

2024 No. 231

SEA FISHERIES

The Sea Fisheries (Amendment) Regulations 2024

Made - - - - 27th February 2024

Laid before Parliament 28th February 2024

Coming into force 6th April 2024

The Secretary of State, in exercise of the powers conferred by Article 4(2) of Regulation (EU) 2017/1004 of the European Parliament and of the Council on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy^(a) (“Regulation 2017/1004”) and now vested in the Secretary of State, and by section 36(1)(b) and (c) of the Fisheries Act 2020^(b) (“the 2020 Act”), makes the following Regulations.

In accordance with section 41(1) of the 2020 Act, the Secretary of State has consulted the Scottish Ministers, the Welsh Ministers, the Department of Agriculture, Environment and Rural Affairs in Northern Ireland and such other persons likely to be affected by the measures made under section 36(1)(b) and (c) of the 2020 Act contained in these Regulations as the Secretary of State considers appropriate.

In accordance with Article 4(3) of Regulation 2017/1004 and section 40(1) to (3) of the 2020 Act, the Secretary of State has, where necessary, obtained the consent of the Scottish Ministers, the Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland to the making of these Regulations.

Citation, commencement and extent

1. These Regulations may be cited as the Sea Fisheries (Amendment) Regulations 2024 and come into force on 6th April 2024.

(1) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Commission Implementing Decision (EU) 2019/909 establishing the list of mandatory research surveys and thresholds for the purposes of the multiannual Union programme for the collection and management of data in the fisheries and aquaculture sectors

2. Commission Implementing Decision (EU) 2019/909 establishing the list of mandatory research surveys and thresholds for the purposes of the multiannual Union programme for the

(a) EUR 2017/1004, as amended by S.I. 2019/739. S.I. 2019/739 and 753 came into force on IP completion day by virtue of Paragraph 1 (1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1), and paragraph 7 of Schedule 11 to the Fisheries Act 2020. S.I. 2019/739 was amended before it came into force by S.I. 2019/1312 and 2020/1542. The power previously contained in Article 4(1) is now vested in the Secretary of State in Article 4(2).

(b) 2020 c. 22.

collection and management of data in the fisheries and aquaculture sectors(a) is amended as follows.

(1) In Article 1, for “2024” substitute “2026”.

Commission Delegated Decision (EU) 2019/910 establishing the multiannual Union programme for the collection and management of biological, environmental, technical and socioeconomic data in the fisheries and aquaculture sectors

3. Commission Delegated Decision (EU) 2019/910 establishing the multiannual Union programme for the collection and management of biological, environmental, technical and socioeconomic data in the fisheries and aquaculture sectors(b) is amended as follows.

(1) In Article 1, for “2024” substitute “2026”.

Commission Delegated Regulation (EU) No 1393/2014 establishing a discard plan for certain pelagic fisheries in north-western waters

4. Commission Delegated Regulation (EU) No 1393/2014 establishing a discard plan for certain pelagic fisheries in north-western waters(c) is amended as follows.

(1) Omit Article 5 (expiry).

Commission Delegated Regulation (EU) No 1395/2014 establishing a discard plan for certain small pelagic fisheries and fisheries for industrial purposes in the North Sea

5. Commission Delegated Regulation (EU) No 1395/2014 establishing a discard plan for certain small pelagic fisheries and fisheries for industrial purposes in the North Sea(d) is amended as follows.

(1) Omit Article 5 (expiry).

Commission Delegated Regulation (EU) 2019/2238 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2020-2021

6. Commission Delegated Regulation (EU) 2019/2238 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2020-2021(e) is amended as follows.

(1) Omit Article 14 (expiry).

Commission Delegated Regulation (EU) 2019/2239 specifying details of the landing obligation for certain demersal fisheries in North-Western waters for the period 2020-2021

7. Commission Delegated Regulation (EU) 2019/2239 specifying details of the landing obligation for certain demersal fisheries in North-Western waters for the period 2020-2021(f) is amended as follows.

(1) Omit Article 13 (expiry).

(a) EUDN 2019/909, amended by S.I. 2020/1542, 2021/1429.

(b) EUDN 2019/910, amended by S.I. 2020/1542, 2021/1429.

(c) EUR 2014/1393, amended by paragraph 4 of Schedule 11 to the Fisheries Act 2020 and S.I. 2021/1429.

(d) EUR 2014/1395, amended by S.I. 2019/848, paragraph 5 of Schedule 11 to the Fisheries Act 2020 and S.I. 2021/1429. S.I. 2019/848 came into force on IP completion day by virtue of paragraph 1(1) of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020.

(e) S.I. 2020/1542, 2021/1429, other amendments which are not relevant.

(f) S.I. 2020/1542, 2021/698, 1429, other amendments which are not relevant.

27th February 2024

Mark Spencer
Minister of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to assimilated law in the field of sea fisheries.

Commission Implementing Decision (EU) 2019/909 and Commission Delegated Decision (EU) 2019/910 together set out the multiannual programme for the collection and management of fisheries data. Regulations 2 and 3 amend those Decisions and extend their application to the end of 2026.

The ‘landing obligation’ (the requirement to land catches of certain fish stocks and count them against quota) is contained in Regulation (EU) No 1380/2013 and there are four additional assimilated Regulations which specify exemptions from the landing obligation known as the ‘discard plans’. The discard plans are set out in Commission Delegated Regulation (EU) No 1393/2014, Commission Delegated Regulation (EU) No 1395/2014, Commission Delegated Regulation (EU) 2019/2238, and Commission Delegated Regulation (EU) 2019/2239. Regulations 4 to 7 amend the discard plans to remove the expiry date of 31 December 2024 for the exemptions.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the public, private or voluntary sector is foreseen.

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