

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 VI

EXTERNAL POLICY

Article 28

Objectives

1 In order to ensure sustainable exploitation, management and conservation of marine biological resources and the marine environment, [^{F1}[^{F2}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 ^{F3}... principles set out in [^{F4}Article 3].

2 [^{F5}A fisheries][^{F6}administration must]:

- a actively support and contribute to the development of scientific knowledge and advice;
- b improve policy coherence of [^{F7}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 [^{F8}United Kingdom];
- [^{F9}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.

^{F10}3

Textual Amendments

- F1** 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)
- F2** 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))
- F3** 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))
- F4** 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))

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- F5** 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))
- F6** 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)
- F7** 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)
- F8** 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)
- F9** 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)
- F10** 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

[^{F11}United Kingdom] activities in international fisheries organisations

1 [^{F12}A fisheries administration must] actively support and contribute to the activities of international organisations dealing with fisheries, including RFMOs.

[^{F13}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 [^{F14}A fisheries administration must] actively support the development of appropriate and transparent mechanisms for the allocation of fishing opportunities.

4 [^{F15}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

- F11** 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)
- F12** 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)
- F13** 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))
- F14** 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)
- F15** 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)

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Article 30

Compliance with international provisions

[^{F16}A fisheries administration must]^{F17}... 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.

Textual Amendments

- F16** 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)
- F17** 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 [^{F18}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, [^{F19}a fisheries administration must] endeavour to ensure that the Sustainable fisheries partnership agreements with third countries are of mutual benefit to the [^{F20}United Kingdom] and to the third country concerned, including its local population and fishing industry and that they contribute to continuing the activity of [^{F21}the United Kingdom fleet] and seek to obtain an appropriate share of the available surplus, commensurate with the [^{F22}United Kingdom fleet's] interest.

3 For the purpose of ensuring that [^{F23}United Kingdom fishing] vessels fishing under Sustainable fisheries partnership agreements operate, where appropriate, under similar standards to those applicable to [^{F24}United Kingdom] fishing vessels fishing in [^{F24}United Kingdom] waters, [^{F25}a fisheries administration must] endeavour to include in Sustainable fisheries partnership agreements appropriate provisions on obligations to land fish and fishery products.

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4 [F26United 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 [F26United 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.

5 [F27United 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 [F28A 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 [F29United 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 ^{F30}... to monitor the activities of [F31United Kingdom] fishing vessels that operate in [F32non-United Kingdom] waters outside the framework of Sustainable fisheries partnership agreements.

8 [F33A fisheries administration must] ensure that [F34United Kingdom fishing vessels] operating outside [F35United 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 [F36United Kingdom fishing fleet register] and which has subsequently returned to it within 24 months, only if the owner of that vessel has provided to [F37a 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 [F38United Kingdom fishing vessel].

Where the state granting the flag during the period that the vessel was off the [F36United Kingdom fishing fleet register] became recognised under [F39relevant 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.

^{F40}10

Textual Amendments

- F18** 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)
- F19** 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)

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- F20** 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)
- F21** 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)
- F22** 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)
- F23** 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)
- F24** 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)
- F25** 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)
- F26** 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)
- F27** 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)
- F28** 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)
- F29** 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)
- F30** 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)
- F31** 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)
- F32** 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)
- F33** 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)
- F34** 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)
- F35** 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)
- F36** 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)
- F37** 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)
- F38** 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)
- F39** 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)
- F40** 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 [F41A 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 [F42United Kingdom fishing] vessel owners shall be assessed for each Sustainable fisheries partnership

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

[^{F43}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

- F41** 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)
- F42** 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)
- F43** 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 [^{F44}United Kingdom] and third countries and agreements on exchange and joint management

1 Where stocks of common interest are also exploited by third countries, [^{F45}[^{F46}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^{F47} Where no formal agreement is reached, [^{F45}[^{F46}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^{F48}

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, [^{F49}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.

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Textual Amendments

- F44** 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)
- F45** 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)
- F46** Words in Art. 33(1) substituted (31.12.2020) by [Fisheries Act 2020 \(c. 22\)](#), s. 54(3)(f), **Sch. 11 para. 2(11)(a)** (with Sch. 4 para. 31, Sch. 11 para. 15(2))
- F47** 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))
- F48** 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))
- F49** 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)

Changes to legislation:

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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](#)