
STATUTORY INSTRUMENTS

2019 No. 739

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

PART 3

AMENDMENT OF THE CONTROL REGULATIONS

Regulation (EU) 2017/2403 of the European Parliament and of the Council on the sustainable management of external fishing fleets

8.—(1) Regulation (EU) 2017/2403 of the European Parliament and of the Council on the sustainable management of external fishing fleets is amended as follows.

- (2) In Article 1 for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (3) In Article 2—
 - (a) in the heading omit “and Union”;
 - (b) in points (a) and (b) for “Union” in each place it occurs, substitute “ United Kingdom ”; and
 - (c) in point (c) for “Union law” substitute “ law applying in the United Kingdom or any part of it ”.
- (4) In Article 3(2)—
 - (a) for point (b) substitute—
 - “(b) ‘fishing authorisation’ means—
 - (i) in respect of a United Kingdom fishing vessel, an authorisation within the meaning of point 10 of Article 4 of the Control Regulation [^{F1}or an authorisation] issued by a third country entitling a United Kingdom fishing vessel to carry out specific fishing operations in the waters under the sovereignty or jurisdiction of that third country, during a specified period, in a given area or for a given fishery under specific conditions; and
 - (ii) in respect of a third country vessel, an authorisation issued by a fisheries administration entitling the third country vessel to carry out fishing operations in United Kingdom waters during a specified period, in a given area or for a given fishery under specific conditions. Such an authorisation may be by way of, or contained in, a licence issued by the fisheries administration;”;
 - (b) in point (c) for “Union” substitute “ United Kingdom ”;
 - (c) in point (d) omit the second sentence;
 - (d) in point (e) for “, a third country or a Member State” substitute “ or a third country ”; and
 - (e) in point (f)—
 - (i) after “arrangement by which a” insert “ United Kingdom ”,
 - (ii) omit “flying the flag of a Member State”, and

- (iii) omit “either another Member State or”.
- (5) In the heading to Title 2 for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (6) In Article 4—
 - (a) for “Union” in each place it occurs, substitute “ United Kingdom ”;
 - (b) for “its flag Member State” substitute “ a fisheries administration ”.
- (7) In Article 5—
 - (a) in paragraph 1—
 - (i) for “A flag Member State” substitute “ A fisheries administration ”,
 - (ii) for “Union” substitute “ United Kingdom ”,
 - (iii) in point (a) for “non-Union” substitute “ non-United Kingdom ”,
 - (iv) in point (c) for “under Union law” substitute “ by Fisheries Rules ”,
 - (v) in point (d) for “Union” substitute “ United Kingdom ”, and
 - (vi) in point (e) for “flag Member State” substitute “ United Kingdom ”; and
 - (b) omit paragraph 2.
- (8) In Article 6—
 - (a) in paragraph 1 for “Union” in each place it occurs, substitute “ United Kingdom ”;
 - (b) in paragraph 2—
 - (i) for “flag Member State” substitute “ fisheries administration ”, and
 - (ii) omit point (d).
 - (c) in paragraph 3—
 - (i) for “flag Member State” substitute “ fisheries administration ”, and
 - (ii) in point (d), for “Union” substitute “ United Kingdom ”;
 - (d) in paragraph 4—
 - (i) for “flag Member State shall” substitute “ fisheries administration must ”, and
 - (ii) omit point (b); and
 - (e) in paragraph 5 for “the flag Member State” substitute “ a fisheries administration ”.
- (9) In Article 7—
 - (a) in paragraph 1 for “the flag Member State” substitute “ a fisheries administration ”;
 - (b) in paragraph 2 for “the flag Member State” substitute “ a fisheries administration ”;
 - (c) in paragraph 3 for “flag Member State shall” substitute “ fisheries administration must ”;
 - (d) in paragraph 4—
 - (i) for “the flag Member State” in each place it occurs, substitute “ a fisheries administration ”,
 - (ii) omit “and the Commission”, and
 - (iii) for “the Commission” in the second place it occurs, substitute “ a fisheries administration ”; and
 - (e) omit paragraphs 5, 6 and 7.
- (10) In the heading to Chapter 2 for “Union” substitute “ United Kingdom ”.
- (11) In Article 8 for “Union” substitute “ United Kingdom ”.
- (12) In Article 9 for “Union” substitute “ United Kingdom ”.

- (13) In Article 10—
 - (a) in the heading omit “by the flag Member State”; and
 - (b) for “flag Member State” substitute “ fisheries administration ”.
- (14) Omit Articles 11, 12 and 13.
- (15) In Article 14—
 - (a) in paragraph 1—
 - (i) for “11” substitute “ 10 ”, and
 - (ii) for “Union” substitute “ United Kingdom ”; and
 - (b) omit paragraph 2.
- (16) Omit Article 15.
- (17) In Article 16 for “Union” substitute “ United Kingdom ”.
- (18) In Article 17—
 - (a) in the heading omit “by the flag Member [F²States] ”;
 - (b) in paragraph 1 for “flag Member State” substitute “ fisheries administration ”;
 - (c) in paragraph 2 for “The flag Member State shall” substitute “ A fisheries administration must ”; and
 - (d) in paragraph 3 for “of a Member State or of the Union” substitute “ in the United Kingdom ”.
- (19) Omit Article 18.
- (20) In the heading to Chapter 3 for “Union” substitute “ United Kingdom ”.
- (21) In Article 19—
 - (a) for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (22) In Article 20—
 - (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”,
 - (ii) in point (a) for “Union” substitute “ United Kingdom ”, and
 - (iii) in point (b) for “its flag Member State” substitute “ a fisheries administration ”; and
 - (b) in paragraph 2 for “Union” in each place it occurs, substitute “ United Kingdom ”.
- (23) In Article 21—
 - (a) in the heading omit “by the flag Member [F³States] ”;
 - (b) for “flag Member State” substitute “ fisheries administration ”; and
 - (c) in point (b), for “transposing Union law” substitute “ relevant laws transposing them ”.
- (24) Omit Article 22.
- (25) In the heading to Chapter 4 for “Union” substitute “ United Kingdom ”.
- (26) In Article 23 for “Union” substitute “ United Kingdom ”.
- (27) In Article 24—
 - (a) in the heading omit “by the flag Member [F⁴States] ”;
 - (b) for “flag Member State” substitute “ fisheries administration ”; and
 - (c) in point (b) for “flag Member State” in each place it occurs, substitute “ United Kingdom ”.
- (28) Omit Article 25.

