

*Draft Regulations laid before the Scottish Parliament under paragraph 8F(5) of schedule 7 of the European Union (Withdrawal) Act 2018 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2021 No.**

**EXITING THE EUROPEAN UNION  
SEA FISHERIES**

**The Sea Fishing (EU Exit) (Scotland)  
(Amendment) Regulations 2021**

*Made* - - - - 2021  
*Coming into force* - - 1st June 2021

The Scottish Ministers make the following Regulations in exercise of the powers conferred by paragraph 11M(1) of schedule 2 of the European Union (Withdrawal) Act 2018(1) and all other powers enabling them to do so.

In accordance with paragraph 8F(5) of schedule 7 of that Act(2), a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Sea Fishing (EU Exit) (Scotland) (Amendment) Regulations 2021.

(2) These Regulations come into force on 1 June 2021.

**The Sea Fishing (Illegal, Unreported and Unregulated Fishing) (Scotland) Order 2013**

2.—(1) The Sea Fishing (Illegal, Unreported and Unregulated Fishing) (Scotland) Order 2013(3) is amended as follows.

(2) In article 9(3) (offences), for “in accordance with Article 12 of the Council Regulation” substitute “in circumstances where such a certificate is required by virtue of Article 12 of the Council Regulation”.

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(1) 2018 c.16. Paragraph 11M was inserted by section 22 of the European Union (Withdrawal Agreement) Act 2020 (c.1) (the “2020 Act”).  
(2) Paragraph 8F was inserted by paragraph 51 of schedule 5 of the 2020 Act.  
(3) S.S.I. 2013/189, to which there are amendments not relevant to these Regulations.

St Andrew's House,  
Edinburgh  
Date

*Name*  
A member of the Scottish Government

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend article 9(3) of the Sea Fishing (Illegal, Unreported and Unregulated Fishing) (Scotland) Order 2013 to reflect amendments made by the Common Fisheries Policy (Amendment etc.) Regulations 2021 to Article 12 of Council Regulation [\(EC\) No. 1005/2008](#)<sup>(4)</sup>, thereby facilitating the access to the market within Great Britain of qualifying Northern Ireland goods. The term “qualifying Northern Ireland goods” is defined in the Definition of Qualifying Northern Ireland Goods (EU Exit) Regulations 2020 ([S.I. 2020/1454](#)).

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.

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(4) Council Regulation [\(EC\) No 1005/2008](#) establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing (EUR 2008/1005).