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**Changes to legislation:** There are currently no known outstanding effects for the Fisheries Act 2020.  
Cross Heading: Regulations about the licensing of fishing boats. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 3

#### SEA FISHING LICENCES: FURTHER PROVISION

##### *Regulations about the licensing of fishing boats*

- 7 (1) The relevant national authority may by regulations make provision—
- (a) as to the manner in which a sea fish licensing authority's licensing functions are to be exercised;
  - (b) as to the time when—
    - (i) a sea fishing licence, or a variation, suspension or revocation of a sea fishing licence, has effect, or
    - (ii) a condition attached to a sea fishing licence, or the addition, removal or variation of such a condition, has effect.
- (2) Regulations under sub-paragraph (1) may, in particular, include provision—
- (a) for documents to be delivered, or notices given, to the nominees of persons to whom licences are granted;
  - (b) for documents or notices to be treated as delivered or given if they are posted or otherwise communicated in accordance with the regulations;
  - (c) for notices to be given by publication in newspapers;
  - (d) as to the transitional effects of variations.
- (3) The relevant national authority may by regulations make provision authorising the making of charges in relation to a sea fishing licence.
- (4) Regulations under sub-paragraph (3) may, in particular—
- (a) make provision for the amount of any charge to be specified in, or determined in accordance with provision made by, the regulations;
  - (b) make different provision in relation to different classes of licence;
  - (c) make provision for no charge to be payable in such circumstances as may be specified in the regulations.
- (5) The relevant national authority must by regulations make provision as to the principles that are to be applied by a sea fish licensing authority in exercising its functions in relation to conditions attached to a sea fishing licence under paragraph 1(2)(c) (conditions as to time spent at sea).
- (6) A principle of the kind to which sub-paragraph (7) applies may not be included in any regulations under sub-paragraph (5) which make provision for principles of any other kind.
- (7) This sub-paragraph applies to a principle providing for a reduction in the time which all fishing boats, or all fishing boats of a specified description, may spend at sea during any period by comparison with the time which they, or fishing boats of that description, were permitted to spend (or spent or were treated as spending) during a

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specified previous period (making any necessary adjustment where the periods are of different lengths); and for this purpose “description” means description framed by reference to size of fishing boat, method or area of fishing or description of fish.

- (8) Regulations under sub-paragraph (5) providing for a principle of the kind to which sub-paragraph (7) applies are subject to the affirmative resolution procedure.
- (9) Any other regulations under this paragraph are subject to the negative resolution procedure.
- (10) In this paragraph “the relevant national authority” means—
- (a) the Scottish Ministers, in relation to regulations containing provision about the licensing of—
    - (i) Scottish fishing boats, or
    - (ii) foreign fishing boats in Scotland or the Scottish zone;
  - (b) the Welsh Ministers, in relation to regulations containing provision about the licensing of—
    - (i) Welsh fishing boats, or
    - (ii) foreign fishing boats in Wales or the Welsh zone;
  - (c) the Northern Ireland department, in relation to regulations containing provision about the licensing of—
    - (i) Northern Ireland fishing boats, or
    - (ii) foreign fishing boats in Northern Ireland or the Northern Ireland zone;
  - (d) the Secretary of State, in relation to regulations containing provision about the licensing of—
    - (i) British fishing boats that are not Scottish, Welsh or Northern Ireland fishing boats, or
    - (ii) foreign fishing boats outside Scotland and the Scottish zone, Wales and the Welsh zone, and Northern Ireland and the Northern Ireland zone.

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Regulations about the licensing of fishing boats.