

Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC

PART I

GENERAL PROVISIONS

[^{F1}Article 1

**Powers and obligations of fisheries administrations
in relation to relevant retained direct EU legislation**

1 Any obligation of, or having effect in relation to, “a fisheries administration” under this Regulation or any relevant retained direct EU legislation is an obligation of, or having effect in relation to, a particular fisheries administration to the extent that the obligation is within the jurisdiction of that administration.

2 Any power exercisable by “a fisheries administration” under this Regulation or any relevant retained direct EU legislation is a power exercisable by a particular fisheries administration to the extent that the power is within the jurisdiction of that administration.

3. An obligation or power is within the jurisdiction of the Scottish Ministers if it would be within the legislative competence of the Scottish Parliament to impose or confer that obligation or power on, or in relation to, the Scottish Ministers (if it were included in an Act of the Scottish Parliament) where, to the extent that it relates to—

- a fishing and aquaculture in the Scottish zone;
- b fishing outside that zone by Scottish fishing vessels;
- c any fish or aquaculture organisation applying for recognition as a producers' organisation, or recognised as such, whose area covered by the application for recognition, in so far as within the United Kingdom or United Kingdom waters, is wholly or mainly within Scotland or the Scottish zone,

it is treated as a function exercisable in or as regards Scotland for the purposes of the Scotland Act 1998.

4. An obligation or power is within the jurisdiction of the Welsh Ministers if—

- a it would be within the legislative competence of the National Assembly for Wales to impose or confer that obligation or power on, or in relation to, the Welsh Ministers (if it were included in an Act of that Assembly); or
- b it could have been imposed or conferred by, or relates to a function exercisable by the Welsh Ministers immediately before IP completion day.

5. An obligation or power is within the jurisdiction of the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, if it would be within the legislative competence of the Northern Ireland Assembly to impose or confer that obligation or power on, or in relation to, the Department (if it were included in an Act of that Assembly) where, to the extent that it relates to—

- a fishing and aquaculture in the Northern Ireland zone;
- b fishing outside that zone by Northern Ireland fishing vessels;

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c any fish or aquaculture organisation applying for recognition as a producers' organisation, or recognised as such, whose area covered by the application for recognition, in so far as within the United Kingdom or United Kingdom waters, is wholly or mainly within Northern Ireland or the Northern Ireland zone,
it is treated as a function exercisable in or as regards Northern Ireland for the purposes of the Northern Ireland Act 1998.

6. An obligation or power is within the jurisdiction of the Marine Management Organisation, if it corresponds to any obligation or power imposed or conferred by EU law which immediately before IP completion day was imposed on or in relation to, or exercisable by, the Marine Management Organisation by virtue of any enactment.

7. An obligation or power is within the jurisdiction of the Secretary of State, if—

- a it applies in relation to an English fishing vessel;
- b it is not within the jurisdiction of a devolved fisheries administration or the Marine Management Organisation; or
- c it is a power exercisable by the Secretary of State, or an obligation of or having effect in relation to the Secretary of State, concurrently or jointly with a devolved fisheries administration.

8. Where functions under this Regulation or any relevant retained direct EU legislation are, by virtue of paragraphs 3 to 7, exercisable by more than one fisheries administration concurrently, paragraph 1 does not require any obligation to be met by, or in relation to, a particular fisheries administration to the extent that the obligation has been or is being met by, or in relation to, any other fisheries administration.

9. For this purpose—

- a 'a fisheries administration' means the Secretary of State, a devolved fisheries administration or the Marine Management Organisation, and 'a devolved fisheries administration' means the Scottish Ministers, the Welsh Ministers or, in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
- b 'English fishing vessel' means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in England as the port to which the vessel is to be treated as belonging;
- c 'Northern Ireland fishing vessel' means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Northern Ireland as the port to which the vessel is to be treated as belonging;
- d 'Northern Ireland zone' has the same meaning as in section 98(1) of the Northern Ireland Act 1998;
- e 'Scottish fishing vessel' means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Scotland as the port to which the vessel is to be treated as belonging;
- f 'Scottish zone' has the same meaning as in section 126(1) of the Scotland Act 1998.]

Textual Amendments

F1 Art. 1 substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(2)** (as amended by S.I. 2020/1542, regs. 1(2), **11(2)(a)**); 2020 c. 1, Sch. 5 para. 1(1)

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^{F2}Article 2

Objectives

Textual Amendments

- F2** Art. 2 revoked (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(2)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

Article 3

Principles of good governance

[^{F3}In exercising its functions under relevant retained direct EU legislation, a fisheries administration must] be guided by the following principles of good governance:

- (a) the clear definition of responsibilities at the ^{F4}... national and local levels;
- (b) ^{F5}...
- (c) the establishment of measures in accordance with the best available scientific advice;
- (d) a long-term perspective;
- (e) administrative cost efficiency;
- (f) appropriate involvement of stakeholders^{F6}... at all stages - from conception to implementation of the measures;
- (g) ^{F7}...
- (h) ^{F8}...
- (i) the use of impact assessments as appropriate;
- (j) ^{F9}...
- (k) transparency of data handling in accordance with existing legal requirements, with due respect for private life, the protection of personal data and confidentiality rules; availability of data to the appropriate scientific bodies, other bodies with a scientific or management interest, and other defined end-users.

