
STATUTORY INSTRUMENTS

2019 No. 753

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

PART 2

AMENDMENT OF THE REGIONAL FISHERIES MANAGEMENT ORGANISATIONS REGULATIONS

Regulation (EU) 2017/2107 of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Convention area of the International Commission for the Conservation of Atlantic Tunas (ICCAT)

7.—(1) Regulation (EU) 2017/2107 of the European Parliament and of the Council laying down management, conservation and control measures applicable in the Convention area of the International Commission of the Conservation of Atlantic Tunas (ICCAT) is amended as follows.

(2) In Article 2—

- (a) in point (a) for “Union” in both places it occurs, substitute “ United Kingdom ”;
- (b) in point (b) for “Member States” substitute “ United Kingdom ”; and
- (c) in point (c) for “Union” substitute “ United Kingdom ”.

(3) In Article 3—

- (a) in the heading for “Union acts” substitute “ legislation ”; and
- (b) omit the footnote.

(4) In Article 4—

(a) for point (5) substitute—

“(5) “United Kingdom fishing vessel” means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995^{M1}. A reference to a particular kind of fishing vessel is a reference to a United Kingdom fishing vessel of that kind. A reference to the ‘fleet’ of a fisheries administration is a reference to all United Kingdom fishing vessels which are—

- (a) in the case of the Secretary of State and the Marine Management Organisation, registered to a port in England;
- (b) in the case of the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, registered to a port in Northern Ireland;
- (c) in the case of the Scottish Ministers, registered to a port in Scotland; or
- (d) in the case of the Welsh Ministers registered to a port in Wales;”;

(b) in point (7) for “Union” substitute “ United Kingdom ”.

(5) In Article 5—

(a) in the heading for “Union” substitute “ United Kingdom ”; and

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- (b) for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (6) In Article 6—
 - (a) in paragraph 1—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) for “flying their flag” substitute “ in its fleet ”; and
 - (b) in paragraph 2—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) for “flying their flag” substitute “ in its fleet ”.
- (7) In Article 7(1)—
 - (a) for “Member States shall notify the Commission” substitute “ A fisheries administration must notify the ICCAT Secretariat ”;
 - (b) for “30 days” substitute “ 45 days ”; and
 - (c) omit the final sentence.
- (8) In Article 8—
 - (a) for “Member States shall” substitute “ A fisheries administration must ”;
 - (b) for “30 June” substitute “ 31 July ”;
 - (c) for “Commission” substitute “ ICCAT Secretariat ”;
 - (d) for “flying their flag” substitute “ in its fleet ”; and
 - (e) omit the final sentence.
- (9) In Article 9—
 - (a) in paragraph 1—
 - (i) for “Member States shall, by 31 December” substitute “ a fisheries administration must, by 31 January ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”,
 - (iii) for “flying their flag” substitute “ in its fleet ”, and
 - (iv) omit the final sentence; and
 - (b) in paragraph 4—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) for “purse seiner flying their flag” substitute “ United Kingdom purse seiner in its fleet ”.
- (10) In Article 10(3)—
 - (a) for “Member States shall report to the Commission” substitute “ A fisheries administration must report to the ICCAT Secretariat ”; and
 - (b) omit the final sentence.
- (11) In Article 11 for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (12) In Article 12—
 - (a) in the heading for “Member States” substitute “ a fisheries administration ”;
 - (b) for “Member States shall submit every year to the Commission, 15 days prior to the deadline established by ICCAT for the given year,” substitute “ A fisheries administration must submit every year to the ICCAT Secretariat ”;
 - (c) omit “, in order to make it available to the ICCAT Secretariat”; and

- (d) in point (e) for “flag Member State” substitute “ flag State ”.
- (13) Omit Article 13.
- (14) In Article 14(3)—
 - (a) for “Each Member State whose vessels” substitute “ A fisheries administration that has vessels in its fleet which ”;
 - (b) in point (a) for “flying its flag” substitute “ in its fleet ”;
 - (c) in point (b) for “by 30 June to the Commission who shall notify ICCAT by 31 July” substitute “ by 31 July to the ICCAT Secretariat ”;
 - (d) in point (c) for “flying its flag” substitute “ in its fleet ”; and
 - (e) in point (d) for “Commission” substitute “ ICCAT Secretariat ”.
- (15) For Article 16 substitute—

