

**2018 No.**

**EXITING THE EUROPEAN UNION**

**SEA FISHERIES**

**The Common Fisheries Policy (Amendment etc.) (EU Exit)  
Regulations 2018**

|                                    |     |
|------------------------------------|-----|
| <i>Sift requirements satisfied</i> | *** |
| <i>Made</i> - - - -                | *** |
| <i>Laid before Parliament</i>      | *** |
| <i>Coming into force</i> - -       | *** |

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The Secretary of State, in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>(a)</sup>, makes the following Regulations.

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

PART 1  
INTRODUCTORY

**Citation and commencement**

1. These Regulations may be cited as the Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2018 and come into force on exit day.

**Revocations**

2. The legislation listed in the Schedule to these Regulations is revoked.

PART 2  
AMENDMENT OF THE BASIC REGULATION

**Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy**

3.—(1) Regulation (EU) No 1380/2013 of the European Parliament and of the Council on the Common Fisheries Policy is amended as follows.

(2) For Article 1 substitute—

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<sup>(a)</sup> 2018 c. 16.

*“Article 1*

**Powers and obligations of fisheries administrations in relation to relevant retained direct EU legislation**

1. Any obligation of, or having effect in relation to, a fisheries administration under this Regulation or any relevant retained direct EU legislation is an obligation of, or having effect in relation to, a particular fisheries administration to the extent that the obligation is within the jurisdiction of that administration.

2. Any power exercisable by a fisheries administration under this Regulation or any relevant retained direct EU legislation is a power exercisable by a particular fisheries administration to the extent that the power is within the jurisdiction of that administration.

3. An obligation or power is within the jurisdiction of the Scottish Ministers if it would be within the legislative competence of the Scottish Parliament to impose or confer that obligation or power on, or in relation to, the Scottish Ministers (if it were included in an Act of the Scottish Parliament) where, to the extent that it relates to—

- (a) fishing and aquaculture in the Scottish zone;
- (b) fishing outside that zone by Scottish fishing vessels;
- (c) any fish or aquaculture organisation applying for recognition as a producers’ organisation, or recognised as such, whose area covered by the application for recognition, in so far as within the United Kingdom or United Kingdom waters, is wholly or mainly within Scotland or the Scottish zone,

it is treated as a function exercisable in or as regards Scotland for the purposes of the Scotland Act 1998(a).

4. An obligation or power is within the jurisdiction of the Welsh Ministers if—

- (a) it would be within the legislative competence of the National Assembly for Wales to impose or confer that obligation or power on, or in relation to, the Welsh Ministers (if it were included in an Act of that Assembly); or
- (b) it could have been imposed or conferred by, or relates to a function exercisable by the Welsh Ministers immediately before exit day.

5. An obligation or power is within the jurisdiction of the Department of Agriculture, Environment and Rural Affairs, in Northern Ireland, if it would be within the legislative competence of the Northern Ireland Assembly to impose or confer that obligation or power on, or in relation to, the Department (if it were included in an Act of that Assembly) where, to the extent that it relates to—

- (a) fishing and aquaculture in the Northern Ireland zone;
- (b) fishing outside that zone by Northern Ireland fishing vessels;
- (c) any fish or aquaculture organisation applying for recognition as a producers’ organisation, or recognised as such, whose area covered by the application for recognition, in so far as within the United Kingdom or United Kingdom waters, is wholly or mainly within Northern Ireland or the Northern Ireland zone,

it is treated as a function exercisable in or as regards Northern Ireland for the purposes of the Northern Ireland Act 1998(b).

6. An obligation or power is within the jurisdiction of the Marine Management Organisation(c), if it corresponds to any obligation or power imposed or conferred by EU

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(a) 1998 c.46. S.I. 1999/1126 determines the extent of the area of the sea which is to be treated as adjacent to Scotland for the purposes of the definition of the Scottish zone.

(b) 1998 c.47. S.I. 2002/791 determines the extent of the area of the sea which is to be treated as adjacent to Northern Ireland for the purposes of the definition of the Northern Ireland zone.

(c) The Marine Management Organisation was established by section 1 of the Marine and Coastal Access Act 2009 (c.23).

law which immediately before exit day was imposed on or in relation to, or exercisable by, the Marine Management Organisation by virtue of any enactment.

7. An obligation or power is within the jurisdiction of the Secretary of State, if—

- (a) it applies in relation to an English fishing vessel;
- (b) it is not within the jurisdiction of a devolved fisheries administration or the Marine Management Organisation; or
- (c) it is a power exercisable by the Secretary of State, or an obligation of or having effect in relation to the Secretary of State, concurrently or jointly with a devolved fisheries administration.

8. Where functions under this Regulation or any relevant retained direct EU legislation are, by virtue of paragraphs 3 to 7, exercisable by more than one fisheries administration concurrently, paragraph 1 does not require any obligation to be met by, or in relation to, a particular fisheries administration to the extent that the obligation has been or is being met by, or in relation to, any other fisheries administration.

9. For this purpose—

- (a) ‘a fisheries administration’ means the Secretary of State, a devolved fisheries administration or the Marine Management Organisation, and ‘a devolved fisheries administration’ means the Scottish Ministers, the Welsh Ministers or, in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
- (b) ‘English fishing vessel’ means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in England as the port to which the vessel is to be treated as belonging;
- (c) ‘Northern Ireland fishing vessel’ means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995<sup>(a)</sup> and whose entry in the register specifies a port in Northern Ireland as the port to which the vessel is to be treated as belonging;
- (d) ‘Northern Ireland zone’ has the same meaning as in section 98(1) of the Northern Ireland Act 1998;
- (e) ‘Scottish fishing vessel’ means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995 and whose entry in the register specifies a port in Scotland as the port to which the vessel is to be treated as belonging;
- (f) ‘Scottish zone’ has the same meaning as in section 126(1) of the Scotland Act 1998.”.

(3) In Article 3—

- (a) for “The CFP shall” substitute “In exercising its functions under relevant retained direct EU legislation, a fisheries administration must”;
- (b) in point (a) omit “Union, regional,”;
- (c) omit point (b);
- (d) in point (f) omit “, in particular Advisory Councils,”; and
- (e) omit points (g), (h) and (j).

(4) In Article 4(1)—

- (a) for “For the purpose of this Regulation the following definitions shall apply” substitute “The following definitions apply in this Regulation and, to the extent that they are not already defined, in relevant retained direct EU legislation”;
- (b) in point (1) at the end insert “on the Functioning of the European Union”;

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(a) 1995 c.21. Section 15 was amended by S.I. 2002/794 and 2015/664.

- (c) omit point (3);
- (d) omit point (5);
- (e) in point (6) for “a Member State” substitute “the United Kingdom”;
- (f) in point (17) omit “Union”;
- (g) omit point (22);
- (h) omit point (23);
- (i) in point (24) for “Council Regulation (EEC) No 2930/86” substitute “Regulation (EU) 2017/1130 of the European Parliament and of the Council defining characteristics for fishing vessels”;
- (j) in point (31) omit “Union”;
- (k) in point (37)—
  - (i) for “a third” substitute “another”, and
  - (ii) omit “, in exchange for financial compensation from the Union, which may include sectoral support”; and
- (l) at the end insert—
  - “(38) ‘United Kingdom fishing vessel’ means a fishing vessel which is registered in the United Kingdom under Part 2 of the Merchant Shipping Act 1995(a);
  - (39) ‘United Kingdom fleet’ means all United Kingdom fishing vessels;
  - (40) ‘United Kingdom waters’ has the same meaning as “British Fishery Limits” as contained in section 1 of the Fishery Limits Act 1976(b).
  - (41) ‘third country’ means any country that is not the United Kingdom;
  - (42) ‘competent authority’ means any person or body to whom a fisheries administration has delegated the function in question;
  - (43) ‘relevant retained direct EU legislation’ means retained direct EU legislation corresponding to any direct EU legislation adopted under the EU common fisheries policy;
  - (44) ‘Fisheries Rules’ means relevant retained direct EU legislation;
  - (45) ‘a fisheries administration’ is to be interpreted in accordance with Article 1. A reference to ‘the other fisheries administrations’ is to be interpreted accordingly and, for this purpose, the fisheries administrations are listed in Article 1(9)(a). A reference to the ‘fleet’ of a fisheries administration is a reference to all United Kingdom fishing vessels which are—
    - (a) in the case of the Secretary of State and the Marine Management Organisation, registered to a port in England;
    - (b) in the case of the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, registered to a port in Northern Ireland;
    - (c) in the case of the Scottish Ministers, registered to a port in Scotland; or
    - (c) in the case of the Welsh Ministers, registered to a port in Wales.”.
- (5) Omit Title 1 of Part 3.
- (6) In Article 10—
  - (a) in paragraph 1—
    - (i) omit “and without prejudice to the respective competences under the Treaty”, and
    - (ii) in point (b) for “Articles 6 and 9” substitute “Article 9”; and

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(a) 1995 c. 21.

