
STATUTORY INSTRUMENTS

2019 No. 739

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

PART 3

AMENDMENT OF THE CONTROL REGULATIONS

Council Regulation (EC) No 1224/2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy

4.—(1) Council Regulation (EC) No 1224/2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy is amended as follows.

- (2) In Article 1—
 - (a) omit “Union” in the first place it occurs;
 - (b) omit “(hereinafter referred to as Union control system)”; and
 - (c) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”.
- (3) Omit Article 2.
- (4) Omit Article 2a.
- (5) For Article 3 substitute—

“Article 3

Relationship with international provisions

This Regulation applies without prejudice to special provisions contained in fisheries agreements concluded between the United Kingdom and other countries or applicable in the framework of regional fisheries management organisations or similar agreements to which the United Kingdom is a Contracting Party or a non-contracting Cooperating Party.”.

- (6) In Article 4—
 - (a) for “Regulation (EC) No 2371/2002” substitute “ Regulation (EU) No 1380/2013 ”;
 - (b) for point 2 substitute—

“2. ‘Fisheries Rules’ means relevant retained direct EU legislation;”;

- (c) in point 4, for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”;
- (d) in point 6 for “national authority, the Commission or the Community Fisheries Control Agency” substitute “ fisheries administration ”;
- (e) omit point 7;
- (f) in point 8—
 - (i) for “national authority” substitute “ fisheries administration ”, and

- (ii) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”;
 - (g) in point 9 omit “Union”;
 - (h) in point 10 omit “Union”;
 - (i) omit point 12;
 - (j) for point 14 substitute—
- “14. ‘fishing restricted area’ means any marine area defined in retained direct EU legislation where fishing activities are either limited or banned;”;
- (k) in point 15 for “flag Member State” substitute “ fisheries administration ”;
 - (l) in point 17, for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”;
 - (m) in point 18 omit “ , Union”;
 - (n) for point 24 substitute—
- “24. ‘multiannual plans’ means recovery plans and plans providing for specific management measures for particular fish stocks for several years;”;
- (o) in point 26 for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”; and
 - (p) in point 27 for “certificate issued by the Member State's authorities or classification societies or other operators assigned by them” substitute “ entry for the vessel in question recorded in the register maintained under Part 2 of the Merchant Shipping Act 1995 ”.
- (7) Omit Title 2.
- (8) In Article 6—
- (a) in paragraph 1 for “Union” substitute “ United Kingdom ”;
 - (b) in paragraph 2—
 - (i) for “The flag Member State shall” substitute “ A fisheries administration must ”,
 - (ii) omit “Community”, and
 - (iii) for “Article 15 of Regulation (EC) No 2371/2002” substitute “ Commission Implementing Regulation (EU) 2017/218 ”;
 - (c) in paragraph 3—
 - (i) for “The flag Member State shall” substitute “ A fisheries administration must ”, ^{F1}...
 - (ii) for “Member State” substitute “ fisheries administration ”^{F2}, and]
 - ^{F3}(iii) omit “in accordance with Article 45(4) of Regulation (EC) No 1005/2008”;
 - (d) in paragraph 4—
 - (i) for “The flag Member State shall” substitute “ A fisheries administration must ”, ^{F4}...
 - (ii) omit “which is the subject of a capacity adjustment measure referred to in Article 11(3) of Regulation (EC) No 2371/2002, or”; and
 - ^{F5}(iii) omit “in accordance with Article 45(4) of Regulation (EC) No 1005/2008”; and]
 - (e) omit paragraph 5.
- (9) In Article 7—
- (a) in paragraph 1—

- (i) for “Union” in the first and second places it occurs, substitute “ United Kingdom ”, and
 - (ii) in point (e) for “Union” substitute “ relevant retained direct EU ”; and
 - (b) omit paragraphs 2 and 3.
- (10) In Article 9—
- (a) in paragraph 1—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”,
 - (ii) for “the fishing vessels flying their flag” substitute “ its fleet ”, and
 - (iii) for “the Member States” substitute “ United Kingdom ”;
 - (b) in paragraph 2, for “the flag Member State” substitute “ a fisheries administration ”;
 - (c) omit paragraph 3;
 - (d) in paragraph 4, for “Union” substitute “ United Kingdom ”;
 - (e) in paragraph 5—
 - (i) for “Member State” substitute “ fisheries administration ”,
 - (ii) for “Union” substitute “ United Kingdom ”,
 - (iii) omit “flying its flag”, and
 - (iv) in point (a) for “flag Member State” substitute “ United Kingdom ”;
 - (f) in paragraph 6 for “Union” in both places it occurs, substitute “ United Kingdom ”;
 - (g) for paragraph 7 substitute—

