



Fisheries Act 2020

2020 CHAPTER 22

Final provisions

52 Interpretation

In this Act—

“aquaculture” means the breeding, rearing, growing or cultivation of—

- (a) any fish or other aquatic animal,
- (b) seaweed or any other aquatic plant, or
- (c) any other aquatic organism;

“aquaculture activities” means any of the following (whether or not carried out in the course of a business or employment)—

- (a) aquaculture;
- (b) harvesting aquaculture organisms;
- (c) operating vessels for harvesting or processing aquaculture organisms;
- (d) storing or transporting aquaculture organisms;
- (e) loading and unloading aquaculture organisms;
- (f) processing aquaculture organisms;

“aquaculture organism” means an aquatic organism resulting from aquaculture;

“the baselines” means the baselines established by the Territorial Sea (Baselines) Order 2014 (S.I. 2014/1353);

“British fishing boat” means a fishing boat—

- (a) which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995,
- (b) which is British-owned, or
- (c) which is registered under the law of Jersey, Guernsey or the Isle of Man;

“British-owned” means owned by—

- (a) a person who is for the purposes of Part 2 of the Merchant Shipping Act 1995 a person qualified to own a British ship, or

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- (b) two or more persons any one of whom is for those purposes a person so qualified;
 - “bycatch” means—
 - (a) fish that are caught in the course of fishing for fish of a different description, or
 - (b) animals other than fish that are caught in the course of fishing;
 - “catch quota” has the meaning given by section 23(5)(a);
 - “a charging scheme” has the meaning given by section 28(1);
 - “commercial aquaculture activities” means—
 - (a) any aquaculture activity carried out in the course of a business or employment;
 - (b) selling aquaculture organisms (whether wholesale or retail);
 - “commercial fish activities” means—
 - (a) any fish activity carried out in the course of a business or employment;
 - (b) selling fish or fish products (whether wholesale or retail);
 - “commercial fish or aquaculture activities” means commercial fish activities or commercial aquaculture activities;
 - “the Common Fisheries Policy Regulation” means Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy;
 - “effort quota” has the meaning given by section 23(5)(b);
 - “English fishing boat” means a fishing boat—
 - (a) which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995, and
 - (b) whose entry in the register specifies a port in England as the port to which the boat is to be treated as belonging;
 - “English sea fishing licence” means a licence granted under section 15 in respect of an English fishing boat;
 - “fish” includes shellfish;
 - “fish activities” means any of the following (whether or not carried out in the course of a business or employment)—
 - (a) catching fish;
 - (b) operating vessels for catching or processing fish;
 - (c) transporting fish or fish products;
 - (d) loading and unloading fish or fish products;
 - (e) processing fish;
 - “fish and aquaculture activities” means fish activities and aquaculture activities;
 - “fisheries management plan” has the meaning given by section 2(6);
 - “the fisheries objectives” has the meaning given by section 1(1);
 - “the fisheries policy authorities” means—
 - (a) the Secretary of State,
 - (b) the Scottish Ministers,
 - (c) the Welsh Ministers, and
 - (d) the Northern Ireland department;
 - “fishery products” means—
 - (a) fish or other aquatic organisms resulting from fishing or aquaculture, or

