

SCHEDULES

SCHEDULE 1

Sections 3, 5 and 8

FISHERIES STATEMENTS AND MANAGEMENT PLANS: PREPARATION AND PUBLICATION

PART 1

JOINT FISHERIES STATEMENT

Introductory

- 1 (1) This Part applies in relation to the preparation and publication by the fisheries policy authorities of—
 - (a) a JFS, or
 - (b) amendments of a JFS.
- (2) In this Part “the relevant document” means the document mentioned in subparagraph (1).

Consultation

- 2 (1) The fisheries policy authorities acting jointly must—
 - (a) prepare a draft (“the consultation draft”) of the relevant document,
 - (b) publish the consultation draft in such manner as they consider appropriate, and
 - (c) take such steps as they consider appropriate to secure that the consultation draft is brought to the attention of interested persons.
- (2) Each of the fisheries policy authorities must, in settling the final text of the relevant document, have regard to any representations made to them about the consultation draft.
- (3) In this paragraph “interested persons” means—
 - (a) any persons appearing to the fisheries policy authorities to be likely to be interested in, or affected by, the policies contained in the consultation draft, and
 - (b) members of the general public.

Requirement to lay consultation draft before appropriate legislature

- 3 (1) Each of the fisheries policy authorities must—
 - (a) specify a period (“the scrutiny period”) for scrutiny of the consultation draft by the appropriate legislature, and
 - (b) on or before the first day of that period lay a copy of the consultation draft before the appropriate legislature.

Status: This is the original version (as it was originally enacted).

- (2) Sub-paragraph (3) applies if, during the scrutiny period—
- (a) an appropriate legislative body passes a resolution with regard to the consultation draft, or
 - (b) an appropriate legislative committee makes a recommendation with regard to the consultation draft.
- (3) The fisheries policy authority must lay before the appropriate legislature a statement setting out its response to the resolution or recommendation.
- (4) In this paragraph—
- “the appropriate legislature” means—
 - (a) where the fisheries policy authority is the Secretary of State, Parliament;
 - (b) where the fisheries policy authority is the Scottish Ministers, the Scottish Parliament;
 - (c) where the fisheries policy authority is the Welsh Ministers, Senedd Cymru;
 - (d) where the fisheries policy authority is the Northern Ireland department, the Northern Ireland Assembly;
 - “an appropriate legislative body” means—
 - (a) where the fisheries policy authority is the Secretary of State, either House of Parliament;
 - (b) where the fisheries policy authority is the Scottish Ministers, the Scottish Parliament;
 - (c) where the fisheries policy authority is the Welsh Ministers, Senedd Cymru;
 - (d) where the fisheries policy authority is the Northern Ireland department, the Northern Ireland Assembly;
 - “an appropriate legislative committee” means a committee of an appropriate legislative body;
 - “the consultation draft” means the draft prepared and published under paragraph 2.

Publication of the relevant document

- 4 (1) Sub-paragraph (2) applies where—
- (a) each fisheries policy authority has complied with paragraphs 2 and 3, and
 - (b) the fisheries policy authorities have decided on the final text of the relevant document.
- (2) The fisheries policy authorities acting jointly must publish the relevant document as soon as reasonably practicable.

PART 2

SECRETARY OF STATE FISHERIES STATEMENT

Introductory

- 5 (1) This Part applies in relation to the preparation and publication by the Secretary of State of—
- (a) an SSFS, or
 - (b) amendments of an SSFS.
- (2) In this Part “the relevant document” means the document mentioned in sub-paragraph (1).

Consultation

- 6 (1) The Secretary of State must—
- (a) prepare a draft (“the consultation draft”) of the relevant document,
 - (b) publish the consultation draft in such manner as the Secretary of State considers appropriate, and
 - (c) take such steps as the Secretary of State considers appropriate to secure that the consultation draft is brought to the attention of interested persons.
- (2) The Secretary of State must, in settling the final text of the relevant document, have regard to any representations made to the Secretary of State about the consultation draft.
- (3) In this paragraph “interested persons” means—
- (a) any persons appearing to the Secretary of State to be likely to be interested in, or affected by, the consultation draft, and
 - (b) members of the general public.

