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STATUTORY INSTRUMENTS

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**2019 No. 739**

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

**PART 7**

**AMENDMENT OF THE COMMON ORGANISATION  
OF THE MARKETS REGULATIONS**

**Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the  
common organisation of the markets in fishery and aquaculture products**

**19.**—(1) Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products is amended as follows.

(2) In Article 1—

- (a) in paragraph 3 omit “Council Regulation (EU) No 1220/2012 and by”;
- (b) omit paragraph 4.

(3) In Article 2 for “Union” substitute “ United Kingdom ”.

(4) In Article 5—

- (a) in point (e) for “Union” substitute “ United Kingdom ”; and
- (b) in point (f) for “Union” substitute “ United Kingdom ”.

(5) In Article 6(1) for “one or more Member States” substitute “ the United Kingdom ”.

(6) In Article 7—

- (a) in paragraph 1(a) for “the Member State concerned” substitute “ a fisheries administration ”; and
- (b) in paragraph 2 omit point (b).

(7) In Article 8—

- (a) in paragraph (1)(c) for “Union” substitute “ United Kingdom ”; and

[<sup>F1</sup>(b) in paragraph (2)—

- (i) in point (a), for “Member States” substitute “a fisheries administration”, and
- (ii) omit point (c).]

(8) In Article 9(1) for “one or more Member States” substitute “ the United Kingdom ”.

(9) In Article 10 omit paragraph 2.

(10) In Article 11 for “one or more Member States” substitute “ the United Kingdom ”.

(11) In Article 12 omit “Union”.

(12) In Article 13—

- (a) in point (a) for “Union” substitute “ applicable ”;

- (b) in point (b) for “Union” substitute “ United Kingdom ”; and
  - (c) in point (c) omit “Union or national”.
- (13) In Article 14—
- (a) in paragraph 1—
    - (i) for “Member States” substitute “ A fisheries administration ”;
    - (ii) in point (b) for “territory of the Member State concerned” substitute “ United Kingdom ”; and
    - (iii) for point (c) substitute—
      - “(c) have legal personality, are established in the United Kingdom and have their official headquarters there;”.
- (14) Omit Article 15.
- (15) In Article 16—
- (a) in paragraph 1—
    - (i) for “Member Sates” substitute “ A fisheries administration ”,
    - (ii) for “on their territory” substitute “ in the United Kingdom ”; and
    - (iii) for point (d) substitute—
      - “(d) have legal personality, are established in the United Kingdom and have their official headquarters there;”;
  - (b) in paragraph 2 for “the Member State concerned” substitute “ a fisheries administration ”; and
  - (c) in paragraph 3 for “decembre” substitute “ December ”.
- (16) In Article 18—
- (a) in the heading omit “by Member States”;
  - (b) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”; and
  - (c) omit paragraph 2.
- (17) Omit Articles 19 and 20.
- (18) In Article 22(1)—
- (a) for “Member State” substitute “ fisheries administration ”; and
  - (b) in point (a)—
    - (i) for “one Member State” substitute “ the United Kingdom ”, and
    - (ii) for “the competent national authorities” substitute “ a fisheries administration ”;
- (19) In Article 23—
- (a) in paragraph 1—
    - (i) for “Member State” substitute “ fisheries administration ”;
    - (ii) in point (a)—
      - (aa) for “a Member State” substitute “ the United Kingdom ”, and
      - (bb) for “the competent national authorities” substitute “ a fisheries administration ”, and
    - (iii) in point (b) for “Member State concerned or the Union” substitute “ United Kingdom ”; and

