
STATUTORY INSTRUMENTS

2019 No. 739

**The Common Fisheries Policy (Amendment
etc.) (EU Exit) Regulations 2019**

PART 4

**AMENDMENT OF THE ILLEGAL, UNREPORTED
AND UNREGULATED FISHING REGULATIONS**

Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing

9.—(1) Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing is amended as follows.

(2) In Article 1—

- (a) in paragraph 1 omit “Community”;
- (b) omit paragraph 2; and
- (c) for paragraph 3 substitute—

“**3.** The system laid down in paragraph 1 applies to all IUU fishing and associated activities carried out in United Kingdom waters, within maritime waters under the jurisdiction or sovereignty of third countries and on the high seas.”.

(3) In Article 2—

- (a) in points 2 and 4 for “State” and “States” in each place they occur, substitute “ state ” and “ states ” respectively;
- (b) omit points 5 and 6;
- (c) in point 9 for “international and/or Community law” substitute “ the applicable law ”;
- (d) in point 11—
 - (i) for “Community” substitute “ United Kingdom ”, and
 - (ii) for “its territory” substitute “ the United Kingdom ”;
- (e) in point 12 for “State” substitute “ state ”;
- (f) for point 13 substitute—

“**13.** ‘exportation’ means any movement to a third country of fishery products harvested by United Kingdom fishing vessels wherever the fishery products were harvested;”;

- (g) for point 14 substitute—

“14. ‘re-exportation’ means any movement from the United Kingdom of fishery products which had been previously imported into the United Kingdom;”;

- (h) in point 16 for “States” substitute “ states ”;
- (i) for point 17 substitute—

“17. ‘sighting’ means any observation by the competent authorities of a fisheries administration or by the master of a United Kingdom or third country fishing vessel of a fishing vessel that may fall under one or several of the criteria referred to in Article 3(1);”;

- (j) in point 19 for “States” and “State” substitute “ states ” and “ state ” respectively;
 - (k) in point 20 for “Community” substitute “ United Kingdom ”;
 - (l) in point 21 omit “, Community”.
- (4) In Article 3—
- (a) in paragraph 1—
 - (i) in point (a) for “State” in each place it occurs, substitute “ state ”,
 - (ii) in point (h) omit “Community”,
 - (iii) in point (j) for “Community” substitute “ United Kingdom ”,
 - (iv) in point (k) for “State” substitute “ state ”; and
 - (b) in paragraph 2 for “the Member State” substitute “ a fisheries administration ”.
- (5) In the heading to Chapter 2 for “MEMBER STATES” substitute “ UNITED KINGDOM ”.
- (6) In Article 4—
- (a) in paragraph 1 for “Member States” substitute “ the United Kingdom ”;
 - (b) in paragraph 2 for “Member States” substitute “ the United Kingdom ”;
 - (c) in paragraph 3—
 - (i) for “fishing vessels flying the flag of a Member State” substitute “ United Kingdom fishing vessels ”, and
 - (ii) for “Community” substitute “ United Kingdom ”; and
 - (d) in paragraph 4—
 - (i) for “Fishing vessels flying the flag of a Member State” substitute “ United Kingdom fishing vessels ”, and
 - (ii) for “Community” substitute “ United Kingdom ”.
- (7) In Article 5—
- (a) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”;
 - (b) for paragraph 3 substitute—

“3. A fisheries administration must publish on a website that is accessible to the public a list of ports, or places close to the shore, designated under paragraph 1.”; and

