

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 IV

MANAGEMENT OF FISHING CAPACITY

^{F1}Article 21

Establishment of systems of transferable fishing concessions

Textual Amendments

F1 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)

Article 22

Adjustment and management of fishing capacity

1 [F2A fisheries administration must] put in place measures to adjust the fishing capacity of [F3its 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.

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6 The fishing capacity corresponding to the fishing vessels withdrawn with public aid shall not be replaced.

[F57 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

F2 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)**

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

- F3** 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)**
- F4** 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)
- F5** 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 [F6A fisheries administration must] manage entries into [F7its fleet] and exits from [F7its 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.

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- F8₄

Textual Amendments

- F6** 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)**
- F7** 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)**
- F8** 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 [F9A fisheries administration must] record the information on ownership, on vessel and gear characteristics and on the activity of F10... fishing vessels [F11in its fleet] that is necessary for the management of measures established under this Regulation.

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3 The [F13Secretary of State must] maintain a [F14United Kingdom] fishing fleet register containing the information [F15referred to in paragraph 1]. [F16Public access must be provided] to the [F14United Kingdom] fishing fleet register, while ensuring that personal data is adequately protected.

[F174 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—

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- 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

- F9** 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)**
- F10** 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)**
- F11** 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)**
- F12** 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)**
- F13** 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)**
- F14** 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)**
- F15** 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)**
- F16** 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)**
- F17** 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)

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)