



Fisheries Act 2020

CHAPTER 22

FISHERIES ACT 2020

Fisheries objectives, fisheries statements and fisheries management plans

- 1 Fisheries objectives
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- 3 Joint fisheries statement: procedure
- 4 Secretary of State fisheries statement
- 5 Secretary of State fisheries statement: procedure
- 6 Fisheries management plans: duty to comply with proposals in JFS
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- 8 Fisheries management plans: procedure
- 9 Fisheries management plans: transitional provision
- 10 Effect of fisheries statements and fisheries management plans
- 11 Reports on fisheries statements and fisheries management plans

Access to British fisheries and regulation of foreign fishing boats

- 12 Access to British fisheries by foreign fishing boats
- 13 Regulation of foreign fishing boats

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- 14 British fishing boats required to be licensed
- 15 Power to grant licences in respect of British fishing boats
- 16 Foreign fishing boats required to be licensed if within British fishery limits
- 17 Power to grant licences in respect of foreign fishing boats
- 18 Further provision about licences

Status: This is the original version (as it was originally enacted).

Access and licensing: offences and consequential amendments

- 19 Penalties for offences
- 20 Offences by bodies corporate etc
- 21 Jurisdiction of court to try offences
- 22 Minor and consequential amendments

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- 23 Power of Secretary of State to determine fishing opportunities
- 24 Duties relating to a determination of fishing opportunities
- 25 Distribution of fishing opportunities
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- 31 Charge collectors
- 32 Discard prevention charging schemes: supplementary provision

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- 34 Charges: powers of Marine Management Organisation
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- 37 Section 36: interpretation
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- 41 Procedural requirements for regulations under section 36 or 38
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- 44 Foreign fishing boats that are exclusively Faroe Islands-regulated
- 45 Legislative competence of Senedd Cymru
- 46 Interpretation of Welsh legislation
- 47 Conservation of Seals
- 48 Amendments of the Marine and Coastal Access Act 2009
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Final provisions

- 50 Amendments that could have been made under existing powers
- 51 Regulations
- 52 Interpretation
- 53 Extent

- 54 Commencement
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SCHEDULES

SCHEDULE 1 — Fisheries statements and management plans: preparation and publication

PART 1 — JOINT FISHERIES STATEMENT

- 1 Introductory
- 2 Consultation
- 3 Requirement to lay consultation draft before appropriate legislature
- 4 Publication of the relevant document

PART 2 — SECRETARY OF STATE FISHERIES STATEMENT

- 5 Introductory
- 6 Consultation
- 7 Requirement to lay consultation draft before Parliament
- 8 Publication of the relevant document

PART 3 — FISHERIES MANAGEMENT PLANS

- 9 Introductory
- 10 Consultation
- 11 Publication of the relevant document

SCHEDULE 2 — Regulation of foreign fishing boats

PART 1 — ENGLAND AND WALES

- 1 Scallops (Irish Sea) (Prohibition of Fishing) Order 1984
- 2 Undersized Velvet Crabs Order 1989
- 3 Sea Fish (Specified Sea Area) (Regulation of Nets and Prohibition of Fishing Methods) Order 1989
- 4 Lobsters and Crawfish (Prohibition of Fishing and Landing) Order 2000
- 5 Undersized Edible Crabs Order 2000
- 6 Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear) Order 2001
- 7 Prohibition of Fishing with Multiple Trawls Order 2001
- 8 Shrimp Fishing Nets Order 2002
- 9 Shellfish (Specified Sea Area) (Prohibition of Fishing Methods) (Wales) Order 2003
- 10 Prohibition of Fishing with Multiple Trawls Order 2003
- 11 Prohibition of Fishing with Multiple Trawls (Wales) Order 2003
- 12 South-west Territorial Waters (Prohibition of Pair Trawling) Order 2004
- 13 Tope (Prohibition of Fishing) Order 2008
- 14 Shrimp Fishing Nets (Wales) Order 2008
- 15 Tope (Prohibition of Fishing) (Wales) Order 2008
- 16 Scallop Fishing (Wales) (No 2) Order 2010
- 17 Cockles and Mussels (Specified Area) (Wales) Order 2011
- 18 Scallop Fishing (England) Order 2012
- 19 Scallop Dredging Operations (Tracking Devices) (Wales) Order 2012
- 20 Specified Crustaceans (Prohibition on Fishing, Landing, Sale and Carriage) (Wales) Order 2015
- 21 Whelk Fishing (Wales) Order 2019

