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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

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

**PART 6**

**AMENDMENT OF THE DATA COLLECTION FRAMEWORK MEASURES**

**Regulation (EU) 2017/1004 of the European Parliament and of the Council on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy**

**16.**—(1) Regulation (EU) 2017/1004 of the European Parliament and of the Council on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy is amended as follows.

(2) In Article 1—

- (a) in paragraph 1 omit “of the common fisheries policy”;
- (b) in paragraph 2 for “Union legal acts” substitute “applicable law”; and
- (c) in paragraph 3 for “Union legal acts” substitute “applicable law”.

(3) In Article 3(3)—

- (a) for the comma immediately after “1380/2013” substitute “or”; and
- (b) omit “or an area defined in the implementing act referred to in Article 9(11)”.

(4) In the heading of Chapter 2 omit “Union”.

(5) In the heading of Section 1 of Chapter 2 omit “Union”.

(6) In Article 5—

- (a) in the heading omit “Union”;
- (b) in paragraph 1—
  - (i) omit “Union”,
  - (ii) in point (c)—
    - (aa) for “Member States” substitute “a fisheries administration”, and
    - (bb) for “their” substitute “its”;

(c) in paragraph (2)—

- (i) in point (a)—
  - (aa) omit “Union” in the first place it occurs,
  - (bb) for “Union waters” substitute “United Kingdom waters”, and
  - (cc) for “operation of the common fisheries policy” substitute “regulation and management of fishing activities”,
- (ii) in point (b)—

- (aa) for “Union fisheries” substitute “fisheries within United Kingdom waters”,
- (bb) for “Union waters” substitute “United Kingdom waters”, and
- (cc) for “Union” in the third place it occurs, substitute “any law applying in the United Kingdom or any part of it”,
- (iii) in point (c)—
  - (aa) for “Union fishing vessels” substitute “United Kingdom fishing vessels”,
  - (bb) for “Union waters” substitute “United Kingdom waters”, and
  - (cc) for “Union fleet” substitute “United Kingdom fleet”,
- (iv) in point (d) for “Union” substitute “United Kingdom”, and
- (v) in point (e) for “Union” substitute “United Kingdom”;
- (d) in paragraph 3 for “Union” substitute “United Kingdom”;
- (e) in paragraph 4—
  - (i) omit “Union”, and
  - (ii) for “the Commission shall” substitute “a fisheries administration must”;
  - (iii) in point (a)—
    - (aa) for “implementation of the common fisheries policy” substitute “regulation of fishing activities”, and
    - (bb) omit the last sentence,
  - (iv) in point (c) omit “at Union level”,
  - (v) omit point (i), and
  - (vi) in point (j) for “Union and its Member States” substitute “United Kingdom”;
- (f) in paragraph 5—
  - (i) in point (a)—
    - (aa) for “management of the common fisheries policy” substitute “regulation and management of fishing activities”, and
    - (bb) for “its” substitute “the”; and
- (g) omit paragraphs 6 and 7.
- (7) For the heading of Section 2 of Chapter 2 substitute—
 

*“Implementation of the multiannual programme”.*
- (8) In Article 6—
  - (a) in paragraph 1—
    - (i) for “their current data collection obligations under Union law, Member States” substitute “other legal obligations to collect data, a fisheries administration”, and
    - (ii) omit “Union”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) in point (a) omit “Union”, and
    - (ii) in point (g) for “Union and its Member States” substitute “United Kingdom”;
  - (d) omit paragraph 4.
- (9) Omit Articles 7 to 11.

- (10) In Article 12—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “their” substitute “its”;
  - (b) in paragraph 2 for “Union” in each place it occurs, substitute “United Kingdom”; and
  - (c) in paragraph 3 for “Union” substitute “United Kingdom”.
- (11) In Article 13 for “Member States shall” substitute “A fisheries administration must”.
- (12) In Article 14—
- (a) in paragraph 1 for “Member States shall be” substitute “A fisheries administration is”; and
  - (b) in paragraph 2—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) omit point (c).
- (13) Omit Article 15.
- (14) In Article 16—
- (a) in paragraph 1 for “Member States shall” substitute “A fisheries administration must”; and
  - (b) in paragraph 2—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) omit “and the Commission”.
- (15) In Article 17—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “They” substitute “It”;
  - (b) in paragraph 2—
    - (i) for “Member States shall” substitute “A fisheries administration must”,
    - (ii) for “Member State” substitute “fisheries administration”, and
    - (iii) for “Member State concerned” substitute “fisheries administration”;
  - (c) in paragraph 3 for “Member States shall” substitute “a fisheries administration must”;
  - (d) in paragraph 4—
    - (i) for “Member States shall” in the first place it occurs, substitute “a fisheries administration must”, and
    - (ii) for “the Member States shall” substitute “a fisheries administration must”;
  - (e) in paragraph 5 for “Member States” substitute “a fisheries administration”;
  - (f) omit paragraph 6; and
  - (g) in paragraph 7—
    - (i) for “Member States” substitute “a fisheries administration”,
    - (ii) for “Member States shall” substitute “A fisheries administration must”, and
    - (iii) omit “and the Commission”.
- (16) Omit Articles 18 and 19.
- (17) In Article 20—
- (a) in paragraph 1—

