

## **POLICY NOTE**

### **THE SEA FISHING (MISCELLANEOUS REVOCATIONS) (SCOTLAND) REGULATIONS 2017**

#### **SSI 2017/323**

1. These Regulations revoke 10 sets of Regulations. The Regulations relate to: ships in the whaling industry; improvement grants for agricultural, fishery and aquaculture products; requirements on fishing vessels to remain in port during particular periods; and payment of fisheries and aquaculture structures grants. All of the listed Regulations are now superseded or otherwise spent.

#### **Policy Objectives**

2. This set of revocations removes redundant subordinate legislation from the books. All listed regulations are either spent or, where appropriate, have been superseded by updated European and/or national legislation.

3. The Whaling Industry (Ship) Regulations 1955 and the Whaling Industry (Ship) (Amendment) Regulations of 1958, 1959, 1960 and 1961 made provision for such matters as whaling licences, the measuring of whales, record keeping and areas where it was prohibited to kill whales. These provisions are now redundant. The provisions are superseded by international convention, which now regulates whaling. A moratorium on commercial whaling has been in place since 1986.

4. The Agricultural, Fishery and Aquaculture Products (Improvement Grant) Regulations 1991 provided for the authorisation and administration of grants from a Fund referred to in Council Regulations (EEC) Nos. 4028/86, 4042/89 and 866/90 on processing and marketing conditions of agricultural products and fishery and aquaculture products and facilities at fishing ports. Such grants are no longer processed, so the Regulations are now redundant.

5. The Sea Fishing (Days in Port) Regulations 1992 and the Sea Fishing (Days in Port) (Amendment) Regulations 1992 enforced Article 13 of Council Regulation (EEC) No. 3882/91 throughout the UK. They required vessels to stay in port for one or more periods totalling 135 days during the period 1 February 1992 to 31 December 1992. These requirements are now redundant.

6. The Fisheries and Aquaculture Structures (Grants) Regulations 1995 and the Fisheries and Aquaculture Structures (Grants) Amendment Regulations 1998 made provision in relation to Council Regulation (EEC) No. 3699/93, which laid down the criteria and arrangements regarding Community structural financial assistance in the fisheries and aquaculture sector and the processing and marketing of its products. Council Regulation (EC) No. 3699/93 was repealed with effect from 20 November 1998 by Council Regulation (EC) No. 2468/98. The provisions in the 1995 and 1998 Regulations are now redundant.

## **Consultation**

7. Given the superseded or spent nature of the listed Regulations no consultation on their revocation is deemed necessary.

## **Financial effects**

8. There are no financial implications associated with bringing these Regulations into place.

## **Impact assessments**

9. No Business and Regulatory Impact Assessment has been prepared in relation to these Regulations, as no impact upon business, charities or the voluntary bodies is foreseen.

Marine Scotland  
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