“7. A fisheries administration must establish and operate a fisheries monitoring centre, which must monitor fishing activities and fishing effort. The fisheries monitoring centre must monitor the fisheries administration's fleet whatever the waters in which they are operating or the port they are in, as well as other fishing vessels to which vessel monitoring systems apply when they are operating within United Kingdom waters.”;

- (h) in paragraph 8—
 - (i) for “Each flag Member State shall” substitute “ A fisheries administration must ”,
 - (ii) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (iii) omit the last sentence; and
 - (i) omit paragraph 9.
- (11) In Article 10—
- (a) in paragraph 1 omit “In accordance with Annex II Part I point 3 of the Directive [2002/59/EC](#),”; and
 - (b) omit paragraphs 2 and 3.
- (12) In Article 11—
- (a) for “Member States have” substitute “ a fisheries administration has ”;
 - (b) for “they shall” substitute “ it must ”;
 - (c) for “them” substitute “ it ”;
 - (d) for “Member States shall” substitute “ A fisheries administration must ”; and
 - (e) for “their” substitute “ its ”.
- (13) In Article 12—

- (a) omit “Union”; and
 - (b) for “of the Member States” substitute “ in the United Kingdom ”.
- (14) Omit Article 13.
- (15) In Article 14—
- (a) in paragraph 1 for “Union” substitute “ United Kingdom ”;
 - (b) in paragraph 4—
 - (i) for “Union” in each place it occurs, substitute “ United Kingdom ”, and
 - (ii) omit “(4) and (5)”;
 - (c) in paragraph 5—
 - (i) omit “Union” in the first place it occurs, and
 - (ii) for “Union” in the second place it occurs, substitute “ United Kingdom ”;
 - (d) in paragraph 6—
 - (i) for “Union” substitute “ United Kingdom ”,
 - (ii) in point (a) for “their flag Member State” substitute “ a fisheries administration ”, and
 - (iii) for point (b) substitute “ if the landing has taken place in the port of a third country, to the competent authorities of the port country concerned ”;
 - (e) in paragraph 7—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for “the procedure referred to in Article 119” substitute “ Commission Implementing Regulation (EU) No 404/2011 ”; and
 - (f) in paragraph 8 for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (16) In Article 15—
- (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for “the flag Member State” substitute “ a fisheries administration ”;
 - (b) in paragraph 2—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for “flag Member State” substitute “ a fisheries administration ”;
 - (c) omit paragraph 3;
 - (d) in paragraph 4—
 - (i) for “A Member State” substitute “ A fisheries administration ”, and
 - (ii) for “Union fishing vessels” substitute “ fishing vessels in its fleet ”,
 - (iii) omit “flying its flag”, and
 - (iv) in point (a) for “flag Member State” substitute “ United Kingdom ”;
 - (e) in paragraph 5, for “Union” substitute “ United Kingdom ”;
 - (f) omit paragraph 6;
 - (g) in paragraph 7, for “Member State” substitute “ fisheries administration ”; and
 - (h) omit paragraph 8.
- (17) Omit Article 16.
- (18) In Article 17—

- (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for “their flag Member State” substitute “ a fisheries administration ”;
 - (b) for paragraph 2 substitute—

