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DRAFT STATUTORY INSTRUMENTS

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**2020 No.**

**The Common Fisheries Policy (Amendment  
etc.) (EU Exit) Regulations 2020**

**PART 1**

**INTRODUCTORY**

**Citation and commencement**

**1.**—(1) These Regulations may be cited as the Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020.

(2) Subject to paragraph (3), these Regulations come into force immediately before IP completion day.

(3) Regulations 2, 5, 6, 7, 9 and 10 and the Schedule come into force on IP completion day.

**Revocations**

**2.** The legislation listed in the Schedule to these Regulations is revoked so far as specified in the Schedule.

**PART 2**

**UPDATED ANNUAL EU FISHERIES LEGISLATION**

**CHAPTER 1**

**UPDATING EU EXIT REGULATIONS IN CONSEQUENCE OF THE REVOCATION  
OF THE 2019 DISCARD PLANS AND THE 2019 TAC AND QUOTA REGULATION**

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

**3.** In the Common Fisheries Policy (Amendment etc.) (EU Exit) (No. 2) Regulations 2019(1), omit regulations 2 and 3 and Part 4.

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

**4.** In the Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019(2), omit regulation 10.

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(1) [S.I. 2019/848](#), amended by [S.I. 2019/1312](#).

(2) [S.I. 2019/1312](#).

## CHAPTER 2

## AMENDMENT OF THE 2020 DISCARD PLANS

**Commission Delegated Regulation (EU) 2019/2238 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2020-2021**

5.—(1) Commission Delegated Regulation (EU) 2019/2238 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2020-2021 is amended as follows.

- (2) In Article 1—
  - (a) for “Union” substitute “United Kingdom”;
  - (b) for “divisions 2a, 3a” substitute “division 2a”; and
  - (c) for “for the period 2020-2021” substitute “until the end of 2021”.
- (3) In Article 3(1)—
  - (a) for “Union” substitute “United Kingdom”; and
  - (b) for “divisions 2a, 3a” substitute “division 2a”.
- (4) In Article 4(1), for “Union” substitute “United Kingdom”.
- (5) In Article 5(1)—
  - (a) for “Union” substitute “United Kingdom”; and
  - (b) omit “ICES division 3a and”.
- (6) In Article 6—
  - (a) for “Union” in each place it occurs, substitute “United Kingdom”;
  - (b) in paragraph 1, omit “division 3a and”; and
  - (c) in paragraph 2, omit point (a).
- (7) In Article 7—
  - (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) in point (a), omit “or” in the second place it occurs, and
    - (iii) omit point (b); and
  - (b) omit paragraph 3.
- (8) In Article 8(1), for “Union” substitute “United Kingdom”.
- (9) In Article 9—
  - (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “divisions 2a, 3a” substitute “division 2a”; and
  - (b) omit paragraph 2.
- (10) In Article 10—
  - (a) for “Union” in each place it occurs, substitute “United Kingdom”;
  - (b) in point (a), for “divisions 2a and 3a” substitute “division 2a”;
  - (c) omit points (c), (d) and (g); and
  - (d) in point (m)—

- (i) omit “ICES division 3a and” in the first place it occurs, and
  - (ii) for “mesh sizes above 35 mm in ICES division 3a and” substitute “a mesh size above”.
- (11) Omit Articles 11 and 13.
- (12) For Article 14 substitute—

*“Article 14*

*Application*

This Regulation applies until the end of 31 December 2021.”.

**Commission Delegated Regulation (EU) 2019/2239 specifying details of the landing obligation for certain demersal fisheries in North-Western waters for the period 2020-2021**

6.—(1) Commission Delegated Regulation (EU) 2019/2239 specifying details of the landing obligation for certain demersal fisheries in North-Western waters for the period 2020-2021 is amended as follows.

- (2) In Article 1—
- (a) for “ICES Subareas 5 (excluding 5a and including only Union waters of 5b),” substitute “United Kingdom waters of ICES Subarea 5b and in United Kingdom and International waters of ICES Subareas”; and
  - (b) for “for the period 2020-2021” substitute “until the end of 2021”.
- (3) In Article 5, omit paragraph 2.
- (4) In Article 6(1)—
- (a) in point (c) for “7a to 7k” substitute “7a and 7d to 7j”; and
  - (b) in point (d) for “7a to 7k” substitute “7a and 7d to 7j”.
- (5) In Article 7(1), for “ICES Subareas 5 (excluding 5a and including only Union waters of 5b),” substitute “United Kingdom waters of ICES Subarea 5b and in United Kingdom and International waters of ICES Subareas”.
- (6) In Article 8(1)—
- (a) in point (a), for “7b to 7k” substitute “7d to 7j”;
  - (b) in point (d), for “7b, 7c and 7e to 7k” substitute “7e to 7j”;
  - (c) in point (e), for “7b to 7k” substitute “7d to 7j”;
  - (d) in point (f), for “7b to 7k” substitute “7d to 7j”;
  - (e) in point (g), for “7a, 7j and 7k” substitute “7a and 7j”;
  - (f) in point (i), for “7b, 7c and 7f to 7k” substitute “7f to 7j”; and
  - (g) in point (j) for “EU” substitute “United Kingdom”.
- (7) In Article 9(5), for “the STECF” substitute “a fisheries administration”.
- (8) In Article 10(5), for “the STECF” substitute “a fisheries administration”.
- (9) In Article 11—
- (a) in paragraph 1, for “Union” substitute “United Kingdom”; and
  - (b) in paragraph 2, for “the STECF” substitute “a fisheries administration”.
- (10) In Article 12, omit the first sentence.
- (11) For Article 13 substitute—

*“Article 13*

*Application*

This Regulation applies until the end of 31 December 2021.”.