“Article 16

Identification of IUU fishing

If the ICCAT Executive Secretary notifies a fisheries administration of a possible violation by United Kingdom fishing vessels of Article 7(2) and Article 14(1) and (2), that fisheries administration must immediately investigate the situation and, if the vessel is fishing in association with objects that could affect fish aggregation, including FAD, must request the vessel to stop fishing and, if necessary, leave the area without delay. The fisheries administration concerned must without delay report to the ICCAT Secretariat the results of its investigation and the corresponding measures taken.”.

- (16) In Article 17 for “Union” in both places it occurs, substitute “ United Kingdom ”.
- (17) In Article 18—
 - (a) for “Member States that have” substitute “ A fisheries administration that has ”;
 - (b) for “Commission their” substitute “ ICCAT Secretariat its ”;
 - (c) for “15 August” substitute “ 15 September ”; and
 - (d) omit the final sentence.
- (18) In Article 20—
 - (a) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”;
 - (b) in paragraph 2—
 - (i) for the words from “8 January” until “the Commission” substitute “15 January of each year, a fisheries administration must submit to the [F¹ICCAT] Secretariat”,
 - (ii) in point (a) for “flying their flag” substitute “ in its fleet ”, and
 - (iii) in point (b) for “them” substitute “ it ”;
 - (c) omit paragraph 3; and
 - (d) in paragraph 4—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”,
 - (iii) for “30 days” substitute [F²“45 days”], and
 - (iv) omit the final sentence.
- (19) In Article 21 for “Union” substitute “ United Kingdom ”.
- (20) In Article 22—
 - (a) in paragraph 1 for “Union” substitute “ United Kingdom ”; and

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(b) for paragraph 2 substitute—

“2. By 31 July of each year, a fisheries administration must submit electronically to the ICCAT Secretariat the list of authorisations referred to in paragraph 1 and delivered for the previous year.”.

(21) For Article 23(2) substitute—

“2. A fisheries administration must monitor the effectiveness of the closure and must submit to the ICCAT Secretariat at least two months before the ICCAT annual meeting all relevant information on appropriate controls and inspections carried out to ensure the compliance with paragraph 1.”.

(22) In Article 25(1) omit “By way of derogation from Article 12 of Council Regulation (EC) No 1967/2006,”.

(23) In Article 26—

(a) in paragraph 1—

(i) for “Member States shall submit to the Commission, by 30 June” substitute “ A fisheries administration must submit to the ICCAT Secretariat by 31 July ”,

(ii) for “flying their flag” substitute “ in its fleet ”, and

(iii) in point [F3(a)(ii)] for “Union” substitute “ United Kingdom ”; and

(b) omit paragraph 3.

(24) In Article 27—

(a) in paragraph 1 for “Member States shall ensure that vessels flying their flag” substitute “ a fisheries administration must ensure that vessels in its fleet ”; and

(b) in paragraph 2 for “Member States” substitute “ A fisheries administration ”.

(25) In Article 28 for “Member State” in each place it occurs, substitute “ fisheries administration ”.

(26) In Article 29(1) for “Member States whose vessels” substitute “ A fisheries administration that has vessels in its fleet which ”.

(27) In Article 30(2) for “Member States shall” substitute “ A fisheries administration must ”.

(28) In Article 31(2) for “Union catching vessels shall” substitute “ United Kingdom catching vessels must ”.

(29) In Article 32(2) for “Union catching vessels shall” substitute “ United Kingdom catching vessels must ”.

(30) In Article 33—

(a) for “Member States shall” substitute “ A fisheries administration must ”; and

(b) for “Commission” substitute “ ICCAT Secretariat ”.

(31) In Article 34(2) for “Union catching vessels shall” substitute “ United Kingdom catching vessels must ”.

