



# Fisheries Act 2020

## 2020 CHAPTER 22

*Fisheries objectives, fisheries statements and fisheries management plans*

### **10 Effect of fisheries statements and fisheries management plans**

- (1) A national fisheries authority must exercise its functions relating to fisheries, fishing or aquaculture in accordance with the policies contained in a JFS, SSFS or fisheries management plan that are applicable to the authority, unless a relevant change in circumstances indicates otherwise.
- (2) If, in view of a relevant change of circumstances, a national fisheries authority takes a decision in the exercise of its functions relating to fisheries, fishing or aquaculture otherwise than in accordance with the policies contained in a JFS, SSFS or fisheries management plan that are applicable to the authority, the authority must prepare and publish a document—
  - (a) describing the decision and the relevant change of circumstances, and
  - (b) explaining how the relevant change in circumstances affected the decision.
- (3) For the purposes of this section—
  - (a) a policy in a JFS is “applicable to” a national fisheries authority within any paragraph of subsection (5), unless the JFS states that it is not applicable to that authority;
  - (b) a policy in an SSFS is “applicable to” a national fisheries authority within paragraph (a) or (b) of subsection (5), unless the SSFS states that it is not applicable to that authority;
  - (c) a policy in a fisheries management plan is “applicable to”—
    - (i) a national fisheries authority within paragraph (a), (c), (d) or (e) of subsection (5) if the plan is prepared and published by that authority, unless the plan states that it is not applicable to that authority, and
    - (ii) the Marine Management Organisation if the plan is prepared and published by the Secretary of State, unless the plan states that it is not so applicable.

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*Status: This is the original version (as it was originally enacted).*

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- (4) For the purposes of this section the changes in circumstances that are capable of being “relevant” include (in particular) changes relating to—
- (a) the international obligations of the United Kingdom,
  - (b) things done (or not done) by the government of a territory outside the United Kingdom that affect the marine and aquatic environment,
  - (c) available scientific evidence, or
  - (d) available evidence relating to the social, economic or environmental elements of sustainable development.
- (5) In this section “national fisheries authority” means—
- (a) the Secretary of State,
  - (b) the Marine Management Organisation,
  - (c) the Scottish Ministers,
  - (d) the Welsh Ministers, or
  - (e) the Northern Ireland department.