- (c) omit paragraph 4.
- (8) In Article 6—
- (a) in paragraph 1—

- (i) for “the Member State whose designated port or landing facility they wish to use” substitute “ a fisheries administration when they wish to use a port or landing facility designated under Article 5 ”,
 - (ii) in point (g) for “Community” substitute “ United Kingdom ”, and
 - (iii) for “territory of the Community” substitute “ United Kingdom ”; and
 - (b) in paragraph 4 for “Community” substitute “ United Kingdom ”.
- (9) In Article 7(3)
- (a) for “the port Member State” in each place it occurs, substitute “ a fisheries administration ”; and
 - (b) for “national rules” substitute “ applicable law ”.
- (10) in Article 8—
- (a) in paragraph 1 for “the Member State whose designated ports of landing or transshipment facilities they use” substitute “ a fisheries administration, in circumstances when they use landing or transshipment facilities in the United Kingdom ”;
 - (b) in paragraph 2 for “Member States shall” substitute “ A fisheries administration must ”; and
 - (c) omit paragraph 4.
- (11) In Article 9(2)—
- (a) omit points (a) and (b);
 - (b) in point (c) omit “by the Commission”; and
 - (c) in point (d) for “Member States in accordance with Article 30” substitute “ the United Kingdom ”.
- (12) In Article 11—
- (a) in paragraph 2 for “the competent authority of the port Member State” substitute “ a fisheries administration ”;
 - (b) in paragraph 3—
 - (i) for “inspecting Member State shall” substitute “ fisheries administration must ”,
 - (ii) omit “the Commission or to a body designated by it, which shall immediately transmit it to”,
 - (iii) for “State” and “States” in each place they occur, substitute “ state ” and “ states ” respectively; and
 - (c) for paragraph 4 substitute—

“4. Where the suspected breach has taken place in the high seas, and the United Kingdom is the port state, a fisheries administration must co-operate with the flag state in carrying out an investigation into it and, where appropriate, must apply the sanctions provided for under the law applying in the relevant part of the United Kingdom, under the condition that, in accordance with international law, that flag state has expressly agreed to transfer its jurisdiction. In addition, where the suspected breach has taken place in the maritime waters of a third country, a fisheries administration must also co-operate with the coastal state in carrying out an investigation into it and, where appropriate, must apply the sanctions provided for under the law applying in the relevant part of the United Kingdom, under the condition that, in accordance with international law, that coastal state has expressly agreed to transfer its jurisdiction.”.

(13) In Article 12—

- (a) in paragraph 1 for “Community” substitute “ United Kingdom ”;
- (b) in paragraph 2—
 - (i) at the beginning insert “ Subject to paragraph 2A ”, and
 - (ii) for “Community” substitute “ United Kingdom ”;
- (c) after paragraph 2 insert—

“2A. Catches made by fishing vessels registered under the law of the Isle of Man or any of the Channel Islands which are imported into the United Kingdom are not required to be accompanied by a catch certificate.”;

- (d) in paragraph 3 for “State” substitute “ state ”; and
- (e) in paragraph 4—
 - (i) for “State” substitute “ state ”, and
 - (ii) omit the final sentence.

(14) In Article 13—

- (a) in paragraph 1—
 - (i) for “the Member State of importation” substitute “ a fisheries administration, when the fishery products are to be imported into the United Kingdom ”, and
 - (ii) omit the last sentence; and
- (b) for paragraph 2 substitute—

“2. Paragraph 1 is without prejudice to any enactment implementing such catch documentation schemes in the United Kingdom.”.

(15) In Article 14—

- (a) in paragraph 1—
 - (i) for “Community” substitute “ United Kingdom ”,
 - (ii) omit “other than the flag State”,
 - (iii) for “the authorities of the Member State of importation” substitute “ a fisheries administration ”,
 - (iv) in point (a) for “State” substitute “ state ”, and
 - (v) in point (b)(i) for “State” substitute “ state ”;
- (b) in paragraph 2—
 - (i) for “State” in each place it occurs, substitute “ state ”, and
 - (ii) for “the authorities of the Member State of importation” substitute “ a fisheries administration ”; and
- (c) omit paragraph 3.