CHAPTER 3

AMENDMENT OF THE 2020 TAC AND QUOTA REGULATION

**Council Regulation (EU) 2020/123 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters**

7.—(1) Council Regulation (EU) 2020/123 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters is amended as follows.

- (2) Omit Article 1.
- (3) In Article 2(1), for “Union” in both places it occurs, substitute “United Kingdom”.
- (4) In Article 3—
  - (a) omit points (d) to (f); and
  - (b) omit points (h) and (i).
- (5) In Article 4—
  - (a) omit points (b) to (m); and
  - (b) omit points (o) to (v).
- (6) In the heading to Title 2, for “Union” substitute “United Kingdom”.
- (7) Omit Articles 5 to 9.
- (8) In Article 10—
  - (a) in paragraph 1—
    - (i) for “It shall be” in the first place it occurs, substitute “Until the end of 2021 it is”,
    - (ii) for “Union” substitute “United Kingdom”, and
    - (iii) for “It shall be” in the second place it occurs, substitute “During that period it is”;
  - (b) in paragraph 2—
    - (i) in the words before point (a)—
      - (aa) for “in January 2020” substitute “until the end of January 2021”, and
      - (bb) for “1 April to 31 December 2020” substitute “1st April to the end of December 2021”,
    - (ii) for “Union” in each place it occurs, substitute “United Kingdom”, and
    - (iii) in the final subparagraph—
      - (aa) omit “shall”, and
      - (bb) for “Member States” substitute “a fisheries administration”;
  - (c) in paragraph 3—
    - (i) for “shall not be” substitute “are not”,
    - (ii) for “Union” substitute “United Kingdom”, and
    - (iii) omit the words from “Member States” to the end;
  - (d) omit paragraph 4;

- (e) in paragraph 5—
  - (i) in the words before point (a), for “7a to 7k” substitute “7a and 7d to 7j”,
  - (ii) in point (a)—
    - (aa) for “from 1 January to 29 February” substitute “until the end of February 2021”,
    - (bb) for “from 1 to 31 December 2020” substitute “for the whole of December 2021”,
    - (cc) for “shall be allowed” substitute “is permitted”, and
    - (dd) for “shall be” in the second place it occurs, substitute “is”,
  - (iii) in point (b)—
    - (aa) for “1 March to 30 November 2020” substitute “1st March to the end of November 2021”, and
    - (bb) for “retained shall be” substitute “which may be retained is”, and
  - (iv) in the final subparagraph, for “shall” substitute “does”; and
- (f) omit paragraphs 6 and 7.
- (9) For Article 11 substitute—

#### *“Article 11*

##### *Measures on European eel fisheries in United Kingdom waters*

Any targeted, incidental and recreational fishery of European eel is prohibited in United Kingdom waters and brackish waters such as estuaries, coastal lagoons and transitional waters until the end of February 2021.”.

- (10) Omit Article 12.
- (11) In Article 12a—
  - (a) for “shall be” substitute “is”;
  - (b) for “divisions 2a, 3a” substitute “division 2a”;
  - (c) omit “from 1 August to 31 December 2020 and”; and
  - (d) for “31 March” substitute “the end of March”.
- (12) In Article 13—
  - (a) for “Union” in each place it occurs, substitute “United Kingdom fishing”;
  - (b) in point (b) of paragraph 1, for “the STECF” substitute “a similar independent scientific body recognised at international level”;
  - (c) in paragraph 2—
    - (i) for “2018/2034” substitute “2019/2239”,
    - (ii) for “7k” substitute “7j”, and
    - (iii) for “the STECF” substitute “an independent scientific body recognised at international level”; and
  - (d) in paragraph 4, for “the STECF” substitute “an independent scientific body recognised at international level”.
- (13) In Article 14—
  - (a) in paragraph 2—
    - (i) omit “and 4b or at least 90mm in 3a,”,