(b) 1976 c. 86. By virtue of section 1(1) of the Fishery Limits Act 1976, “British fishery limits” are designated by S.I. 2013/3161; section 1 of the Fishery Limits Act 1976 was amended (in relation to England and Wales) by paragraph 2(2) and (3) of Schedule 4, and Part 1 of Schedule 22, to the Marine and Coastal Access Act 2009 (c. 23).

- (b) in paragraph 2(a) omit “, in accordance with Article 18”.
- (7) Omit Articles 11 to 13.
- (8) In Article 14—
- (a) in paragraph 1—
    - (i) for “Member States” substitute “a fisheries administration”, and
    - (ii) omit “and taking into account the opinions of the relevant Advisory Councils”; and
  - (b) in paragraph 2, for “Member States” substitute “A fisheries administration”.
- (9) In Article 15—
- (a) for paragraphs 1 and 2 substitute—
 

“1. All catches of species which are subject to catch limits caught during fishing activities in United Kingdom waters, or by United Kingdom fishing vessels outside United Kingdom waters in waters not subject to third countries’ sovereignty or jurisdiction, shall be brought and retained on board the fishing vessels, recorded, landed and counted against the quotas where applicable, except when used as live bait.

2. Paragraph 1 is without prejudice to any of the United Kingdom’s international obligations.”;
  - (b) omit paragraph 3;
  - (c) in paragraph 4(a) for “a Union legal act adopted in the area of the CFP” substitute “relevant retained direct EU legislation”;
  - (d) in paragraph 5—
    - (i) omit “referred to in Articles 9 and 10 and, where relevant further specified in accordance with Article 18”,
    - (ii) in point (a) omit the words from “, such as the technical measures referred to in Article 7(2),” to the end, and
    - (iii) in point (c) omit the words from “For a transitional period of four years” to the end;
  - (e) omit paragraph 7;
  - (f) in paragraph 8 for “the Member State” substitute “a fisheries administration”;
  - (g) for paragraph 9 substitute—
 

“9. For stocks subject to the landing obligation, a fisheries administration may use a year to year flexibility of up to 10% of the landings that it has permitted. For this purpose, a fisheries administration may allow landing of additional quantities of the stock that is subject to the landing obligation provided that such quantities do not exceed 10% of the quota allocated.”;
  - (h) in paragraph 13 for “Member States shall” in each place it occurs, substitute “a fisheries administration must”; and
  - (i) omit paragraph 14.
- (10) Omit Titles 3 and 4 of Part 3.
- (11) Omit Article 21.
- (12) In Article 22—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “their fleet to their fishing opportunities” substitute “its fleet to the fishing opportunities available to it”;
  - (b) omit paragraphs 2 to 4;
  - (c) for paragraph 7 substitute—

“7. A fisheries administration must, jointly with the other fisheries administrations, ensure that the fishing capacity of the United Kingdom fleet does not exceed at any time 231,106 GT or 909,141 kW.”.

(13) In Article 23—

- (a) in paragraph 1—
  - (i) for “Member States shall” substitute “A fisheries administration must”, and
  - (ii) for “their fleets” in both places it occurs, substitute “its fleet”;
- (b) omit paragraphs 2 to 4.

(14) In Article 24—

- (a) in paragraph 1—
  - (i) for “Member States shall” substitute “A fisheries administration must”,
  - (ii) omit “Union”, and
  - (iii) for “flying their flag” substitute “in its fleet”;
- (b) omit paragraph 2;
- (c) in paragraph 3—
  - (i) for “Commission shall” substitute “Secretary of State must”,
  - (ii) for “Union” in each place it occurs, substitute “United Kingdom”,
  - (iii) for “that it receives pursuant to paragraph 2” substitute “referred to in paragraph 1”, and
  - (iv) for “It shall provide public access” substitute “Public access must be provided”.

(15) In Article 25—

- (a) in paragraph 1—
  - (i) for the first paragraph substitute—

“1. A fisheries administration must, in accordance with the rules adopted in the area of data collection, collect biological, environmental, technical and socio-economic data necessary for fisheries management, manage those data and make them available to end-users. Those data shall, in particular, enable the assessment of:”, and

    - (ii) in point (c), for “Union” substitute “United Kingdom”;
- (b) in paragraph 2—
  - (i) omit point (d), and
  - (ii) in point (e) omit “Union”;
- (c) omit paragraphs 3 to 5;
- (d) omit paragraph 7.

(16) For Article 26 substitute—

*“Article 26*

**Consulting scientific bodies**

A fisheries administration must consult appropriate scientific bodies. Consultations of scientific bodies shall take into account the proper management of public funds, with the aim of avoiding duplication of work by such bodies.”.

(17) For Article 27 substitute—

*“Article 27*

**Research and Scientific Advice**

A fisheries administration must carry out fisheries and aquaculture research and innovation programmes.”.

(18) In Article 28—



- (a) in paragraph 1, for “the Union shall conduct its external fisheries relations” substitute “a fisheries administration must conduct the external fisheries relations of the United Kingdom”;
  - (b) in paragraph 2—
    - (i) for “the Union shall” substitute “a fisheries administration must”,
    - (ii) in point (b) for “Union” substitute “United Kingdom”,
    - (iii) in point (c) for “Union” substitute “United Kingdom”, and
    - (iv) for point (d) substitute—
      - “(d) ensure that the fishing activities of United Kingdom fishing vessels outside of United Kingdom waters are based on the same principles and standards as those applicable under the law of the United Kingdom, while promoting a level-playing field for United Kingdom operators vis-a-vie operators from other countries;”;
  - (c) omit paragraph 3.
- (19) In Article 29—
- (a) in the heading for “Union” substitute “United Kingdom”;
  - (b) in paragraph 1 for “The Union shall” substitute “A fisheries administration must”;
  - (c) in paragraph 2—
    - (i) for “Union” in the first place it occurs, substitute “United Kingdom”;
    - (ii) for “The Union shall” substitute “A fisheries administration must”;
  - (d) in paragraph 3, for “The Union shall” substitute “A fisheries administration must”; and
  - (e) in paragraph 4, for “The Union shall” substitute “A fisheries administration must”.
- (20) In Article 30—
- (a) for “The Union shall”, substitute “A fisheries administration must”; and
  - (b) omit “, including through the European Fisheries Control Agency (“the Agency”),”.
- (21) In Article 31—
- (a) in paragraph 1, for “Union” substitute “United Kingdom”;
  - (b) in paragraph 2—
    - (i) for “the Union shall” substitute “a fisheries administration must”,
    - (ii) for “Union” in the second place it occurs, substitute “United Kingdom”,
    - (iii) for “Union fleets” in the first place it occurs, substitute “the United Kingdom fleet”, and
    - (iv) for “Union fleets” substitute “United Kingdom fleet’s”;
  - (c) in paragraph 3—
    - (i) for “Union” in the first place it occurs, substitute “United Kingdom fishing”,
    - (ii) for “Union” in the second and third places it occurs, substitute “United Kingdom”, and
    - (iii) for “the Union shall” substitute “a fisheries administration must”;
  - (d) in paragraph 4, for “Union” in both places it occurs, substitute “United Kingdom”;
  - (e) in paragraph 5, for “Union” substitute “United Kingdom”;
  - (f) in paragraph 6—
    - (i) for “The Union shall” substitute “A fisheries administration must”, and
    - (ii) in point (a) for “Union” substitute “United Kingdom”;
  - (g) in paragraph 7—
    - (i) omit “at Union level”,
    - (ii) for “Union” substitute “United Kingdom”, and