Textual Amendments

- F3** Words in Art. 3 substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 3(a) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(3)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F5** Art. 3(b) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(3)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

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| F6 | Words in Art. 3(f) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, 3(3)(d) ; 2020 c. 1, Sch. 5 para. 1(1) |
| F7 | Art. 3(g) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, 3(3)(e) ; 2020 c. 1, Sch. 5 para. 1(1) |
| F8 | Art. 3(h) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, 3(3)(e) ; 2020 c. 1, Sch. 5 para. 1(1) |
| F9 | Art. 3(j) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, 3(3)(e) ; 2020 c. 1, Sch. 5 para. 1(1) |

Article 4

Definitions

1 ^{F10}The following definitions apply in this Regulation and, to the extent that they are not already defined, in relevant retained direct EU legislation]:

- (1) 'Union waters' means the waters under the sovereignty or jurisdiction of the Member States, with the exception of the waters adjacent to the territories listed in Annex II to the Treaty ^{F11}on the Functioning of the European Union];
- (2) 'marine biological resources' means available and accessible living marine aquatic species, including anadromous and catadromous species during their marine life;
- (3) ^{F12}...
- (4) 'fishing vessel' means any vessel equipped for commercial exploitation of marine biological resources or a blue fin tuna trap;
- (5) ^{F13}...
- (6) 'entry to the fishing fleet' means registration of a fishing vessel in the fishing vessel register of ^{F14}the United Kingdom];
- (7) 'maximum sustainable yield' means the highest theoretical equilibrium yield that can be continuously taken on average from a stock under existing average environmental conditions without significantly affecting the reproduction process;
- (8) 'precautionary approach to fisheries management', as referred to in Article 6 of the UN Fish Stocks Agreement, means an approach according to which the absence of adequate scientific information should not justify postponing or failing to take management measures to conserve target species, associated or dependent species and non-target species and their environment;
- (9) 'ecosystem-based approach to fisheries management' means an integrated approach to managing fisheries within ecologically meaningful boundaries which seeks to manage the use of natural resources, taking account of fishing and other human activities, while preserving both the biological wealth and the biological processes necessary to safeguard the composition, structure and functioning of the habitats of the ecosystem affected, by taking into account the knowledge and uncertainties regarding biotic, abiotic and human components of ecosystems;
- (10) 'discards' means catches that are returned to the sea;

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- (11) 'low impact fishing' means utilising selective fishing techniques which have a low detrimental impact on marine ecosystems or which may result in low fuel emissions, or both;
- (12) 'selective fishing' means fishing with fishing methods or fishing gears that target and capture organisms by size or species during the fishing operation, allowing non-target specimens to be avoided or released unharmed;
- (13) 'fishing mortality rate' means the rate at which biomass or individuals are removed from a stock by means of fishery activities over a given period;
- (14) 'stock' means a marine biological resource that occurs in a given management area;
- (15) 'catch limit' means, as appropriate, either a quantitative limit on catches of a fish stock or group of fish stocks over a given period where such fish stocks or group of fish stocks are subject to an obligation to land, or a quantitative limit on landings of a fish stock or group of fish stocks over a given period for which the obligation to land does not apply;
- (16) 'conservation reference point' means values of fish stock population parameters (such as biomass or fishing mortality rate) used in fisheries management, for example in respect of an acceptable level of biological risk or a desired level of yield;
- (17) 'minimum conservation reference size' means the size of a living marine aquatic species taking into account maturity, as established by ^{F15}... law, below which restrictions or incentives apply that aim to avoid capture through fishing activity; such size replaces, where relevant, the minimum landing size;
- (18) 'stock within safe biological limits' means a stock with a high probability that its estimated spawning biomass at the end of the previous year is higher than the limit biomass reference point (Blim) and its estimated fishing mortality rate for the previous year is less than the limit fishing mortality rate reference point (Flim);
- (19) 'safeguard' means a precautionary measure designed to avoid something undesirable occurring;
- (20) 'technical measure' means a measure that regulates the composition of catches by species and size and the impacts on components of the ecosystems resulting from fishing activities by establishing conditions for the use and structure of fishing gear and restrictions on access to fishing areas;
- (21) 'fishing effort' means the product of the capacity and the activity of a fishing vessel; for a group of fishing vessels it is the sum of the fishing effort of all vessels in the group;
- (22) ^{F16} ...
- (23) ^{F17} ...
- (24) 'fishing capacity' means a vessel's tonnage in GT (Gross Tonnage) and its power in kW (Kilowatt) as defined in Articles 4 and 5 of [^{F18}Regulation (EU) 2017/1130 of the European Parliament and of the Council defining characteristics for fishing vessels];
- (25) 'aquaculture' means the rearing or cultivation of aquatic organisms using techniques designed to increase the production of the organisms in question beyond the natural capacity of the environment, where the organisms remain the property of a natural or legal person throughout the rearing and culture stage, up to and including harvesting;

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- (26) 'fishing licence' means a licence as defined in point (9) of Article 4 of Council Regulation (EC) No 1224/2009⁽¹⁾;
- (27) 'fishing authorisation' means an authorisation as defined in point (10) of Article 4 of Regulation (EC) No 1224/2009;
- (28) 'fishing activity' means searching for fish, shooting, setting, towing, hauling of a fishing gear, taking catch on board, transshipping, retaining on board, processing on board, transferring, caging, fattening and landing of fish and fishery products;
- (29) 'fishery products' means aquatic organisms resulting from any fishing activity or products derived therefrom;
- (30) 'operator' means the natural or legal person who operates or holds any undertaking carrying out any of the activities related to any stage of production, processing, marketing, distribution and retail chains of fisheries and aquaculture products;
- (31) 'serious infringement' means an infringement that is defined as such in relevant ^{F19}... law, including in Article 42(1) of Council Regulation (EC) No 1005/2008⁽²⁾ and in Article 90(1) of Regulation (EC) No 1224/2009;
- (32) 'end-user of scientific data' means a body with a research or management interest in the scientific analysis of data in the fisheries sector;
- (33) 'surplus of allowable catch' means that part of the allowable catch which a coastal State does not harvest, resulting in an overall exploitation rate for individual stocks that remains below levels at which stocks are capable of restoring themselves and maintaining populations of harvested species above desired levels based on the best available scientific advice;
- (34) 'aquaculture products' means aquatic organisms at any stage of their life cycle resulting from any aquaculture activity or products derived therefrom;
- (35) 'spawning stock biomass' means an estimate of the mass of the fish of a particular stock that reproduces at a defined time, including both males and females and fish that reproduce viviparously;
- (36) 'mixed fisheries' means fisheries in which more than one species is present and where different species are likely to be caught in the same fishing operation;
- (37) 'sustainable fisheries partnership agreement' means an international agreement concluded with [^{F20}another] state for the purpose of obtaining access to waters and resources in order to sustainably exploit a share of the surplus of marine biological resources^{F21}....
- (38) [^{F22}'United Kingdom fishing vessel' means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995;
- (39) 'United Kingdom fleet' means all United Kingdom fishing vessels;
- (40) 'United Kingdom waters' means the sea within British fishery limits but excluding the territorial sea adjacent to the Isle of Man.
- (41) 'third country' means any country that is not the United Kingdom;
- (42) 'competent authority' means any person or body to whom a fisheries administration has delegated the function in question;