PART 2 — SCOTLAND

- 22 The Lobsters and Crawfish (Prohibition of Fishing and Landing) (Scotland) Order 1999

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- 23 The Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear) (Scotland) Order 2000
- 24 The Prohibition of Fishing for Scallops (Scotland) Order 2003
- 25 The Shrimp Fishing Nets (Scotland) Order 2004
- 26 The Sharks, Skates and Rays (Prohibition of Fishing, Trans-shipment and Landing) (Scotland) Order 2012
- 27 The Regulation of Scallop Fishing (Scotland) Order 2017
- 28 The Prohibition of Fishing with Multiple Trawls (Scotland) Order 2017
- 29 The Specified Crustaceans (Prohibition on Landing, Sale and Carriage) (Scotland) Order 2017
- 30 The Sea Fish (Prohibited Methods of Fishing) (Firth of Clyde) Order 2019
- PART 3 — NORTHERN IRELAND
- 31 The Inshore Fishing (Prohibition of Fishing and Fishing Methods) Regulations (Northern Ireland) 1993
- 32 The Razor Shells (Prohibition of Fishing) Regulations (Northern Ireland) 1998
- 33 The Crabs and Lobsters (Minimum Size) Order (Northern Ireland) 2000
- 34 The Conservation of Scallops Regulations (Northern Ireland) 2008
- 35 The Edible Crabs (Conservation) Regulations (Northern Ireland) 2020
- 36 The Edible Crabs (Undersized) Order (Northern Ireland) 2020

SCHEDULE 3 — Sea fishing licences: further provision

- 1 Power to attach conditions to sea fishing licence
- 2 Power to vary, suspend or revoke sea fishing licence etc
- 3 Power to obtain information
- 4 Duty to comply with request of another sea fish licensing authority
- 5 Use of licensing functions to limit fishing activity
- 6 Power to arrange for licensing functions to be exercised by others
- 7 Regulations about the licensing of fishing boats
- 8 Power of Secretary of State under paragraph 7 where consent obtained
- 9 Interpretation

SCHEDULE 4 — Access and licensing: minor and consequential amendments

PART 1 — ACCESS TO BRITISH FISHERIES BY FOREIGN FISHING BOATS

- 1 Sea Fish Industry Act 1962
- 2 Sea Fisheries Act 1968
- 3 Fishery Limits Act 1976
- 4 Subordinate legislation made under section 2 of the Fishery Limits Act 1976
- 5 Fishery Limits Act 1976 (Guernsey) Order 1989
- PART 2 — LICENSING OF FISHING BOATS
- 6 Sea Fish (Conservation) Act 1967
- 7 Fishery Limits Act 1976
- 8 Fisheries Act 1981
- 9 Sea Fish (Conservation) Act 1992
- 10 Government of Wales Act 2006
- 11 Marine and Coastal Access Act 2009
- 12 Sea Fish (Specified Manx Waters) Licensing Order 1990
- 13 Sea Fish Licensing Order 1992
- 14 Sea Fish Licensing (Time at Sea) (Principles) Order 1993
- 15 Sea Fishing (Licences and Notices) Regulations 1994
- 16 Scotland Act (Agency Arrangements) (Specification) Order 1999