“2. When a United Kingdom fishing vessel intends to enter a port which is not a United Kingdom port, a fisheries administration must immediately upon receipt forward the electronic prior notification to the competent authorities of the relevant coastal state.”;
and
 - (c) omit paragraph 3.
- (19) Omit Article 18.
- (20) In Article 19—
- (a) for “the coastal Member State” substitute “ a fisheries administration ”; and
 - (b) for “Articles 17 and 18” substitute “ Article 17 ”.
- (21) In Article 20—
- (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) omit “of Member States”; and
 - (b) in paragraph 3 for “Union” substitute “ United Kingdom ”.
- (22) In Article 21—
- (a) in paragraph 1 for “Union” substitute “ United Kingdom ”; and
 - (b) in paragraph 4—
 - (i) in point (a) for “their flag Member State (s)” substitute “ a fisheries administration ”, and
 - (ii) for point (b) substitute—
 - “(b) if the transhipment has taken place in a port of a third country, to the competent authorities of that country.”.
- (23) In Article 22—
- (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for “the flag Member State” substitute “ a fisheries administration ”;
 - (b) omit paragraph 2;
 - (c) in paragraph 3—
 - (i) for “Member State” substitute “ fisheries administration ”,
 - (ii) for “Union” substitute “ United Kingdom ”,
 - (iii) omit “flying its flag”, and
 - (iv) in point (a) for “flag Member State” substitute “ United Kingdom ”;
 - (d) omit paragraph 4;
 - (e) for paragraph 5 substitute—

“5. When a United Kingdom fishing vessel tranships its catches in another country, the competent authorities of a fisheries administration must immediately upon receipt forward the transhipment declaration data by electronic means to the competent authorities of the country where the catch was transhipped and where the catch is destined.”; and

(f) omit paragraph 6.

(24) In Article 23—

(a) in paragraph 1 for “Union” substitute “ United Kingdom ”; and

(b) in paragraph 3—

(i) for “Union” substitute “ United Kingdom ”,

(ii) in point (a) for “their flag Member State” substitute “ the competent authorities of a fisheries administration ”, and

(iii) for point (b) substitute—

“(b) if the landing has taken place in a port of a third country to the competent authorities of that country.”.

(25) In Article 24—

(a) in paragraph 1—

(i) for “Union” substitute “ United Kingdom ”, and

(ii) for “the flag Member State” substitute “ a fisheries administration ”;

(b) omit paragraph 2;

(c) in paragraph 3—

(i) for “Member State” substitute “ fisheries administration ”,

(ii) for “Union” substitute “ United Kingdom ”,

(iii) omit “flying its flag”, and

(iv) in point (a) for “flag Member State” substitute “ fisheries administration ”;

(d) for paragraph 4 substitute—

“4. When a United Kingdom fishing vessel lands its catches in a third country, the competent authorities of a fisheries administration must immediately upon receipt forward the landing declaration data by electronic means to the competent authorities of the country where the catch was landed.”;

(e) in paragraph 5—

(i) for “Union” substitute “ United Kingdom ”,

(ii) for “Member State other than the flag Member State” substitute “ third country ”, and

(iii) for “the coastal Member State” substitute “ a fisheries administration ”;

(f) in paragraph 6—

(i) for “Member State” substitute “ fisheries administration ”, and

(ii) for “fishing vessels flying its flag” substitute “ United Kingdom fishing vessels ”; and

(g) omit paragraph 7.

(26) Omit Article 25.

(27) In Article 26—

(a) for paragraph 1 substitute—

“1. A fisheries administration must control the compliance with fishing effort regimes in geographical areas where maximum allowable fishing effort applies.”;

(b) in paragraph 3—

(i) for “Member State” substitute “ fisheries administration ”, and

(ii) omit “to this Member State”;

(c) omit paragraph 5; and

(d) in paragraph 6 for “the Member State whose flag is flown by the fishing vessel concerned” substitute “ a fisheries administration ”.

(28) In Article 27—

(a) in paragraph 1, for “the flag Member State” substitute “ a fisheries administration ”; and

(b) in paragraph 2, for “the flag Member State” substitute “ a fisheries administration ”.

(29) In Article 28

(a) in paragraph 1—

(i) for “the Council” substitute “ a fisheries administration ”,

(ii) for “Union” substitute “ United Kingdom ”,

(iii) for “Union rules” substitute “ rules made by a fisheries administration ”,

(iv) for “his flag Member State” substitute “ a fisheries administration ”, and

(v) for “coastal Member State” substitute “ coastal state ”; and

(b) omit paragraph 2.

