
STATUTORY INSTRUMENTS

2019 No. 746

The Fisheries (Amendment) (EU Exit) Regulations 2019

PART 2

Amendment of primary legislation

The Marine and Coastal Access Act 2009

- 4.—(1) The Marine and Coastal Access Act 2009^{M1} is amended as follows.
- (2) In section 30—
- (a) in subsection (2)(b), for “enforceable EU restrictions and enforceable EU obligations” substitute “retained EU restriction or retained EU obligation”;
- (b) in subsection (4), for the definitions of “enforceable EU obligation” and “enforceable EU restriction” substitute—
- ““retained EU restriction” means a restriction that—
- (a) was created or arose by or under the EU Treaties before [^{F1}IP completion day],
and
- (b) forms part of retained EU law,
as modified from time to time.”.
- (3) In section 37—
- (a) in subsection (2)—
- (i) omit paragraph (a);
- (ii) in paragraph (b), omit “or the European Union”;
- (b) omit subsection (9).
- (4) In section 238—
- (a) in subsection (2)(b), for “enforceable EU restrictions and enforceable EU obligations” substitute “retained EU restriction or retained EU obligation”;
- (b) in subsection (10)—
- (i) omit the definitions of “enforceable EU obligation” and “enforceable EU restriction”;
- (ii) after the definition of “relevant British fishing boat” insert—
- ““retained EU restriction” means a restriction that—
- (a) was created or arose by or under the EU Treaties before [^{F2}IP completion day], and
- (b) forms part of retained EU law,
as modified from time to time;”.
- (5) In section 278(6)—

Changes to legislation: There are currently no known outstanding effects for the The Fisheries (Amendment) (EU Exit) Regulations 2019, Section 4. (See end of Document for details)

- (a) in the definition of “the fisheries legislation”, in paragraph (b), for “enforceable EU restrictions and enforceable EU obligations” substitute “retained EU restriction or retained EU obligation”;
- (b) for the definitions of “enforceable EU obligation” and “enforceable EU restriction” substitute—
- ““retained EU restriction” means a restriction that—
- (a) was created or arose by or under the EU Treaties before [^{F3}IP completion day], and
- (b) forms part of retained EU law, as modified from time to time..”.

- F1** Words in reg. 4(2)(b) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\)](#), regs. 1(2), **12(2)(a)**
- F2** Words in reg. 4(4)(b)(ii) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\)](#), regs. 1(2), **12(2)(b)**
- F3** Words in reg. 4(5)(b) substituted (31.12.2020 immediately before IP completion day) by [The Common Fisheries Policy \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1542\)](#), regs. 1(2), **12(2)(c)**

Commencement Information

- I1** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c.1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Marginal Citations

- M1** [2009 c. 23](#).

Changes to legislation:

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