(32) In Article 35(2) for “Union catching vessels shall” substitute “ United Kingdom catching vessels must ”.

(33) In Article 36—

(a) in paragraph 2 for “Union” substitute “ United Kingdom ”; and

(b) in paragraph 3—

- (i) for “Union” substitute “ United Kingdom ”,
 - (ii) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (iii) for “Commission” substitute “ ICCAT Secretariat ”.
- (34) In Article 37—
- (a) in paragraph 1(d) for “the flag Member State, or in the case of chartered vessels, of the chartering CPC and the flag Member State” substitute “ a fisheries administration ”; and
 - (b) omit paragraph 3.
- [^{F4}(35) In Article 38(5) omit the final sentence.]
- (36) In Article 40—
- (a) in paragraph 1—
 - (i) for “their flag Member State” substitute “ a fisheries administration ”,
 - (ii) for “Member States shall” substitute “ A fisheries administration must ”,
 - (iii) for “Commission” substitute “ ICCAT Secretariat ”, and
 - (iv) omit the final sentence; and
 - (b) omit paragraph 2.
- (37) In Article 41—
- (a) in paragraph 1 for “flag Member State” substitute “ fisheries administration ”; and
 - (b) in paragraph 4 for “Member States shall” substitute “ A fisheries administration must ”.
- (38) In Article 42—
- (a) for the first sentence of paragraph 1 substitute “ A fisheries administration must collect and transmit to the ICCAT Secretariat, by 31 July each year, the information on the interactions of vessels in its fleet with sea turtles in ICCAT fisheries by gear type. ”; and
 - (b) omit paragraph 2.
- (39) In Article 43—
- (a) omit “In accordance with Article 17 of Regulation (EU) No 1380/2013”;
 - (b) for “them” substitute “ it ”;
 - (c) for “Member States shall” substitute “ a fisheries administration must ”; and
 - (d) for “Union” substitute “ United Kingdom ”.
- (40) In Article 44—
- (a) in paragraph 1—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) for “flying their flag” substitute “ in its fleet ”;
 - (b) for paragraph 2 substitute—
 - “2. A fisheries administration must submit to the ICCAT Secretariat, at the time of authorisation, the lists of large-scale fishing vessels authorised pursuant to paragraph 1.”; and
 - (c) for paragraph 3 substitute—

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“3. A fisheries administration must notify the ICCAT Secretariat, without delay and at the latest within 45 days, of any event requiring an addition to, deletion from or modification of the ICCAT record of large-scale fishing vessels.”.

(41) In Article 45 for “Union” in both places it occurs, substitute “ United Kingdom ”.

(42) In Article 46(1) for “Union catching vessels shall” substitute “ United Kingdom catching vessels must ”.

(43) In Article 47—

(a) in paragraph 1 for “the flag Member State shall notify the Commission” substitute “ a fisheries administration must notify the ICCAT Secretariat ”;

(b) omit paragraph 2;

(c) in paragraph 3—

(i) for “The flag Member State shall” substitute “ A fisheries administration must ”, and

(ii) for “Commission” substitute “ ICCAT Secretariat ”; and

(d) omit paragraph 4.

(44) In Article 48—

(a) in paragraph 1—

(i) for “20 August” substitute “ 15 September ”,

(ii) for “Member States shall” substitute “ a fisheries administration must ”, and

(iii) for “Commission” substitute “ ICCAT Secretariat ”; and

(b) omit paragraph 2.

(45) In Article 49 omit paragraph 2.

(46) In Article 50—

(a) in paragraph 1 for the words before point (a) substitute—

“1. A fisheries administration must transmit to the ICCAT Secretariat by 30 June each year the following data (Task 1 data):”;

(b) in paragraph 2 for the words before point (a) substitute—

“2. A fisheries administration must transmit to the ICCAT Secretariat by 30 June each year the following data (Task II data) for the ICCAT species:”;

(c) omit paragraphs 3 and 4.

(47) In Article 52—

(a) in paragraph 2 for “Union fishing vessels” substitute “ United Kingdom fishing vessels ”; and

(b) in paragraph 3 for “17 to 22” substitute “ 17, 19, 20, 21 and 22 ”.