(30) In Article 29—

(a) in paragraph 2—

(i) for Member State” substitute “ fisheries administration ”,

(ii) for “flag Member State” substitute “ fisheries administration ”; and

(b) in paragraph 3—

(i) for “Member State” substitute “ fisheries administration ”, and

(ii) omit the last sentence.

(31) In Article 30—

(a) in paragraph 1—

(i) before “fishing vessel” insert “ United Kingdom ”, and

(ii) in point (b) for “its flag Member State” substitute “ United Kingdom fishing vessels ”; and

(b) in paragraph 2—

(i) before “fishing vessel” insert “ United Kingdom ”, and

(ii) in point (b) for “its flag Member State” substitute “ United Kingdom fishing vessels ”.

(32) In the heading to section 3 of Chapter 1 of Title 4 for “and exchange of data by Member States” substitute “ of catches and fishing effort data ”.

(33) In Article 33—

- (a) in paragraph 1, for “Each flag Member State shall” substitute “ A fisheries administration must ”;
 - (b) omit paragraphs 2 to 4;
 - (c) in paragraph 5—
 - (i) for “ Union” substitute “ United Kingdom ”, and
 - (ii) for “flag Member State” substitute “ United Kingdom ”;
 - (d) in paragraph 6—
 - (i) for “flag Member State” substitute “ United Kingdom ”, and
 - (ii) for “Article 12(2) of Council Regulation (EC) No 199/2008” substitute “ Article 5(5) of Regulation (EU) 2017/1004 of the European Parliament and of the Council ”;
 - (e) omit paragraph 7;
 - (f) in paragraph 8—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for “the flag Member State” substitute “ United Kingdom fishing vessels ”;
 - (g) in paragraph 9—
 - (i) for “its flag Member State” substitute “ the United Kingdom ”, and
 - (ii) for “Article 12(2) of Council Regulation (EC) No 199/2008” substitute “ Article 5(5) of Regulation (EU) 2017/1004 of the European Parliament and of the Council ”; and
 - (h) omit paragraph 10.
- (34) Omit Article 34.
- (35) Omit Section 4 of Chapter 1 of Title 4.
- (36) Omit Section 1 of Chapter 2 of Title 4.
- (37) In Article 39—
- (a) for paragraph 2 substitute—

“2. A fisheries administration must ensure that the certified engine power is not exceeded.”; and
 - (b) in paragraph 3, for “Member States” substitute “ A fisheries administration ”.
- (38) In Article 40—
- (a) in paragraph 1—
 - (i) for “Member States shall be” substitute “ A fisheries administration is ”, and
 - (ii) for “Union” substitute “ United Kingdom ”;
 - (b) in paragraph 2, for “the Member States” substitute “a fisheries administration's”;
 - (c) in paragraph 3, for “Member States” substitute “A fisheries administration's”;
 - (d) in paragraph 4, for “the Member State concerned” substitute “ a fisheries administration ”; and
 - (e) omit paragraph 5.
- (39) In Article 41—
- (a) in paragraph 1—
 - (i) for “Member States” substitute “ A fisheries administration ”,

- (ii) Omit “based on the methodology adopted by the Commission in accordance with the procedure referred to in Article 119,”,
 - (iii) in point (d) for “94/57/EC” substitute “ 2009/15/EC ”, and
 - (iv) in point (f) for “Community” substitute “ United Kingdom ”; and
- (b) in paragraph 2, for “Member States shall” substitute “ a fisheries administration must ”.
- (40) Omit Article 42.
- (41) In Article 43—
- (a) omit paragraph 1;
 - (b) for paragraph 2 substitute—

“2. Where a multiannual plan contains a threshold, applicable to the live weight of species subject to the plan, above which catches of such species must be landed in a designated port or place close to the shore, the master of a United Kingdom fishing vessel must ensure that landings of fish above the threshold are only made in a designated port or place close to the shore.”;

- (c) in paragraph 4 for “Each Member State shall” substitute “ A fisheries administration must ”;
 - (d) in paragraph 7—
 - (i) for “Member States shall be exempted” substitute “ A fisheries administration is exempt ”,
 - (ii) omit “national”, and
 - (iii) omit the last sentence.
- (42) In Article 44 for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (43) Omit Article 45.
- (44) In Article 46—
- (a) in the heading omit “National”;
 - (b) for paragraph 1 substitute—

