

SCOTTISH STATUTORY INSTRUMENTS

2019 No. 24

**The Fisheries (EU Exit) (Scotland)
(Amendment) Regulations 2019**

PART 3

Amendments to primary legislation

The Aquaculture and Fisheries (Scotland) Act 2013

- 7.—(1) The Aquaculture and Fisheries (Scotland) Act 2013 ^{M1} is amended as follows.
- (2) In section 53(1), in the definition of “sea fisheries legislation”, for paragraph (b) substitute—
- “(b) any retained EU restrictions and retained EU obligations (within the meaning of schedule 1 of the Interpretation Act 1978 ^{M2}) relating to sea fishing.”.
- (3) In section 59(8), for paragraph (b) substitute—
- “(b) retained direct EU legislation (within the meaning of section 20 of the European Union (Withdrawal) Act 2018) falling within section 3(2)(a) of that Act containing a retained EU obligation (within the meaning of schedule 1 of the Interpretation Act 1978) or a retained EU restriction”.
- (4) In section 63—
- (a) omit the definitions of “enforceable EU obligation” and “enforceable EU restriction”,
- (b) after the definition of “pathogen” insert—
- ““retained EU restriction” means a restriction that—
- (a) was created or arose by or under the EU Treaties (within the meaning of schedule 1 of the Interpretation Act 1978) before exit day (within the meaning of section 20 of the European Union (Withdrawal) Act 2018), and
- (b) forms part of retained EU law (within the meaning of section 6(7) of the European Union (Withdrawal) Act 2018),
- as modified from time to time.”.

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\(2\)\(b\)](#)

Marginal Citations

- M1** [2013 asp 7](#).
- M2** [1978 c.30](#). Schedule 1 was relevantly amended by paragraph 22 of the [European Union \(Withdrawal\) Act 2018 \(c.16\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Fisheries (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 7.