- (29) In the heading to Chapter 5 for “Union” substitute “ United Kingdom ”.
- (30) In Article 26—
- (a) for “Union” in each place it occurs, substitute “ United Kingdom ”;
 - (b) in paragraph 4 for “its flag Member State” substitute “ the United Kingdom ”;
 - (c) in paragraph 5—
 - (i) for “the flag Member State” substitute “ a fisheries administration ”,
 - (ii) omit “its”, and
 - (iii) for “the CFP” substitute “ Fisheries Rules ”; and
 - (d) in paragraph 6—
 - (i) for “the flag Member State” substitute “ a fisheries administration ”, and
 - (ii) omit the final sentence.
- (31) In Article 27 for “the flag Member State shall” substitute “ a fisheries administration must ”.
- (32) In Article 28—
- (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) omit the second sentence;
 - (b) in paragraph 2—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for “their flag Member State” substitute “ a fisheries administration ”; and
 - (c) in paragraph 3, for “Union” substitute “ United Kingdom ”.
- (33) In Article 29—
- (a) for “Union” substitute “ United Kingdom ”; and
 - (b) for “the flag Member State” substitute “ a fisheries administration ”.
- (34) In Article 30—
- (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”, and
 - (ii) for “its flag Member State” substitute “ a fisheries administration ”;
 - (b) in paragraph 2—
 - (i) for “flag Member State shall” substitute “ fisheries administration must ”,
 - (ii) omit “in accordance with Article 109 of the Control Regulation,”; and
 - (c) in paragraph 3, for “the flag Member State” substitute “ a fisheries administration ”.
- (35) In the heading to Title 3 for “Union” substitute “ United Kingdom ”.
- (36) In Article 31, for “Union” substitute “ United Kingdom ”.
- (37) In Article 32—
- (a) in paragraph 1—
 - (i) for “Union” substitute “ United Kingdom ”,
 - (ii) for “the Commission” substitute “ a fisheries administration ”;
 - (b) in paragraph 2—
 - (i) for “Union waters” substitute “ United Kingdom waters ”, and
 - (ii) for “Union vessels” substitute “ United Kingdom fishing vessels ”; and

- (c) in paragraph 3 for “Union” substitute “ United Kingdom ”.
- (38) In Article 33(1)—
- (a) for “The Commission” substitute “ A fisheries administration ”;
 - (b) for “Union” substitute “ United Kingdom ”;
 - (c) in point (c) for “Union” substitute “ relevant retained direct EU ”; and
 - (d) in point (d) for “Union” substitute “ United Kingdom ”.
- (39) In Article 34—
- (a) in paragraphs 1, 2 and 3, for “the Commission” wherever it occurs, substitute “ a fisheries administration ”; and
 - (b) in paragraph 3 omit “and the Member States”.
- (40) In Article 35—
- (a) in paragraph 1—
 - (i) for “the Commission shall” substitute “ a fisheries administration must ”; and
 - (ii) omit “and the Member States”; and
 - (b) in paragraph 2—
 - (i) for “The Commission” in each place it occurs, substitute “ A fisheries administration ”; and
 - (ii) for “Union” substitute “ United Kingdom ”.
- (41) In Article 36—
- (a) in paragraph 1—
 - (i) for “the Commission” in [^{F5}the first] place it occurs, substitute “ a fisheries administration ”,
 - (ii) omit “and the competent inspection authorities of the Member States”, and
 - (iii) omit the final sentence; and
 - (b) omit paragraph 4.
- (42) Omit Article 37.
- (43) In Article 38—
- (a) in paragraph 1 for “Union” in each place it occurs, substitute “ United Kingdom ”;
 - (b) for paragraph 2 substitute—

“2. A third country fishing vessel authorised to fish in United Kingdom waters must send to a fisheries administration the data which United Kingdom fishing vessels are required to send to a fisheries administration under the Control Regulation.”;
 - (c) omit paragraph 3;
 - (d) in paragraph 4—
 - (i) for “Union” substitute “ United Kingdom ”;
 - (ii) for “the Commission or the body designated by it” substitute “ a fisheries administration ”;
 - (e) in paragraph 5 for “coastal Member State” substitute “ fisheries administration ”.
- (44) Omit Articles 39 to 45.
- (45) Omit Articles 47 and 48.

Textual Amendments

- F1** Words in reg. 8(4)(a) inserted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(2), **8(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in reg. 8(18)(a) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(2), **8(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Word in reg. 8(23)(a) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(2), **8(2)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in reg. 8(27)(a) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(2), **8(2)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in reg. 8(41)(a)(i) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy and Animals \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1312\)](#), regs. 1(2), **8(2)(b)(v)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I1** Reg. 8 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, Section 8.