(48) In Article 54—

(a) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”;

(b) in paragraph 2—

(i) for “Member States shall” substitute “ A fisheries administration must ”,

(ii) for “Commission” substitute “ ICCAT Secretariat ”, and

- (iii) omit the final sentence; and
- (c) in paragraph 3—
 - (i) for “Flag Member States shall” substitute “ A fisheries administration must ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”, and
 - (iii) omit the final sentence.
- (49) In Article 55—
 - (a) in paragraph 1—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) for “flying their flag” substitute “ in its fleet ”;
 - (b) in paragraph 2—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”, and
 - (iii) omit the final sentence; and
 - (c) in paragraph 3—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”, and
 - (iii) omit the final sentence.
- (50) In Article 56—
 - (a) in paragraph 2 for “their flag Member State” substitute “ a fisheries administration ”; and
 - (b) in paragraph 3 for “its flag Member State authorities” substitute “ the competent authorities of a fisheries administration ”.
- (51) In Article 57 for “flag Member State” in each place it occurs, substitute “ fisheries administration ”.
- (52) In Article 58(1) for “Each Member State shall” substitute “ A fisheries administration must ”.
- (53) In Article 59—
 - (a) in paragraph 1—
 - (i) for “The flag Member State of” substitute “ A fisheries administration that has in its fleet ”,
 - (ii) for “and the flag Member State of carrier vessels” substitute “ or carrier vessels in its fleet ”,
 - (iii) for “15 August” substitute “ 15 September ”, and
 - (iv) for “Commission” substitute “ ICCAT Secretariat ”; and
 - (b) omit paragraph 2.
- (54) In Article 60 for “The flag Member State” substitute “ A fisheries administration ”.
- (55) In Article 61—
 - (a) in paragraph 1 for “Member States shall establish domestic” substitute “ A fisheries administration must establish ”;
 - (b) in paragraph 3—
 - (i) for “Member State” the first place it occurs, substitute “ fisheries administration ”, and
 - (ii) omit the final sentence; and

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- (c) in paragraph 4 for “The Commission shall” substitute “ A fisheries administration must ”.
- (56) In Article 62 for “Member States shall” substitute “ A fisheries administration must ”.
- (57) In Article 63—
- (a) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”; and
 - (b) in paragraph 2 for “Member States shall” substitute “ A fisheries administration must ”.
- (58) In Article 64—
- (a) for “30 June” substitute “ 31 July ”;
 - (b) for “Member States shall” substitute “ a fisheries administration must ”;
 - (c) for “Commission” substitute “ ICCAT Secretariat ”; and
 - (d) omit the final sentence.
- (59) In the heading for Chapter 6 for “Member State” substitute “ United Kingdom ”;
- (60) In Article 65—
- (a) in paragraph 1—
 - (i) for “Member States wishing to grant access to its” substitute “ A fisheries administration wishing to grant access to United Kingdom ”,
 - (ii) in point (a) for “their” substitute “ the ”; and
 - (b) in paragraph 2—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”,
 - (iii) for “30” substitute “ 14 ”, and
 - (iv) omit the final sentence.
- (61) In Article 66—
- (a) in paragraph 1—
 - (i) for “The inspecting Member State shall” substitute “ An inspecting fisheries administration must ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”,
 - (iii) for “10 days” substitute “ 14 days ”, and
 - (iv) omit the final sentence; and
 - (b) in paragraph 2—
 - (i) for “10 days” substitute “ 14 days ”,
 - (ii) for “inspecting Member State shall” substitute “ inspecting fisheries administration must ”, and
 - (iii) for “Commission” substitute “ ICCAT Secretariat ”.
- (62) In Article 67—
- (a) in the heading for “Member States” substitute “ a fisheries administration ”;
 - (b) for paragraph 1 substitute—

“1. A fisheries administration must submit to the ICCAT Secretariat, at least 120 days before the ICCAT annual meeting, any documented information that indicates possible non-compliance of CPCs with ICCAT conservation and management measures.”; and

