



# Fisheries Act 2020

## 2020 CHAPTER 22

*Fisheries objectives, fisheries statements and fisheries management plans*

### **4 Secretary of State fisheries statement**

- (1) The fisheries policy authorities may, under section 2 or 3, prepare and publish a JFS that omits a relevant Secretary of State policy that would (apart from this subsection) be required by section 2(1)(a) to be set out in it.
- (2) The fisheries policy authorities may, under section 3, prepare and publish an amendment of a JFS the effect of which is that the JFS omits a relevant Secretary of State policy that would (apart from this subsection) be required by section 2(1)(a) to be set out in it.
- (3) Subsections (4) and (5) apply where, in accordance with subsection (1) or (2), one or more relevant Secretary of State policies are omitted from a JFS.
- (4) The Secretary of State must (subject to subsection (5)) prepare and publish a document, to be known as a Secretary of State fisheries statement (“SSFS”), that sets out the policy or policies omitted from the JFS.
- (5) Where an SSFS has already been prepared and published, the Secretary of State must either—
  - (a) prepare and publish amendments of that SSFS so that it sets out the policy or policies omitted from the JFS, or
  - (b) prepare and publish a replacement SSFS that sets out the policy or policies omitted from the JFS.
- (6) An SSFS must contain a statement that it has been prepared for the purposes of this Act.
- (7) The Secretary of State must comply with subsections (4) to (6) before the end of the period of 6 months beginning with the day on which the JFS mentioned in subsection (1) is published or (as the case may be) the amendment of the JFS mentioned in subsection (2) is published.

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*Status: This is the original version (as it was originally enacted).*

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- (8) For the purposes of this section “relevant Secretary of State policy” means a policy of the Secretary of State that involves the exercise of—
- (a) a UK quota function, or
  - (b) a function not within paragraph (a) that relates to a reserved matter.
- (9) In subsection (8)—
- “UK quota function” means—
- (a) a function under section 23 (determination of catch quotas and effort quotas), or
  - (b) a function of determining how much of a catch quota or effort quota is to be available for distribution by the Marine Management Organisation, the Scottish Ministers, the Welsh Ministers or the Northern Ireland department;
- “reserved matter” means a matter which—
- (a) is a reserved matter within the meaning of the Scotland Act 1998 (see Schedule 5 to that Act),
  - (b) is a reserved matter within the meaning of the Government of Wales Act 2006 (see Schedule 7A to that Act), or
  - (c) is an excepted or reserved matter within the meaning of the Northern Ireland Act 1998 (see section 4(1) of that Act).