(16) In Article 15—

- (a) in the heading for “fishing vessels flying the flag of a Member State” substitute “ United Kingdom fishing vessels ”;
- (b) in paragraph 1—

- (i) for “fishing vessels flying the flag of a Member State” substitute “ United Kingdom fishing vessels ”,
 - (ii) for “the flag Member State” substitute “ a fisheries administration ”, and
 - (iii) omit “, if required within the framework of the cooperation laid down in Article 20(4)”; and
 - (c) omit paragraph 2.
- (17) In Article 16—
- (a) in paragraph 1—
 - (i) for “the Member State in which the product is intended to be imported” substitute “ a fisheries administration ”,
 - (ii) for “Community” in each place it occurs, substitute “ United Kingdom ”,
 - (iii) for “State” substitute “ state ”, and
 - (iv) for “Articles 20 and 22” substitute “ Article 20 ”;
 - (b) in paragraph 2 for “the Member State” substitute “ a fisheries administration ”; and
 - (c) in paragraph 3—
 - (i) for “Member State” substitute “ fisheries administration ”,
 - (ii) for “that Member State” substitute “ the United Kingdom ”, and
 - (iii) omit “Member States shall communicate to the Commission the name and address of approved economic operators as soon as possible after having granted this status. The Commission shall make available this information to the Member States by electronic means.”.
- (18) In Article 17—
- (a) in paragraph 1 for “the Member States” substitute “ a fisheries administration ”;
 - (b) in paragraph 3—
 - (i) omit “or Community”, and
 - (ii) omit the words from “Member States shall notify” to the end;
 - (c) in paragraph 4—
 - (i) for “the Member State” in each place it occurs, substitute “ a fisheries administration ”,
 - (ii) in point (a) for “State” substitute “ state ”,
 - (iii) in point (d) for “States” in each place it occurs, substitute “ states ”, and
 - (iv) omit point (e);
 - (d) in paragraph 5 for “Member States” substitute “ A fisheries administration ”;
 - (e) in paragraph 6—
 - (i) for “Member State” substitute “ fisheries administration ”,
 - (ii) for “State” in each place it occurs, substitute “ state ”,
 - (iii) in point (a)—
 - (aa) for “Member State in question” substitute “ fisheries administration ”, and
 - (bb) for “State” in each place it occurs, substitute “ state ”,
 - (iv) omit point (b); and
 - (f) omit paragraph 8.

- (19) In Article 18—
- (a) in paragraph 1—
 - (i) for “the Member States shall” substitute “ a fisheries administration must ”,
 - (ii) for “Community” substitute “ United Kingdom ”,
 - (iii) for “State” in each place it occurs, substitute “ state ”, and
 - (iv) in point (f)—
 - (aa) for “Community” substitute “ United Kingdom ”, and
 - (bb) for “referred to in Article 30” substitute “ adopted by regional fisheries management organisations ”;
 - (b) in paragraph 2—
 - (i) for “the Member States shall” substitute “ a fisheries administration must ”, and
 - (ii) for “Community” substitute “ United Kingdom ”;
 - (c) in paragraph 3 for “Member States” substitute “ a fisheries administration ”;
 - (d) in paragraph 4 omit the final sentence;
 - (e) for paragraph 5 substitute—

“5. A fisheries administration must notify the flag state and, where appropriate, the third country other than the flag state as referred to in Article 14, of refusals of importation.”.
- (20) Omit Article 19.
- (21) In Article 20—
- (a) in paragraph 1—
 - (i) for “State” in each place it occurs, substitute “ state ”,
 - (ii) for “the Commission” substitute “ a fisheries administration ”, and
 - (iii) in point (b) for “the Member States” substitute “ a fisheries administration ”;
 - (b) in paragraph 3—
 - (i) for “State” in each place it occurs, substitute “ state ”, and
 - (ii) for “The Commission shall” in each place it occurs, substitute “ A fisheries administration must ”; and
 - (c) omit paragraphs 4 and 5.
- (22) In Article 21—
- (a) in paragraph 1 for “the Member State from which the re-exportation is to take place” substitute “ a fisheries administration ”; and
 - (b) omit paragraph 3.
- (23) In Article 22—
- (a) omit paragraphs 1 to 3;
 - (b) in paragraph 4—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) omit “, in accordance with national rules”; and
 - (c) in paragraph 5 omit “, in accordance with national rules”.
- (24) Omit Chapter 4.

