
DRAFT STATUTORY INSTRUMENTS

2020 No.

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

PART 4

OTHER AMENDMENTS TO EU EXIT REGULATIONS

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⁽¹⁾ 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—

“(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).