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- (43) ‘relevant retained direct EU legislation’ means retained direct EU legislation corresponding to any direct EU legislation adopted under the EU common fisheries policy;
- (44) ‘Fisheries Rules’ means relevant retained direct EU legislation;
- (45) ‘a fisheries administration’ is to be interpreted in accordance with Article 1. A reference to ‘the other fisheries administrations’ is to be interpreted accordingly and, for this purpose, the fisheries administrations are listed in Article 1(9)(a). A reference to the ‘fleet’ of a fisheries administration is a reference to all United Kingdom fishing vessels which are—
- (a) in the case of the Secretary of State and the Marine Management Organisation, registered to a port in England;
 - (b) in the case of the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, registered to a port in Northern Ireland;
 - (c) in the case of the Scottish Ministers, registered to a port in Scotland; or
 - (c) in the case of the Welsh Ministers, registered to a port in Wales.]
- (46) [^{F23}‘the fisheries objectives’ has the meaning given by section 1(1) of the Fisheries Act 2020.]

2 For the purposes of this Regulation, the following geographical definitions of geographical areas shall apply:

- a ‘North Sea’ means ICES zones⁽³⁾ IIIa and IV;
- b ‘Baltic Sea’ means ICES zones IIIb, IIIc and IIId;
- c ‘North Western waters’ means ICES zones V (excluding Va and only Union waters of Vb), VI and VII;
- d ‘South Western waters’ means ICES zones VIII, IX and X (waters around Azores), and CECAF zones⁽⁴⁾ 34.1.1, 34.1.2 and 34.2.0 (waters around Madeira and the Canary Islands);
- e ‘Mediterranean Sea’ means Maritime Waters of the Mediterranean to the East of line 5°36’ West;
- f ‘Black Sea’ means the GFCM (General Fisheries Commission for the Mediterranean) geographical sub-area as defined in Resolution GFCM/33/2009/2.

Textual Amendments

- F10** Words in Art. 4.1 substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 4.1(1) inserted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F12** Art. 4.1(3) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Art. 4.1(5) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 4.1(6) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Word in Art. 4.1(17) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(f)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F16** Art. 4.1(22) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F17** Art. 4.1(23) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(h)**; 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in Art. 4.1(24) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Word in Art. 4.1(31) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(j)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Word in Art. 4.1(37) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(k)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in Art. 4.1(37) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(k)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F22** Arts. 4.1(38)-(45) inserted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(4)(l)** (as amended by S.I. 2020/1542, regs. 1(2), **11(2)(b)**); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Art. 4.1(46) inserted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(3)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

PART II

ACCESS TO WATERS

^{F24}Article 5

General rules on access to waters

Textual Amendments

- F24** Art. 5 revoked (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(4)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

PART III

MEASURES FOR THE CONSERVATION AND SUSTAINABLE EXPLOITATION OF MARINE BIOLOGICAL RESOURCES

^{F25}TITLE I

Conservation measures

Textual Amendments

- F25** Pt. 3 Title 1 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(5)**; 2020 c. 1, Sch. 5 para. 1(1)

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TITLE II

Specific measures

^{F26}Article 9

Principles and objectives of multiannual plans

Textual Amendments

F26 Art. 9 revoked (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(5)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

^{F27}Article 10

Content of multiannual plans

Textual Amendments

F27 Art. 10 revoked (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(6)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

^{F28}Article 11

Conservation measures necessary for compliance with obligations under Union environmental legislation

Textual Amendments

F28 Arts. 11-13 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(7)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F28}Article 12

Commission measures in case of a serious threat to marine biological resources

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Textual Amendments

F28 Arts. 11-13 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(7)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F28} Article 13

Member State emergency measures

Textual Amendments

F28 Arts. 11-13 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(7)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 14

Avoidance and minimisation of unwanted catches

1 In order to facilitate the introduction of the obligation to land all catches in the respective fishery in accordance with Article 15 ("the landing obligation"), [^{F29}a fisheries administration] may conduct pilot projects, based on the best available scientific advice^{F30} ..., with the aim of fully exploring all practicable methods for the avoidance, minimisation and elimination of unwanted catches in a fishery.

2 [^{F31}A fisheries administration] may produce a "discard atlas" showing the level of discards in each of the fisheries which are covered by Article 15(1).

Textual Amendments

F29 Words in Art. 14(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(8)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F30 Words in Art. 14(1) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(8)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F31 Words in Art. 14(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 15

Landing obligation

[^{F32}1 All catches of species which are subject to catch limits caught during fishing activities in United Kingdom waters, or by United Kingdom fishing vessels outside United Kingdom waters in waters not subject to third countries' sovereignty or jurisdiction, shall be brought and retained on board the fishing vessels, recorded, landed and counted against the quotas where applicable, except when used as live bait.

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2 Paragraph 1 is without prejudice to any of the United Kingdom's international obligations.]

^{F33}3

4 The landing obligation referred to in paragraph 1 shall not apply to:

- a species in respect of which fishing is prohibited and which are identified as such in [^{F34}relevant retained direct EU legislation];
- b species for which scientific evidence demonstrates high survival rates, taking into account the characteristics of the gear, of the fishing practices and of the ecosystem;
- c catches falling under de minimis exemptions[^{F35}];
- [^{F36}d fish which shows damage caused by predators.]

5 Details of the implementation of the landing obligation referred to in paragraph 1 shall be specified in multiannual plans ^{F37}..., including:

- [^{F35}a specific provisions regarding fisheries or species covered by the landing obligation referred to in paragraph 1^{F38}... aimed at increasing gear selectivity or reducing or, as far as possible, eliminating unwanted catches;]
- b the specification of exemptions to the landing obligation of species referred to in point (b) of paragraph 4;
- c provisions for de minimis exemptions of up to 5 % of total annual catches of all species subject to the landing obligation referred to in paragraph 1. The de minimis exemption shall apply in the following cases:
 - (i) where scientific evidence indicates that increases in selectivity are very difficult to achieve; or
 - (ii) to avoid disproportionate costs of handling unwanted catches, for those fishing gears where unwanted catches per fishing gear do not represent more than a certain percentage, to be established in a plan, of total annual catch of that gear.