- (ii) for “Union” in the first place it occurs, substitute “United Kingdom”, and
    - (iii) omit the words from “and in Union waters of ICES divisions 3a.20” to the end;
  - (b) in paragraph 3—
    - (i) in point (b), for “STECF; in the case of a negative evaluation by STECF” substitute “an independent scientific body recognised at international level; where such evaluation concludes that the gears in question do not result in the 30% or greater reduction claimed”,
    - (ii) in point (d), omit “and 90mm in 3a”, and
    - (iii) in point (e)—
      - (aa) for the words from “STECF” to “third countries” substitute “an independent scientific body recognised at international level”, and
      - (bb) for “assessments consider” substitute “assessment considers”; and
  - (c) in paragraph 4, for “Member States shall” substitute “A fisheries administration must”.
- (14) Omit Article 15.
- (15) In Article 16(1)—
- (a) in the words before point (a), for “Union” substitute “United Kingdom”;
  - (b) in point (a), for “Union” substitute “United Kingdom”;
  - (c) in point (b)—
    - (i) for “Union” in the first place it occurs, substitute “United Kingdom”, and
    - (ii) omit “Union and”;
  - (d) in point (c)—
    - (i) for “Union” in the first place it occurs, substitute “United Kingdom”, and
    - (ii) omit “Union and”;
  - (e) in point (d)—
    - (i) for “Union” in the first place it occurs, substitute “United Kingdom”, and
    - (ii) omit “Union and”;
  - (f) in point (e)—
    - (i) for “Union” in the first place it occurs, substitute “United Kingdom”, and
    - (ii) omit “Union and”;
  - (g) in point (f)—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “3, 4, 6, 7, 8, 9 and 10” substitute “4, 6, 7 and 8”;
  - (h) in point (g)—
    - (i) for “Union” in the first place it occurs, substitute “United Kingdom”, and
    - (ii) omit “Union and”;
  - (i) in point (h), for “Union” in both places it occurs, substitute “United Kingdom”;
  - (j) omit point (j);
  - (k) in point (k)—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “subareas 6 and 10” substitute “subarea 6”;

- (l) omit point (m); and
- (m) in point (n)—
  - (i) for “Union” substitute “United Kingdom”, and
  - (ii) for the words from “subareas” to the end, substitute “subareas 2, 4, 5, 6, 7 and 8”.
- (16) Omit Article 17.
- (17) Omit Chapter 2 of Title 2.
- (18) Omit Section 1 of Chapter 3 of Title 2.
- (19) Omit Articles 20 and 21.
- (20) Omit Section 3 of Chapter 3 of Title 2.
- (21) Omit Article 26.
- (22) In Article 27—
  - (a) in paragraph 4—
    - (i) omit “, all flying the flag of a Member State”, and
    - (ii) for “to Member States using only one supply vessel” substitute “where only one supply vessel is used”;
  - (b) in paragraph 5, omit “flying the flag of a Member State”; and
  - (c) in paragraph 6, for “The Union shall” substitute “A fisheries administration must”.
- (23) In Article 28(2)—
  - (a) after “except for” insert “United Kingdom fishing”;
  - (b) for “the exclusive economic zone (EEZ) of Member State whose flag they fly” substitute “United Kingdom waters”; and
  - (c) for “local” substitute “United Kingdom”.
- (24) In Article 28a, for “Union” substitute “United Kingdom”.
- (25) Omit Sections 5 to 10 of Chapter 3 of Title 2.
- (26) Omit Titles 3 and 4.
- (27) Omit the List of Annexes.
- (28) Omit Annexes 1 to 3.
- (29) In the Table for time-limited closures in Annex 4—
  - (a) in row 1 (the entry for the area named “Stanhope ground”), in the “Period” column, for “30” substitute “the end of”;
  - (b) in row 2 (the entry for the area named “Long Hole”), in the “Period” column, for “31” substitute “the end of”;
  - (c) omit row 3 (the entry for the area named “Coral edge”);
  - (d) in row 4 (the entry for the area named “Papa Bank”), in the “Period” column, after “to” insert “the end of”;
  - (e) in row 5 (the entry for the area named “Foula Deeps”), in the “Period” column, for “31” substitute “the end of”;
  - (f) omit row 6 (the entry for the area named “Egersund Bank”);
  - (g) in row 7 (the entry for the area named “East of Fair Isle”), in the “Period” column, after “to” insert “the end of”;
  - (h) omit row 8 (the entry for the area named “West Bank”);

- (i) omit row 9 (the entry for the area named “Revet”); and
  - (j) omit row 10 (the entry for the area named “Rabarberen”).
- (30) Omit Annexes 5 to 9.

## PART 3

### AMENDMENT OF THE DATA COLLECTION FRAMEWORK MEASURES

#### CHAPTER 1

#### UPDATING AND AMENDING EU EXIT REGULATIONS

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

**8.—**(1) The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019(3) are amended as follows.

(2) In regulation 16—

(a) in paragraph (6)—

(i) in sub-paragraph (b), for paragraph (ii) substitute—

“(ii) in point (b), for “a list of mandatory” substitute “requirements in relation to”, and

(iii) in point (c), for the words from “for Member States” to the end, substitute “to collect data based on fishing and aquaculture activities”;; and

(ii) in sub-paragraph (f), before paragraph (i) insert—

“(zi) in the words before point (a), for “list of mandatory” substitute “requirements in relation to”, and”;

(b) in paragraph (8)—

(i) for sub-paragraph (a) substitute—

“(a) in paragraph 1—

(i) for “their current data collection obligations under Union law, Member States shall” substitute “other legal obligations to collect data, a fisheries administration must”,

(ii) omit “an operational programme, as referred to in Article 18 of Regulation (EU) No 508/2014, and”,

(iii) omit “Union” in the second place it occurs, and

(iv) omit “and pursuant to Article 21 of Regulation (EU) No 508/2014”;;

(ii) omit “and” at the end of sub-paragraph (c),

(iii) for the full stop at the end of sub-paragraph (d) substitute “; and”, and

(iv) after sub-paragraph (d) insert—

“(e) after the omitted paragraph 4 insert—

“5. The work plan for data collection of the United Kingdom approved under Commission Implementing Decision C(2019) 9493 of 19th December 2019 on approving the work plan of the United Kingdom

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(3) [S.I. 2019/739](#), amended by [S.I. 2019/1312](#).



for data collection in the fisheries and aquaculture sector for the period 2020-2021 is, until such time as it is replaced or amended under paragraph 6, the national work plan referred to in paragraph 1.

