
STATUTORY INSTRUMENTS

2020 No. 1251

The Antarctic Act 1994 (Convention for the Conservation of Antarctic Marine Living Resources) Regulations 2020

PART 2

Fishing for profit and authorisation

Notification of intention to fish for profit by British vessel in the Convention Area

3.—(1) The Secretary of State must notify the Commission, in accordance with the relevant conservation measures⁽¹⁾, of any British vessel which intends to fish for profit in the Convention Area.

(2) Before notifying the Commission, the Secretary of State must consult the fisheries administrations.

Prohibition on fishing for profit by British vessel in the Convention Area

4. No British vessel may enter the Convention Area to fish for profit except in accordance with an authorisation issued under regulation 5.

Authorisation to fish in the Convention Area

5.—(1) The Secretary of State may, on the application of any person, grant to that person an authorisation which authorises any British vessel, of which that person is the operator and which is specified in the authorisation, to enter the Convention Area to fish for profit during a specified period.

(2) The Secretary of State must not grant an authorisation under this regulation unless the Secretary of State is satisfied that a licence has been granted in respect of the vessel by the relevant fisheries administration which authorises the vessel to fish for profit in the Convention Area for the period for which the authorisation is sought.

(3) The Secretary of State must consult the relevant fisheries administration which issued the licence under paragraph (2) before determining whether to grant an authorisation for the period for which the authorisation is sought.

(4) The Secretary of State may, on granting an authorisation under paragraph (1), attach to the authorisation such conditions as the Secretary of State thinks appropriate.

(5) Such conditions, in respect of vessels which have been granted a licence by the Scottish Ministers, Welsh Ministers or the Department for Agriculture, Environment and Rural Affairs in Northern Ireland, may only apply in respect of Antarctica⁽²⁾.

(1) The relevant conservation measures which require such notification are paragraph 3 of Conservation Measure 21-01, paragraph 6 of Conservation Measure 21-02, paragraph 1 of Conservation Measure 21-03 and paragraph 3 of Conservation Measure 24-01. All conservation measures are available at www.ccmlr.org/en/conservation-and-management/browse-conservation-measures.

(2) “Antarctica” is defined in section 1 of the Antarctic Act 1994.

(6) The Secretary of State must notify the Commission of any authorisation granted in accordance with this regulation and provide such details of the authorisation as the Secretary of State considers necessary under the relevant conservation measures⁽³⁾ adopted by the Commission.

Guidance

6.—(1) The Secretary of State must issue and publish guidance which sets out—

- (a) the conservation measures adopted by the Commission relevant to a British vessel which intends to fish for profit in the Convention Area;
- (b) the process for making an application under regulation 5; and
- (c) any other matters which the Secretary of State considers to be relevant.

(2) Before issuing and publishing any guidance under paragraph (1), the Secretary of State must consult the fisheries administrations.

Revocation or suspension of an authorisation

7.—(1) The Secretary of State may revoke, vary or suspend an authorisation granted in accordance with regulation 5.

(2) The Secretary of State must notify the person to whom the authorisation was granted, as well as the relevant fisheries administration, of any revocation, variation or suspension of the authorisation.

(3) The Secretary of State must notify the Commission of any revocation, variation or suspension of an authorisation.

(3) Paragraphs 3 and 4 of Conservation-Measure 10-02 is the relevant conservation measure.