- (iii) for “non-Union” substitute “ non-United Kingdom”;
  - (h) in paragraph 8—
    - (i) for “Member States shall” substitute “A fisheries administration must”,
    - (ii) for “Union fishing vessels flying their flag and” substitute “United Kingdom fishing vessels”, and
    - (iii) for “Union waters” substitute “United Kingdom waters”;
  - (i) in paragraph 9—
    - (i) for “Union fishing fleet register” in both places it occurs, substitute “United Kingdom fishing fleet register”,
    - (ii) for “the competent authorities of the flag Member State” substitute “a fisheries administration”,
    - (iii) for “vessel flagged in the Union” substitute “United Kingdom fishing vessel”, and
    - (iv) for “Union law” substitute “relevant law”; and
  - (j) omit paragraph 10.
- (22) In Article 32—
- (a) in paragraph 1—
    - (i) for “The Union shall” substitute “A fisheries administration may”, and
    - (ii) in point (a) for “Union” substitute “United Kingdom fishing”; and
  - (b) for paragraph 2 substitute—
 

“2. Where financial assistance is provided under a Sustainable fisheries partnership agreement—

    - (a) any financial assistance for sectoral support must be decoupled from payments for access to fisheries resources; and
    - (b) the agreement must require the achievement of specific results as a condition for payments and the fisheries administration must closely monitor progress.”.
- (23) In Article 33—
- (a) in the heading for “Union” substitute “United Kingdom”;
  - (b) in paragraph 1—
    - (i) for “the Union shall” in each place it occurs, substitute “a fisheries administration must”, and
    - (ii) for “Union operators” substitute “operators within the United Kingdom”; and
  - (c) in paragraph 2, for “the Union shall” substitute “a fisheries administration must”.
- (24) In Article 34—
- (a) in paragraph 1—
    - (i) for “the Commission shall” substitute “a fisheries administration must, in conjunction with the other fisheries administrations, seek to”,
    - (ii) omit “Union” in the first place it occurs,
    - (iii) for “Union” in the second place it occurs, substitute “United Kingdom”, and
    - (iv) in point (b) for “Union” substitute “relevant”;
  - (b) omit paragraphs 2 to 6.
- (25) In Article 35—
- (a) in paragraph 1—
    - (i) omit point (b),
    - (ii) in points (c), (d) and (e) for “Union” in each place it occurs, substitute “United Kingdom”; and

- (b) in paragraph 2 for “Union” substitute “United Kingdom”.
- (26) In Article 36—
  - (a) for paragraph 1 substitute—
    - “1. Compliance with Fisheries Rules is to be ensured through an effective fisheries control system, including the fight against IUU fishing.”;
  - (b) in paragraph 2—
    - (i) omit “of the CFP”,
    - (ii) omit point (b),
    - (iii) omit point (e), and
    - (iv) in the last sentence, for “The Union shall” substitute “A fisheries administration must”; and
  - (c) omit paragraphs 3, 4 and 5.
- (27) Omit Articles 37 to 46.
- (28) In Article 48 omit paragraphs 2 to 5.
- (29) Omit Articles 49 to 51.
- (30) Omit Annexes 2 and 3.

## PART 3

### AMENDMENT OF THE CONTROL REGULATIONS

#### **Council Regulation (EC) No 1224/2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy**

4.—(1) Council Regulation (EC) No 1224/2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy is amended as follows.

- (2) In Article 1—
  - (a) omit “Union” in the first place it occurs;
  - (b) omit “(hereinafter referred to as Union control system)”; and
  - (c) for “the rules of the common fisheries policy” substitute “Fisheries Rules”.
- (3) Omit Article 2.
- (4) Omit Article 2a.
- (5) For Article 3 substitute—

#### *“Article 3*

#### **Relationship with international provisions**

This Regulation applies without prejudice to special provisions contained in fisheries agreements concluded between the United Kingdom and other countries or applicable in the framework of regional fisheries management organisations or similar agreements to which the United Kingdom is a Contracting Party or a non-contracting Cooperating Party.”.

- (6) In Article 4—
  - (a) for “Regulation (EC) No 2371/2002” substitute “Regulation (EU) No 1380/2013”;
  - (b) for point 2 substitute—
    - “2. ‘Fisheries Rules’ means relevant retained direct EU legislation;”;
  - (c) in point 4, for “the rules of the common fisheries policy” substitute “Fisheries Rules”;
  - (d) in point 6 for “national authority, the Commission or the Community Fisheries Control Agency” substitute “fisheries administration”;

- (e) omit point 7;
  - (f) in point 8—
    - (i) for "national authority" substitute "fisheries administration", and
    - (ii) for "the rules of the common fisheries policy" substitute "Fisheries Rules";
  - (g) in point 9 omit "Union";
  - (h) in point 10 omit "Union";
  - (i) omit point 12;
  - (j) for point 14 substitute—
 

"14. 'fishing restricted area' means any marine area defined in retained direct EU legislation where fishing activities are either limited or banned;";
  - (k) in point 15 for "flag Member State" substitute "fisheries administration";
  - (l) in point 17, for "the rules of the common fisheries policy" substitute "Fisheries Rules";
  - (m) in point 18 omit ", Union";
  - (n) for point 24 substitute—
 

"24. 'multiannual plans' means recovery plans and plans providing for specific management measures for particular fish stocks for several years;";
  - (o) in point 26 for "the rules of the common fisheries policy" substitute "Fisheries Rules"; and
  - (p) in point 27 for "certificate issued by the Member State's authorities or classification societies or other operators assigned by them" substitute "entry for the vessel in question recorded in the register maintained under Part 2 of the Merchant Shipping Act 1995".
- (7) Omit Title 2.
- (8) In Article 6—
- (a) in paragraph 1 for "Union" substitute "United Kingdom";
  - (b) in paragraph 2—
    - (i) for "The flag Member State shall" substitute "A fisheries administration must",
    - (ii) omit "Community", and
    - (iii) for "Article 15 of Regulation (EC) No 2371/2002" substitute "Commission Implementing Regulation (EU) 2017/218";
  - (c) in paragraph 3—
    - (i) for "The flag Member State shall" substitute "A fisheries administration must", and
    - (ii) for "Member State" substitute "fisheries administration";
  - (d) in paragraph 4—
    - (i) for "The flag Member State shall" substitute "A fisheries administration must", and
    - (ii) omit "which is the subject of a capacity adjustment measure referred to in Article 11(3) of Regulation (EC) No 2371/2002, or"; and
  - (e) omit paragraph 5.
- (9) In Article 7—
- (a) in paragraph 1—
    - (i) for "Union" in the first and second places it occurs, substitute "United Kingdom", and
    - (ii) in point (e) for "Union" substitute "relevant retained direct EU"; and
  - (b) omit paragraphs 2 and 3.
- (10) In Article 9—
- (a) in paragraph 1—

- (i) for “Member States shall” substitute “A fisheries administration must”,
  - (ii) for “the fishing vessels flying their flag” substitute “its fleet”, and
  - (iii) for “the Member States” substitute “United Kingdom”;
- (b) in paragraph 2, for “the flag Member State” substitute “a fisheries administration”;
  - (c) omit paragraph 3;
  - (d) in paragraph 4, for “Union” substitute “United Kingdom”;
  - (e) in paragraph 5—
    - (i) for “Member State” substitute “fisheries administration”,
    - (ii) for “Union” substitute “United Kingdom”,
    - (iii) omit “flying its flag”, and
    - (iv) in point (a) for “flag Member State” substitute “United Kingdom”;
  - (f) in paragraph 6 for “Union” in both places it occurs, substitute “United Kingdom”;
  - (g) for paragraph 7 substitute—
 

