STATUTORY INSTRUMENTS

2020 No. 516

SEA FISHERIES

CONSERVATION OF SEA FISH

The Sea Fishing (Enforcement) (Amendment) Regulations 2020

Made - - - -	*15th May 2020*
Laid before Parliament	*19th May 2020*
Coming into force in accordance with regulation 1	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972(**a**) ("the 1972 Act").

The Secretary of State is a Minister designated for the purposes of section 2(2) of the 1972 Act in relation to the common agricultural policy(**b**).

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Secretary of State that it is expedient for the references to Article 10 of Council Regulation (EU) 2020/123 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters(**c**) to be construed as a reference to that Article as amended from time to time.

Citation and commencement

1. These Regulations may be cited as the Sea Fishing (Enforcement) (Amendment) Regulations 2020 and come into force 21 days after the day on which the Regulations are laid.

(**a**) 1972 c. 68. The European Communities Act 1972 was repealed by section 1 of the European Union (Withdrawal) Act 2018 (c. 16) with effect from exit day, but saved with modifications until IP completion day by section 1A of that Act (as inserted by section 1 of the European Union (Withdrawal Agreement) Act 2020 (c. 1)). Section 2(2) of the European Communities Act 1972 was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7). Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 and amended by Part 1 of the Schedule to the European Union (Amendment) Act 2008 and S.I. 2007/1388.

(**b**) S.I. 1972/1811, which is prospectively revoked by S.I. 2018/1011 on IP completion day (see paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020). The designation in relation to the common agricultural policy extends to the common fisheries policy under Article 38(1) of the Treaty on the Functioning of the European Union (OJ No. C 326, 26.10. 2012, p.62). Functions exercisable by the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly were transferred to the Secretary of State by S.I. 2002/794.

(**c**) OJ No. L 25, 30.1.2020, p. 1.

Amendments to the Sea Fishing (Enforcement) Regulations 2018

2. In the table in the Schedule to the Sea Fishing (Enforcement) Regulations 2018(**a**), in the first column—

(a) for "Council Regulation (EU) 2019/124 fixing for 2019 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters" substitute "Council Regulation (EU) 2020/123 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters"; and

(b) in the entries specifying the Articles of that Regulation—

(i) for "Articles 10(1), (2) and (3)" substitute "Article 10(1), (2) and (3)"; and

(ii) for "Article 10(4)" substitute "Article 10(5)".

Victoria Prentis
Parliamentary Under Secretary of State
15th May 2020 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend references to certain fisheries conservation measures in Council Regulation (EU) 2019/124 (OJ No. L 29, 31.1.2019, p.1) in the table in the Schedule to the Sea Fishing (Enforcement) Regulations 2018 (S.I. 2018/849) to reflect the coming into force of Council Regulation (EU) 2020/123 (OJ No. L 25, 30.1.2020, p.1) which replaces Council Regulation (EU) 2019/124.

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

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(**a**) S.I. 2018/849, amended by S.I. 2019/526 and 2019/1284 and prospectively amended by S.I. 2019/746 with effect from IP completion day (see paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020).

£4.90

UK202005181007 05/2020 19585

http://www.legislation.gov.uk/id/uksi/2020/516

ISBN 978-0-11-119617-5