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- (b) products derived from aquatic organisms within paragraph (a);
- “fishing boat” means a vessel of whatever size, and in whatever way propelled, which is for the time being employed in sea fishing;
- “foreign fishing boat” means a fishing boat which is not a British fishing boat;
- “home port”, in relation to a fishing boat which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995, means the port specified in the boat's entry in that register as the port to which the boat is to be treated as belonging;
- “inland waters” has the meaning given by section 221(1) of the Water Resources Act 1991;
- “inter-branch organisation” means an organisation established under Article 11 of Regulation (EU) No 1379/2013 of the European Parliament and of the Council and recognised in accordance with Section 2 of Chapter 2 of that Regulation;
- “international obligation of the United Kingdom” includes any obligation that arises or may arise under an international agreement or arrangement to which the United Kingdom is a party;
- “JFS” means a joint fisheries statement;
- “joint fisheries statement” has the meaning given by section 2(1);
- “the marine and aquatic environment” includes—
- (a) the natural beauty or amenity of marine or coastal areas, or of inland waters or waterside areas,
 - (b) features of archaeological or historic interest in those areas, and
 - (c) flora and fauna which are dependent on, or associated with, a marine or coastal, or aquatic or waterside, environment;
- “marine stocks” means stocks of available and accessible living marine aquatic species, including anadromous and catadromous species during their marine life;
- “master”, in relation to a fishing boat, includes the person for the time being in command or charge of the boat;
- “maximum sustainable yield” means the highest theoretical equilibrium yield that can be continuously taken on average from a marine stock under existing environmental conditions without significantly affecting the reproduction process;
- “mile” means an international nautical mile of 1,852 metres;
- “minimum conservation reference size”, in relation to an aquatic organism, means the size of a member of the species of which the organism is a member, at the level of maturity of that organism, below which capture or retention is prohibited or restricted;
- “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975 (see section 8(1) of that Act);
- “Northern Ireland” and “the Northern Ireland zone” have the same meaning as in the Northern Ireland Act 1998 (see section 98(1) and (8) of that Act);
- “the Northern Ireland department” means the Department of Agriculture, Environment and Rural Affairs in Northern Ireland;
- “Northern Ireland fishing boat” means a fishing boat—
- (a) which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995, and

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(b) whose entry in the register specifies a port in Northern Ireland as the port to which the boat is to be treated as belonging;

“primary legislation” means—

- (a) an Act of Parliament,
- (b) an Act of the Scottish Parliament,
- (c) a Measure or Act of Senedd Cymru, or
- (d) Northern Ireland legislation;

“processing”, in relation to fish or any other aquatic organism, includes preserving or preparing the organism, or producing any substance or article from it, by any method for human or animal consumption;

“producer organisation” means an organisation established under Article 6 of Regulation (EU) No 1379/2013 of the European Parliament and of the Council and recognised in accordance with Section 2 of Chapter 2 of that Regulation;

“Scotland” and “the Scottish zone” have the same meaning as in the Scotland Act 1998 (see section 126(1) and (2) of that Act);

“Scottish fishing boat” means a fishing boat—

- (a) which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995, and
- (b) whose entry in the register specifies a port in Scotland as the port to which the boat is to be treated as belonging;

“sea fish” means fish of any kind found in the sea;

“sea fishing licence” has the meaning given by section 18(1);

“sea fish licensing authority” means—

- (a) the Scottish Ministers,
- (b) the Welsh Ministers,
- (c) the Northern Ireland department, or
- (d) the Marine Management Organisation;

“Secretary of State fisheries statement” has the meaning given by section 4(4);

“sensitive species” means—

- (a) any species of animal or plant listed in Annex II or IV of Directive 92/43/EEC of the Council of the European Communities on the conservation of natural habitats and of wild flora and fauna (as amended from time to time),
- (b) any other species of animal or plant, other than a species of fish, whose habitat, distribution, population size or population condition is adversely affected by pressures arising from fishing or other human activities, or
- (c) any species of bird;

“shellfish” includes molluscs and crustaceans of any kind found in the sea or inland waters;

“SSFS” means a Secretary of State fisheries statement;

“subordinate legislation” means an instrument made under primary legislation or under [F1assimilated direct] legislation;

“sustainable level”, in relation to a marine stock, means a level of that stock above biomass levels capable of producing maximum sustainable yield;

“UK fishing boat” means a fishing boat—

- (a) which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995, or

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- (b) which is British-owned;
“Wales” and “the Welsh zone” have the same meaning as in the Government of Wales Act 2006 (see section 158(1) and (3) of that Act);
“Welsh fishing boat” means a fishing boat—
 - (a) which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995, and
 - (b) whose entry in the register specifies a port in Wales as the port to which the boat is to be treated as belonging.

Textual Amendments

- F1** Words in s. 52 substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 94(2)(c)**

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