
DRAFT STATUTORY INSTRUMENTS

2020 No.

**The Common Fisheries Policy (Amendment
etc.) (EU Exit) Regulations 2020**

PART 3

AMENDMENT OF THE DATA COLLECTION FRAMEWORK MEASURES

CHAPTER 1

UPDATING AND AMENDING EU EXIT REGULATIONS

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

8.—(1) The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019(1) are amended as follows.

(2) In regulation 16—

(a) in paragraph (6)—

(i) in sub-paragraph (b), for paragraph (ii) substitute—

“(ii) in point (b), for “a list of mandatory” substitute “requirements in relation to”, and

(iii) in point (c), for the words from “for Member States” to the end, substitute “to collect data based on fishing and aquaculture activities”, and

(ii) in sub-paragraph (f), before paragraph (i) insert—

“(zi) in the words before point (a), for “list of mandatory” substitute “requirements in relation to”, and”;

(b) in paragraph (8)—

(i) for sub-paragraph (a) substitute—

“(a) in paragraph 1—

(i) for “their current data collection obligations under Union law, Member States shall” substitute “other legal obligations to collect data, a fisheries administration must”,

(ii) omit “an operational programme, as referred to in Article 18 of Regulation (EU) No 508/2014, and”,

(iii) omit “Union” in the second place it occurs, and

(iv) omit “and pursuant to Article 21 of Regulation (EU) No 508/2014”,

(ii) omit “and” at the end of sub-paragraph (c),

(iii) for the full stop at the end of sub-paragraph (d) substitute “; and”, and

(iv) after sub-paragraph (d) insert—

“(e) after the omitted paragraph 4 insert—

“5. The work plan for data collection of the United Kingdom approved under Commission Implementing Decision C(2019) 9493 of 19th December 2019 on approving the work plan of the United Kingdom for data collection in the fisheries and aquaculture sector for the period 2020-2021 is, until such time as it is replaced or amended under paragraph 6, the national work plan referred to in paragraph 1.

6. Subject to paragraph 7, the Secretary of State may amend or replace the national work plan provided that the plan continues to comply with the requirements of this Article.

7. Where, in the circumstances described in paragraph 8, the exercise of the power to amend or replace the national work plan under paragraph 6 would be outside the jurisdiction of the Secretary of State under Article 1(7) of Regulation (EU) 1380/2013, before amending or replacing the work plan the Secretary of State must obtain the consent of—

- (a) the Scottish Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(3) of Regulation (EU) 1380/2013 in the circumstances described in paragraph 8;
- (b) the Welsh Ministers, to the extent that the exercise of the power would be within their jurisdiction under Article 1(4) of Regulation (EU) 1380/2013 in the circumstances described in paragraph 8;
- (c) the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, to the extent that the exercise of the power would be within its jurisdiction under Article 1(5) of Regulation (EU) 1380/2013 in the circumstances described in paragraph 8.

8. The circumstances referred to in paragraph 7 are circumstances where the power in paragraph 6 is treated as a power to amend or replace the national work plan by “a fisheries administration” instead of a power exercisable by the Secretary of State.

9. The Secretary of State must publish any amended or replacement versions of the national work plan together with a notice of the date on which any amendments or replacement versions take effect.”.”.

(3) Omit regulation 17.