
*Changes to legislation: There are currently no known outstanding effects
for the Fisheries Act 2020, PART 3. (See end of Document for details)*

SCHEDULES

SCHEDULE 4

ACCESS AND LICENSING: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 3

TRANSITIONAL PROVISION

Licences in respect of British fishing boats

- 28 (1) Sub-paragraph (2) applies to a licence granted, and not subsequently revoked, under section 4 of the Sea Fish (Conservation) Act 1967 in respect of a Scottish fishing boat.
- (2) The licence has effect on and after the coming into force of paragraph 6(2) (repeal of section 4 of the Sea Fish (Conservation) Act 1967) as if it had been granted by the Scottish Ministers under section 15.
- (3) Sub-paragraph (4) applies to a licence granted, and not subsequently revoked, under section 4 of the Sea Fish (Conservation) Act 1967 in respect of a Welsh fishing boat.
- (4) The licence has effect on and after the coming into force of paragraph 6(2) (repeal of section 4 of the Sea Fish (Conservation) Act 1967) as if it had been granted by the Welsh Ministers under section 15.
- (5) Sub-paragraph (6) applies to a licence granted, and not subsequently revoked, under section 4 of the Sea Fish (Conservation) Act 1967 in respect of a Northern Ireland fishing boat.
- (6) The licence has effect on and after the coming into force of paragraph 6(2) (repeal of section 4 of the Sea Fish (Conservation) Act 1967) as if it had been granted by the Northern Ireland department under section 15.
- (7) Sub-paragraph (8) applies to a licence granted, and not subsequently revoked, under section 4 of the Sea Fish (Conservation) Act 1967 in respect of a British fishing boat that is not a Scottish, Welsh or Northern Ireland fishing boat.
- (8) The licence has effect on and after the coming into force of paragraph 6(2) (repeal of section 4 of the Sea Fish (Conservation) Act 1967) as if it had been granted by the Marine Management Organisation under section 15.
- (9) A licence that is treated by this paragraph as granted under section 15 is to be read subject to the necessary modifications.

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Licence conditions

- 29 (1) Sub-paragraph (2) applies to a licence granted, and not subsequently revoked, under section 4 of the Sea Fish (Conservation) Act 1967.
- (2) Any condition included in the licence has effect on and after the coming into force of paragraph 6(2) (repeal of section 4 of the Sea Fish (Conservation) Act 1967) as if it had been attached to the licence under paragraph 1 of Schedule 3.
- (3) A condition that is treated by this paragraph as attached to a licence under paragraph 1 of Schedule 3 is to be read subject to any necessary modifications.

Regulations

- 30 (1) Regulations made under section 4B of the Sea Fish (Conservation) Act 1967 (regulations supplementary to sections 4 and 4A of that Act) in relation to licences under section 4 of that Act have effect on and after the coming into force of paragraph 6(2) as if they were made under paragraph 7(1) of Schedule 3 to this Act.
- (2) The Sea Fish Licensing (Time at Sea) (Principles) Order 1993 (S.I. 1993/1196) (as amended under Part 2 of this Schedule) has effect on and after the coming into force of paragraph 6(2) (repeal of section 4 of the Sea Fish (Conservation) Act 1967) as if it were made under paragraph 7(5) of Schedule 3 to this Act.

Continuity of the law

- 31 (1) This paragraph applies where any provision of this Act re-enacts (with or without modification) an enactment repealed by Part 2 of this Schedule.
- (2) The repeal and re-enactment does not affect the continuity of the law.
- (3) Anything done (including any subordinate legislation made) or having effect as if done, under or for the purposes of the repealed provision that could have been done under or for the purposes of the corresponding provision of this Act, if in force or effective immediately before the commencement of that corresponding provision, has effect thereafter as if done under or for the purposes of that corresponding provision.
- (4) Any reference (express or implied) in this Act or any other enactment, instrument or document to a provision of this Act shall be construed (so far as the context permits) as including, as respects times, circumstances or purposes in relation to which the corresponding repealed provision had effect, a reference to that corresponding provision.
- (5) Any reference (express or implied) in any enactment, instrument or document to a repealed provision shall be construed (so far as the context permits) as respects times, circumstances or purposes in relation to which the corresponding provision of this Act has effect, as being or (according to the context) including a reference to the corresponding provision of this Act.
- (6) This paragraph has effect subject to any specific transitional provision or saving contained in or made under this Act.
- (7) In this paragraph a reference to an enactment being repealed includes its being revoked, or amended so that it no longer applies in any case.

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(8) In this paragraph “subordinate legislation” has the same meaning as in the Interpretation Act 1978.

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