- (i) in point (d) for “Commission and the Member States concerned” substitute “fisheries administration”,
  - (ii) in point (e) for “Commission and the Member States concerned” substitute “fisheries administration”, and
  - (iii) in point (f) for “Member State concerned” substitute “fisheries administration”;
  - (b) omit paragraph 2; and
  - (c) in paragraph 3 for “the Commission may allow the Member State concerned to” substitute “a fisheries administration may”.
- (18) In Article 21—
- (a) for “Member States shall” substitute “A fisheries administration must”;
  - (b) for “their” substitute “its”; and
  - (c) for “Union” substitute “United Kingdom”.
  - (d) Omit Articles 22 to 24.
- (19) Omit Article 27.

**Commission Implementing Decision (EU) 2016/1251 adopting a multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors for the period 2017-2019**

17.—(1) Commission Implementing Decision (EU) 2016/1251 adopting a multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors for the period 2017-2019 is amended as follows.

- (2) In Article 1—
- (a) omit “Union”; and
  - (b) for “Article 3 of Regulation (EC) No 199/2008” substitute “Article 4 of Regulation (EU) 2017/1004”.
- (3) Omit Article 3.
- (4) In the Annex—
- (a) in Chapter 1, in point (6) for “Union and its Member States” substitute “United Kingdom”;
  - (b) in Chapter 2, for “the common fisheries policy” substitute “fishing activity”;
  - (c) in Chapter 3—
    - (i) in point 1.1—
      - (aa) for “Member States shall” substitute “A fisheries administration must”,
      - (bb) for point (a) substitute—
        - “(a) biological data, by catch fraction, on stocks caught by United Kingdom commercial fisheries within and outside United Kingdom waters and by recreational fisheries within United Kingdom waters;”,
      - (cc) for point (b) substitute—
        - “(b) data to assess the impact of fisheries in United Kingdom waters on the marine ecosystem within and outside United Kingdom waters;”, and
      - (dd) for point (c) substitute—

“(c) detailed data on the activity of United Kingdom fishing vessels within and outside United Kingdom waters as reported under Regulation (EC) No 1224/2009;”,

(ii) for point 1.2 substitute—

“1.2. The data to be collected must be established in accordance with Regulation (EU) 2017/1004.”,

(iii) in point 2, for the heading substitute—

*“Biological data on stocks caught by United Kingdom fishing vessels in commercial fisheries within and outside United Kingdom waters and in recreational fisheries within United Kingdom waters”*,

(iv) in point 3, for the heading substitute—

*“Data to assess the impact of United Kingdom fisheries on marine ecosystems within and outside United Kingdom waters”*,

(v) in point 3(a)—

(aa) for “Union” substitute “relevant”, and

(bb) for “Member States” substitute “a fisheries administration”,

(vi) in point 3(b) for “in Union waters and outside Union waters” substitute “within and outside United Kingdom waters”,

(vii) in point 3(c) for “Member States” substitute “a fisheries administration”,

(viii) in point 4, for the heading substitute—

*“Detailed data on the activity of United Kingdom fishing vessels within and outside United Kingdom waters as recorded under Regulation (EC) No 1224/2009”*,

(ix) for the first sentence substitute “Data to assess the activity of United Kingdom fishing vessels within and outside United Kingdom waters consist of the variables as indicated in Table 4.”,

(x) in point 5—

(aa) in the heading, for “Union fisheries sector” substitute “United Kingdom fisheries sector”, and

(bb) in point (a) for the second subparagraph substitute—

“The population must be all active and inactive vessels registered in the United Kingdom Fishing Fleet Register, as defined in Commission Implementing Regulation (EU) 2017/218, on 31 December of the reporting year and vessels that do not appear on the Register at that date but have fished at least one day during the reporting year.”, and

(xi) in point 6—

(aa) in the heading, for “Union aquaculture sector” substitute “United Kingdom aquaculture sector”, and

(bb) in point (c) for “Member State” substitute “United Kingdom”;

(d) in Chapter 4—

(i) in point 2 for “Member States shall” substitute “A fisheries administration must”,

- (ii) in point 3 for “Member States” substitute “The United Kingdom’s”, and
- (iii) in point 4—
  - (aa) for “Member States shall” substitute “A fisheries administration must”, and
  - (bb) for “their” substitute “its”; and
- (e) omit Chapter 5.

**Regulation (EC) No 218/2009 of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic**

**18.**—(1) Regulation (EC) No 218/2009 of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic is amended as follows.

- (2) For Article 1 substitute—

*“Article 1*

This Regulation defines statistical fishing regions in the north-east Atlantic.

Annex III defines International Council for the Exploration of the Sea (“ICES”) areas and divisions.”.

- (3) Omit Articles 2 to 6 and Article 8.
- (4) Omit Annexes 1 and 2.
- (5) In the heading to Annex 3 omit “fishery statistics and”.
- (6) Omit Annexes 4 to 7.