2016 CHAPTER 27

Enforcement of EU rules

1.—(1) Section 30 of the Fisheries Act 1981 (enforcement of Community rules) is amended as follows.

(2) In subsection (1)—

(a) for "enforceable Community restrictions" substitute " enforceable EU restrictions, and enforceable EU obligations, ";

(b) for paragraph (a) substitute—

"(a) if any fishing boat within the Northern Ireland zone—

(i) fishes in contravention of any such restriction, or

(ii) fails to comply with any such obligation,

the master, the owner and the charterer (if any) are each guilty of an offence;";

(c) after paragraph (a) insert—

"(aa) if any Northern Ireland fishing boat outside the Northern Ireland zone—

(i) fishes in contravention of any such restriction, or

(ii) fails to comply with any such obligation,

the master, the owner and the charterer (if any) are each guilty of an offence;

(ab) if any person in Northern Ireland—

(i) fishes in contravention of any such restriction, or

(ii) fails to comply with any such obligation,

that person is guilty of an offence;";

(d) in paragraph (b), for "such offences" substitute " offences under paragraph (a), (aa) or (ab) of this subsection ";

(e) in paragraph (c), after "restrictions" insert " and obligations ".

(3) In subsection (2), for "enforceable Community restriction" substitute " enforceable EU restriction ".

(4) After subsection (2) insert—

"(2ZA) The provision that may be made by an order under subsection (2) includes—

(a) provision applying to Northern Ireland fishing boats outside the Northern Ireland zone;

(b) provision applying to persons of a specified description on board a Northern Ireland fishing boat outside the Northern Ireland zone.

In this subsection "specified" means specified in the order.".

(5) In subsection (3)—

(a) for "Community", wherever it occurs, substitute " EU ";

(b) insert at the appropriate places the following definitions—

""Northern Ireland fishing boat" means a fishing vessel which is registered in the register maintained under section 8 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Northern Ireland as the port to which the vessel is to be treated as belonging;";

""Northern Ireland zone" has the same meaning as in the Northern Ireland Act 1998 (see section 98(1) and (8) of that Act);".

(6) In the heading, for "Community" substitute " EU ".

Short title

2 This Act may be cited as the Fisheries Act (Northern Ireland) 2016.

Changes to legislation:
There are currently no known outstanding effects for the Fisheries Act (Northern Ireland) 2016.