“1. A fisheries administration must define a control action programme applicable to each multiannual plan.”; and

- (c) in paragraph 2 for “Member States shall” substitute “ A fisheries administration must ”,
- (45) In Article 48—
- (a) in paragraph 1 for “Union” substitute “ United Kingdom ”;
 - (b) in paragraph 2 for “Union” substitute “ United Kingdom ”;
 - (c) for the first paragraph in paragraph 3 substitute—

“3. If the lost gear cannot be retrieved, the master of the vessel must inform the competent authorities of a fisheries administration, which must then inform the competent authority of the coastal state if the gear is lost in waters outside United Kingdom waters, within 24 hours of the following:”;

- (d) in paragraph 4 for “the Member States” substitute “ a fisheries administration ”; and
- (e) in paragraph 5—

- (i) for “Member State” substitute “ fisheries administration ”,
 - (ii) for “Union” substitute “ United Kingdom ”,
 - (iii) omit “flying its flag”, and
 - (iv) in point (a), for “flag Member State” substitute “ United Kingdom ”.
- (46) In Article 49—
- (a) in paragraph 1 for “Union” substitute “ United Kingdom ”; and
 - (b) omit paragraph 2.
- (47) In Article 49a—
- (a) in paragraph 1 for “Union” substitute “ United Kingdom ”;
 - (b) in paragraph 2 for point (a) substitute—
 - “(a) where the catches contain more than 80% of one or more of the following species—
 - (i) mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, argentine, sardine, sprat (i.e. small pelagic fisheries);
 - (ii) capelin, sandeel, Norwegian pout (i.e. fisheries for industrial purposes);”;
 - (c) in paragraph 3, for “Member States shall” substitute “ a fisheries administration must ”.
- (48) In Article 49b—
- (a) for “Member States shall” substitute “ A fisheries administration must ”; and
 - (b) omit “Union”.
- [^{F6}(49) In Article 49c omit the final sentence.]
- (50) In Article 50—
- (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”,
 - (ii) after “fishing zones” insert “ within United Kingdom waters ”,
 - (iii) omit “by the Council”, and
 - (iv) for “the coastal Member State” substitute “ a fisheries administration ”;
 - (b) omit paragraph 2;
 - (c) in paragraph 4, in point (b), for “the flag Member State which shall then inform the competent authorities of the coastal Member State” substitute “ a fisheries administration ”; and
 - (d) in paragraph 5 for “Union” substitute “ United Kingdom ”.
- ^{F7}(51)
- ^{F7}(52)
- ^{F7}(53)
- [^{F8}(54) In Article 54b(3)—
- (a) omit “which are certified by the competent authorities of the flag Member States”;
 - (b) for “competent fisheries authorities of the flag Member State” substitute “competent authorities of a fisheries administration”;
 - (c) for “the flag Member State of the vessels shall” substitute “a fisheries administration must”.]

- (55) Omit Chapter 5 of Title 4.
- (56) In Article 56—
- (a) in paragraph 1—
 - (i) for “Each Member State shall be” substitute “ A fisheries administration is ”,
 - (ii) omit “on its territory”,
 - (iii) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”,
 - (iv) after “fisheries and aquaculture products” insert “ in the United Kingdom ”, and
 - (v) for “Member States shall, in particular” substitute “ In particular, a fisheries administration must ”;
 - (b) in paragraph 2 for “Union” substitute “ relevant retained direct EU ”; and
 - (c) in paragraph 3 for “Member States shall” substitute “ A fisheries administration must ”.
- (57) In Article 57—
- (a) in paragraph 1 for “Member States shall” in each place it occurs, substitute “ A fisheries administration must ”; and
 - (b) in paragraph 2, for “(EC) No 104/2000” substitute “ (EU) No 1379/2013 ”.
- (58) In Article 58—
- (a) in paragraph 2 for “Union” substitute “ United Kingdom ”;
 - (b) in paragraph 4 for “Member States shall” substitute “ A fisheries administration must ”;
 - (c) in paragraph 6 for “Member States shall” substitute “ A fisheries administration must ”; and
 - (d) in paragraph 7 for “Union” substitute “ United Kingdom ”.
- (59) In Article 59—
- (a) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”; and
 - (b) in paragraph 2 for “the Member State where the first sale takes places” substitute “ a fisheries administration, in circumstances where the first sale takes place in the United Kingdom ”.
- (60) In Article 60—
- (a) for paragraph 1 substitute—

