementation of the landing obligation in the North Sea), in paragraph (8)(a)—
  - (a) for “designates” substitute “distributes”; and
  - (b) after “opportunities” insert “for use by fishing vessels”.

### **The Common Fisheries Policy (Amendment etc.) (EU Exit) (No. 2) Regulations 2019**

**10.**—(1) The Common Fisheries Policy (Amendment etc.) (EU Exit) (No. 2) Regulations 2019(3) are amended as follows.

(2) In Part 2 (amendment of the discard plans), in regulation 3 (Commission Delegated Regulation (EU) 2018/2035 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2019-2021), in paragraph (9) omit paragraph (b).

(3) In Part 4 (amendment of the TAC and Quota Regulation), in regulation 6 (Council Regulation (EU) 2019/124 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters)—

- (a) in paragraph (10)—
  - (i) for sub-paragraph (a) substitute—
    - “(a) in paragraph 1—
      - (i) for “It” in the first place it occurs, substitute “Until 1 April 2020 it”, and
      - (ii) for “Union” substitute “United Kingdom”,”,

- (ii) in sub-paragraph (b)—
  - (aa) for paragraph (i) substitute—
    - “(i) in the wording before point (a)—
      - (aa) for “in January 2019 and from 1 April to 31 December 2019” substitute “until 1 February 2020”, and
      - (bb) for “Union” substitute “United Kingdom”,” and
    - (bb) in paragraph (ii), at the end of sub-paragraph (ff) omit “and”,
  - (iii) in sub-paragraph (c), at the end of paragraph (ii) for the full stop substitute “; and”, and
  - (iv) after sub-paragraph (c) insert—
    - “(d) in paragraph 4(a) for “from 1 January to 31 March and from 1 November and to 31 December 2019” substitute “from 1 November 2019 to 1 April 2020”.”;
- (b) in paragraph (22) after “5 to 11” insert “of Chapter 3”;
- (c) in paragraph (24)(a) for “Non-target species” substitute “Fish species and names”; and
- (d) in paragraph (25)—
  - (i) in sub-paragraph (a) for “NON-TARGET SPECIES” substitute “FISH SPECIES AND NAMES”,
  - (ii) for sub-paragraph (b) substitute—
    - “(b) omit the first and second paragraphs; and”, and
  - (iii) for sub-paragraph (c) substitute—
    - “(c) in the third paragraph omit the first and second sentences.”.

### **The Animals (Legislative Functions) (EU Exit) Regulations 2019**

**11.**—(1) The Animals (Legislative Functions) (EU Exit) Regulations 2019(4) are amended as follows.

(2) In regulation 6 (Council Regulation [\(EC\) No 1/2005](#) on the protection of animals during transport and related operations)—

- (a) for paragraph (7)(g) substitute—
  - “(g) omit paragraph 8.”; and
- (b) omit paragraph (9).