
STATUTORY INSTRUMENTS

2020 No. 1599

**The Common Fisheries Policy (Amendment
etc.) (EU Exit) (No. 2) Regulations 2020**

Amendment of the Fisheries (Amendment) (EU Exit) Regulations 2019 in consequence of the European Union (Withdrawal Agreement) Act 2020

2.—(1) Regulation 3 of the Fisheries (Amendment) (EU Exit) Regulations 2019⁽¹⁾ is amended as follows.

(2) In paragraph (4), for sub-paragraphs (b), (c) and (d) substitute—

“(b) in subsection (1), in the words before paragraph (a), for “enforceable Community restrictions, and enforceable EU obligations,” substitute “retained EU restrictions relating to sea fishing, retained EU obligations relating to sea fishing, Northern Ireland Protocol restrictions relating to sea fishing and Northern Ireland Protocol obligations,”;

(c) in subsection (2), for “enforceable Community restriction or other obligation” substitute “retained EU restriction relating to sea fishing, retained EU obligation relating to sea fishing, Northern Ireland Protocol restriction relating to sea fishing or Northern Ireland Protocol obligation”;

(d) in subsection (3), omit the definition of “enforceable Community restriction” and “enforceable EU obligation” and, in the appropriate places, insert the following definitions—

““Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;”;

““Northern Ireland Protocol obligation” means any obligation created or arising by or under the Northern Ireland Protocol, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;”;

““Northern Ireland Protocol restriction” means any restriction created or arising by or under the Northern Ireland Protocol, whether or not a restriction to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;”;

““retained EU restriction” means a restriction that—

(a) was created or arose by or under the EU Treaties before IP completion day,
and

(b) forms part of retained EU law,
as modified from time to time;..”.”.

(3) In paragraph (5), for sub-paragraphs (b), (c) and (d) substitute—

“(b) in subsection (1), in the words before paragraph (a), for “enforceable EU restrictions, and enforceable EU obligations,” substitute “retained EU restrictions relating to sea fishing, retained EU obligations relating to sea fishing, Northern Ireland Protocol restrictions relating to sea fishing and Northern Ireland Protocol obligations,”;

- (c) in subsection (2), for “enforceable EU restriction or other obligation” substitute “retained EU restriction relating to sea fishing, retained EU obligation relating to sea fishing, Northern Ireland Protocol restriction relating to sea fishing or Northern Ireland Protocol obligation”;
- (d) in subsection (3), omit the definition of “enforceable EU restriction” and “enforceable EU obligation” and, in the appropriate places, insert the following definitions—
 - ““Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;”;
 - ““Northern Ireland Protocol obligation” means any obligation created or arising by or under the Northern Ireland Protocol, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;”;
 - ““Northern Ireland Protocol restriction” means any restriction created or arising by or under the Northern Ireland Protocol, whether or not a restriction to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;”;
 - ““retained EU restriction” means a restriction that—
 - (a) was created or arose by or under the EU Treaties before IP completion day, and
 - (b) forms part of retained EU law, as modified from time to time;..”.”.