6. Subject to paragraph 7, the Secretary of State may amend or replace the national work plan provided that the plan continues to comply with the requirements of this Article.

7. Where, in the circumstances described in paragraph 8, the exercise of the power to amend or replace the national work plan under paragraph 6 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) 1380/2013, before amending or replacing the work plan 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) of Regulation (EU) 1380/2013 in the circumstances described in paragraph 8;
- (b) the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of Regulation (EU) 1380/2013 in the circumstances described in paragraph 8;
- (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) of Regulation (EU) 1380/2013 in the circumstances described in paragraph 8.

8. The circumstances referred to in paragraph 7 are circumstances where the power in paragraph 6 is treated as a power to amend or replace the national work plan by “a fisheries administration” instead of a power exercisable by the Secretary of State.

9. The Secretary of State must publish any amended or replacement versions of the national work plan together with a notice of the date on which any amendments or replacement versions take effect.”.”.

(3) Omit regulation 17.

## CHAPTER 2

### AMENDMENT OF THE 2020 DATA COLLECTION MULTIANNUAL PROGRAMME

#### **Commission Implementing Decision (EU) 2019/909 establishing the list of mandatory research surveys and thresholds for the purposes of the multiannual Union programme for the collection and management of data in the fisheries and aquaculture sectors**

9.—(1) Commission Implementing Decision (EU) 2019/909 establishing the list of mandatory research surveys and thresholds for the purposes of the multiannual Union programme for the collection and management of data in the fisheries and aquaculture sectors is amended as follows.

(2) In Article 1—

- (a) omit “Union” in the first place it occurs;
- (b) for “list of mandatory” substitute “requirements in relation to”;
- (c) omit “for Member States”;
- (d) omit “their”; and

- (e) for the words from “or carry out surveys” to the end, substitute “are those set out in the national work plan referred to in Article 6 of Regulation (EU) 2017/1004”.
- (3) Omit Articles 2 and 3 and the Annex.

**Commission Delegated Decision (EU) 2019/910 establishing the multiannual Union programme for the collection and management of biological, environmental, technical and socioeconomic data in the fisheries and aquaculture sectors**

**10.**—(1) Commission Delegated Decision (EU) 2019/910 establishing the multiannual Union programme for the collection and management of biological, environmental, technical and socioeconomic data in the fisheries and aquaculture sectors is amended as follows.

- (2) In Article 1, omit “Union”.
- (3) Omit Article 2.
- (4) In the Annex—
  - (a) in Chapter 1—
    - (i) in point (6), for “Union and its Member States” substitute “United Kingdom”, and
    - (ii) in point (10), for “21 of Regulation (EU) No 508/2014” substitute “6 of Regulation (EU) 2017/1004”;
  - (b) in Chapter 2, for “the common fisheries policy” substitute “fishing activity”;
  - (c) in Chapter 3—
    - (i) in point 1.1—
      - (aa) in the words before point (a), for the words from “Under the workplans” to “establish” substitute “The national work plan referred to in Article 6 of Regulation (EU) 2017/1004 establishes”, and
      - (bb) for points (a) to (c) substitute—
        - “(a) biological data, by catch fraction, on stocks caught by United Kingdom commercial fisheries within and outside United Kingdom waters and by recreational fisheries within United Kingdom waters;
        - (b) data to assess the impact of fisheries in United Kingdom waters on the marine ecosystem within and outside United Kingdom waters;
        - (c) detailed data on the activity of United Kingdom fishing vessels within and outside United Kingdom waters as reported under Regulation (EC) No 1224/2009;”,
    - (ii) in point 1.2, omit the words from “taking into account” to the end,
    - (iii) in point 2—
      - (aa) for the heading substitute—
        - “*Biological data on stocks caught by United Kingdom fishing vessels in commercial fisheries within and outside United Kingdom waters and in recreational fisheries within United Kingdom waters*”, and
      - (bb) omit “, 1B” in each place it occurs,
    - (iv) in point 3, for the heading substitute—

*“Data to assess the impact of United Kingdom fisheries on marine ecosystems within and outside United Kingdom waters”,*

- (v) in point 3(a)—
  - (aa) for “Union” substitute “relevant”, and
  - (bb) for “Member States” substitute “a fisheries administration”,
- (vi) in point 3(b), for “in Union waters and outside Union waters” substitute “within and outside United Kingdom waters”,
- (vii) in point 3(c), for “Member States shall” substitute “a fisheries administration must”,
- (viii) in point 4—
  - (aa) for the heading substitute—

*“Detailed data on the activity of United Kingdom fishing vessels within and outside United Kingdom waters as recorded under Regulation (EC) No 1224/2009”,*