(25) In Article 25—

(a) in paragraph 1—

(i) for “The Commission” substitute “ A fisheries administration ”, and

(ii) in point (b) for “Regulation (EEC) No 2847/93” substitute “ Council Regulation 1224/2009 ”;

(b) omit paragraph 2;

(c) in paragraph 3 for “The Commission” substitute “ A fisheries administration ”; and

(d) after paragraph 3 insert—

“4. A fisheries administration must share the contents of the file it keeps under paragraph 3 with the other fisheries administrations and inform them each time the file is updated by providing the details of each update.”.

(26) In Article 26—

(a) in paragraph 1—

(i) for “The Commission shall” substitute “ A fisheries administration must ”, and

(ii) for “State” substitute “ state ”;

(b) after paragraph 1 insert—

“1A. A fisheries administration must inform the other fisheries administrations on each occasion it identifies a vessel which it believes should be subject to an official enquiry in accordance with this Article.

1B. In order to avoid duplication and any potential differences in information presented as part of an official enquiry, a fisheries administration must, jointly with the other fisheries administrations, agree—

(a) whether an official enquiry should be carried out in respect of a vessel identified under paragraph 1; and

(b) the information which should be presented as part of any official enquiry agreed to be carried out under paragraph (a).”.

(c) in paragraph 2—

(i) for “The Commission shall” substitute “ The Secretary of State must ”,

(ii) for “States” substitute “ states ”,

(iii) for “identified pursuant to paragraph 1” substitute “ agreed pursuant to paragraph 1B(a) ”,

(iv) in point (a) for “by the Commission” substitute “ , and agreed pursuant to paragraph 1B(b), ”,

(v) in point (b)—

(aa) for “State” substitute “ state ”, and

(bb) for “Commission” substitute “ Secretary of State ”,

(vi) in point (c)—

(aa) for “State” substitute “ state ”, and

(bb) for “Commission” substitute “ Secretary of State ”,

- (vii) in point (d)—
 - (aa) for “State” substitute “ state ”,
 - (bb) for “Community” substitute “ United Kingdom ”,
 - (cc) for “States” substitute “ states ”,
 - (dd) for “Commission” substitute “ Secretary of State ”; and
- (viii) in point (e) for “State” substitute “ state ”;
- (d) omit paragraphs 3 and 4.
- (27) In Article 27—
 - (a) in the heading for “Community” substitute “ United Kingdom ”;
 - (b) in paragraph 2—
 - (i) for “Community” substitute “ United Kingdom ”, and
 - (ii) for “Commission shall” substitute “ Secretary of State must ”;
 - (c) in paragraph 3—
 - (i) for “Community” substitute “ United Kingdom ”, and
 - (ii) for “Commission shall” substitute “ Secretary of State must ”;
 - (d) in paragraph 4—
 - (i) for “Commission” in each place it occurs, substitute “ Secretary of State ”, and
 - (ii) for “State” substitute “ state ”;
 - (e) in paragraph 5—
 - (i) for “Commission shall” substitute “ Secretary of State must ”,
 - (ii) for “State” in each place it occurs, substitute “ state ”, and
 - (iii) for “Community” substitute “ United Kingdom ”;
 - (f) in paragraph 6—
 - (i) for “Commission shall” substitute “ Secretary of State must ”,
 - (ii) for “States” substitute “ states ”,
 - (iii) for “Community” substitute “ United Kingdom ”,
 - (iv) in point (a) for “Community” substitute “ United Kingdom ”, and
 - (v) in point (b) for “Commission” substitute “ Secretary of State ”; and
 - (g) omit paragraphs 7 and 8.
- (28) Omit Article 30.
- (29) In Article 31—
 - (a) for paragraph 1 substitute—

“1. A fisheries administration must, jointly with the other fisheries administrations, agree—

- (a) whether a particular country should be identified as a non-cooperating third country in fighting IUU fishing and therefore notified by the Secretary of State in accordance with Article 32; and
- (b) the reason, or reasons for any identification and the supporting evidence that should be submitted with any notification under Article 32.”;

