

2019 No. 209

**EXITING THE EUROPEAN UNION, NORTHERN
IRELAND**

AGRICULTURE, NORTHERN IRELAND

FISHERIES, NORTHERN IRELAND

SEA FISHERIES, NORTHERN IRELAND

**The Fisheries (Amendment) (Northern Ireland) (EU Exit)
Regulations 2019**

<i>Sift requirements satisfied</i>	<i>8th January 2019</i>
<i>Made - - - -</i>	<i>24th January 2019</i>
<i>Laid before Parliament</i>	<i>11th February 2019</i>
<i>Coming into force in accordance with regulation 1(1)</i>	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018^(a).

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

PART 1

Introduction

Citation, commencement and extent

1.—(1) These Regulations may be cited as The Fisheries (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 and come into force on exit day.

(2) These Regulations extend to Northern Ireland only.

PART 2

Amendment of subordinate legislation

The Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations (Northern Ireland) 2005

2. In regulation 2(1) of The Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites Regulations (Northern Ireland) 2005(a), in the definition of “licensed fishing vessel” for “by another Member State” substitute “by a member State”.

The Sea Fishing (Enforcement of Community Measures) (Penalty Notices) Order (Northern Ireland) 2008

3.—(1) The Sea Fishing (Enforcement of Community Measures) (Penalty Notices) Order (Northern Ireland) 2008(b) is amended as follows.

(2) In the title and Article 1, omit “Community”.

(3) In Article 2(2), in the definition of “penalty offence”—

(a) in paragraph (c), for “enforceable Community restrictions” substitute “retained EU restrictions and retained EU obligations”;

(b) in paragraph (d), for “enforceable Community restriction or other” substitute “retained EU restriction or retained EU”.

Salmon Netting Regulations (Northern Ireland) 2014

4. In regulation 9(1)(a) of the Salmon Netting Regulations (Northern Ireland) 2014(c), for “the Habitats Directive” substitute “the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995(d)”.

Salmon Drift Net Regulations (Northern Ireland) 2014

5. In regulation 4(1)(a) of the Salmon Drift Net Regulations (Northern Ireland) 2014(e), for “the Habitats Directive” substitute “the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995”.

The European Maritime and Fisheries Fund (Financial Assistance) Regulations (Northern Ireland) 2015

6. In regulation 13 of the European Maritime and Fisheries Fund (Financial Assistance) Regulations (Northern Ireland) 2015(f), for paragraph (2) substitute—

“(2) The officer may be accompanied by such other person that the officer considers necessary for the purposes of these Regulations or the EMFF Regulation.”

The Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order (Northern Ireland) 2018

7.—(1) The Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order (Northern Ireland) 2018(g) is amended as follows.

(a) S.R. 2005 No. 419.

(b) S.R. 2008 No. 492.

(c) S.R. 2014 No. 15.

(d) S.R. 1995 No. 380. Amendments have been made by S.R. 2004 No. 435, S.R. 2007 No.345, S.R. 2009 No.8, S.R. 2011 No.216, S.R. 2012 No. 1928, 2013 c.10 (N.I.) and S.R. 2015 No. 182.

(e) S.R. 2014 No. 16.

(f) S.R. 2015 No. 399.

(g) S.R. 2018 No. 106.

(2) In Article 2(2), in the definition of “third country fishing vessel” for “Union” substitute “United Kingdom”.

(3) In Article 8–

- (a) in paragraph (5)(b), for “EU” substitute “United Kingdom”;
- (b) in paragraph (6), for “EU” substitute “United Kingdom”;
- (c) in paragraph (7)–
 - (i) in sub-paragraph (c), for “fishing vessel flying the flag of a member State” substitute “United Kingdom fishing vessel”;
 - (ii) in sub-paragraph (d), omit “in relation to” to the end;
 - (iii) in sub-paragraph (e), for “fishing vessel flying the flag of a member State” substitute “United Kingdom fishing vessel”.

George Eustice
Minister of State

24th January 2019

Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of retained law to operate effectively and other deficiencies (in particular under paragraphs (a), (c), (d) and (g) of section 8(2)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to legislation in the field of fisheries.

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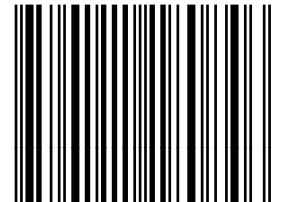
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