“7. A fisheries administration must establish and operate a fisheries monitoring centre, which must monitor fishing activities and fishing effort. The fisheries monitoring centre must monitor the fisheries administration’s fleet whatever the waters in which they are operating or the port they are in, as well as other fishing vessels to which vessel monitoring systems apply when they are operating within United Kingdom waters.”;
  - (h) in paragraph 8—
    - (i) for “Each flag Member State shall” substitute “A fisheries administration must”,
    - (ii) for “Member States shall” substitute “A fisheries administration must”, and
    - (iii) omit the last sentence; and
  - (i) omit paragraph 9.
- (11) In Article 10—
- (a) in paragraph 1 omit “In accordance with Annex II Part I point 3 of the Directive 2002/59/EC,”; and
  - (b) omit paragraphs 2 and 3.
- (12) In Article 11—
- (a) for “Member States have” substitute “a fisheries administration has”;
  - (b) for “they shall” substitute “it must”;
  - (c) for “them” substitute “it”;
  - (d) for “Member States shall” substitute “A fisheries administration must”; and
  - (e) for “their” substitute “its”.
- (13) In Article 12—
- (a) omit “Union”; and
  - (b) for “of the Member States” substitute “in the United Kingdom”.
- (14) Omit Article 13.
- (15) In Article 14—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”;
  - (b) in paragraph 4—
    - (i) for “Union” in each place it occurs, substitute “United Kingdom”, and
    - (ii) omit “(4) and (5)”;
  - (c) in paragraph 5—
    - (i) omit “Union” in the first place it occurs, and

- (ii) for “Union” in the second place it occurs, substitute “United Kingdom”;
  - (d) in paragraph 6—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) in point (a) for “their flag Member State” substitute “a fisheries administration”, and
    - (iii) for point (b) substitute “if the landing has taken place in the port of a third country, to the competent authorities of the port country concerned”;
  - (e) in paragraph 7—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the procedure referred to in Article 119” substitute “Commission Implementing Regulation (EU) No 404/2011”; and
  - (f) in paragraph 8 for “Union” in each place it occurs, substitute “United Kingdom”.
- (16) In Article 15—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”;
  - (b) in paragraph 2—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “flag Member State” substitute “a fisheries administration”;
  - (c) omit paragraph 3;
  - (d) in paragraph 4—
    - (i) for “A Member State” substitute “A fisheries administration”, and
    - (ii) for “Union fishing vessels” substitute “fishing vessels in its fleet”,
    - (iii) omit “flying its flag”, and
    - (iv) in point (a) for “flag Member State” substitute “United Kingdom”;
  - (e) in paragraph 5, for “Union” substitute “United Kingdom”;
  - (f) omit paragraph 6;
  - (g) in paragraph 7, for “Member State” substitute “fisheries administration”; and
  - (h) omit paragraph 8.
- (17) Omit Article 16.
- (18) In Article 17—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “their flag Member State” substitute “a fisheries administration”;
  - (b) for paragraph 2 substitute—
 

“2. When a United Kingdom fishing vessel intends to enter a port which is not a United Kingdom port, a fisheries administration must immediately upon receipt forward the electronic prior notification to the competent authorities of the relevant coastal state.”; and
  - (c) omit paragraph 3.
- (19) Omit Article 18.
- (20) In Article 19—
- (a) for “the coastal Member State” substitute “a fisheries administration”; and
  - (b) for “Articles 17 and 18” substitute “Article 17”.
- (21) In Article 20—
- (a) in paragraph 1—

- (i) for “Union” substitute “United Kingdom”, and
  - (ii) omit “of Member States”; and
- (b) in paragraph 3 for “Union” substitute “United Kingdom”.
- (22) In Article 21—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”; and
  - (b) in paragraph 4—
    - (i) in point (a) for “their flag Member State (s)” substitute “a fisheries administration”, and
    - (ii) for point (b) substitute—
 

“(b) if the transshipment has taken place in a port of a third country, to the competent authorities of that country.”.
- (23) In Article 22—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) for “Member State” substitute “fisheries administration”,
    - (ii) for “Union” substitute “United Kingdom”,
    - (iii) omit “flying its flag”, and
    - (iv) in point (a) for “flag Member State” substitute “United Kingdom”;
  - (d) omit paragraph 4;
  - (e) for paragraph 5 substitute—
 

“5. When a United Kingdom fishing vessel tranships its catches in another country, the competent authorities of a fisheries administration must immediately upon receipt forward the transshipment declaration data by electronic means to the competent authorities of the country where the catch was transhipped and where the catch is destined.”; and
  - (f) omit paragraph 6.
- (24) In Article 23—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”; and
  - (b) in paragraph 3—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) in point (a) for “their flag Member State” substitute “the competent authorities of a fisheries administration”, and
    - (iii) for point (b) substitute—
 

“(b) if the landing has taken place in a port of a third country to the competent authorities of that country.”.
- (25) In Article 24—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) for “Member State” substitute “fisheries administration”,
    - (ii) for “Union” substitute “United Kingdom”,

- (iii) omit “flying its flag”, and
- (iv) in point (a) for “flag Member State” substitute “fisheries administration”;
- (d) for paragraph 4 substitute—
  - “4. When a United Kingdom fishing vessel lands its catches in a third country, the competent authorities of a fisheries administration must immediately upon receipt forward the landing declaration data by electronic means to the competent authorities of the country where the catch was landed.”;
- (e) in paragraph 5—
  - (i) for “Union” substitute “United Kingdom”,
  - (ii) for “Member State other than the flag Member State” substitute “third country”, and
  - (iii) for “the coastal Member State” substitute “a fisheries administration”;
- (f) in paragraph 6—
  - (i) for “Member State” substitute “fisheries administration”, and
  - (ii) for “fishing vessels flying its flag” substitute “United Kingdom fishing vessels”; and
- (g) omit paragraph 7.
- (26) Omit Article 25.
- (27) In Article 26—
  - (a) for paragraph 1 substitute—
    - “1. A fisheries administration must control the compliance with fishing effort regimes in geographical areas where maximum allowable fishing effort applies.”;
  - (b) in paragraph 3—
    - (i) for “Member State” substitute “fisheries administration”, and
    - (ii) omit “to this Member State”;
  - (c) omit paragraph 5; and
  - (d) in paragraph 6 for “the Member State whose flag is flown by the fishing vessel concerned” substitute “a fisheries administration”.
- (28) In Article 27—
  - (a) in paragraph 1, for “the flag Member State” substitute “a fisheries administration”; and
  - (b) in paragraph 2, for “the flag Member State” substitute “a fisheries administration”.
- (29) In Article 28
  - (a) in paragraph 1—
    - (i) for “the Council” substitute “a fisheries administration”,
    - (ii) for “Union” substitute “United Kingdom”,
    - (iii) for “Union rules” substitute “rules made by a fisheries administration”,
    - (iv) for “his flag Member State” substitute “a fisheries administration”, and
    - (v) for “coastal Member State” substitute “coastal state”; and
  - (b) omit paragraph 2.
- (30) In Article 29—
  - (a) in paragraph 2—
    - (i) for Member State” substitute “fisheries administration”,
    - (ii) for “flag Member State” substitute “fisheries administration”; and
  - (b) in paragraph 3—
    - (i) for “Member State” substitute “fisheries administration”, and
    - (ii) omit the last sentence.



- (31) In Article 30—
- (a) in paragraph 1—
    - (i) before “fishing vessel” insert “United Kingdom”, and
    - (ii) in point (b) for “its flag Member State” substitute “United Kingdom fishing vessels”; and
  - (b) in paragraph 2—
    - (i) before “fishing vessel” insert “United Kingdom”, and
    - (ii) in point (b) for “its flag Member State” substitute “United Kingdom fishing vessels”.
- (32) In the heading to section 3 of Chapter 1 of Title 4 for “and exchange of data by Member States” substitute “of catches and fishing effort data”.
- (33) In Article 33—
- (a) in paragraph 1, for “Each flag Member State shall” substitute “A fisheries administration must”;
  - (b) omit paragraphs 2 to 4;
  - (c) in paragraph 5—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “flag Member State” substitute “United Kingdom”;
  - (d) in paragraph 6—
    - (i) for “flag Member State” substitute “United Kingdom”, and
    - (ii) for “Article 12(2) of Council Regulation (EC) No 199/2008” substitute “Article 5(5) of Regulation (EU) 2017/1004 of the European Parliament and of the Council”;
  - (e) omit paragraph 7;
  - (f) in paragraph 8—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “United Kingdom fishing vessels”;
  - (g) in paragraph 9—
    - (i) for “its flag Member State” substitute “the United Kingdom”, and
    - (ii) for “Article 12(2) of Council Regulation (EC) No 199/2008” substitute “Article 5(5) of Regulation (EU) 2017/1004 of the European Parliament and of the Council”; and
  - (h) omit paragraph 10.
- (34) Omit Article 34.
- (35) Omit Section 4 of Chapter 1 of Title 4.
- (36) Omit Section 1 of Chapter 2 of Title 4.
- (37) In Article 39—
- (a) for paragraph 2 substitute—
 