- (b) in paragraph 3 for “State” substitute “ state ”;
 - (c) in paragraph 4 for “the Commission shall” substitute “ a fisheries administration must ”;
 - (d) in paragraph 5—
 - (i) for “the Commission shall” substitute “ a fisheries administration must ”,
 - (ii) for point (a) substitute—
 - “(a) whether the country concerned effectively cooperates with the United Kingdom, by providing a response to requests made by a fisheries administration to investigate, provide feedback or follow-up to IUU fishing and associated activities;”;
 - (e) in paragraph 6 for “the Commission shall” substitute “ a fisheries administration must ”.
- (30) In Article 32—
- (a) in the heading omit “Démarches in respect of”;
 - (b) in paragraph 1—
 - (i) for the first subparagraph substitute—
 - “**1.** The Secretary of State must, without delay, notify any country identified in accordance with Article 31(1). The Secretary of State must include in the notification the following information—”, and
 - (ii) in point (b) for “Commission” substitute “ Secretary of State ”;
 - (c) in paragraph 2 for “Commission shall” substitute “ Secretary of State must ”;
 - (d) in paragraph 3 for “Commission shall” in each place it occurs, substitute “ Secretary of State must ”; and
 - (e) in paragraph 4 for “Commission shall” substitute “ Secretary of State must ”.
- (31) For Article 35 substitute—

“Article 35

Publicity of the list of non-cooperating third countries

The Secretary of State must take such measures as the Secretary of State feels necessary to ensure the publicity of any list of non-cooperating third countries contained in regulations made under Article 33(1). In particular, the Secretary of State must publish the ^{F1}... list on a website that is accessible to the public.”.

- (32) In Article 36—
- (a) for paragraph 1 substitute—
 - “**1.** If there is evidence that the measures adopted by a third country undermine the conservation and management measures adopted by a regional fisheries management organisation, a fisheries administration may adopt, in line with the international obligations of the United Kingdom, emergency measures which must last no more than six months. A fisheries administration may take a new decision to extend the emergency measures for no more than six months.”;
 - (b) in paragraph 2—
 - (i) in point (a) for “Member States” substitute “ the United Kingdom ”,

- (ii) in point (b) for “fishing vessels flying the flag of a Member State” substitute “ United Kingdom fishing vessels ”, and
 - (iii) in point (c) for “fishing vessels flying the flag of a Member State” substitute “ United Kingdom fishing vessels ”, and
 - (iv) for point (e) for “maritime waters under the jurisdiction of a Member State” substitute “ United Kingdom waters ”;
- (c) for paragraph 3 substitute—

“3. Emergency measures have immediate effect. A fisheries administration must notify the country concerned and publish the measures on a website that is accessible to the public.”; and

- (d) omit paragraphs 4 and 5.

(33) In Article 37—

- (a) in the heading omit “Community”;
- (b) in the first paragraph for “Community” substitute “ United Kingdom ”;
- (c) omit point 1;
- (d) in point 2 for “flag Member States” substitute “ a fisheries administration ”;
- (e) in point 3—
 - (i) omit “flying the flag of a third country”, and
 - (ii) for “Community” substitute “ United Kingdom ”;
- (f) in point 4 for “fishing vessels flying the flag of a Member State” substitute “ United Kingdom fishing vessels ”;
- (g) for point 5 substitute—

“5. IUU fishing vessels must not be authorised to enter into a port in the United Kingdom, except in case of force majeure or distress. Alternatively, a fisheries administration may authorise the entry into a United Kingdom port on the condition that the catches on board and, where appropriate, fishing gear prohibited pursuant to conservation and management measures adopted by regional fisheries management organisations, are confiscated. A fisheries administration may also confiscate catches and, where appropriate, fishing gear prohibited pursuant to those measures, on board IUU fishing vessels which have been authorised to enter a United Kingdom port for reason of force majeure or distress.”;

- (h) in point 6 omit “flying the flag of a third country”;
- (i) in point 7 omit “flying the flag of a third country”; and
- (j) omit point 8.

