
STATUTORY INSTRUMENTS

2019 No. 753

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

PART 5

TRANSFER OF LEGISLATIVE FUNCTIONS

CHAPTER 2

AMENDMENT OF THE CONTROL REGULATION

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

27.—(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 7 for paragraph 5 substitute—

“5. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.

(3) In Article 8 for paragraph 2 substitute—

“2. A fisheries administration may make regulations specifying detailed rules for the marking and identification of fishing vessels and their gear.”.

(4) In Article 9 for paragraph 10 substitute—

“10. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.

(5) In Article 14 for paragraph 10 substitute—

“10. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.

(6) In Article 15 for paragraph 9 substitute—

“9. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.

(7) In Article 17(6) for the words from “The Commission” to “Article 119, may” substitute “A fisheries administration may, by regulations,”.

(8) In Article 21—

(a) in paragraph 6 for the words from “The Commission” to “Article 119, may” substitute “A fisheries administration may, by regulations,”; and

(b) for paragraph 7 substitute—

“7. A fisheries administration may, by regulations, specify transhipment procedures and forms.”.

- (9) In Article 22 for paragraph 7 substitute—
“7. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (10) In Article 23 for paragraph 5 substitute—
“5. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (11) In Article 24 for paragraph 8 substitute—
“8. A fisheries administration may, by regulations, specify landing declaration procedures and forms.”.
- (12) For Article 32 substitute—

“Article 32

Detailed rules

A fisheries administration may make regulations specifying detailed rules for the application of this Section.”.

- (13) In Article 40 for paragraph 6 substitute—
“6. A fisheries administration may make regulations specifying detailed rules for the application of this Section.”.
- (14) In Article 51 for paragraph 3 substitute—
“3. A fisheries administration may make regulations specifying detailed rules for the application of this Section.”.
- (15) In Article 52 for paragraph 2 substitute—
“2. A fisheries administration may, by regulations, modify the distances referred to in paragraph 1.”.
- (16) In Article 58—
(a) in paragraph 8—
(i) for “Member States” substitute “A fisheries administration”,
(ii) for “EUR 50” substitute “£45”, and
(iii) for the final sentence substitute “A fisheries administration may amend this threshold by regulations.”; and
(b) for paragraph 9 substitute—
“9. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (17) In Article 59(3) for the final sentence substitute “A fisheries administration may amend this threshold by regulations.”.
- (18) In Article 60 for paragraph 7 substitute—
“7. A fisheries administration may make regulations specifying detailed rules on the risk-based methodology and procedure of weighing.”.
- (19) In Article 64 for paragraph 2 substitute—
“2. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (20) In Article 65—

- (a) omit paragraph 1; and
- (b) in paragraph 2 for the final sentence substitute “A fisheries administration may amend this threshold by regulations.”.
- (21) In Article 71 for paragraph 5 substitute—

“5. A fisheries administration may, by regulations, specify the content of the surveillance report.”.
- (22) In Article 73 for paragraph 9 substitute—

“9. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (23) In Article 75 for paragraph 2 substitute—

“2. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (24) In Article 76 for paragraph 4 substitute—

“4. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (25) In Article 78 for paragraph 2 substitute—

“2. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (26) In Article 92 for paragraph 5 substitute—

“5. A fisheries administration may make regulations specifying detailed rules for the application of this Article.”.
- (27) In Article 95(1) for the words from “The Commission” to “may” substitute “A fisheries administration may, by regulations,”.
- (28) For Article 119 substitute—

“Article 119

Regulations

1. Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.
2. For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010(1).
3. Any power of the Department of Agriculture, Environment and Rural Affairs to make regulations under this Regulation is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979(2).
4. A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.
5. A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

(1) 2010 asp 10.

(2) S.I. 1979/1573 (N.I. 12).

6. Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

7. Regulations made by the Department of Agriculture, Environment and Rural Affairs under this Regulation are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954⁽³⁾ as if they were a statutory instrument within the meaning of that Act.

8. Such regulations may—

- (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018⁽⁴⁾));
- (b) make different provision for different purposes.”.

⁽³⁾ 1954 c. 33 (N.I.). Section 41(6) was amended by S.I. 1999/663.

⁽⁴⁾ 2018 c. 16.