“2. A fisheries administration must ensure that the certified engine power is not exceeded.”; and
  - (b) in paragraph 3, for “Member States” substitute “A fisheries administration”.
- (38) In Article 40—
- (a) in paragraph 1—
    - (i) for “Member States shall be” substitute “A fisheries administration is”, and
    - (ii) for “Union” substitute “United Kingdom”;
  - (b) in paragraph 2, for “the Member States” substitute “a fisheries administration’s”;
  - (c) in paragraph 3, for “Member States” substitute “A fisheries administration’s”;

- (d) in paragraph 4, for “the Member State concerned” substitute “a fisheries administration”;  
and
  - (e) omit paragraph 5.
- (39) In Article 41—
- (a) in paragraph 1—
    - (i) for “Member States” substitute “A fisheries administration”,
    - (ii) Omit “based on the methodology adopted by the Commission in accordance with the procedure referred to in Article 119.”,
    - (iii) in point (d) for “94/57/EC” substitute “2009/15/EC”, and
    - (iv) in point (f) for “Community” substitute “United Kingdom”; and
  - (b) in paragraph 2, for “Member States shall” substitute “a fisheries administration must”.
- (40) Omit Article 42.
- (41) In Article 43—
- (a) omit paragraph 1;
  - (b) for paragraph 2 substitute—
 

“2. Where a multiannual plan contains a threshold, applicable to the live weight of species subject to the plan, above which catches of such species must be landed in a designated port or place close to the shore, the master of a United Kingdom fishing vessel must ensure that landings of fish above the threshold are only made in a designated port or place close to the shore.”;
  - (c) in paragraph 4 for “Each Member State shall” substitute “A fisheries administration must”;
  - (d) in paragraph 7—
    - (i) for “Member States shall be exempted” substitute “A fisheries administration is exempt”,
    - (ii) omit “national”, and
    - (iii) omit the last sentence.
- (42) In Article 44 for “Union” in each place it occurs, substitute “United Kingdom”.
- (43) Omit Article 45.
- (44) In Article 46—
- (a) in the heading omit “National”;
  - (b) for paragraph 1 substitute—
 

“1. A fisheries administration must define a control action programme applicable to each multiannual plan.”; and
  - (c) in paragraph 2 for “Member States shall” substitute “A fisheries administration must”,
- (45) In Article 48—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”;
  - (b) in paragraph 2 for “Union” substitute “United Kingdom”;
  - (c) for the first paragraph in paragraph 3 substitute—
 

“3. If the lost gear cannot be retrieved, the master of the vessel must inform the competent authorities of a fisheries administration, which must then inform the competent authority of the coastal state if the gear is lost in waters outside United Kingdom waters, within 24 hours of the following.”;
  - (d) in paragraph 4 for “the Member States” substitute “a fisheries administration”; and
  - (e) in paragraph 5—

- (i) for “Member State” substitute “fisheries administration”,
  - (ii) for “Union” substitute “United Kingdom”,
  - (iii) omit “flying its flag”, and
  - (iv) in point (a), for “flag Member State” substitute “United Kingdom”.
- (46) In Article 49—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”; and
  - (b) omit paragraph 2.
- (47) In Article 49a—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”;
  - (b) in paragraph 2 for point (a) substitute—
    - “(a) where the catches contain more than 80% of one or more of the following species—
      - (i) mackerel, herring, horse mackerel, blue whiting, boarfish, anchovy, argentine, sardine, sprat (i.e. small pelagic fisheries);
      - (ii) capelin, sandeel, Norwegian pout (i.e. fisheries for industrial purposes);”;
  - (c) in paragraph 3, for “Member States shall” substitute “a fisheries administration must”.
- (48) In Article 49b—
- (a) for “Member States shall” substitute “A fisheries administration must”; and
  - (b) omit “Union”.
- (49) In Article 49c—
- (a) for “Member States shall” substitute “A fisheries administration must”; and
  - (b) omit the final sentence.
- (50) In Article 50—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) after “fishing zones” insert “within United Kingdom waters”,
    - (iii) omit “by the Council”, and
    - (iv) for “the coastal Member State” substitute “a fisheries administration”;
  - (b) omit paragraph 2;
  - (c) in paragraph 4, in point (b), for “the flag Member State which shall then inform the competent authorities of the coastal Member State” substitute “a fisheries administration”; and
  - (d) in paragraph 5 for “Union” substitute “United Kingdom”.
- (51) In Article 51—
- (a) in paragraph 1 for “accordance with the procedure referred to in Article 119” substitute “Commission Regulation (EU) No 724/2010”;
  - (b) omit paragraph 2.
- (52) In Article 52(1)—
- (a) after “quantity of catches” insert “by a fishing vessel in United Kingdom waters”; and
  - (b) for “the coastal Member State” substitute “a fisheries administration”.
- (53) Omit Article 53.
- (54) Omit Article 54.
- (55) Omit Chapter 5 of Title 4.
- (56) In Article 56—
- (a) in paragraph 1—

- (i) for “Each Member State shall be” substitute “A fisheries administration is”,
  - (ii) omit “on its territory”,
  - (iii) for “the rules of the common fisheries policy” substitute “Fisheries Rules”,
  - (iv) after “fisheries and aquaculture products” insert “in the United Kingdom”, and
  - (v) for “Member States shall, in particular” substitute “In particular, a fisheries administration must”;
- (b) in paragraph 2 for “Union” substitute “relevant retained direct EU”; and
- (c) in paragraph 3 for “Member States shall” substitute “A fisheries administration must”.
- (57) In Article 57—
- (a) in paragraph 1 for “Member States shall” in each place it occurs, substitute “A fisheries administration must”; and
  - (b) in paragraph 2, for “(EC) No 104/2000” substitute “(EU) No 1379/2013”.
- (58) In Article 58—
- (a) in paragraph 2 for “Union” substitute “United Kingdom”;
  - (b) in paragraph 4 for “Member States shall” substitute “A fisheries administration must”;
  - (c) in paragraph 6 for “Member States shall” substitute “A fisheries administration must”; and
  - (d) in paragraph 7 for “Union” substitute “United Kingdom”.
- (59) In Article 59—
- (a) in paragraph 1 for “Member States shall” substitute “A fisheries administration must”; and
  - (b) in paragraph 2 for “the Member State where the first sale takes places” substitute “a fisheries administration, in circumstances where the first sale takes place in the United Kingdom”.
- (60) In Article 60—
- (a) for paragraph 1 substitute—
    - “1. A fisheries administration must ensure that all fishery products are weighed on systems approved by its competent authorities unless it has adopted a sampling plan based on risk-based methodology in accordance with regulations made under paragraph 7.”;
  - (b) in paragraph 3 for “Member States” substitute “a fisheries administration”;
  - (c) in paragraph 4 for “a Member State” substitute “the United Kingdom”; and
  - (d) in paragraph 6—
    - (i) for “Member State” substitute “fisheries administration”, and
    - (ii) for “that Member State” substitute “the United Kingdom”.
- (61) In Article 61—
- (a) in paragraph 1—
    - (i) for “Member States” substitute “a fisheries administration”,
    - (ii) for “on the territory of the Member State concerned” substitute “in the United Kingdom”,
    - (iii) for “this Member State” substitute “the fisheries administration”, and
    - (iv) for “approved by the Commission and based on the risk-based methodology adopted by the Commission in accordance with the procedure referred to in Article 119” substitute “in accordance with the risk-based methodology described in Annex XIX to Commission Implementing Regulation (EU) No 404/2011”, and
  - (b) omit paragraph 2.
- (62) In Article 62—