(34) In Article 38—

- (a) in paragraphs 1 and 2 for “Community” in each place it occurs, substitute “ United Kingdom ”;
- (b) for paragraph 3 substitute—

“3. the reflagging of a United Kingdom fishing vessel to such countries is prohibited;”;

- (c) in paragraph 4—

- (i) for “Member States shall” substitute “ A fisheries administration must ”, and
 - (ii) omit “for fishing vessels flying their flag”;
 - (d) in paragraph 5 for “Community” substitute “ United Kingdom ”;
 - (e) in paragraph 6—
 - (i) for “a Member State” substitute “ the United Kingdom ”,
 - (ii) for “fishing vessel flying the flag of that Member State” substitute “ United Kingdom fishing vessel ”;
 - (f) in paragraph 7 for “fishing vessels flying the flag of a Member State” substitute “ United Kingdom fishing vessels ”;
 - (g) omit paragraph 8; and
 - (h) in paragraph 9 for “Commission” substitute “ Secretary of State ”.
- (35) In Article 39—
- (a) in paragraph 1—
 - (i) for “Member States (nationals)” substitute “ the United Kingdom ”, and
 - (ii) for “Community” substitute “ United Kingdom ”;
 - (b) omit paragraphs 2 to 4;
- (36) In Article 40—
- (a) in paragraph 1 for “Member States shall” substitute “ A fisheries administration must ”;
 - (b) in paragraph 2 for “Community” substitute “ United Kingdom ”;
 - (c) in paragraph 3—
 - (i) omit “Community” in the first place it occurs,
 - (ii) for “Member States shall” substitute “ a fisheries administration must ”,
 - (iii) omit “or under Community funds”, and
 - (iv) for “Community IUU vessel list” substitute “ United Kingdom IUU vessel list ”;
 - (d) in paragraph 4—
 - (i) for “Member States shall” substitute “ A fisheries administration must ”,
 - (ii) for “fishing vessels flying their flag” substitute “ United Kingdom fishing vessels ”, and
 - (iii) omit the final sentence.
- (37) In Article 41—
- (a) for point 1 substitute—
 - “1. serious infringements committed in United Kingdom waters;”;
 - (b) for point 2 substitute—
 - “2. serious infringements committed by United Kingdom fishing vessels or nationals of the United Kingdom;”;
 - (c) in point 3 omit “territory or within”.
- (38) In Article 42(2) for “the competent authority of a Member State” substitute “ a fisheries administration ”.

- (39) In Article 43(1)—
- (a) for “Member States shall” substitute “ a fisheries administration must ”; and
 - (b) for “their national law” substitute “ applicable law ”.
- (40) Omit Articles 44 to 53.
- (41) Omit Articles 55 to 57.
- (42) In Annex 2 omit “European Community” in each place it occurs.
- (43) In Annex 3—
- (a) for “the Commission” substitute “ a fisheries administration ”; and
 - (b) in paragraph 1 omit point (e).

F1 Word in [reg. 9\(31\)](#) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), [regs. 1\(2\)](#), [8\(3\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I1 Reg. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1](#)

Commission Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing

10.—(1) Commission Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing is amended as follows.

- (2) In Article 1 for “EU” substitute “ United Kingdom ”.
- (3) In Article 2—
- (a) for “EU” substitute “ United Kingdom ”; and
 - (b) omit the final two subparagraphs.
- (4) In the Annex—
- (a) in the heading for “EU” substitute “ United Kingdom ”;
 - (b) for the heading to PART A substitute— “ Vessels listed by the United Kingdom ”; and
 - (c) for the heading to PART B substitute— “ Vessels listed by Regional Fisheries Management Organisations ”.

Commencement Information

I2 Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1](#)

Council Implementing Decision 2014/170/EU establishing a list of non-cooperating third countries in fighting IUU fishing pursuant to Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing

11.—(1) Council Implementing Decision 2014/170/EU establishing a list of non-cooperating third countries in fighting IUU fishing pursuant to Regulation (EC) No 1005/2008 establishing a

Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing is amended as follows.