“1. A fisheries administration must ensure that all fishery products are weighed on systems approved by its competent authorities unless it has adopted a sampling plan based on risk-based methodology in accordance with regulations made under paragraph 7.”;
 - (b) in paragraph 3 for “Member States” substitute “ a fisheries administration ”;
 - (c) in paragraph 4 for “a Member State” substitute “ the United Kingdom ”; and
 - (d) in paragraph 6—
 - (i) for “Member State” substitute “ fisheries administration ”, and
 - (ii) for “that Member State” substitute “ the United Kingdom ”.
- (61) In Article 61—
- (a) in paragraph 1—
 - (i) for “Member States” substitute “ a fisheries administration ”,

- (ii) for “on the territory of the Member State concerned” substitute “ in the United Kingdom ”,
 - (iii) for “this Member State” substitute “ the fisheries administration ”, and
 - (iv) for “approved by the Commission and based on the risk-based methodology adopted by the Commission in accordance with the procedure referred to in Article 119” substitute “ in accordance with the risk-based methodology described in Annex XIX to Commission Implementing Regulation (EU) No 404/2011 ”, and
- (b) omit paragraph 2.
- (62) In Article 62—
- (a) in paragraph 1—
 - (i) for “Member States” substitute “ a fisheries administration ”,
 - (ii) for “EUR 200 000” substitute “ £175,000 ”,
 - (iii) for “a Member State” substitute “ the United Kingdom ”, and
 - (iv) for “the Member State in whose territory the first sale takes place” substitute “ a fisheries administration ”;
 - (b) in paragraph 2—
 - (i) for “A Member State” substitute “ A fisheries administration ”,
 - (ii) for “Member States” substitute “ a fisheries administration ”, and
 - (iii) for “EUR 200 000” substitute “ £175,000 ”;
 - (c) for paragraph 3 substitute—

“3. If the first sale of fish landed by a fishing vessel of a third country takes place in the United Kingdom, a fisheries administration must ensure that a copy of the sales note is submitted, if possible, electronically, to the competent authorities of the flag state of the fishing vessel upon receipt of the relevant information.”;
 - (d) for paragraph 4 substitute—

“4. If the first marketing of fisheries products takes place in the United Kingdom, but the products were not landed in the United Kingdom, a fisheries administration must ensure a copy of the sales note is submitted, if possible electronically, to the competent authorities responsible for controlling the landing of the products concerned and to the competent authorities of the flag state of the fishing vessel upon receipt of the sales note.”;
 - (e) in paragraph 5—
 - (i) for “Union” substitute “ United Kingdom ”,
 - (ii) for “the fishing vessel” substitute “ a United Kingdom fishing vessel ”, and
 - (iii) for “the flag Member State” substitute “ a fisheries administration ”; and
 - (f) omit paragraph 6.
- (63) In Article 63—
- (a) in paragraph 1—
 - (i) for “Member States” substitute “ a fisheries administration ”,
 - (ii) for “EUR 200 000” substitute “ £175,000 ”, and