- (a) in paragraph 1—
    - (i) for “Member States” substitute “a fisheries administration”,
    - (ii) for “EUR 200 000” substitute “£175,000”,
    - (iii) for “a Member State” substitute “the United Kingdom”, and
    - (iv) for “the Member State in whose territory the first sale takes place” substitute “a fisheries administration”;
  - (b) in paragraph 2—
    - (i) for “A Member State” substitute “A fisheries administration”,
    - (ii) for “Member States” substitute “a fisheries administration”, and
    - (iii) for “EUR 200 000” substitute “£175,000”;
  - (c) for paragraph 3 substitute—
 

“3. If the first sale of fish landed by a fishing vessel of a third country takes place in the United Kingdom, a fisheries administration must ensure that a copy of the sales note is submitted, if possible, electronically, to the competent authorities of the flag state of the fishing vessel upon receipt of the relevant information.”;
  - (d) for paragraph 4 substitute—
 

“4. If the first marketing of fisheries products takes place in the United Kingdom, but the products were not landed in the United Kingdom, a fisheries administration must ensure a copy of the sales note is submitted, if possible electronically, to the competent authorities responsible for controlling the landing of the products concerned and to the competent authorities of the flag state of the fishing vessel upon receipt of the sales note.”;
  - (e) in paragraph 5—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the fishing vessel” substitute “a United Kingdom fishing vessel”, and
    - (iii) for “the flag Member State” substitute “a fisheries administration”; and
  - (f) omit paragraph 6.
- (63) In Article 63—
- (a) in paragraph 1—
    - (i) for “Member States” substitute “a fisheries administration”,
    - (ii) for “EUR 200 000” substitute “£175,000”, and
    - (iii) for “the Member State in whose territory the first sale takes place” substitute “a fisheries administration”; and
  - (b) in paragraph 2, for “Member States shall” substitute “A fisheries administration must”.
- (64) In Article 64(1)(h) omit “of fishery products in accordance with Article 30 of Regulation (EU) No 1379/2013”.
- (65) In Article 66—
- (a) in paragraph 1—
    - (i) for “EUR 200 000” substitute “£175,000”,
    - (ii) for “a Member State” substitute “the United Kingdom”, and
    - (iii) for “the Member State where the take-over takes place” substitute “a fisheries administration”; and
  - (b) omit paragraph 2.
- (66) In Article 67—
- (a) in paragraph 1—
    - (i) for “EUR 200 000” substitute “£175,000”,

- (ii) “a Member State” substitute “the United Kingdom”, and
  - (iii) for “the Member State where the take-over takes place” substitute “a fisheries administration”; and
- (b) omit paragraph 2.
- (67) In Article 68—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for the words from “the Member State” to the end, substitute “a fisheries administration”;
  - (b) in paragraph 2—
    - (i) for “flag Member State” substitute “a fisheries administration”,
    - (ii) for “Member State” in each place it occurs, substitute “country”;
  - (c) in paragraph 3—
    - (i) for “Member State” in each place it occurs, substitute “country”, and
    - (ii) omit the final sentence.
  - (d) in paragraph 6 for “Member States” substitute “a fisheries administration”.
- (68) In Article 69—
- (a) in paragraph 1—
    - (i) for “Article 6(1) of Regulation (EC) No 104/2000” substitute “Article 18 of Regulation (EU) 1379/2013”,
    - (ii) for “Member States shall” substitute “a fisheries administration must”,
    - (iii) for “Article 5 of Regulation (EC) No 104/2000” substitute “Article 14 of Regulation (EU) 1379/2013”; and
  - (b) omit paragraphs 2 and 3.
- (69) Omit Article 70.
- (70) In Article 71—
- (a) in the heading omit “by Member States”;
  - (b) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “Union waters under their sovereignty or jurisdiction” substitute “United Kingdom waters”;
  - (c) in paragraph 2, for “Member State” substitute “fisheries administration”;
  - (d) for paragraph 3 substitute—
 

“3. If the sighting or detection refers to a fishing vessel of a third country, and the information does not correspond to any other information that is available to the competent authority of a fisheries administration, and if the authority is not in a position to undertake further action, it shall record its findings in a surveillance report and shall transmit that report without delay, if possible by electronic means, to the flag state concerned.”; and
  - (e) in paragraph 4—
    - (i) omit “of a Member State”, and
    - (ii) for “the rules of the common fisheries policy” substitute “Fisheries Rules”.
- (71) In Article 72—
- (a) for paragraph 1 substitute—

“1. A fisheries administration must, upon receipt of a surveillance report from a third country, take prompt action on it and undertake such further investigation as is necessary to allow it to determine appropriate follow up.”;

- (b) omit paragraph 2; and
- (c) in paragraph 3, for “The Commission or the body designated by it or, where appropriate, the flag Member State and other Member States” substitute “A fisheries administration”.

(72) In Article 73—

- (a) in paragraph 1—
  - (i) omit “Union”,
  - (ii) for “the Council” substitute “a fisheries administration”, and
  - (iii) for “the rules of the common fisheries policy” substitute “Fisheries Rules”;
- (b) in paragraph 4 for “the flag Member State” substitute “a fisheries administration”;
- (c) in paragraph 5—
  - (i) for “flag Member State” substitute “flag state”, and
  - (ii) for “Member States shall” substitute “A fisheries administration must”;
- (d) in paragraph 6 for “the rules of the common fisheries policy” substitute “Fisheries Rules”;
- (e) in paragraph 7 for “Union” in each place it occurs, substitute “United Kingdom”; and
- (f) for paragraph 8 substitute—

“8. All costs arising from the operation of control observers in respect of United Kingdom fishing vessels shall be borne by a fisheries administration. A fisheries administration may charge those costs, in part or in full, to the operators of United Kingdom fishing vessels involved in the relevant fishery.”;

(73) In Article 73a—

- (a) for “Member States” substitute “a fisheries administration”; and
- (b) omit “flying their flag”.

(74) Omit Article 74.

(75) In Article 76(1)—

- (a) omit the third sentence; and
- (b) omit the final sentence.

(76) Omit Article 77.

(77) In Article 78(1) for “Member States shall” substitute “A fisheries administration must”.

(78) Omit Articles 79 to 83.

(79) In Article 84—

- (a) in paragraph 1 for “The flag Member State or the coastal Member State in whose waters a fishing vessel is suspected” substitute “A fisheries administration which suspects a fishing vessel”; and
- (b) in paragraph 2—
  - (i) for “The coastal Member State shall” substitute “A fisheries administration must”,
  - (ii) for “national” substitute “applicable”, and
  - (iii) for “flag Member State” substitute “flag state”.

(80) Omit Chapter 4 of Title 7.

(81) Omit Article 89.

(82) In Article 90—

- (a) in paragraph 1—
  - (i) for “the Member State” substitute “a fisheries administration”,

- (ii) in point (c), for “the rules of the common fisheries policy” substitute “Fisheries Rules”;
  - (b) in paragraph 2 for “Member States shall” substitute “A fisheries administration must”;
  - (c) in paragraph 3 for “the Member States shall” substitute “a fisheries administration must”;
  - (d) in paragraph 4 for “the Member State shall” substitute “a fisheries administration must”;
  - (e) in paragraph 5 for “Member States” substitute “A fisheries administration”.
- (83) In Article 91 for “Member States shall” substitute “A fisheries administration must”.
- (84) In Article 92—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “the rules of the common fisheries policy” substitute “Fisheries Rules”;
  - (b) in paragraph 2 for “the rules of the common fisheries policy” substitute “Fisheries Rules”; and
  - (c) in paragraph 6—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “the rules of the common fisheries policy” substitute “Fisheries Rules”.
- (85) In Article 93—
- (a) for paragraph 1 substitute—
 

“1. A fisheries administration must enter in a national register all infringements of Fisheries Rules committed by United Kingdom fishing vessels or by United Kingdom nationals, including the sanctions they incurred and the number of points assigned. A fisheries administration must also enter infringements by United Kingdom fishing vessels and United Kingdom nationals prosecuted in other countries.”; and
  - (b) omit paragraphs 2 and 3.
- (86) Omit Article 94.
- (87) In Article 95—
- (a) in paragraph 3 for “each Member State shall” substitute “a fisheries administration must”; and
  - (b) in paragraph 4 for “The Member States concerned shall” substitute “The fisheries administration concerned must”.
- (88) Omit Titles 10 to 12.
- (89) Omit Articles 117 and 118.
- (90) Omit Title 15.
- (91) Annex 1—
- (a) in paragraph 1 for “Each Member State shall” substitute “A fisheries administration must”;
  - (b) in paragraph 3 omit the final sentence; and
  - (c) in paragraph 4—
    - (i) omit the first subparagraph,
    - (ii) in the second subparagraph for “Member States shall” substitute “A fisheries administration must”,
    - (iii) omit the third subparagraph,
    - (iv) in point (a) for “a Member State” substitute “the United Kingdom”, and
    - (v) in point (d) omit “at the Member State’s disposal”.



