STATUTORY RULES OF NORTHERN IRELAND

2019 No. 65

SEA FISHERIES

The Sea Fishing (Licences and Notices) (Amendment) Regulations (Northern Ireland) 2019

Made - - - - 27th March 2019

Coming into operation in accordance with regulation 1

The Department of Agriculture, Environment and Rural Affairs(**a**) makes the following Regulations in exercise of the powers conferred by section 4B of the Sea Fish (Conservation) Act 1967(**b**).

Citation and commencement

1. These Regulations may be cited as the Sea Fishing (Licences and Notices) (Amendment) Regulations (Northern Ireland) 2019 and come into operation on exit day.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**c**) applies to these Regulations as it applies to an Act of the Assembly.

(2) In the Regulations, "exit day" has the same meaning given in section 20 of the European Union (Withdrawal) Act 2018(**d**).

Amendment of the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014

3.—(1) The Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014(**e**) are amended as follows.

(2) In regulation 2 (interpretation), in the definition of "nominee", in paragraph (b), omit the words "in a member State of the European Union".

(3) In regulation 3 (manner in which a licence is granted and a variation, suspension or revocation is effected)—

(a) in paragraph (1), for the words from "by delivering it" to the end substitute "or any other fishing boat by delivering it to the recipient in accordance with paragraph (2).";

(b) after that paragraph insert—

"(1A) In this regulation, "the recipient" means—

(**a**) Formerly the Department of Agriculture for Northern Ireland; see S.I. 1993 (N.I.1), Art 3(4); and the Department of Agriculture and Rural Development; see The Departments Act (Northern Ireland) 2016 Chapter 5 Article 1(2)

(**b**) 1967 c.84. Section 4 was substituted by section 3 of the Fishery Limits Act 1976 (c.86). Section 4B was inserted by section 4 of the Sea Fish (Conservation) Act 1992 (c.60) and modified by the Marine and Coastal Access Act 2009 (c.23).

(**c**) 1954 c.53

(**d**) 2018 c.16

(**e**) S.R. 2014 No. 209

(a) in relation to a licence or notice relating to a Northern Ireland fishing boat—

(i) the owner or charterer of the fishing boat, or

(ii) a nominee of that owner or charterer;

(b) in relation to a licence or notice relating to any other fishing boat, the owner or charterer of the fishing boat." .

(c) In paragraph (3)—

(i) for the words "the Northern Ireland fishing boat" substitute "a Northern Ireland fishing boat or any other fishing boat";

(ii) for the words "or (as the case may be)" to the end substitute "to the recipient in accordance with paragraph (4).".

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 27 March 2019.

L.S.

Dr John Speers
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Sea Fishing (Licences and Notices) Regulations (Northern Ireland) 2014 with regard to the definition of a nominee for receipt of licenses issued by the Department as a consequence of The Sea Fish Licensing Order (Northern Ireland) 2019(**a**) and the withdrawal of the United Kingdom from the European Union.

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(**a**) S.R. 2019 No.61

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