- (2) In Article 1—
 - (a) for “Union” substitute “ United Kingdom ”; and
 - (b) omit “third”.
- (3) Omit Article 2.
- (4) In the Annex, in the heading omit “third”.

Commencement Information

- I3** Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1](#)

Commission Regulation (EC) No 1010/2009 laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing

12.—(1) Commission Regulation (EC) No 1010/2009 laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing is amended as follows.

- (2) In the heading to Title 1 for “MEMBER STATES” substitute “ UNITED KINGDOM ”.
- (3) In Article 3 omit paragraphs 3 and 4.
- (4) In Article 4—
 - (a) for “State” in each place it occurs, substitute “ state ”;
 - (b) in point (b) for the words from “Chapter IV” to the end, substitute “ Article 9 of Council Regulation (EC) No 1224/2009; ”;
 - (c) in point (c) for “port in the port Member State” substitute “ a port in the United Kingdom ”;
 - (d) in point (d) for “the port Member State” substitute “ a fisheries administration ”; and
 - (e) omit the final subparagraph.
- (5) Omit Article 5.
- (6) In Article 6(2) for “State” in each place it occurs, substitute “ state ”.
- (7) Omit Article 10.
- (8) In Article 11—
 - (a) in paragraph 1 for “the rules of the common fisheries policy” in each place it occurs, substitute “ Fisheries Rules ”; and
 - (b) in paragraph 2 for “the competent Member State authority” substitute “ a fisheries administration ”.
- (9) In Article 14—
 - (a) in paragraph 1 for “the competent Member State authority on whose territory the importer is established” substitute “ a fisheries administration ”;
 - (b) in paragraph 2 for “competent Member State authority” in each place it appears, substitute “ fisheries administration ”;
 - (c) omit paragraph 3;

- (d) in paragraph 4 for “competent Member State authority” substitute “ fisheries administration ”;
 - (e) in paragraph 5 for “authority” substitute “ fisheries administration ”; and
 - (f) omit paragraph 6.
- (10) In Article 16—
- (a) in paragraph 1—
 - (i) for “Member State authority shall” substitute “ fisheries administration must ”, and
 - (ii) for “competent Member State authority” substitute “ fisheries administration ”; and
 - (b) omit paragraph 3.
- (11) Omit Article 17.
- (12) In Article 18—
- (a) in paragraph 1 for “issuing authority shall” substitute “ fisheries administration must ”; and
 - (b) in paragraph 3, for “competent Member State authority shall” substitute “ fisheries administration must ”.
- (13) In Article 19—
- (a) in paragraph 1—
 - (i) for “Articles 16 and 17” substitute “ Article 16 ”, and
 - (ii) for “issuing authority shall” substitute “ fisheries administration must ”; and
 - (b) omit paragraph 3.
- (14) In Article 20—
- (a) in paragraph 1—
 - (i) for “the competent Member State authority” substitute “ a fisheries administration ”
 - (ii) for “that authority” substitute “ the fisheries administration ”, and
 - (iii) for “that Member State” substitute “ the United Kingdom ”;
 - (b) in paragraph 2—
 - (i) for “the competent Member State authority” substitute “ a fisheries administration ”, and
 - (ii) omit “Community”; and
 - (c) in paragraph 3—
 - (i) for “the competent Member State authority” in the first place each it occurs, substitute “ a fisheries administration ”,
 - (ii) for “competent Member State authority concerned” substitute “ fisheries administration ”, and
 - (iii) for “competent Member State authority” in the final place it occurs, substitute “ fisheries administration ”.
- (15) In Article 21—
- (a) in paragraph 2 for “Member State of the issuing authority” substitute “ United Kingdom ”;
 - (b) in paragraph 3 for “The competent authorities” substitute “ A fisheries administration ”;
 - (c) in paragraph 5—
 - (i) for “authority” substitute “ fisheries administration ”, and
 - (ii) in point (a) omit “Community”; and