**Commission Implementing Regulation (EU) No 404/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy**

5.—(1) Despite the revocation of Articles 6(5), 16, 25, 37, 55, 74, 79, 103, 105, 106, 107, 111, 116, 117 and 118 of Council Regulation (EC) No 1224/2009, Commission Implementing Regulation (EU) No 404/2011 laying down detailed rules for the implementation of Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy continues to have effect and is amended as follows.

(2) In Article 1—

- (a) for “European Union” substitute “United Kingdom”; and
- (b) at the end insert—

“This Regulation applies without prejudice to special provisions contained in fisheries agreements concluded between the United Kingdom and other countries or applicable in the framework of regional fisheries management organisations or similar agreements to which the United Kingdom is a Contracting Party or a non-contracting Cooperating Party.”.

(3) In Article 2—

- (a) omit points 1 and 2;
- (b) omit point 4;
- (c) in point 12, for “Member State authorities” substitute “the authorities of a fisheries administration or of a third country”;
- (d) omit point 14;
- (e) in point 15 for “Member State” substitute “fisheries administration”;
- (f) in point 17 omit “Member States”; and
- (g) at the end insert—

“(19) ‘the Control Regulation’ means Council Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy.”.

(4) In Article 3—

- (a) in paragraph 1 omit “Union”;
- (b) in paragraph 2 for “Member States for their fishing vessels” substitute “a fisheries administration for United Kingdom fishing vessels”;
- (c) in paragraph 6 for “the flag Member State shall” substitute “a fisheries administration must”; and
- (d) omit paragraph 7.

(5) In Article 4—

- (a) in paragraph 1 omit “Union”;
- (b) in paragraph 2—
  - (i) for “The flag Member State shall” substitute “A fisheries administration must”, and
  - (ii) for “the rules of the Common Fisheries Policy” substitute “Fisheries Rules”; and
- (c) in paragraph 5—
  - (i) for “Union” substitute “United Kingdom”, and
  - (ii) for “the territorial waters of their flag Member States” substitute “United Kingdom waters”.

(6) In Article 5—

- (a) in paragraph 1—
  - (i) omit “when the websites referred to in Article 114 of the Control Regulation have become operational and not later than 1 January 2012”,

- (ii) for “Member States shall” substitute “a fisheries administration must”, and
  - (iii) for “their fishing vessels” substitute “United Kingdom fishing vessels”; and
- (b) omit paragraph 2.
- (7) In the heading to Chapter 3 of Title 2 for “Union” substitute “United Kingdom”.
- (8) In Article 6—
  - (a) for “Union” in each place it occurs, substitute “United Kingdom”; and
  - (b) in point (c) of the first paragraph, for “the flag Member State” substitute “a fisheries administration”.
- (9) In Article 7—
  - (a) in the heading for “Union” substitute “United Kingdom”;
  - (b) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the Member State in which it is registered” substitute “a fisheries administration”, and
    - (iii) in point (e) for “Union” substitute “United Kingdom”;
  - (c) in paragraph 2 for “Union” substitute “United Kingdom”;
  - (d) in paragraph 3 for “an EU” substitute “a United Kingdom fishing”; and
  - (e) in paragraph 4 for “the flag Member State” in each place it occurs, substitute “a fisheries administration”.
- (10) In Article 8 for “Union” in each place it occurs, substitute “United Kingdom”.
- (11) In Article 9—
  - (a) in paragraph 1—
    - (i) for “Union” in each place it occurs, substitute “United Kingdom”, and
    - (ii) omit “of the coastal Member States”;
  - (b) in paragraph 2 for “Union” substitute “United Kingdom”; and
  - (c) in paragraph 3 for “Union” substitute “United Kingdom”.
- (12) In Article 10 for “Union” substitute “United Kingdom”.
- (13) In Article 11 for “Union” substitute “United Kingdom”.
- (14) In Article 13 for “Union” in each place it occurs, substitute “United Kingdom”.
- (15) In Article 18—
  - (a) in the heading omit “Union”;
  - (b) in paragraph 1 for “Union” substitute “United Kingdom”;
  - (c) in paragraph 2—
    - (i) for “Union” in each place it occurs, substitute “United Kingdom”,
    - (ii) in point (a) for “the flag Member State and the FMC of the coastal Member State” substitute “a fisheries administration”,
    - (iii) in the final sentence, for “the flag Member State” substitute “a fisheries administration”, and
    - (iv) omit “Union”; and
  - (d) in paragraph 3 omit “Union”.
- (16) In Article 19—
  - (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”; and

- (b) in paragraph 2 for “Member States shall” substitute “A fisheries administration must”.
- (17) In Article 20—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”;
  - (b) in paragraph 2 for “Union” substitute “United Kingdom”; and
  - (c) in paragraph 3 for “the flag Member State” substitute “a fisheries administration”.
- (18) In Article 21—
- (a) in the heading, for “flag Member States” substitute “a fisheries administration”; and
  - (b) for “Each flag Member State shall” substitute “A fisheries administration must”.
- (19) In Article 22—
- (a) for “Each Member State shall” substitute “A fisheries administration must”; and
  - (b) for “its fishing vessels” in each place it occurs, substitute “fishing vessels in its fleet”.
- (20) In Article 23—
- (a) for “Each Member State shall” substitute “A fisheries administration must”;
  - (b) for “its fishing vessels” substitute “fishing vessels in its fleet”; and
  - (c) in point (c) for “European Union or certain Member States are” substitute “United Kingdom is”.
- (21) Omit Article 24.
- (22) In Article 25—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the flag Member State” substitute “a fisheries administration”, and
    - (iii) omit the final sentence;
  - (b) in paragraph 2—
    - (i) for “the flag Member State shall” substitute “a fisheries administration must”, and
    - (ii) omit the final sentence;
  - (c) in paragraph 3—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the flag state” substitute “a fisheries administration”,
    - (iii) for “the flag Member State” substitute “a fisheries administration”, and
    - (iv) for “its fishing vessels” substitute “fishing vessels in its fleet”;
  - (d) in paragraph 4—
    - (i) for “the flag Member State or, where appropriate, of the coastal Member State shall” substitute “a fisheries administration must”,
    - (ii) for “Union” substitute “United Kingdom”; and
  - (e) in paragraph 5 for “the flag Member State” substitute “a fisheries administration”.
- (23) In Article 26—
- (a) in paragraph 1—
    - (i) for “flag Member State” substitute “fisheries administration”,
    - (ii) for “Union” substitute “United Kingdom”,
    - (iii) for “an EU” substitute “a”, and
    - (iv) for “flag Member State shall” in each place it occurs, substitute “fisheries administration must”;
  - (b) in paragraph 2—
    - (i) for “flag Member State” substitute “fisheries administration”,