- (iii) for “the Member State in whose territory the first sale takes place” substitute “ a fisheries administration ”; and
 - (b) in paragraph 2, for “Member States shall” substitute “ A fisheries administration must ”.
- (64) In Article 64(1)(h) omit “of fishery products in accordance with Article 30 of Regulation (EU) No 1379/2013”.
- (65) In Article 66—
 - (a) in paragraph 1—
 - (i) for “EUR 200 000” substitute “ £175,000 ”,
 - (ii) for “a Member State” substitute “ the United Kingdom ”, and
 - (iii) for “the Member State where the take-over takes place” substitute “ a fisheries administration ”; and
 - (b) omit paragraph 2.
- (66) In Article 67—
 - (a) in paragraph 1—
 - (i) for “EUR 200 000” substitute “ £175,000 ”,
 - (ii) “a Member State” substitute “the United Kingdom”, and
 - (iii) for “the Member State where the take-over takes place” substitute “ a fisheries administration ”; and
 - (b) omit paragraph 2.
- (67) In Article 68—
 - (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for the words from “the Member State” to the end, substitute “ a fisheries administration ”;
 - (b) in paragraph 2—
 - (i) for “flag Member State” substitute “ a fisheries administration ”,
 - (ii) for “Member State” in each place it occurs, substitute “ country ”;
 - (c) in paragraph 3—
 - (i) for “Member State” in each place it occurs, substitute “ country ”, and
 - (ii) omit the final sentence.
 - (d) in paragraph 6 for “Member States” substitute “ a fisheries administration ”.
- (68) In Article 69—
 - (a) in paragraph 1—
 - (i) for “Article 6(1) of Regulation (EC) No 104/2000” substitute “ Article 18 of Regulation (EU) 1379/2013 ”,
 - (ii) for “Member States shall” substitute “ a fisheries administration must ”,
 - (iii) for “Article 5 of Regulation (EC) No 104/2000” substitute “ Article 14 of Regulation (EU) 1379/2013 ”; and
 - (b) omit paragraphs 2 and 3.
- (69) Omit Article 70.
- (70) In Article 71—

- (a) in the heading omit “by Member States”;
- (b) in paragraph 1—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) for “Union waters under their sovereignty or jurisdiction” substitute “ United Kingdom waters ”;
- (c) in paragraph 2, for “Member State” substitute “ fisheries administration ”;
- (d) for paragraph 3 substitute—

“3. If the sighting or detection refers to a fishing vessel of a third country, and the information does not correspond to any other information that is available to the competent authority of a fisheries administration, and if the authority is not in a position to undertake further action, it shall record its findings in a surveillance report and shall transmit that report without delay, if possible by electronic means, to the flag state concerned.”; and

- (e) in paragraph 4—
 - (i) omit “of a Member State”, and
 - (ii) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”.
- (71) In Article 72—
 - (a) for paragraph 1 substitute—

“1. A fisheries administration must, upon receipt of a surveillance report from a third country, take prompt action on it and undertake such further investigation as is necessary to allow it to determine appropriate follow up.”;

- (b) omit paragraph 2; and
- (c) in paragraph 3, for “The Commission or the body designated by it or, where appropriate, the flag Member State and other Member States” substitute “ A fisheries administration ”.
- (72) In Article 73—

- (a) in paragraph 1—
 - (i) omit “Union”,
 - (ii) for “the Council” substitute “ a fisheries administration ”, and
 - (iii) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”;
- (b) in paragraph 4 for “the flag Member State” substitute “ a fisheries administration ”;
- (c) in paragraph 5—
 - (i) for “flag Member State” substitute “ flag state ”, and
 - (ii) for “Member States shall” substitute “ A fisheries administration must ”;
- (d) in paragraph 6 for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”;
- (e) in paragraph 7 for “Union” in each place it occurs, substitute “ United Kingdom ”; and
- (f) for paragraph 8 substitute—

“8. All costs arising from the operation of control observers in respect of United Kingdom fishing vessels shall be borne by a fisheries administration. A fisheries administration may charge those costs, in part or in full, to the operators of United Kingdom fishing vessels involved in the relevant fishery.”;