- (bb) for the first sentence substitute “Data to assess the activity of United Kingdom fishing vessels within and outside United Kingdom waters consist of the variables as indicated in Table 4.”, and
- (cc) for “workplans” substitute “work plan”,
- (ix) in point 5—
  - (aa) in the heading, for “Union” substitute “United Kingdom”, and
  - (bb) in point (a), for the second subparagraph substitute—

“The population must be all active and inactive vessels registered in the United Kingdom Fishing Fleet Register, as defined in Commission Implementing Regulation (EU) 2017/218, on 31 December of the reporting year and vessels that do not appear on the Register at that date but have fished at least one day during the reporting year.”, and
- (x) in point 6—
  - (aa) in the heading, for “Union” substitute “United Kingdom”, and
  - (bb) in point (c), for “Member State” substitute “United Kingdom”;
- (d) in the heading for Table 1A, for “Union” substitute “United Kingdom”;
- (e) omit Table 1B;
- (f) in Table 1D—
  - (i) in the entry for “Cetaceans — all species” in the final column, before “Council Directive 92/43/EEC” insert “Legislation implementing”,
  - (ii) before “Directive 92/43/EEC” in each place it occurs, except the entry referred to in paragraph (i) and in table note (8), insert “Legislation implementing”,
  - (iii) before “Directive 2009/147/EEC” in each place it occurs, except table note (10), insert “Legislation implementing”, and
  - (iv) in table note (5) for “Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks (OJ L 351, 28.12.2002, P. 6)” substitute “Regulation (EU) 2016/2336 of the European Parliament and of the Council establishing specific

conditions for fishing for deep-sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic”;

- (g) in Table 4, for “Euro” in each place it occurs, substitute “Pounds sterling”;
- (h) in Table 5A, for “Euro” in each place it occurs, substitute “Pounds sterling”;
- (i) in Table 7, for “Euro” in each place it occurs, substitute “Pounds sterling”;
- (j) in Table 8, in table note (3), before “Council [Directive 2006/88/EC](#)” insert “legislation implementing”; and
- (k) in Table 10, for “Euro” in each place it occurs, substitute “Pounds sterling”.

## PART 4

### OTHER AMENDMENTS TO EU EXIT REGULATIONS

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

**11.**—(1) The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019(4) are amended as follows.

(2) In regulation 3—

- (a) in paragraph (2), in the new Article 1 to be substituted by that paragraph, for “exit day” in each place it occurs, substitute “IP completion day”; and
- (b) in paragraph (4)(1), in the new point (40) to be inserted by that paragraph, for “has the same meaning as “British Fishery Limits” as contained in section 1 of the Fishery Limits Act 1976” substitute “means the sea within British fishery limits(5) but excluding the territorial sea adjacent to the Isle of Man”.

(3) In regulation 4—

(a) in paragraph (8)—

(i) in sub-paragraph (c)—

(aa) at the end of paragraph (i) omit “and”,

(bb) for the semicolon at the end of paragraph (ii) substitute “, and”, and

(cc) after paragraph (ii) insert—

“(iii) omit “in accordance with Article 45(4) of Regulation (EC) No [1005/2008](#)”;”, and

(ii) in sub-paragraph (d)—

(aa) at the end of paragraph (i) omit “and”, and

(bb) after paragraph (ii) insert—

“(iii) omit “in accordance with Article 45(4) of Regulation (EC) No [1005/2008](#)”; and”; and

(b) in paragraph (82), for sub-paragraph (b) substitute—

“(b) in paragraph 2—

(i) for “Member States shall” substitute “A fisheries administration must”, and

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(4) [S.I. 2019/739](#), amended by [S.I. 2019/1312](#).

(5) By virtue of section 1(1) of the Fishery Limits Act 1976 (c. 86), “British fishery limits” are designated by [S.I. 2013/3161](#); section 1 of the Fishery Limits Act 1976 was amended (in relation to England and Wales) by paragraph 2(2) and (3) of Schedule 4, and Part 1 of Schedule 22, to the Marine and Coastal Access Act 2009 (c. 23).

- (ii) omit “the range of sanctions and measures provided for in”;
- (4) In regulation 19—
  - (a) in paragraph (7), for sub-paragraph (b) substitute—
    - “(b) in paragraph (2)—
      - (i) in point (a), for “Member States” substitute “a fisheries administration”, and
      - (ii) omit point (c).”;
    - (b) in paragraph (31)—
      - (i) in sub-paragraph (b)(ii), for “exit day” substitute “IP completion day”, and
      - (ii) in sub-paragraph (c)(ii), for “exit day” substitute “IP completion day”; and
    - (c) after paragraph (33) insert—
      - “(34) Omit Annex 2.”.
- (5) Omit Part 9.
- (6) In the Schedule, omit paragraphs (n) to (q) and (s) to (z).

