
DRAFT STATUTORY INSTRUMENTS

2020 No.

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

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⁽¹⁾ 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

⁽¹⁾ S.I. 2019/739, amended by S.I. 2019/1312.

(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 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”.