Catches under the provisions referred to in this point shall not be counted against the relevant quotas; however, all such catches shall be fully recorded.

^{F39}...

- d provisions on documentation of catches;
- e where appropriate, the fixing of minimum conservation reference sizes in accordance with paragraph 10.

[^{F40}6 A fisheries administration may make regulations laying down a specific discard plan for a particular fishery containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article.

6A. Subject to paragraph 6B, the Secretary of State may make regulations laying down a specific discard plan for a particular fishery containing the specifications referred to in points (a) to (e) of paragraph 5 of this Article.

6B. Where the exercise of the power to make regulations under paragraph 6 would be outside the jurisdiction of the Secretary of State under Article 1(7), before making such regulations under the power in paragraph 6A the Secretary of State must obtain the consent of—

- a the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3);

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- b the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4);
- c the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5).]

^{F417}

8 By way of derogation from the obligation to count catches against the relevant quotas in accordance with paragraph 1, catches of species that are subject to the landing obligation and that are caught in excess of quotas of the stocks in question, or catches of species in respect of which [^{F42}a fisheries administration] has no quota, may be deducted from the quota of the target species provided that they do not exceed 9 % of the quota of the target species. This provision shall only apply where the stock of the non-target species is within safe biological limits.

[^{F439} For stocks subject to the landing obligation, a fisheries administration may use a year to year flexibility of up to 10% of the landings that it has permitted. For this purpose, a fisheries administration may allow landing of additional quantities of the stock that is subject to the landing obligation provided that such quantities do not exceed 10% of the quota allocated.]

10 Minimum conservation reference sizes may be established with the aim of ensuring the protection of juveniles of marine organisms.

11 For the species subject to the landing obligation as specified in paragraph 1, the use of catches of species below the minimum conservation reference size shall be restricted to purposes other than direct human consumption, including fish meal, fish oil, pet food, food additives, pharmaceuticals and cosmetics.

[^{F44}12 For species that are not subject to the landing obligation as specified in paragraph 1, the catches of species below the minimum conservation reference size shall not be retained on board, but shall be returned immediately to the sea, except when they are used as live bait.]

13 For the purpose of monitoring compliance with the landing obligation, [^{F45}a fisheries administration must] ensure detailed and accurate documentation of all fishing trips and adequate capacity and means, such as observers, closed-circuit television (CCTV) and others. In doing so, [^{F45}a fisheries administration must] respect the principle of efficiency and proportionality.

^{F46}14

Textual Amendments

- F32** Art. 15(1)(2) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(9)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F33** Art. 15(3) omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(9)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F34** Words in Art. 15(4)(a) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(9)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F35** Substituted by [Regulation \(EU\) 2015/812 of the European Parliament and of the Council of 20 May 2015 amending Council Regulations \(EC\) No 850/98, \(EC\) No 2187/2005, \(EC\) No 1967/2006, \(EC\) No 1098/2007, \(EC\) No 254/2002, \(EC\) No 2347/2002 and \(EC\) No 1224/2009, and Regulations \(EU\) No 1379/2013 and \(EU\) No 1380/2013 of the European Parliament and of the Council, as regards the landing obligation, and repealing Council Regulation \(EC\) No 1434/98.](#)
- F36** Inserted by [Regulation \(EU\) 2015/812 of the European Parliament and of the Council of 20 May 2015 amending Council Regulations \(EC\) No 850/98, \(EC\) No 2187/2005, \(EC\) No 1967/2006, \(EC\) No](#)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

1098/2007, (EC) No 254/2002, (EC) No 2347/2002 and (EC) No 1224/2009, and Regulations (EU) No 1379/2013 and (EU) No 1380/2013 of the European Parliament and of the Council, as regards the landing obligation, and repealing Council Regulation (EC) No 1434/98.

- F37** Words in Art. 15(5) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(9)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F38** Words in Art. 15(5)(a) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(9)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F39** Words in Art. 15(5)(c) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(9)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F40** Art. 15(6)-(6B) substituted for Art. 15(6) (31.12.2020) by S.I. 2019/753, reg. 26(2) (as substituted by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(2), **15(2)**)
- F41** Art. 15(7) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(9)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F42** Words in Art. 15(8) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(9)(f)**; 2020 c. 1, Sch. 5 para. 1(1)
- F43** Art. 15(9) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(9)(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F44** Substituted by Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005.
- F45** Words in Art. 15(13) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(9)(h)**; 2020 c. 1, Sch. 5 para. 1(1)
- F46** Art. 15(14) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(9)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C1** Art. 15(1) excluded (31.12.21) by Regulation (EC) No. 1393/2014, Art. 2(1)(1A) (as substituted by The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021 (S.I. 2021/1429), regs. 1(1), **3(2)(a)**)

^{F47} Article 16

Fishing opportunities

Textual Amendments

- F47** Art. 16 revoked (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(7)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

^{F48} Article 17

Criteria for the allocation of fishing opportunities by Member States

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F48 Art. 17 revoked (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(8)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

^{F49}TITLE III

Regionalisation

Textual Amendments

F49 Pt. 3 Title 3 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(10)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F50}TITLE IV

National measures

Textual Amendments

F50 Pt. 3 Title 4 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(10)**; 2020 c. 1, Sch. 5 para. 1(1)

PART IV

MANAGEMENT OF FISHING CAPACITY

^{F51}Article 21

Establishment of systems of transferable fishing concessions

Textual Amendments

F51 Art. 21 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(11)**; 2020 c. 1, Sch. 5 para. 1(1)

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Article 22

Adjustment and management of fishing capacity

1 ^{F52} A fisheries administration must] put in place measures to adjust the fishing capacity of ^{F53} its fleet to the fishing opportunities available to it] over time, taking into account trends and based on best scientific advice, with the objective of achieving a stable and enduring balance between them.

