

EXPLANATORY MEMORANDUM TO

The Sea Fishing (Licences and Notices) (Revocation) Regulations (Northern Ireland) 2020

SR 2020 No. 21

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs (the Department) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under powers conferred by section 4B of the Sea Fish (Conservation) Act 1967.

2. Purpose

- 2.1. The principal purpose of this Rule is to revoke the Sea Fishing (Licences and Notices) (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019 No. 65).

3. Background

- 3.1. The Sea Fishing (Licences and Notices) (Amendment) Regulations (Northern Ireland) 2019 (S.R. 2019 No. 65) were made on 25 March 2019 and were due to come into operation on exit day.
- 3.2. S.R. 2019 (No. 65) amended the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014, updating the definition and communication of a fishing licence as a consequence of the Sea Fish (Licensing) Order (Northern Ireland) 2019 and the withdrawal of the UK from the EU. The amendments provide that a recipient in relation to another Northern Ireland fishing boat is the owner or charterer of a fishing boat or a nominee of that owner or charterer, whereas for any other vessel it is the owner or charterer.
- 3.3. The Fisheries Bill introduced at Westminster on 29 January 2020 which is due to be enacted later this year provides new powers for access to British fisheries and the regulation and licensing of foreign fishing vessels. Consequently, the Department is revoking both the Sea Fishing (Licences and Notices) (Amendment) Regulations (Northern Ireland) 2019 (S.R. No. 65) and the Sea Fish Licensing Order (Northern Ireland) 2019 (S.R. 2019 No. 61).

4. Consultation

- 4.1. Following consultation with the Assembly's Agriculture, Environment and Rural Affairs Committee the Department has agreed to make these Regulations which revoke the Sea Fishing (Licences and Notices) (Amendment) (Northern Ireland) 2019.

5. Equality Impact

- 5.1. There are no NI equality issues associated with this Statutory Rule.

6. Regulatory Impact

- 6.1. These Regulations do not have any material impact on small businesses nor the community or voluntary sector in Northern Ireland.

7. Financial Implications

- 7.1. There are no financial implications associated with the making of these Regulations.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. This Statutory Rule complies with the provisions set out in Section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. None.

10. Parity or Replicatory Measure

- 10.1. England, Scotland and Wales will revoke and replace their equivalent Sea Fishing (Licences and Notices) Regulations through the Fisheries Bill.

11. Additional Information

- 11.1. For further information contact Paddy Campbell (02844618007) or Patrick Smith (Tel. 028448618111) at the Department of Agriculture, Environment and Rural Affairs or e-mail patrick.smith@daera-ni.gov.uk or seafisheries@daera-ni.gov.uk.