#### **The Fisheries (Amendment) (EU Exit) Regulations 2019**

- 12.**—(1) The Fisheries (Amendment) (EU Exit) Regulations 2019<sup>(6)</sup> are amended as follows.
- (2) In regulation 4—
    - (a) in paragraph 2(b), in the new definition of “retained EU restriction” to be inserted by that paragraph, for “exit day” substitute “IP completion day”;
    - (b) in paragraph 4(b)(ii), in the new definition of “retained EU restriction” to be inserted by that paragraph, for “exit day” substitute “IP completion day”; and
    - (c) in paragraph 5(b), in the new definition of “retained EU restriction” to be inserted by that paragraph, for “exit day” substitute “IP completion day”.
  - (3) For regulation 13 substitute—

#### **“The Grants for Fishing and Aquaculture Industries Regulations 2015**

**13.** In regulation 2 of the Grants for Fishing and Aquaculture Industries Regulations 2015<sup>(7)</sup>, in paragraph (a), for “as amended from time to time” substitute “as it had effect in EU law immediately before IP completion day”.

#### **The European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019**

- 13.**—(1) The European Structural and Investment Funds Common Provisions (Amendment) (EU Exit) Regulations 2019<sup>(8)</sup> are amended as follows.
- (2) In regulation 4—
    - (a) in paragraph (1)—
      - (i) in sub-paragraph (a), in the new first paragraph to be substituted by that sub-paragraph, omit “and support under Regulation (EU) No 508/2014”,
      - (ii) omit sub-paragraph (c),

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<sup>(6)</sup> [S.I. 2019/746](#).

<sup>(7)</sup> [S.I. 2015/1711](#).

<sup>(8)</sup> [S.I. 2019/785](#), amended by the Agriculture (Payments) (Amendment, etc) (EU Exit) Regulations 2020 (S.I. 2020/XXX).

(iii) in sub-paragraph (d), omit paragraph (iii), and

(iv) for sub-paragraph (e) substitute—

“(e) for the fifth paragraph substitute—

“Part Two of this Regulation applies to support for rural development except when it explicitly allows for derogations. The Fund-specific Regulations may establish complementary rules to Part Two of this Regulation. The complementary rules in the Fund-specific Regulations must be read consistently with Part Two of this Regulation. In case of doubt about the application between provisions, Part Two of this Regulation prevails over the Fund-specific Regulations.”; and

(b) in paragraph (2)—

(i) in sub-paragraph (b), in the new point (4) to be substituted by that sub-paragraph, omit—

(aa) “Part Four of this Regulation or”, and

(bb) “or Regulation (EU) No 508/2014”,

(ii) in sub-paragraph (d), in the new point (6) to be substituted by that sub-paragraph, for “an ‘operational programme’ as referred to in Part Four of this Regulation and in Regulation (EU) No 508/2014, and” substitute “a”,

(iii) in sub-paragraph (e), in the new point (8) to be substituted by that sub-paragraph—

(aa) for “Parts Two and Four” substitute “Part Two”, and

(bb) omit “or a priority for support under Regulation (EU) No 508/2014”,

(iv) in sub-paragraph (g), in the new point (15) to be substituted by that sub-paragraph, omit “or the European Maritime and Sustainable Fisheries Fund”,

(v) in sub-paragraph (o), omit “or priority for support under Regulation (EU) No 508/2014”,

(vi) in sub-paragraph (q), in the new point (36) to be substituted by that sub-paragraph, omit “or support under Regulation (EU) No 508/2014”,

(vii) in sub-paragraph (r), in the new point (37) to be substituted by that sub-paragraph, omit “or support under Regulation (EU) No 508/2014”,

(viii) omit sub-paragraph (s),

(ix) in sub-paragraph (t)—

(aa) in the new point (43) to be inserted by that sub-paragraph, omit the words from “and, in the context of support under Regulation 508/2014” to the end,

(bb) in the new point (44) to be inserted by that sub-paragraph, omit paragraph (b), and

(cc) omit the new point (46) to be inserted by that sub-paragraph.

(3) In regulation 5—

(a) in paragraph (1) omit “and support under Regulation (EU) No 508/2014”;

(b) in paragraph (2) omit “and support under Regulation (EU) No 508/2014”;

(c) in paragraph (3)—

(i) in sub-paragraph (a), in the new paragraph 1 to be substituted by that sub-paragraph, omit “and support under Regulation (EU) No 508/2014”,

(ii) in sub-paragraph (b), in the new paragraph 2 to be substituted by that sub-paragraph, omit “and support under Regulation (EU) No 508/2014”,