^{F54} 2

^{F54} 3

^{F54} 4

5 No exit from the fleet supported by public aid shall be permitted unless preceded by the withdrawal of the fishing licence and the fishing authorisations.

6 The fishing capacity corresponding to the fishing vessels withdrawn with public aid shall not be replaced.

^{F55} 7 A fisheries administration must, jointly with the other fisheries administrations, ensure that the fishing capacity of the United Kingdom fleet does not exceed at any time 231,106 GT or 909,141 kW.]

Textual Amendments

F52 Words in Art. 22(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(12)(a)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**

F53 Words in Art. 22(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(12)(a)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**

F54 Art. 22(2)-(4) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(12)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

F55 Art. 22(7) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(12)(c)**; 2020 c. 1, **Sch. 5 para. 1(1)**

Article 23

Entry/Exit scheme

1 ^{F56} A fisheries administration must] manage entries into ^{F57} its fleet] and exits from ^{F57} its fleet] in such a way that the entry into the fleet of new capacity without public aid is compensated for by the prior withdrawal of capacity without public aid of at least the same amount.

^{F58} 2

^{F58} 3

^{F58} 4

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F56** Words in Art. 23(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(13)(a)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F57** Words in Art. 23(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(13)(a)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F58** Art. 23(2)-(4) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(13)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 24

Fishing fleet registers

1 [F59 A fisheries administration must] record the information on ownership, on vessel and gear characteristics and on the activity of F60 ... fishing vessels [F61 in its fleet] that is necessary for the management of measures established under this Regulation.

F62

3 The [F63 Secretary of State must] maintain a [F64 United Kingdom] fishing fleet register containing the information [F65 referred to in paragraph 1]. [F66 Public access must be provided] to the [F64 United Kingdom] fishing fleet register, while ensuring that personal data is adequately protected.

[F67 4 Subject to paragraph 5, the Secretary of State may make regulations establishing technical operational requirements for the recording, format and transmission of the information referred to in paragraph 1.

5. Where, in the circumstances described in paragraph 6, the exercise of the power to make regulations under paragraph 4 would be outside the jurisdiction of the Secretary of State under Article 1(7), before making such regulations under that power the Secretary of State must obtain the consent of—

- a the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) in the circumstances described in paragraph 6;
- b the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) in the circumstances described in paragraph 6;
- c the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) in the circumstances described in paragraph 6.

6. The circumstances referred to in paragraph 5 are circumstances where the power in paragraph 4 is treated as a power exercisable by “a fisheries administration” instead of a power exercisable by the Secretary of State.]

Textual Amendments

- F59** Words in Art. 24(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(14)(a)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F60** Word in Art. 24(1) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(14)(a)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F61** Words in Art. 24(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(14)(a)(iii)**; 2020 c. 1, **Sch. 5 para. 1(1)**

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- F62** Art. 24(2) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(14)(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F63** Words in Art. 24(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(14)(c)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F64** Words in Art. 24(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(14)(c)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F65** Words in Art. 24(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(14)(c)(iii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F66** Words in Art. 24(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(14)(c)(iv)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F67** Art. 24(4)-(6) substituted for Art. 24(4) (31.12.2020) by The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/753), regs. 1, **26(3)**; 2020 c. 1, Sch. 5 para. 1(1)

PART V

SCIENTIFIC BASE FOR FISHERIES MANAGEMENT

Article 25

Data requirements for fisheries management

1 ^{F68}A fisheries administration must, in accordance with the rules adopted in the area of data collection, collect biological, environmental, technical and socio-economic data necessary for fisheries management, manage those data and make them available to end-users. Those data shall, in particular, enable the assessment of:]

- a the state of exploited marine biological resources;
- b the level of fishing and the impact that fishing activities have on the marine biological resources and on the marine ecosystems; and
- c the socio-economic performance of the fisheries, aquaculture and processing sectors within and outside ^{F69}United Kingdom] waters.

2 The collection, management and use of data shall be based on the following principles:

- a accuracy and reliability, and collection in a timely manner;
- b the use of coordination mechanisms with a view to avoiding duplication of data collection for different purposes;
- c safe storage and protection of collected data in computerised databases, and their public availability where appropriate, including at aggregated level, whilst ensuring confidentiality;

^{F70}d

- e the availability in a timely manner of the relevant data and the respective methodologies by which they are obtained, for bodies with a research or management interest in the scientific analysis of data in the fisheries sector and for any interested parties, save in circumstances where protection and confidentiality are required under applicable ^{F71}... law.

^{F72}3

^{F72}4

^{F72}5

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6 The collection, management and use of data shall be carried out in a cost-effective manner.

F73-7

Textual Amendments

- F68** Words in Art. 25(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(15)(a)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F69** Words in Art. 25(1)(c) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(15)(a)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F70** Art. 25(2)(d) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(15)(b)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F71** Word in Art. 25(2)(e) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(15)(b)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F72** Art. 25(3)-(5) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(15)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F73** Art. 25(7) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(15)(d)**; 2020 c. 1, Sch. 5 para. 1(1)

F74 Article 26

Consulting scientific bodies

A fisheries administration must consult appropriate scientific bodies. Consultations of scientific bodies shall take into account the proper management of public funds, with the aim of avoiding duplication of work by such bodies.]

Textual Amendments

- F74** Art. 26 substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(16)**; 2020 c. 1, Sch. 5 para. 1(1)

F75 Article 27

Research and Scientific Advice

A fisheries administration must carry out fisheries and aquaculture research and innovation programmes.]

Textual Amendments

- F75** Art. 27 substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(17)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART VI

EXTERNAL POLICY

Article 28

Objectives

1 In order to ensure sustainable exploitation, management and conservation of marine biological resources and the marine environment, [^{F76}[^{F77}the Secretary of State] must conduct the external fisheries relations of the United Kingdom] in accordance with its international obligations and policy objectives, as well as the ^{F78}... principles set out in [^{F79}Article 3].