- (d) omit paragraph 7.
- (16) In Article 22—
 - (a) in paragraph 1—
 - (i) for “issuing authority” substitute “ fisheries administration ”,
 - (ii) in point (b) for “competent Member State authorities have” substitute “ fisheries administration has ”, and
 - (iii) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”;
 - (b) in paragraph 2 for “competent Member State authorities shall communicate their” substitute “ fisheries administration must communicate its ”; and
 - (c) in paragraph 3 omit the final sentence.
- (17) In Article 23—
 - (a) in paragraph 1—
 - (i) for “competent Member State authority shall” substitute “ fisheries administration must ”, and
 - (ii) omit “and the competent authorities of the other Member States”;
 - (b) in paragraph 2—
 - (i) for “issuing authority shall” substitute “ fisheries administration must ”, and
 - (ii) omit the final sentence; and
 - (c) in paragraph 3—
 - (i) for “issuing authority shall” substitute “ fisheries administration must ”, and
 - (ii) omit “and the Commission”.
- (18) In Article 24—
 - (a) in paragraph 1—
 - (i) for “issuing authority shall” substitute “ fisheries administration must ”, and
 - (ii) omit the final sentence; and
 - (b) in paragraph 2 for “competent Member State authority” substitute “ fisheries administration ”.
- (19) In Article 25—
 - (a) for “issuing authority shall” substitute “ fisheries administration must ”; and
 - (b) omit the final sentence.
- (20) In Article 26—
 - (a) in paragraph 1 for “issuing authority” in each place it occurs, substitute “ fisheries administration ”;
 - (b) omit paragraph 2; and
 - (c) in paragraph 3—
 - (i) for “issuing authority” substitute “ fisheries administration ”, and
 - (ii) omit the final sentence.
- (21) In Article 27—
 - (a) in paragraph 1(b) for “the rules of the common fisheries policy” substitute “ Fisheries Rules ”; and
 - (b) omit paragraph 4.

- (22) In Article 28—
- (a) in paragraph 1 for “issuing authority” substitute “ fisheries administration ”; and
 - (b) omit paragraph 2.
- (23) In Article 29—
- (a) for paragraph 1 substitute—
 - “1. A fisheries administration must store any APEO certificates and, where applicable, relevant information relating to their amendment, suspension or withdrawal for a minimum period of three years.”;
 - (b) omit paragraphs 2 and 3.
- (24) Omit Article 30.
- (25) In Article 31—
- (a) in the heading omit “Community”;
 - (b) in the first paragraph omit “Community”; and
 - (c) omit point (m).
- (26) Omit Article 32.
- (27) Omit Chapter 4 of Title 2.
- (28) Omit Titles 3 and 4.
- (29) Omit Article 54.
- (30) In Annex 1 omit “Community”.
- (31) In Annex 4 omit “European Community” wherever it occurs.
- (32) In Annex 6 for “Community” in each place it occurs, substitute “ United Kingdom ”.
- (33) In Annex 7 omit “European Community” wherever it occurs.
- (34) In Annex 8 omit “European Community” wherever it occurs.
- (35) Omit Annexes 9 to 12.

Commencement Information

- I4** Reg. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1](#)

Regulation (EU) No 1026/2012 of the European Parliament and of the Council on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing

13.—(1) Regulation (EU) No 1026/2012 of the European Parliament and of the Council on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing is amended as follows.

- (2) In Article 1 for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (3) In Article 2—
 - (a) in point (a) for “Union” in each place it occurs, substitute “ United Kingdom ”;
 - (b) in point (d) for “Union” substitute “ United Kingdom ”.
- (4) In Article 3(b)(ii) for “Union” in each place it occurs, substitute “ United Kingdom ”.

- (5) In Article 5 for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (6) In Article 6—
 - (a) in paragraph 1—
 - (i) for “Commission” substitute “ Secretary of State ”, and
 - (ii) omit the final sentence; and
 - (b) in paragraph 3 for “Commission shall” substitute “ Secretary of State must ”.
- (7) In Article 7(1) for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (8) Omit Article 9.

Commencement Information

- I5** Reg. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019, PART 4.