Requirement to lay consultation draft before Parliament

- 7 (1) The Secretary of State must—
- (a) specify a period (“the scrutiny period”) for scrutiny of the consultation draft by Parliament, and
 - (b) on or before the first day of that period lay a copy of the consultation draft before Parliament.
- (2) Sub-paragraph (3) applies if, during the scrutiny period—
- (a) either House of Parliament passes a resolution with regard to the consultation draft, or
 - (b) a committee of either House of Parliament makes a recommendation with regard to the policies contained in the consultation draft.
- (3) The Secretary of State must lay before Parliament a statement setting out the Secretary of State’s response to the resolution or recommendation.
- (4) In this paragraph “the consultation draft” means the draft prepared and published under paragraph 6.

Publication of the relevant document

- 8 (1) Sub-paragraph (2) applies where the Secretary of State has—
- (a) complied with paragraphs 6 and 7, and
 - (b) decided on the final text of the relevant document.
- (2) The Secretary of State must publish the relevant document as soon as reasonably practicable.

PART 3

FISHERIES MANAGEMENT PLANS

Introductory

- 9 (1) This Part applies in relation to—
- (a) the preparation and publication by a single fisheries policy authority of—
 - (i) a fisheries management plan,
 - (ii) amendments of a fisheries management plan, or
 - (iii) a document under section 7(2)(c) revoking a fisheries management plan, or
 - (b) the preparation and publication by two or more fisheries policy authorities of such a document.
- (2) In this Part “the relevant document” means the document mentioned in sub-paragraph (1).

Consultation

- 10 (1) Sub-paragraphs (2) and (3) apply in a case within paragraph 9(1)(a); and references in those sub-paragraphs to “the relevant authority” are to the fisheries policy authority mentioned in paragraph 9(1)(a).
- (2) The relevant authority must—
- (a) prepare a draft (“the consultation draft”) of the relevant document,
 - (b) publish the consultation draft in such manner as it considers appropriate, and
 - (c) take such steps as it considers appropriate to secure that the consultation draft is brought to the attention of interested persons.
- (3) The relevant authority must, in settling the final text of the relevant document, have regard to any representations made to them about the consultation draft.
- (4) Sub-paragraphs (5) and (6) apply in a case within paragraph 9(1)(b); and references in those sub-paragraphs to the relevant authorities are to the fisheries policy authorities mentioned in paragraph 9(1)(b).
- (5) The relevant authorities acting jointly must—
- (a) prepare a draft (“the consultation draft”) of the relevant document,
 - (b) publish the consultation draft in such manner as they consider appropriate, and
 - (c) take such steps as they consider appropriate to secure that the consultation draft is brought to the attention of interested persons.

- (6) Each of the relevant authorities must, in settling the final text of the relevant document, have regard to any representations made to them about the consultation draft.
- (7) In this paragraph “interested persons” means—
 - (a) any persons appearing to the fisheries policy authority or authorities in question to be likely to be interested in, or affected by, the policies contained in the consultation draft, and
 - (b) members of the general public.

Publication of the relevant document

- 11 (1) Sub-paragraph (2) applies in a case within paragraph 9(1)(a) where the fisheries policy authority mentioned in paragraph 9(1)(a) has—
- (a) complied with paragraph 10, and
 - (b) decided on the final text of the relevant document.
- (2) The fisheries policy authority must publish the relevant document as soon as reasonably practicable.
- (3) Sub-paragraph (4) applies in a case within paragraph 9(1)(b) where—
- (a) each of the fisheries policy authorities mentioned in paragraph 9(1)(b) (“the relevant authorities”) have complied with paragraph 10, and
 - (b) the relevant authorities have decided on the final text of the relevant document.
- (4) The relevant authorities acting jointly must publish the relevant document as soon as reasonably practicable.