2 [^{F80}A fisheries][^{F81}administration must]:

- a actively support and contribute to the development of scientific knowledge and advice;
- b improve policy coherence of [^{F82}United Kingdom] initiatives, with particular regard to environmental, trade and development activities and strengthen consistency of actions taken in the context of development cooperation and scientific, technical and economic cooperation;
- c contribute to sustainable fishing activities that are economically viable and promote employment within the [^{F83}United Kingdom];
- [^{F84}d ensure that the fishing activities of United Kingdom fishing vessels outside of United Kingdom waters are based on the same principles and standards as those applicable under the law of the United Kingdom, while promoting a level-playing field for United Kingdom operators vis-a-vie operators from other countries;]
- e promote and support, in all international spheres, action necessary to eradicate IUU-fishing;
- f promote the establishment and the strengthening of compliance committees of RFMOs, periodical independent performance reviews and appropriate remedial actions, including effective and dissuasive penalties, which are to be applied in a transparent and non-discriminatory manner.

^{F85}3

Textual Amendments

- F76** Words in Art. 28(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(18)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F77** Words in Art. 28(1) substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(9)(a)(i)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))
- F78** Words in Art. 28(1) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(9)(a)(ii)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))
- F79** Words in Art. 28(1) substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(9)(a)(iii)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))
- F80** Words in Art. 28(2) substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(9)(b)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))
- F81** Words in Art. 28(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(18)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F82** Words in Art. 28(2)(b) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(18)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F83** Words in Art. 28(2)(c) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(18)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F84** Art. 28(2)(d) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(18)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F85** Art. 28(3) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(18)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE I

International fisheries organisations

Article 29

[^{F86}United Kingdom] activities in international fisheries organisations

1 [^{F87}A fisheries administration must] actively support and contribute to the activities of international organisations dealing with fisheries, including RFMOs.

[^{F88}2 The Secretary of State must take such steps as the Secretary of State considers appropriate for the purpose of supporting the improvement of the performance of RFMOs in relation to the conservation and management of marine living resources.]

3 [^{F89}A fisheries administration must] actively support the development of appropriate and transparent mechanisms for the allocation of fishing opportunities.

4 [^{F90}A fisheries administration must] foster cooperation among RFMOs and consistency between their respective regulatory frameworks, and shall support the development of scientific knowledge and advice to ensure that their recommendations are based on such scientific advice.

Textual Amendments

- F86** Words in Art. 29 heading substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(19)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F87** Words in Art. 29(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(19)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F88** Art. 29(2) substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(10)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))
- F89** Words in Art. 29(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(19)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F90** Words in Art. 29(4) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(19)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 30

Compliance with international provisions

[^{F91}A fisheries administration must]^{F92}... cooperate with third countries and international organisations dealing with fisheries, including RFMOs, to strengthen compliance with measures, especially those to combat IUU fishing, in order to ensure that measures adopted by such international organisations are strictly adhered to.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F91** Words in Art. 30 substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(20)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F92** Words in Art. 30 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(20)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE II

Sustainable fisheries partnership agreements

Article 31

Principles and objectives of Sustainable fisheries partnership agreements

1 Sustainable fisheries partnership agreements with third countries shall establish a legal, environmental, economic and social governance framework for fishing activities carried out by [^{F93}United Kingdom] fishing vessels in third country waters.

Such frameworks may include:

- a development and support for the necessary scientific and research institutions;
- b monitoring, control and surveillance capabilities;
- c other capacity building elements concerning the development of a sustainable fisheries policy of the third country.

2 For the purpose of ensuring the sustainable exploitation of surpluses of marine biological resources, [^{F94}a fisheries administration must] endeavour to ensure that the Sustainable fisheries partnership agreements with third countries are of mutual benefit to the [^{F95}United Kingdom] and to the third country concerned, including its local population and fishing industry and that they contribute to continuing the activity of [^{F96}the United Kingdom fleet] and seek to obtain an appropriate share of the available surplus, commensurate with the [^{F97}United Kingdom fleet's] interest.

3 For the purpose of ensuring that [^{F98}United Kingdom fishing] vessels fishing under Sustainable fisheries partnership agreements operate, where appropriate, under similar standards to those applicable to [^{F99}United Kingdom] fishing vessels fishing in [^{F99}United Kingdom] waters, [^{F100}a fisheries administration must] endeavour to include in Sustainable fisheries partnership agreements appropriate provisions on obligations to land fish and fishery products.

4 [^{F101}United Kingdom] fishing vessels shall only catch surplus of the allowable catch as referred to in Article 62(2) and (3) of the UNCLOS, and identified, in a clear and transparent manner, on the basis of the best available scientific advice and of the relevant information exchanged between the [^{F101}United Kingdom] and the third country about the total fishing effort on the affected stocks by all fleets. Concerning straddling or highly migratory fish stocks, the determination of the resources available for access should take due account of scientific assessments conducted at the regional level as well as conservation and management measures adopted by relevant RFMOs.

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5 [F102United Kingdom] fishing vessels shall not operate in the waters of the third country with which a Sustainable fisheries partnership agreement is in force unless they are in possession of a fishing authorisation which has been issued in accordance with that agreement.

6 [F103A fisheries administration must] ensure that Sustainable fisheries partnership agreements include a clause concerning respect for democratic principles and human rights, which constitutes an essential element of such agreements.

Those agreements shall also, to the extent possible, include:

- a a clause prohibiting the granting of more favourable conditions to other fleets fishing in those waters than those granted to [F104United Kingdom] economic actors, including conditions concerning the conservation, development and management of resources, financial arrangements, and fees and rights relating to the issuing of fishing authorisations;
- b an exclusivity clause relating to the rule provided for in paragraph 5.

7 Efforts shall be made ^{F105}... to monitor the activities of [F106United Kingdom] fishing vessels that operate in [F107non-United Kingdom] waters outside the framework of Sustainable fisheries partnership agreements.

8 [F108A fisheries administration must] ensure that [F109United Kingdom fishing vessels] operating outside [F110United Kingdom waters] are in a position to provide detailed and accurate documentation of all fishing and processing activities.

9 A fishing authorisation, as referred to in paragraph 5, shall be granted to a vessel which has left the [F111United Kingdom fishing fleet register] and which has subsequently returned to it within 24 months, only if the owner of that vessel has provided to [F112a fisheries administration] all data required to establish that, during that period, the vessel was operating in a manner fully consistent with the standards applicable to a [F113United Kingdom fishing vessel].