- (c) in paragraph 2—
 - (i) for “Member States shall” substitute “ a fisheries administration must ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”,
 - (iii) for “140” substitute “ 120 ”, and
 - (iv) omit the final sentence.
- (63) In Article 68 for “Member States shall” substitute “ A fisheries administration must ”.
- (64) For Article 69 substitute—

“Article 69

Alleged non-compliance reported by the ICCAT Executive Secretary

If a fisheries administration receives from the ICCAT Executive Secretary any information indicating a suspected non-compliance by a vessel in its fleet, the fisheries administration must provide the ICAAT Executive Secretary, at least 30 days before the ICCAT annual meeting, with the findings of any investigation taken in relation to the allegations of non-compliance and any actions taken to address compliance issues.”.

- (65) In Article 70—
 - (a) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”;
 - (b) in paragraph 2—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”,
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”,
 - (iii) for “30” substitute “ 14 ”, and
 - (iv) omit the final sentence;
 - (c) in paragraph 3—
 - (i) for “Member State” in each place it occurs, substitute “ fisheries administration ”,
 - (ii) for “flying the flag of ^{F5}...” substitute “ in the fleet of ”,
 - (iii) for “160” substitute “ 180 ”, and
 - (iv) for “Commission” substitute “ ICCAT Secretariat ”;
 - (d) in paragraph 4—
 - (i) for “flag Member State” substitute “ fisheries administration ”, and
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”; and
 - (e) for paragraph 5 substitute—

“5. A fisheries administration must include in the annual report referred to in Article 71 information regarding the status of investigations and any enforcement actions undertaken.”.

- (66) In Article 71—
 - (a) in paragraph 1—
 - (i) for “Member States shall” substitute “ a fisheries administration must ”, and
 - (ii) for “Commission” substitute “ ICCAT Secretariat ”; and
 - (b) omit paragraphs 3 and 4.
- (67) In Article 72—

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- (a) for “rules” substitute “ laws ”; and
 - (b) omit “, pursuant to Articles 112 and 113 of Regulation (EC) No 1224/2009”.
- (68) Omit Articles 73 to 75.
- (69) Omit Article 79.
- (70) In Annex 4—
- (a) in paragraph 1, in the second indent for “the Member State” substitute “ a fisheries administration ”;
 - (b) for paragraph 5 substitute—
 - “5. The observers must comply with applicable laws and regulations.”; and
 - (c) in paragraph 7—
 - (i) in the heading for “the flag Member State” substitute “ a fisheries administration ”,
 - (ii) for “flag Member States” substitute “ fisheries administration ”, and
 - (iii) in point (e) for “the flag Member State shall” substitute “ a fisheries administration must ”.
- (71) In Annex 7—
- (a) in paragraph 1 for “Union” in both places it occurs, substitute “ United Kingdom ”;
 - (b) in paragraph 2.2 for “its flag Member State” substitute “ a fisheries administration ”;
 - (c) in paragraph 2.3 for “its flag Member State” substitute “ a fisheries administration ”; and
 - (d) for paragraph 5 substitute—
 - “5. A fisheries administration must include in its annual report to ICCAT the details on the transhipments by vessels in its fleet.”.
- (72) In Annex 8—
- (a) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”; and
 - (b) in paragraph 7 for “of the flag Member State” substitute “ applicable in the United Kingdom or the relevant part thereof ”.

Textual Amendments

- F1** Word in reg. 7(18)(b)(i) 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), **9(2)(c)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 7(18)(d)(iii) 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), **9(2)(c)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in reg. 7(23)(a)(iii) 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), **9(2)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Reg. 7(35) 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), **9(2)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

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F5 Word in reg. 7(65)(c)(ii) 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), **9(2)(c)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I1 Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c.1, Sch. 5 para. 1\(1\)](#)), see reg. 1

Marginal Citations

M1 [1995 c. 21](#).

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [reg. 15\(3\)-\(10\) omitted by S.I. 2024/439 reg. 9\(2\)](#)