- (b) in paragraph 2 omit “, without prejudice to Article 25(4)”.
- (20) In Article 24 for “the Member State concerned” substitute “ a fisheries administration ”.
- (21) Omit Articles 25 to 27.
- (22) In Article 28—
  - (a) in paragraph 1 for “its competent national authorities” substitute “ a fisheries administration ”;
  - (b) in paragraph 3 for “The competent national authorities shall” substitute “ A fisheries administration must ”;
  - (c) in paragraph 4 for “the competent national authorities” substitute “ a fisheries administration ”;
  - (d) in paragraph 5 for “its competent national authorities” substitute “ a fisheries administration ”;
  - (e) omit paragraph 6;
  - (f) in paragraph 7 for “Member States shall” substitute “ A fisheries administration must ”; and
  - (g) in paragraph 8 for “Member States shall” substitute “ a fisheries administration must ”.
- (23) Omit Articles 30 to 32
- (24) In Article 33(1) omit “(Union or imported)”.
- (25) In Article 34(1) omit “Union”.
- (26) In Article 35—
  - (a) in paragraph 1 for “within the Union” substitute “ in the United Kingdom ”;
  - (b) in paragraph 4 for “Member States” substitute “ A fisheries administration ”; and
  - (c) omit paragraphs 5 and 6.
- (27) Omit Article 36.
- (28) In Article 37—
  - (a) in paragraph 1—
    - (i) for “Member States shall” substitute “ the Secretary of State must ”,
    - (ii) for “their territory” substitute “ the United Kingdom ”, and
    - (iii) in point (b)(i) omit “in the official language or languages of the Member State concerned”; and
  - (b) omit paragraph 3.
- (29) In Article 38(1)—
  - (a) in point (b) for “Member State” substitute “ United Kingdom ”; and
  - (b) in point (c) for “Member State or third country” substitute “ country ”.
- (30) In Article 40—
  - (a) for “Articles 101 to 106 TFEU and their implementing provisions shall apply” substitute “ Part 1 of the Competition Act 1998 <sup>M1</sup> applies ”; and
  - (b) omit “referred to in Article 101(1) and Article 102 TFEU”.
- (31) In Article 41—
  - (a) in the heading for “Exceptions to” substitute “ Exclusions from ”;
  - (b) in paragraph 1—

- (i) for “Article 101(1) TFEU shall” substitute “ the prohibition in Chapter 1 of the Competition Act 1988 does ”,
- (ii) in point (a) after “TFEU” insert “ (as it had effect immediately before [<sup>F2</sup>IP completion day]) ”, and
- (iii) in point (c) omit “within the Union”;
- (c) in paragraph 2—
  - (i) for “Article 101(1) TFEU shall” substitute “ the prohibition in Chapter 1 of the Competition Act 1998 does ”,
  - (ii) in point (a) after “TFEU” insert “ (as it had effect immediately before [<sup>F3</sup>IP completion day]) ”,
  - (iii) in point (c) omit “within the Union”, and
  - (iv) in point (f) for “of the CFP” substitute “ specified in Article 2 of Regulation 1380/2013 ”; and
- (d) after paragraph 2 insert—

“3. The Competition and Markets Authority <sup>M2</sup> may at any time give a direction to the effect that the exclusions in paragraphs (1) and (2) of this Article no longer apply to a particular agreement.

4. Subparagraphs (4) to (8) of paragraph 9 of Schedule 3 to the Competition Act 1998 <sup>M3</sup> apply to a direction under paragraph (3) of this Article as they apply to a direction under paragraph 9 of Schedule 3 to the Competition Act 1998.”.

(32) Omit Article 42.

(33) Omit Articles 48 and 49.

[<sup>F4</sup>(34) Omit Annex 2.]

#### Textual Amendments

- F1** Reg. 19(7)(b) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\), regs. 1\(2\), 11\(4\)\(a\)](#)
- F2** Words in reg. 19(31)(b)(ii) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\), regs. 1\(2\), 11\(4\)\(b\)\(i\)](#)
- F3** Words in reg. 19(31)(c)(ii) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\), regs. 1\(2\), 11\(4\)\(b\)\(ii\)](#)
- F4** Reg. 19(34) inserted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\), regs. 1\(2\), 11\(4\)\(c\)](#)

#### Commencement Information

- I1** Reg. 19 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1](#)

#### Marginal Citations

- M1** 1998 c. 41.

- M2** The Competition and Markets Authority was established by section 25 of the [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#).
- M3** [1998 c. 41](#). Paragraph 9 of Schedule 3 was amended by the Enterprise and Regulatory Reform Act 2013, Schedule 5, Part 1, paragraph 55.

**Changes to legislation:**

There are currently no known outstanding effects for the The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019, Section 19.