Where the state granting the flag during the period that the vessel was off the [F111United Kingdom fishing fleet register] became recognised under [F114relevant law] as a non-cooperating state with regard to combating, deterring and eliminating IUU fishing, or as a state allowing for non-sustainable exploitation of living marine resources, such fishing authorisation shall only be granted if it is established that the vessel's fishing operations ceased and the owner took immediate action to remove the vessel from the register of that state.

^{F115}10

Textual Amendments

- F93** Words in Art. 31(1) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(21)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F94** Words in Art. 31(2) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(21)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F95** Words in Art. 31(2) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(21)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F96** Words in Art. 31(2) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(21)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F97** Words in Art. 31(2) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(21)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F98** Words in Art. 31(3) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(21)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F99** Words in Art. 31(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F100** Words in Art. 31(3) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F101** Words in Art. 31(4) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F102** Words in Art. 31(5) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F103** Words in Art. 31(6) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(f)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F104** Words in Art. 31(6) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(f)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F105** Words in Art. 31(7) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(g)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F106** Words in Art. 31(7) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(g)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F107** Words in Art. 31(7) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(g)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F108** Words in Art. 31(8) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(h)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F109** Words in Art. 31(8) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(h)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F110** Words in Art. 31(8) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(h)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F111** Words in Art. 31(9) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(i)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F112** Words in Art. 31(9) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(i)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F113** Words in Art. 31(9) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(i)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F114** Words in Art. 31(9) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(i)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F115** Art. 31(10) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(21)(j)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 32

Financial assistance

1 [F116A fisheries administration may] provide financial assistance to third countries through Sustainable fisheries partnership agreements in order to:

- a support part of the cost of access to the fisheries resources in third country waters; the part of the cost of access to the fisheries resources to be paid by [F117United Kingdom fishing] vessel owners shall be assessed for each Sustainable fisheries partnership agreement or a Protocol to it and shall be fair, non-discriminatory and commensurate with the benefits provided through the access conditions;
- b establish the governance framework, including the development and maintenance of the necessary scientific and research institutions, promote consultation processes with interest groups, and monitoring, control and surveillance capability and other capacity building items relating to the development of a sustainable fisheries policy driven by the third country. Such financial assistance shall be conditional upon the achievement

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of specific results and complementary to and consistent with the development projects and programmes implemented in the third country in question.

[^{F118}2 Where financial assistance is provided under a Sustainable fisheries partnership agreement—

- a any financial assistance for sectoral support must be decoupled from payments for access to fisheries resources; and
- b the agreement must require the achievement of specific results as a condition for payments and the fisheries administration must closely monitor progress.]

Textual Amendments

- F116** Words in Art. 32(1) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(22)(a)(i)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F117** Words in Art. 32(1)(a) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(22)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F118** Art. 32(2) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(22)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

TITLE III

Management of stocks of common interest

Article 33

Principles and objectives of management of stocks of common interest to the [^{F119}United Kingdom] and third countries and agreements on exchange and joint management

1 Where stocks of common interest are also exploited by third countries, [^{F120}[^{F121}the Secretary of State] must] engage with those third countries with a view to ensuring that those stocks are managed in a sustainable manner that is consistent with this Regulation^{F122} Where no formal agreement is reached, [^{F120}[^{F121}the Secretary of State] must] make every effort to reach common arrangements for fishing of such stocks with a view to making the sustainable management possible^{F123}

2 In order to ensure a sustainable exploitation of stocks shared with third countries and to guarantee stability of the fishing operations of its fleets, [^{F124}a fisheries administration must], in accordance with UNCLOS, endeavour to establish bilateral or multilateral agreements with third countries for the joint management of stocks, including the establishment, where appropriate, of access to waters and resources and conditions for such access, the harmonisation of conservation measures and the exchange of fishing opportunities.

Textual Amendments

- F119** Words in Art. 33 heading substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(23)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F120** Words in Art. 33(1) substituted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(23)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F121** Words in Art. 33(1) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(f), **Sch. 11 para. 2(1)(a)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F122** Words in Art. 33(1) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(11)(b)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))
- F123** Words in Art. 33(1) omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(11)(c)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))
- F124** Words in Art. 33(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(23)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

PART VII

AQUACULTURE

Article 34

Promoting sustainable aquaculture

1 With a view to promoting sustainability and contributing to food security and supplies, growth and employment, [^{F125}a fisheries administration must, in conjunction with the other fisheries administrations, seek to] establish non-binding ^{F126}... strategic guidelines on common priorities and targets for the development of sustainable aquaculture activities. Such strategic guidelines shall take account of the relative starting positions and different circumstances throughout the [^{F127}United Kingdom] and shall form the basis for multiannual national strategic plans, and shall aim at:

- a improving the competitiveness of the aquaculture industry and supporting its development and innovation;
- b reducing the administrative burden and making the implementation of [^{F128}relevant] law more efficient and responsive to the needs of stakeholders;
- c encouraging economic activity;
- d diversification and improvement of the quality of life in coastal and inland areas;
- e integrating aquaculture activities into maritime, coastal and inland spatial planning.

^{F129}2

^{F129}3

^{F129}4

^{F129}5

^{F129}6

Textual Amendments

- F125** Words in Art. 34(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(24)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F126** Word in Art. 34(1) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(24)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F127** Words in Art. 34(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(24)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F128** Word in Art. 34(1)(b) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(24)(a)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F129 Art. 34(2)-(6) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(24)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

PART VIII

COMMON MARKET ORGANISATION

Article 35

Objectives

1 A common organisation of the markets in fishery and aquaculture products (the common market organisation) shall be established to:

- a contribute to the achievement of the [^{F130}fisheries objectives];
- ^{F131}b
- c strengthen the competitiveness of the [^{F132}United Kingdom] fishery and aquaculture industry, in particular producers;
- d improve the transparency and stability of the markets, in particular as regards economic knowledge and understanding of the [^{F133}United Kingdom] markets for fishery and aquaculture products along the supply chain, ensure that the distribution of added value along the sector's supply chain is more balanced, improve consumer information and raise awareness, by means of notification and labelling that provides comprehensible information;
- e contribute to ensuring a level-playing field for all products marketed in the [^{F134}United Kingdom] by promoting sustainable exploitation of fisheries resources;
- f contribute to ensuring that consumers have a diverse supply of fishery and aquaculture products;
- g provide the consumer with verifiable and accurate information regarding the origin of the product and its mode of production, in particular through marking and labelling.