- 17 Scotland Act 1998 (Concurrent Functions) Order 1999
 - 18 Sea Fishing (Licences and Notices) (Scotland) Regulations 2011
 - 19 Sea Fishing (Licences and Notices) (England) Regulations 2012
 - 20 Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014
 - 21 Sea Fish Licensing (England) Order 2015
 - 22 Sea Fish Licensing (Wales) Order 2019
 - 23 Sea Fishing (Licences and Notices) (Wales) Regulations 2019
 - 24 Sea Fish Licensing (England) (EU Exit) Regulations 2019
 - 25 Sea Fish Licensing (Foreign Vessels) (EU Exit) (Scotland) Order 2019
 - 26 Sea Fishing (Licences and Notices) (Scotland) (Amendment) Regulations 2019
 - 27 Fishing Boats Designation (EU Exit) (Scotland) Order 2019
- PART 3 — TRANSITIONAL PROVISION
- 28 Licences in respect of British fishing boats
 - 29 Licence conditions
 - 30 Regulations
 - 31 Continuity of the law

SCHEDULE 5 — Sale of Welsh fishing opportunities

- 1 The Welsh Ministers may by regulations make provision for the...
- 2 A right to use a Welsh catch or effort quota...
- 3 The regulations may include provision— (a) for rights to be...
- 4 The Welsh Ministers must exercise their functions so as to...
- 5 Before making regulations under this Schedule the Welsh Ministers must...
- 6 Regulations under this Schedule are subject to the affirmative resolution...
- 7 In this Schedule— “Welsh catch quota” means so much of...

SCHEDULE 6 — Financial assistance: powers of devolved authorities

- 1 Power of the Scottish Ministers
- 2 Power of the Welsh Ministers
- 3 Power of the Northern Ireland department
- 4 Financial assistance: consequential amendments
- 5 Transitional provision

SCHEDULE 7 — Imposition of charges: powers of devolved authorities

- 1 Power of Scottish Ministers
- 2 Power of Welsh Ministers
- 3 Power of Northern Ireland department

SCHEDULE 8 — Powers to make further provision: devolved authorities

PART 1 — SCOTTISH MINISTERS

- 1 Power to make provision about fisheries, aquaculture etc
- 2 Paragraph 1: interpretation
- 3 Power to make provision about aquatic animal diseases
- 4 Scope of regulations under paragraph 1 or 3
- 5 Procedural requirements

PART 2 — WELSH MINISTERS

- 6 Power to make provision about fisheries, aquaculture etc
- 7 Paragraph 6: interpretation
- 8 Power to make provision about aquatic animal diseases
- 9 Scope of regulations under paragraph 6 or 8

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- 10 Procedural requirements
 - PART 3 — THE NORTHERN IRELAND DEPARTMENT
- 11 Power to make provision about fisheries, aquaculture etc
- 12 Paragraph 11: interpretation
- 13 Power to make provision about aquatic animal diseases
- 14 Scope of regulations under paragraph 11 or 13
- 15 Procedural requirements

SCHEDULE 9 — Conservation of seals

PART 1 — AMENDMENTS OF THE CONSERVATION OF SEALS ACT 1970

- 1 The Conservation of Seals Act 1970 is amended in accordance...
- 2 For section 1 (prohibited methods of killing seals) substitute—
Prohibition...
- 3 Omit section 2 (close seasons for seals).
- 4 Omit section 3 (orders prohibiting killing seals).
- 5 In section 4 (apprehension of offenders and powers of search...
- 6 In section 6 (forfeitures), for the words from “any seal...
- 7 In section 8 (attempt to commit offence), in subsection (2)—...
- 8 In section 9 (general exceptions)— (a) in subsection (1)—
- 9 In section 10 (power to grant licences)—
- 10 In section 11 (entry upon land)— (a) in subsection (1),...
- 11 Omit section 14 (orders).
- 12 In section 15 (interpretation), at the appropriate places insert—
“explosive...
- PART 2 — AMENDMENTS OF THE WILDLIFE (NORTHERN IRELAND) ORDER
1985
- 13 The Wildlife (Northern Ireland) Order 1985 (1985/171 (N.I. 2)) is...
- 14 In Article 10 (protection of certain wild animals), in paragraph...
- 15 In Article 11 (exceptions to Article 10)—
- 16 In Article 18 (power to grant licences), after paragraph (3)...
- 17 In Schedule 5 (animals which are protected at all times),...
- 18 In Schedule 6 (animals which may not be killed or...
- 19 In Schedule 7 (animals which may not be sold alive...