- (iii) in sub-paragraph (e), omit “and support under Regulation (EU) No 508/2014”, and
    - (iv) in sub-paragraph (g)(ii), omit “and support under Regulation (EU) No 508/2014”;
  - (d) in paragraph (5), in the new Article 6 to be substituted by that paragraph, omit “and support under Regulation (EU) No 508/2014”; and
  - (e) in paragraph (7)—
    - (i) in sub-paragraph (a)(i), omit “and support under Regulation (EU) No 508/2014”, and
    - (ii) in sub-paragraph (b), in the new second paragraph to be substituted by that sub-paragraph, omit—
      - (aa) “and support under Regulation (EU) No 508/2014”, and
      - (bb) “and in the case of support under Regulation (EU) No 508/2014 to measures set out in that Regulation”.
- (4) In regulation 6—
  - (a) in paragraph (1)—
    - (i) in sub-paragraph (a), in the new first paragraph to be substituted by that sub-paragraph, omit “and support under Regulation (EU) No 508/2014”,
    - (ii) in sub-paragraph (b), omit the words from “and for “(for the EMFF)”” to the end,
    - (iii) in sub-paragraph (c), omit “and support under Regulation (EU) No 508/2014”, and
    - (iv) in sub-paragraph (d), omit “and support under Regulation (EU) No 508/2014”;
  - (b) in paragraph (2)—
    - (i) in sub-paragraph (a), in the new paragraph 1 to be substituted by that sub-paragraph, omit “and support under Regulation (EU) No 508/2014,”, and
    - (ii) in sub-paragraph (b), in the new paragraph 2 to be substituted by that sub-paragraph, omit “and support under Regulation (EU) No 508/2014,”; and
  - (c) in paragraph (3)(b), omit “and support under Regulation (EU) No 508/2014”.
- (5) In regulation 7—
  - (a) in paragraph (1), in the new Article 26 to be substituted by that paragraph, omit “and support under Regulation (EU) No 508/2014”;
  - (b) in paragraph (2)—
    - (i) in sub-paragraph (b), omit “and support under Regulation (EU) No 508/2014”, and
    - (ii) in sub-paragraph (c)(i), omit “and support under Regulation (EU) No 508/2014”;
  - (c) in paragraph (6)—
    - (i) in sub-paragraph (a), in the new paragraph 1 to be substituted by that sub-paragraph, omit the words from “The relevant authority may provide support” to the end,
    - (ii) in sub-paragraph (b), for “the support concerned” substitute “support for rural development”, and
    - (iii) in sub-paragraph (d), for “the support concerned” substitute “support for rural development”;
  - (d) in paragraph (7), in sub-paragraph (a)(ii), for “the support concerned” substitute “support for rural development”; and
  - (e) in paragraph (10), for “The support concerned” substitute “for rural development”.
- (6) In regulation 8—
  - (a) in paragraph (1)—

- (i) in sub-paragraph (b), omit “and support under Regulation (EU) No 508/2014”,
- (ii) in sub-paragraph (c), omit “and support under Regulation (EU) No 508/2014”, and
- (iii) in sub-paragraph (e), omit “and support under Regulation (EU) No 508/2014”;
- (b) in paragraph (2)(d)—
  - (i) in paragraph (i), in the new point (a) to be substituted by that paragraph, omit “and support under Regulation (EU) No 508/2014,”, and
  - (ii) in paragraph (ii)(dd), omit “and support under Regulation (EU) No 508/2014”;
- (c) in paragraph (5), omit “and support under Regulation (EU) No 508/2014”;
- (d) in paragraph (6)(a), omit “and support under Regulation (EU) No 508/2014”;
- (e) in paragraph (7)(a)(i), omit “and support under Regulation (EU) No 508/2014”;
- (f) in paragraph (8)—
  - (i) in sub-paragraph (a), omit “and support under Regulation (EU) No 508/2014”, and
  - (ii) in sub-paragraph (b), omit “or support under Regulation (EU) No 508/2014”;
- (g) in paragraph (9)(b), omit “and support under Regulation (EU) No 508/2014”; and
- (h) in paragraph (10)(b), omit “and support under Regulation (EU) No 508/2014”.
- (7) In regulation 9—
  - (a) in paragraph (3)(b), omit “and support under Regulation (EU) No 508/2014”;
  - (b) in paragraph (4)(d), omit “and support under Regulation (EU) No 508/2014”;
  - (c) in paragraph (6)(a)(i), omit “and support under Regulation (EU) No 508/2014”; and
  - (d) in paragraph (8)(c)(i), omit “and support under Regulation (EU) No 508/2014”.
- (8) In regulation 10(2)(a)—
  - (a) in paragraph (ii), omit “and support under Regulation (EU) No 508/2014”; and
  - (b) in paragraph (iii), omit “and support under Regulation (EU) No 508/2014”.
- (9) In regulation 11—
  - (a) in paragraph (2)—
    - (i) in sub-paragraph (a), omit “and support under Regulation (EU) No 508/2014”, and
    - (ii) in sub-paragraph (f)(ii), omit sub-paragraph (bb);
  - (b) in paragraph (3), omit “or support under Regulation (EU) No 508/2014”;
  - (c) in paragraph (4)(b), omit “or support under Regulation (EU) No 508/2014”;
  - (d) in paragraph (5)(a)(i), omit “and support under Regulation (EU) No 508/2014”;
  - (e) in paragraph (6)—
    - (i) omit sub-paragraph (a),
    - (ii) in sub-paragraph (b)(i), omit “or support under Regulation (EU) No 508/2014”,
    - (iii) in sub-paragraph (c), for “3, 5 and 7” substitute “3 and 5”,
    - (iv) after sub-paragraph (c) insert—
      - “(ca) in paragraph 6, for “the ESI funds” substitute “support for rural development”;
      - (cb) omit paragraph 7;”,
  - (v) in sub-paragraph (d)—
    - (aa) in paragraph (i), omit “or support under Regulation (EU) No 508/2014”,