2 The common market organisation shall apply to the fishery and aquaculture products listed in Annex I to Regulation (EU) No 1379/2013 of the European Parliament and of the Council⁽⁵⁾, which are marketed in the [^{F135}United Kingdom].

- 3 The common market organisation shall include, in particular:
- a the organisation of the industry including market stabilization measures;
 - b the production and marketing plans of fishery and aquaculture producer organisations;
 - c common marketing standards;
 - d consumer information.

Textual Amendments

F130 Words in Art. 35(1)(a) substituted (31.12.2020) by Fisheries Act 2020 (c. 22), s. 54(3)(f), **Sch. 11 para. 2(12)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))

F131 Art. 35(1)(b) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(25)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F132 Words in Art. 35(1)(c) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(25)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F133** Words in Art. 35(1)(d) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(25)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F134** Words in Art. 35(1)(e) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(25)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F135** Words in Art. 35(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(25)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

PART IX

CONTROL AND ENFORCEMENT

Article 36

Objectives

[^{F136}1 Compliance with Fisheries Rules is to be ensured through an effective fisheries control system, including the fight against IUU fishing.]

2 Control and enforcement ^{F137}... shall in particular be based on and shall include the following:

- a a global, integrated and common approach;
- ^{F138}b
- c cost-efficiency and proportionality;
- d the use of efficient control technologies for the availability and quality of data on fisheries;
- ^{F139}e
- f a risk-based strategy focused on systematic and automated cross-checks of all available relevant data;
- g the development of a culture of compliance and co-operation among all operators and fishermen.

[^{F140}A fisheries administration must] adopt appropriate measures with regard to third countries which allow non-sustainable fishing.

^{F141}3

^{F142}4

^{F143}5

Textual Amendments

- F136** Art. 36(1) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(26)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F137** Words in Art. 36(2) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(26)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F138** Art. 36(2)(b) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(26)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F139** Art. 36(2)(e) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(26)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F140** Words in Art. 36(2) substituted (31.12.2020) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(26)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F141** Art. 36(3) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(26)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F142** Art. 36(4) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(26)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F143** Art. 36(5) omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(26)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

F144 Article 37

Expert group on compliance

Textual Amendments

- F144** Arts. 37-46 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

F144 Article 38

Pilot projects on new control technologies and data management systems

Textual Amendments

- F144** Arts. 37-46 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

F144 Article 39

Contribution to control, inspection, enforcement and data collection costs

Textual Amendments

- F144** Arts. 37-46 omitted (31.12.2020) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/739), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PART X

FINANCIAL INSTRUMENTS

F144 Article 40

Objectives

Textual Amendments

F144 Arts. 37-46 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

F144 Article 41

Conditions for financial assistance to Member States

Textual Amendments

F144 Arts. 37-46 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

F144 Article 42

Conditions for financial assistance to operators

Textual Amendments

F144 Arts. 37-46 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

PART XI

ADVISORY COUNCILS

F144 Article 43

Establishment of Advisory Councils

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

F144 Arts. 37-46 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

F144 Article 44

Tasks of Advisory Councils

Textual Amendments

F144 Arts. 37-46 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

F144 Article 45

Composition, functioning and funding of Advisory Councils

Textual Amendments

F144 Arts. 37-46 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

PART XII

PROCEDURAL PROVISIONS

F144 Article 46

Exercise of delegation

Textual Amendments

F144 Arts. 37-46 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(27)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

^{F145} Article 47

Regulations

- 1 Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.
- 2 For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010.
- 3 Any power of the Department of Agriculture, Environment and Rural Affairs to make regulations under this Regulation is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.
- 4 A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
- 5 A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- 6 Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).
- 7 Regulations made by the Department of Agriculture, Environment and Rural Affairs under this Regulation are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.
- 8 Such regulations may—
 - a contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));
 - b make different provision for different purposes.]

Textual Amendments

F145 Art. 47 substituted (31.12.2020) by [The Common Fisheries Policy and Aquaculture \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/753\)](#), regs. 1, **26(4)**; 2020 c. 1, Sch. 5 para. 1(1)

PART XIII

FINAL PROVISIONS

Article 48

Repeals and amendments

- 1 Regulation (EC) No 2371/2002 is repealed.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

References to the repealed Regulation shall be construed as references to this Regulation.

F146 ²
F146 ³
F146 ⁴
F146 ⁵

Textual Amendments

F146 Art. 48(2)-(5) omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(28)**; 2020 c. 1, Sch. 5 para. 1(1)

F147 **Article 49**

Review

.....

Textual Amendments

F147 Arts. 49-51 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(29)**; 2020 c. 1, Sch. 5 para. 1(1)

F147 **Article 50**

Annual report

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Textual Amendments

F147 Arts. 49-51 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(29)**; 2020 c. 1, Sch. 5 para. 1(1)

F147 **Article 51**

Entry into force

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Textual Amendments

F147 Arts. 49-51 omitted (31.12.2020) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/739\)](#), regs. 1, **3(29)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 ([OJ L 343, 22.12.2009, p. 1](#)).
- (2) Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 ([OJ L 286, 29.10.2008, p. 1](#)).
- (3) ICES (International Council for the Exploration of the Sea) zones are as defined in Regulation (EC) No 218/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic ([OJ L 87, 31.3.2009, p. 70](#)).
- (4) CECAF (Eastern Central Atlantic or FAO major fishing zone 34) zones are as defined in Regulation (EC) No 216/2009 of the European Parliament and of the Council of 11 March 2009 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic ([OJ L 87, 31.3.2009, p. 1](#)).
- (5) Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (See page 1 of this Official Journal).

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) No 1380/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)
- Art. 15(6) substituted by [S.I. 2019/753 reg. 26\(2\)](#) (This amendment not applied to legislation.gov.uk. Reg. 26(2) substituted immediately before IP completion day by S.I. 2020/1542, reg. 15(2))