SCHEDULE 10 — Amendments of the Marine and Coastal Access Act 2009

PART 1 — GENERAL POWERS AND DUTIES OF THE MARINE MANAGEMENT ORGANISATION

- 1 The Marine and Coastal Access Act 2009 is amended as...
- 2 (1) Section 24 (research) is amended as follows.
- 3 (1) Section 25 (advice, assistance and training facilities) is amended...
- 4 (1) Section 26 (provision of information etc) is amended as...
- 5 In section 27 (power to charge for services), in subsection...
- PART 2 — POWERS RELATING TO THE EXPLOITATION OF SEA FISHERIES
RESOURCES
- 6 The Marine and Coastal Access Act 2009 is amended in...
- 7 In the heading of Chapter 1 of Part 5, after...
- 8 (1) Section 117 (grounds for designation of MCZs) is amended...
- 9 In the italic heading before section 129, for “protection of...
- 10 In section 129 (byelaws for protections of MCZs in England),...
- 11 After section 129 insert— Byelaws relating to exploitation of sea...
- 12 (1) Section 130 (byelaws: procedure) is amended as follows.
- 13 (1) Section 131 (emergency byelaws) is amended as follows.
- 14 (1) Section 132 (interim byelaws) is amended as follows.

- 15 (1) Section 133 (further provision) is amended as follows.
- 16 In the italic heading before section 134, for “protection of...
- 17 After section 134 insert— Orders relating to exploitation of sea...
- 18 (1) Section 135 (consultation) is amended as follows.
- 19 (1) Section 136 (interim orders) is amended as follows.
- 20 (1) Section 137 (further provision) is amended as follows.
- 21 After section 137 insert— Orders for marine conservation: Scottish offshore...
- 22 (1) Section 138 (hearings) is amended as follows.
- 23 (1) Section 139 (offences) is amended as follows.
- 24 In section 141 (exceptions), in subsection (1)(c)(i), for “or 134(4)”...
- 25 In section 142 (fixed monetary penalties), in subsection (1), omit...
- 26 (1) Section 147 (interpretation) is amended as follows.
- 27 In section 166 (powers of IFC officers), in subsection (1)(e),...
- 28 In section 189 (power of Welsh Ministers in relation to...
- 29 (1) Section 237 (enforcement of nature conservation legislation) is amended...
- 30 In section 238(3), after paragraph (d) insert—
- 31 (1) Section 316 (regulations and orders) is amended as follows....
- 32 (1) In the Water Resources Act 1991, in Schedule 25,...

SCHEDULE 11 — Retained direct EU legislation: minor and consequential amendments

- 1 Introduction
- 2 Common Fisheries Policy Regulation
- 3 Regulation (EU) No 1379/2013
- 4 Commission Delegated Regulation (EU) No 1393/2014
- 5 Commission Delegated Regulation (EU) No 1395/2014
- 6 Regulation (EU) 2016/2336
- 7 Regulation (EU) 2017/1004
- 8 Regulation (EU) 2017/2403
- 9 Regulation (EU) 2018/973
- 10 Regulation (EU) 2019/472
- 11 Regulation (EU) 2019/1241
- 12 Commission Delegated Regulation (EU) 2019/2238
- 13 Commission Delegated Regulation (EU) 2019/2239
- 14 Council Regulation (EU) 2020/123
- 15 Transitional provision
- 16 Consequential amendments