- (bb) in paragraph (ii), omit sub-paragraph (bb),
- (vi) in sub-paragraph (e), omit paragraph (iii), and
- (vii) in sub-paragraph (g), in the new paragraph 11 to be substituted by that sub-paragraph, omit “or support under Regulation (EU) No 508/2014 or both of them”;
- (f) in paragraph (7)(a), omit “and support under Regulation (EU) No 508/2014”;
- (g) in paragraph (8), omit sub-paragraph (a);
- (h) in paragraph (12)—
  - (i) in sub-paragraph (a)(i)(aa), omit “and support under Regulation (EU) No 508/2014”, and
  - (ii) in sub-paragraph (b)(i), omit “and support under Regulation (EU) No 508/2014”;
- (i) in paragraph (13)—
  - (i) in sub-paragraph (a)(i), omit “and support under Regulation (EU) No 508/2014”, and
  - (ii) in sub-paragraph (b)(ii), in the new point (b) to be substituted by that sub-paragraph, omit “or support under Regulation (EU) No 508/2014”; and
- (j) in paragraph (14)—
  - (i) in sub-paragraph (a), omit “and support under Regulation (EU) No 508/2014”, and
  - (ii) in sub-paragraph (d), in the new paragraph 3 to be substituted by that sub-paragraph, omit “or support under Regulation (EU) No 508/2014”.
- (10) Omit regulations 15 and 16.
- (11) In regulation 18—
  - (a) in paragraph (2), omit “and support under Regulation (EU) No 508/2014”;
  - (b) in paragraph (3), omit “and support under Regulation (EU) No 508/2014”;
  - (c) in paragraph (4), in the new paragraph 1 to be substituted by that paragraph, omit “and support under Regulation (EU) No 508/2014”;
  - (d) in paragraph (6)(c)(iv), in the new point 4 to be substituted by that paragraph, omit “and, where appropriate, in its programme for support under Regulation (EU) No 508/2014”; and
  - (e) in paragraph (9)(b)(i), omit “and priorities for sustainable fisheries”.
- (12) In regulation 20—
  - (a) in paragraph (2)(d), omit “and support under Regulation (EU) No 508/2014”; and
  - (b) in paragraph (3), omit “and support under Regulation (EU) No 508/2014”.
- (13) In regulation 22(3)—
  - (a) in sub-paragraph (a), omit “and support under Regulation (EU) No 508/2014”; and
  - (b) in sub-paragraph (c), omit “or support under Regulation (EU) No 508/2014”.

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

- 14.** In regulation 74 of the Agriculture (Legislative Functions) (EU Exit) Regulations 2019(9)—
  - (a) in the new point (47) to be inserted by that regulation, omit paragraph (a); and
  - (b) omit the new point (48) to be inserted by that regulation.

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(9) [S.I. 2019/748](#), to which there are amendments not relevant to these Regulations.

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

15.—(1) The Common Fisheries Policy and Aquaculture (Amendment etc.) (EU Exit) Regulations 2019<sup>(10)</sup> are amended as follows.

(2) In regulation 26, for paragraph (2) substitute—

“(2) In Article 15 for paragraph 6 substitute—

“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);
- (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).”.

(3) Omit Chapter 8 of Part 5.

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

16. In regulation 5 of the Common Fisheries Policy (Amendment etc.) (EU Exit) (No. 2) Regulations 2019<sup>(11)</sup>—

(a) in paragraph (3)(a), for paragraph (ii) substitute—

“(ii) omit point (b),”;

(b) in paragraph (4), for “5” substitute “6”; and

(c) omit paragraph (5).

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

17.—(1) The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019<sup>(12)</sup> are amended as follows.

(2) In regulation 5(34)(b), for paragraph (i) substitute—

“(i) in point 1.1, omit “or at least 90mm in Skagerrak and Kattegat”.”.

(3) In regulation 6(13)—

(a) omit “and” at the end of sub-paragraph (b); and

(b) after sub-paragraph (b) insert—

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<sup>(10)</sup> S.I. 2019/753, amended by S.I. 2019/1312.

<sup>(11)</sup> S.I. 2019/848, amended by S.I. 2019/1312.

<sup>(12)</sup> S.I. 2019/1312.

“(ba) after paragraph 1 insert—

“**1A.** Subject to paragraph 1B, for all stocks of species in the Western Waters to which the landing obligation applies under Article 15(1) of Regulation (EU) No. 1380/2013, the Secretary of State may make regulations in order to supplement this Regulation by specifying details of that obligation as provided for in points (a) to (e) of Article 15(5) of Regulation (EU) No 1380/2013.

**1B.** Where the exercise of the power to make regulations under paragraph 1 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making such regulations under the power in paragraph 1A 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) of that Regulation;
- (b) the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation;
- (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) of that Regulation.”; and”.

(4) In regulation 7(5)—

(a) omit “and” at the end of sub-paragraph (b); and

(b) after sub-paragraph (b) insert—

“(ba) after paragraph 1 insert—

“**1A.** Subject to paragraph 1B, for all stocks of species in the North Sea to which the landing obligation applies under Article 15(1) of Regulation (EU) No. 1380/2013, the Secretary of State may make regulations in order to supplement this Regulation by specifying details of that obligation as provided for in points (a) to (e) of Article 15(5) of Regulation (EU) No 1380/2013.

**1B.** Where the exercise of the power to make regulations under paragraph 1 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) No 1380/2013, before making such regulations under the power in paragraph 1A 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) of that Regulation;
- (b) the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of that Regulation;
- (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) of that Regulation.”; and”.

(5) In regulation 8, omit paragraph (7).

Date

*Name*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs