



Fisheries Act 2020

CHAPTER 22

FISHERIES ACT 2020

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Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

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SCHEDULES

SCHEDULE 1 — Fisheries statements and management plans: preparation and publication

PART 1 — JOINT FISHERIES STATEMENT

Introductory

- 1 (1) This Part applies in relation to the preparation and...

Consultation

- 2 (1) The fisheries policy authorities acting jointly must—

Requirement to lay consultation draft before appropriate legislature

- 3 (1) Each of the fisheries policy authorities must—

Publication of the relevant document

- 4 (1) Sub-paragraph (2) applies where— (a) each fisheries policy authority...

PART 2 — SECRETARY OF STATE FISHERIES STATEMENT

Introductory

- 5 (1) This Part applies in relation to the preparation and...

Consultation

- 6 (1) The Secretary of State must— (a) prepare a draft...

Requirement to lay consultation draft before Parliament

- 7 (1) The Secretary of State must— (a) specify a period...

Publication of the relevant document

- 8 (1) Sub-paragraph (2) applies where the Secretary of State has—...

PART 3 — FISHERIES MANAGEMENT PLANS

Introductory

- 9 (1) This Part applies in relation to—

Consultation

- 10 (1) Sub-paragraphs (2) and (3) apply in a case within...

Publication of the relevant document

- 11 (1) Sub-paragraph (2) applies in a case within paragraph 9(1)(a)...

SCHEDULE 2 — Regulation of foreign fishing boats

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

PART 1 — ENGLAND AND WALES

Scallops (Irish Sea) (Prohibition of Fishing) Order 1984

- 1 (1) The Scallops (Irish Sea) (Prohibition of Fishing) Order 1984...

Undersized Velvet Crabs Order 1989

- 2 (1) The Undersized Velvet Crabs Order 1989 (S.I. 1989/919) is...

Sea Fish (Specified Sea Area) (Regulation of Nets and Prohibition of Fishing Methods) Order 1989

- 3 (1) The Sea Fish (Specified Sea Area) (Regulation of Nets...

Lobsters and Crawfish (Prohibition of Fishing and Landing) Order 2000

- 4 (1) The Lobsters and Crawfish (Prohibition of Fishing and Landing)...

Undersized Edible Crabs Order 2000

- 5 (1) The Undersized Edible Crabs Order 2000 (S.I. 2000/2029) is...

Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear) Order 2001

- 6 (1) The Sea Fish (Specified Sea Areas) (Regulation of Nets...

Prohibition of Fishing with Multiple Trawls Order 2001

- 7 (1) The Prohibition of Fishing with Multiple Trawls Order 2001...

Shrimp Fishing Nets Order 2002

- 8 (1) The Shrimp Fishing Nets Order 2002 (S.I. 2002/2870) is...

Shellfish (Specified Sea Area) (Prohibition of Fishing Methods) (Wales) Order 2003

- 9 (1) The Shellfish (Specified Sea Area) (Prohibition of Fishing Methods)...

Prohibition of Fishing with Multiple Trawls Order 2003

- 10 (1) The Prohibition of Fishing with Multiple Trawls Order 2003...

Prohibition of Fishing with Multiple Trawls (Wales) Order 2003

- 11 (1) The Prohibition of Fishing with Multiple Trawls (Wales) Order...

South-west Territorial Waters (Prohibition of Pair Trawling) Order 2004

- 12 (1) The South-west Territorial Waters (Prohibition of Pair Trawling) Order...

Tope (Prohibition of Fishing) Order 2008

- 13 (1) The Tope (Prohibition of Fishing) Order 2008 (S.I. 2008/691)...

Shrimp Fishing Nets (Wales) Order 2008

- 14 (1) The Shrimp Fishing Nets (Wales) Order 2008 (S.I. 2008/1811)...

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

Tope (Prohibition of Fishing) (Wales) Order 2008

- 15 (1) The Tope (Prohibition of Fishing) (Wales) Order 2008 (S.I....

Scallop Fishing (Wales) (No 2) Order 2010

- 16 (1) The Scallop Fishing (Wales) (No 2) Order 2010 (S.I....

Cockles and Mussels (Specified Area) (Wales) Order 2011

- 17 (1) The Cockles and Mussels (Specified Area) (Wales) Order 2011...

Scallop Fishing (England) Order 2012

- 18 (1) The Scallop Fishing (England) Order 2012 (S.I. 2012/2283) is...

Scallop Dredging Operations (Tracking Devices) (Wales) Order 2012

- 19 (1) The Scallop Dredging Operations (Tracking Devices) (Wales) Order 2012...

Specified Crustaceans (Prohibition on Fishing, Landing, Sale and Carriage) (Wales) Order 2015

- 20 (1) The Specified Crustaceans (Prohibition on Fishing, Landing, Sale and...

Whelk Fishing (Wales) Order 2019

- 21 (1) The Whelk Fishing (Wales) Order 2019 (S.I. 2019/1042 (W.184))...
PART 2 — SCOTLAND

The Lobsters and Crawfish (Prohibition of Fishing and Landing) (Scotland) Order 1999

- 22 (1) The Lobsters and Crawfish (Prohibition of Fishing and Landing)...

The Sea Fish (Specified Sea Areas) (Regulation of Nets and Other Fishing Gear) (Scotland) Order 2000

- 23 (1) The Sea Fish (Specified Sea Areas) (Regulation of Nets...

The Prohibition of Fishing for Scallops (Scotland) Order 2003

- 24 (1) The Prohibition of Fishing for Scallops (Scotland) Order 2003...

The Shrimp Fishing Nets (Scotland) Order 2004

- 25 (1) The Shrimp Fishing Nets (Scotland) Order 2004 (S.S.I. 2004/261)...

The Sharks, Skates and Rays (Prohibition of Fishing, Trans-shipment and Landing) (Scotland) Order 2012

- 26 (1) The Sharks, Skates and Rays (Prohibition of Fishing, Trans-shipment...

The Regulation of Scallop Fishing (Scotland) Order 2017

- 27 (1) The Regulation of Scallop Fishing (Scotland) Order 2017 (S.S.I....

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

The Prohibition of Fishing with Multiple Trawls (Scotland) Order 2017

- 28 (1) The Prohibition of Fishing with Multiple Trawls (Scotland) Order...

The Specified Crustaceans (Prohibition on Landing, Sale and Carriage) (Scotland) Order 2017

- 29 (1) The Specified Crustaceans (Prohibition on Landing, Sale and Carriage)...

The Sea Fish (Prohibited Methods of Fishing) (Firth of Clyde) Order 2019

- 30 (1) The Sea Fish (Prohibited Methods of Fishing) (Firth of...
PART 3 — NORTHERN IRELAND

The Inshore Fishing (Prohibition of Fishing and Fishing Methods) Regulations (Northern Ireland) 1993

- 31 (1) The Inshore Fishing (Prohibition of Fishing and Fishing Methods)...

The Razor Shells (Prohibition of Fishing) Regulations (Northern Ireland) 1998

- 32 (1) The Razor Shells (Prohibition of Fishing) Regulations (Northern Ireland)...

The Crabs and Lobsters (Minimum Size) Order (Northern Ireland) 2000

- 33 (1) The Crabs and Lobsters (Minimum Size) Order (Northern Ireland)...

The Conservation of Scallops Regulations (Northern Ireland) 2008

- 34 (1) The Conservation of Scallops Regulations (Northern Ireland) 2008 (S.R....

The Edible Crabs (Conservation) Regulations (Northern Ireland) 2020

- 35 (1) The Edible Crabs (Conservation) Regulations (Northern Ireland) 2020 (S.R....

The Edible Crabs (Undersized) Order (Northern Ireland) 2020

- 36 (1) The Edible Crabs (Undersized) Order (Northern Ireland) 2020 (S.R....

SCHEDULE 3 — Sea fishing licences: further provision

Power to attach conditions to sea fishing licence

- 1 (1) A sea fish licensing authority may, on granting a...

Power to vary, suspend or revoke sea fishing licence etc

- 2 (1) A sea fish licensing authority may from time to...

Power to obtain information

- 3 (1) A sea fish licensing authority may require the master,...

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

Duty to comply with request of another sea fish licensing authority

4 (1) This paragraph applies where— (a) a sea fish licensing...

Use of licensing functions to limit fishing activity

5 A sea fish licensing authority may exercise its licensing functions...

Power to arrange for licensing functions to be exercised by others

6 (1) A sea fish licensing authority may make arrangements for...

Regulations about the licensing of fishing boats

7 (1) The relevant national authority may by regulations make provision
—...

Power of Secretary of State under paragraph 7 where consent obtained

8 (1) Provision which could be included in regulations made by...

Interpretation

9 In this Schedule “licensing function” means a function of a...

SCHEDULE 4 — Access and licensing: minor and consequential amendments
PART 1 — ACCESS TO BRITISH FISHERIES BY FOREIGN FISHING BOATS

Sea Fish Industry Act 1962

1 Section 17 of the Sea Fish Industry Act 1962 (exemption...

Sea Fisheries Act 1968

2 (1) The Sea Fisheries Act 1968 is amended as follows....

Fishery Limits Act 1976

3 (1) Section 2 of the Fishery Limits Act 1976 (access...

Subordinate legislation made under section 2 of the Fishery Limits Act 1976

4 The following orders were made (or have effect as if...

Fishery Limits Act 1976 (Guernsey) Order 1989

5 The Fishery Limits Act 1976 (Guernsey) Order 1989 (S.I. 1989/2407)...
PART 2 — LICENSING OF FISHING BOATS

Sea Fish (Conservation) Act 1967

6 (1) The Sea Fish (Conservation) Act 1967 is amended as...

Fishery Limits Act 1976

7 In the Fishery Limits Act 1976, omit section 3 (which...

Fisheries Act 1981

8 In the Fisheries Act 1981, omit section 20 (which amends...

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

Sea Fish (Conservation) Act 1992

- 9 In the Sea Fish (Conservation) Act 1992, omit section 1...

Government of Wales Act 2006

- 10 (1) The Government of Wales Act 2006 is amended as...

Marine and Coastal Access Act 2009

- 11 (1) The Marine and Coastal Access Act 2009 is amended...

Sea Fish (Specified Manx Waters) Licensing Order 1990

- 12 The Sea Fish (Specified Manx Waters) Licensing Order 1990 (S.I....

Sea Fish Licensing Order 1992

- 13 (1) The Sea Fish Licensing Order 1992 (S.I. 1992/2633) is...

Sea Fish Licensing (Time at Sea) (Principles) Order 1993

- 14 (1) The Sea Fish Licensing (Time at Sea) (Principles) Order...

Sea Fishing (Licences and Notices) Regulations 1994

- 15 (1) The Sea Fishing (Licences and Notices) Regulations 1994 (S.I....

Scotland Act (Agency Arrangements) (Specification) Order 1999

- 16 (1) The Scotland Act (Agency Arrangements) (Specification) Order 1999 (S.I....

Scotland Act 1998 (Concurrent Functions) Order 1999

- 17 (1) The Scotland Act 1998 (Concurrent Functions) Order 1999 (S.I....

Sea Fishing (Licences and Notices) (Scotland) Regulations 2011

- 18 (1) The Sea Fishing (Licences and Notices) (Scotland) Regulations 2011...

Sea Fishing (Licences and Notices) (England) Regulations 2012

- 19 (1) The Sea Fishing (Licences and Notices) (England) Regulations 2012...

Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014

- 20 (1) The Sea Fishing (Licences and Notices) Regulations (Northern Ireland)...

Sea Fish Licensing (England) Order 2015

- 21 The Sea Fish Licensing (England) Order 2015 (S.I. 2015/647) is...

Sea Fish Licensing (Wales) Order 2019

- 22 The Sea Fish Licensing (Wales) Order 2019 (S.I. 2019/507 (W....

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

Sea Fishing (Licences and Notices) (Wales) Regulations 2019

- 23 The Sea Fishing (Licences and Notices) (Wales) Regulations 2019 (S.I....

Sea Fish Licensing (England) (EU Exit) Regulations 2019

- 24 The Sea Fish Licensing (England) (EU Exit) Regulations 2019 (S.I....

Sea Fish Licensing (Foreign Vessels) (EU Exit) (Scotland) Order 2019

- 25 The Sea Fish Licensing (Foreign Vessels) (EU Exit) (Scotland) Order...

Sea Fishing (Licences and Notices) (Scotland) (Amendment) Regulations 2019

- 26 The Sea Fishing (Licences and Notices) (Scotland) (Amendment) Regulations 2019...

Fishing Boats Designation (EU Exit) (Scotland) Order 2019

- 27 The Fishing Boats Designation (EU Exit) (Scotland) Order 2019 (S.S.I....

PART 3 — TRANSITIONAL PROVISION

Licences in respect of British fishing boats

- 28 (1) Sub-paragraph (2) applies to a licence granted, and not...

Licence conditions

- 29 (1) Sub-paragraph (2) applies to a licence granted, and not...

Regulations

- 30 (1) Regulations made under section 4B of the Sea Fish...

Continuity of the law

- 31 (1) This paragraph applies where any provision of this Act...

SCHEDULE 5 — Sale of Welsh fishing opportunities

- 1 The Welsh Ministers may by regulations make provision for the...
- 2 A right to use a Welsh catch or effort quota...
- 3 The regulations may include provision— (a) for rights to be...
- 4 The Welsh Ministers must exercise their functions so as to...
- 5 Before making regulations under this Schedule the Welsh Ministers must...
- 6 Regulations under this Schedule are subject to the affirmative resolution...
- 7 In this Schedule— “Welsh catch quota” means so much of...

SCHEDULE 6 — Financial assistance: powers of devolved authorities

Power of the Scottish Ministers

- 1 (1) The Scottish Ministers may give financial assistance, or arrange...

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

Power of the Welsh Ministers

- 2 (1) The Welsh Ministers may give financial assistance, or arrange...

Power of the Northern Ireland department

- 3 (1) The Northern Ireland department may give financial assistance, or...

Financial assistance: consequential amendments

- 4 (1) In the Fisheries Act 1981— (a) omit Part 2...

Transitional provision

- 5 (1) The following schemes made under section 15 of the...

SCHEDULE 7 — Imposition of charges: powers of devolved authorities

Power of Scottish Ministers

- 1 (1) The Scottish Ministers may by regulations make provision for...

Power of Welsh Ministers

- 2 (1) The Welsh Ministers may by regulations make provision for...

Power of Northern Ireland department

- 3 (1) The Northern Ireland department may by regulations make provision...

SCHEDULE 8 — Powers to make further provision: devolved authorities
PART 1 — SCOTTISH MINISTERS

Power to make provision about fisheries, aquaculture etc

- 1 (1) The Scottish Ministers may by regulations make provision—

Paragraph 1: interpretation

- 2 (1) In paragraph 1 and this paragraph— “regional fisheries management...

Power to make provision about aquatic animal diseases

- 3 (1) The Scottish Ministers may by regulations make provision for...

Scope of regulations under paragraph 1 or 3

- 4 (1) Regulations under paragraph 1 or 3 may—

Procedural requirements

- 5 (1) Before making regulations under paragraph 1 or 3 the...
PART 2 — WELSH MINISTERS

Power to make provision about fisheries, aquaculture etc

- 6 (1) The Welsh Ministers may by regulations make provision—

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

Paragraph 6: interpretation

- 7 (1) In paragraph 6 and this paragraph— “regional fisheries management...

Power to make provision about aquatic animal diseases

- 8 (1) The Welsh Ministers may by regulations make provision for...

Scope of regulations under paragraph 6 or 8

- 9 (1) Regulations under paragraph 6 or 8 may—

Procedural requirements

- 10 (1) Before making regulations under paragraph 6 or 8 the...
PART 3 — THE NORTHERN IRELAND DEPARTMENT

Power to make provision about fisheries, aquaculture etc

- 11 (1) The Northern Ireland department may by regulations make provision —...

Paragraph 11: interpretation

- 12 (1) In paragraph 11 and this paragraph— “regional fisheries management...

Power to make provision about aquatic animal diseases

- 13 (1) The Northern Ireland department may by regulations make provision...

Scope of regulations under paragraph 11 or 13

- 14 (1) Regulations under paragraph 11 or 13 may—

Procedural requirements

- 15 (1) Before making regulations under paragraph 11 or 13 the...

SCHEDULE 9 — Conservation of seals

PART 1 — AMENDMENTS OF THE CONSERVATION OF SEALS ACT 1970

- 1 The Conservation of Seals Act 1970 is amended in accordance...
2 For section 1 (prohibited methods of killing seals) substitute—
Prohibition...
3 Omit section 2 (close seasons for seals).
4 Omit section 3 (orders prohibiting killing seals).
5 In section 4 (apprehension of offenders and powers of search...
6 In section 6 (forfeitures), for the words from “any seal...
7 In section 8 (attempt to commit offence), in subsection (2)—...
8 In section 9 (general exceptions)— (a) in subsection (1)—
9 In section 10 (power to grant licences)—
10 In section 11 (entry upon land)— (a) in subsection (1),...
11 Omit section 14 (orders).
12 In section 15 (interpretation), at the appropriate places insert—
“explosive...

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

PART 2 — AMENDMENTS OF THE WILDLIFE (NORTHERN IRELAND) ORDER 1985

- 13 The Wildlife (Northern Ireland) Order 1985 (1985/171 (N.I. 2)) is...
- 14 In Article 10 (protection of certain wild animals), in paragraph...
- 15 In Article 11 (exceptions to Article 10)—
- 16 In Article 18 (power to grant licences), after paragraph (3)...
- 17 In Schedule 5 (animals which are protected at all times),...
- 18 In Schedule 6 (animals which may not be killed or...
- 19 In Schedule 7 (animals which may not be sold alive...

SCHEDULE 10 — Amendments of the Marine and Coastal Access Act 2009

PART 1 — GENERAL POWERS AND DUTIES OF THE MARINE MANAGEMENT ORGANISATION

- 1 The Marine and Coastal Access Act 2009 is amended as...
- 2 (1) Section 24 (research) is amended as follows.
- 3 (1) Section 25 (advice, assistance and training facilities) is amended...
- 4 (1) Section 26 (provision of information etc) is amended as...
- 5 In section 27 (power to charge for services), in subsection...

PART 2 — POWERS RELATING TO THE EXPLOITATION OF SEA FISHERIES RESOURCES

- 6 The Marine and Coastal Access Act 2009 is amended in...
- 7 In the heading of Chapter 1 of Part 5, after...
- 8 (1) Section 117 (grounds for designation of MCZs) is amended...
- 9 In the italic heading before section 129, for “protection of...
- 10 In section 129 (byelaws for protections of MCZs in England),...
- 11 After section 129 insert— Byelaws relating to exploitation of sea...
- 12 (1) Section 130 (byelaws: procedure) is amended as follows.
- 13 (1) Section 131 (emergency byelaws) is amended as follows.
- 14 (1) Section 132 (interim byelaws) is amended as follows.
- 15 (1) Section 133 (further provision) is amended as follows.
- 16 In the italic heading before section 134, for “protection of...
- 17 After section 134 insert— Orders relating to exploitation of sea...
- 18 (1) Section 135 (consultation) is amended as follows.
- 19 (1) Section 136 (interim orders) is amended as follows.
- 20 (1) Section 137 (further provision) is amended as follows.
- 21 After section 137 insert— Orders for marine conservation: Scottish offshore...
- 22 (1) Section 138 (hearings) is amended as follows.
- 23 (1) Section 139 (offences) is amended as follows.
- 24 In section 141 (exceptions), in subsection (1)(c)(i), for “or 134(4)”...
- 25 In section 142 (fixed monetary penalties), in subsection (1), omit...
- 26 (1) Section 147 (interpretation) is amended as follows.
- 27 In section 166 (powers of IFC officers), in subsection (1)(e),...
- 28 In section 189 (power of Welsh Ministers in relation to...
- 29 (1) Section 237 (enforcement of nature conservation legislation) is amended...
- 30 In section 238(3), after paragraph (d) insert—
- 31 (1) Section 316 (regulations and orders) is amended as follows....
- 32 (1) In the Water Resources Act 1991, in Schedule 25,...

SCHEDULE 11 — Retained direct EU legislation: minor and consequential amendments

Introduction

- 1 In this Schedule— (a) paragraphs 2 to 13 make amendments...

Common Fisheries Policy Regulation

- 2 (1) The Common Fisheries Policy Regulation is amended as follows....

Regulation (EU) No 1379/2013

- 3 In Regulation (EU) No 1379/2013 of the European Parliament and...

Commission Delegated Regulation (EU) No 1393/2014

- 4 (1) Commission Delegated Regulation (EU) No 1393/2014 establishing a discard...

Commission Delegated Regulation (EU) No 1395/2014

- 5 (1) Commission Delegated Regulation (EU) No 1395/2014 establishing a discard...

Regulation (EU) 2016/2336

- 6 In Regulation (EU) 2016/2336 of the European Parliament and of...

Regulation (EU) 2017/1004

- 7 (1) Regulation (EU) 2017/1004 of the European Parliament and of...

Regulation (EU) 2017/2403

- 8 Regulation (EU) 2017/2403 of the European Parliament and of the...

Regulation (EU) 2018/973

- 9 (1) Regulation (EU) 2018/973 of the European Parliament and of...

Regulation (EU) 2019/472

- 10 (1) Regulation (EU) 2019/472 of the European Parliament and of...

Regulation (EU) 2019/1241

- 11 (1) Regulation (EU) 2019/1241 of the European Parliament and of...

Commission Delegated Regulation (EU) 2019/2238

- 12 (1) Commission Delegated Regulation (EU) 2019/2238 specifying details of implementation...

Commission Delegated Regulation (EU) 2019/2239

- 13 (1) Commission Delegated Regulation (EU) 2019/2239 specifying details of the...

Council Regulation (EU) 2020/123

- 14 In Council Regulation (EU) 2020/123 fixing for 2020 the fishing...

Changes to legislation: There are currently no known outstanding effects for the Fisheries Act 2020. (See end of Document for details)

Transitional provision

- 15 (1) This paragraph applies until the first JFS comes into...

Consequential amendments

- 16 (1) In the Sea Fishing (EU Recording and Reporting Requirements)...

Changes to legislation:

There are currently no known outstanding effects for the Fisheries Act 2020.