- (73) In Article 73a—
- (a) for “Member States” substitute “ a fisheries administration ”; and
 - (b) omit “flying their flag”.
- (74) Omit Article 74.
- (75) In Article 76(1)—
- (a) omit the third sentence; and
 - (b) omit the final sentence.
- (76) Omit Article 77.
- (77) In Article 78(1) for “Member States shall” substitute “ A fisheries administration must ”.
- (78) Omit Articles 79 to 83.
- (79) In Article 84—
- (a) in paragraph 1 for “The flag Member State or the coastal Member State in whose waters a fishing vessel is suspected” substitute “ A fisheries administration which suspects a fishing vessel ”; and
 - (b) in paragraph 2—
 - (i) for “The coastal Member State shall” substitute “ A fisheries administration must ”,
 - (ii) for “national” substitute “ applicable ”, and
 - (iii) for “flag Member State” substitute “ flag state ”.
- (80) Omit Chapter 4 of Title 7.
- (81) Omit Article 89.
- (82) In Article 90—
- (a) in paragraph 1—
 - (i) for “the Member State” substitute “ a fisheries administration ”,
 - (ii) in point (c), for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”;
 - ^[F9](b) in paragraph 2—
 - (i) for “Member States shall” substitute “A fisheries administration must”, and
 - (ii) omit “the range of sanctions and measures provided for in”;
 - (c) in paragraph 3 for the words from “Without prejudice” to “Member States shall” substitute “ A fisheries administration must ”;
 - (d) in paragraph 4 for “the Member State shall” substitute “ a fisheries administration must ”;
 - (e) in paragraph 5 for “Member States” substitute “ A fisheries administration ”; and
 - (f) in paragraph 6 omit “, in particular those described in Article 45 of Regulation (EC) No 1005/2008”.
- (83) In Article 91 for “Member States shall” substitute “ A fisheries administration must ”.
- (84) In Article 92—
- (a) in paragraph 1—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”;
 - (b) in paragraph 2 for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”; and

- (c) in paragraph 6—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”.
- (85) In Article 93—
 - (a) for paragraph 1 substitute—

“1. A fisheries administration must enter in a national register all infringements of Fisheries Rules committed by United Kingdom fishing vessels or by United Kingdom nationals, including the sanctions they incurred and the number of points assigned. A fisheries administration must also enter infringements by United Kingdom fishing vessels and United Kingdom nationals prosecuted in other countries.”; and
 - (b) omit paragraphs 2 and 3.
- (86) Omit Article 94.
- (87) In Article 95—
 - (a) in paragraph 3 for “each Member State shall” substitute “ a fisheries administration must ”; and
 - (b) in paragraph 4 for “The Member States concerned shall” substitute “ The fisheries administration concerned must ”.
- (88) Omit Titles 10 to 12.
- (89) Omit Articles 117 and 118.
- (90) Omit Title 15.
- (91) Annex 1—
 - (a) in paragraph 1 for “Each Member State shall” substitute “ A fisheries administration must ”;
 - (b) in paragraph 3 omit the final sentence; and
 - (c) in paragraph 4—
 - (i) omit the first subparagraph,
 - (ii) in the second subparagraph for “Member States shall” substitute “ A fisheries administration must ”,
 - (iii) omit the third subparagraph,
 - (iv) in point (a) for “a Member State” substitute “ the United Kingdom ”, and
 - (v) in point (d) omit “at the Member State's disposal”.

Textual Amendments

- F1** Word in reg. 4(8)(c)(i) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\)](#), regs. 1(2), **11(3)(a)(i)(aa)**
- F2** Word in reg. 4(8)(c)(ii) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\)](#), regs. 1(2), **11(3)(a)(i)(bb)**
- F3** Reg. 4(8)(c)(iii) inserted (31.12.2020) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\)](#), regs. 1(2), **11(3)(a)(i)(cc)**

- F4** Word in reg. 4(8)(d)(i) omitted (31.12.2020 immediately before IP completion day) by virtue of The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(2), **11(3)(a)(ii)(aa)**
- F5** Reg. 4(8)(d)(iii) inserted (31.12.2020 immediately before IP completion day) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(2), **11(3)(a)(ii)(bb)**
- F6** Reg. 4(49) substituted (31.12.2020 immediately before IP completion day) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(2), **8(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Reg. 4(51)-(53) omitted (31.12.2020 immediately before IP completion day) by virtue of The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(2), **3(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Reg. 4(54) substituted (31.12.2020 immediately before IP completion day) by The Common Fisheries Policy and Animals (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/1312), regs. 1(2), **3(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Reg. 4(82)(b) substituted (31.12.2020 immediately before IP completion day) by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1542), regs. 1(2), **11(3)(b)**

Commencement Information

- I1** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019, Section 4.