- (ii) for “another Member State” substitute “a third country”, and
    - (iii) for “the FMC of that coastal Member State” substitute “the competent authority of that country”;
  - (c) omit paragraph 3.
- (24) In Article 27—
- (a) for paragraph 1 substitute—
    - “1. A fisheries administration shall use relevant data received from other authorities for the effective monitoring of the activities of fishing vessels.”;
  - (b) in paragraph 2, for “Flag Member States shall” substitute “A fisheries administration must”.
- (25) Omit Article 28.
- (26) In Article 29—
- (a) in the heading omit “Union”;
  - (b) in paragraph 1 for “Union” substitute “United Kingdom”; and
  - (c) omit paragraph 2.
- (27) In Article 30—
- (a) in paragraph 1 for “Union” in each place it occurs, substitute “United Kingdom”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) for “Union” in the first three places it occurs, substitute “United Kingdom”, and
    - (ii) for “the Union rules” substitute “laws applicable in the United Kingdom”; and
  - (d) omit paragraph 4.
- (28) In Article 31—
- (a) in paragraph 2 for “the flag Member State” substitute “a fisheries administration”; and
  - (b) in paragraph 4 for “Union” substitute “United Kingdom”.
- (29) In Article 32—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “its flag Member State” substitute “the United Kingdom”, and
    - (iii) for “Member State” substitute “fisheries administration”;
  - (b) in paragraph 3—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “Member State other than its flag Member State” substitute “third country”,
    - (iii) for “Member State” substitute “country”, and
    - (iv) for “the flag Member State” substitute “a fisheries administration”;
  - (c) in paragraph 4—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”; and
  - (d) in paragraph 5, for “Union” substitute “United Kingdom”.
- (30) In Article 33(1)(c) for “in the Community legislation or by the flag Member State” substitute “by a fisheries administration”.
- (31) In Article 34 for “Union” substitute “United Kingdom”.
- (32) In Article 36—
- (a) in the heading omit “Union”;

- (b) in paragraph 1 for “Union” substitute “United Kingdom”; and
  - (c) in paragraph 2 omit “Union”.
- (33) In Article 37—
- (a) in the heading—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “its flag State” substitute “a fisheries administration”;
  - (b) for “Member States shall” substitute “A fisheries administration must”; and
  - (c) for “Union fishing vessels flying their flags” substitute “United Kingdom fishing vessels”
- (34) In Article 38—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”; and
  - (b) in paragraph 2 for “Union” substitute “United Kingdom”.
- (35) In Article 39—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the flag Member State” substitute “a fisheries administration”, and
    - (iii) omit the final sentence;
  - (b) in paragraph 2—
    - (i) in point (a), for “the flag State” substitute “a fisheries administration”, and
    - (ii) in point (e), for “Community legislation or by the flag State” substitute “by a fisheries administration”;
  - (c) in paragraph 3 for “the flag Member State” substitute “a fisheries administration”;
  - (d) in paragraph 4—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the flag Member State” in each place it occurs, substitute “a fisheries administration”, and
    - (iii) for “coastal Member State” in each place it occurs, substitute “third country”; and
  - (e) in paragraph 5 for “the flag Member State” substitute “a fisheries administration”.
- (36) In Article 40—
- (a) in paragraph 1—
    - (i) for “flag Member State” substitute “fisheries administration”,
    - (ii) for “Union” in each place it occurs, substitute “United Kingdom”,
    - (iii) for “the flag Member State shall” both times it occurs substitute “a fisheries administration must”;
  - (b) in paragraph 2—
    - (i) for “flag Member State” substitute “fisheries administration”, and
    - (ii) for “coastal Member State” in each place it occurs, substitute “third country”; and
  - (c) in paragraph 3—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”.
- (37) Omit Article 41.
- (38) In Article 42—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”,
    - (ii) in point (a) for “their fishing vessels” substitute “fishing vessels in its fleet”, and

- (iii) in points (b) and (c), for “Member State” substitute “state”; and
  - (b) omit paragraph 2.
- (39) Omit Article 43.
- (40) Omit Article 44.
- (41) In Article 45—
  - (a) in the heading omit “between Member States”; and
  - (b) for “Member States shall” substitute “A fisheries administration must”.
- (42) Omit Article 46.
- (43) In Article 47—
  - (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the flag Member State” in each place it occurs, substitute “a fisheries administration”, and
    - (iii) in point (e) for “in EU legislation or by the flag State” substitute “by a fisheries administration”;
  - (b) in paragraph 1a—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”;
  - (c) in paragraph 2 for “the flag Member State” substitute “a fisheries administration”; and
  - (d) in paragraph 4—
    - (i) for “Union” in each place it occurs, substitute “United Kingdom”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”.
- (44) In Article 49—
  - (a) in paragraph 1—
    - (i) omit “EU”, and
    - (ii) for “Union” substitute “United Kingdom”;
  - (b) in paragraph 2 for “European Union” in each place it occurs, substitute “United Kingdom”;
  - (c) in paragraph 3 for “flag Member State” substitute “a fisheries administration”; and
  - (d) in paragraph 4—
    - (i) for “Member State” substitute “a fisheries administration”, and
    - (ii) omit “EU”.
- (45) In Article 51 for “Union” substitute “United Kingdom”.
- (46) In Article 53 for “Member States shall” substitute “A fisheries administration must”.
- (47) In Article 55—
  - (a) in the heading omit “Union”;
  - (b) for “Union” in each place it occurs, substitute “United Kingdom”; and
  - (c) omit the two indents and the colon immediately before them.
- (48) Omit Chapter 4 of Title 3.
- (49) In Article 58 omit paragraph 2.
- (50) Omit Chapter 6 of Title 3.
- (51) In Article 61—
  - (a) in paragraph 1 for “Council Regulation (EEC) No 2930/86” substitute “Regulation (EU) 2017/1130”; and

- (b) omit paragraph 4.
- (52) In Article 62—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “a fisheries administration must”,
    - (ii) for “those fishing vessels” substitute “United Kingdom fishing vessels”,
    - (iii) for “in their fleet” substitute “in its fleet”,
    - (iv) in point (b) omit “national or European Union”, and
    - (v) in point (c) for “Member States” substitute “a fisheries administration”; and
  - (b) omit paragraphs 2 to 6.
  - (c) In Article 63(2) for “Regulation (EEC) No 2930/86” substitute “Regulation (EU) 2017/1130”.
- (53) Omit Chapter 8 of Title 3.
- (54) In Article 67—
- (a) in paragraph 5 for “Member States” substitute “a fisheries administration”;
  - (b) omit paragraph 8; and
  - (c) in paragraph 13(a) omit “in Union legislation”.
- (55) In Article 69—
- (a) for “Union” in each place it occurs, substitute “United Kingdom”; and
  - (b) for “a Member State” in each place it occurs, substitute “the United Kingdom”.
- (56) In Article 70 for “Union” in each place it occurs, substitute “United Kingdom”.
- (57) In Article 71—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “European Union” substitute “United Kingdom”;
  - (b) in paragraph 2 for “Union” substitute “United Kingdom”; and
  - (c) in paragraph 3—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the Member State” in the first place it occurs, substitute “a fisheries administration”, and
    - (iii) for “Member State” in the second place it occurs, substitute “country”.
- (58) In Article 72—
- (a) in paragraph 1 omit “in accordance with national systems”; and
  - (b) for “the Member State” substitute “a fisheries administration”.
- (59) In Article 76—
- (a) in paragraphs 1 and 2 for “Member States” in each place it occurs, substitute “a fisheries administration”; and
  - (b) omit paragraphs 3 and 4.
- (60) In Article 77—
- (a) in paragraph 1 for “Member States” substitute “a fisheries administration”; and
  - (b) omit paragraphs 2 to 5.
- (61) In Article 78 for “Union” in each place it occurs, substitute “United Kingdom”.
- (62) In Article 79—
- (a) in paragraph 1—
    - (i) in the first indent—

- (aa) for “a Member State” substitute “the United Kingdom”,
  - (bb) for “the Member State concerned” substitute “a fisheries administration”,
  - (ii) omit the second indent, and
  - (iii) omit “and where this control plan or common control programme has been approved by the Commission.”;
  - (b) in paragraph 2 for “Each Member State concerned shall” substitute “A fisheries administration must”;
  - (c) omit paragraphs 3 and 4;
  - (d) in paragraph 5—
    - (i) for “Member States shall” substitute “A fisheries administration must”,
    - (ii) for “their vessels” substitute “United Kingdom fishing vessels”, and
    - (iii) for “European Union” in each place it occurs, substitute “United Kingdom”;
  - (e) omit paragraph 6; and
  - (f) in paragraph 7 for “The Commission and the Member States concerned shall” substitute “A fisheries administration must”.
- (63) In Article 80—
- (a) in the heading omit “of a Member State”;
  - (b) in paragraph 1—
    - (i) for “the Member State in which the landing is to be made,” substitute “a fisheries administration”,
    - (ii) before “port of landing” insert “a United Kingdom”,
    - (iii) omit “concerned”, and
    - (iv) in point (d) for “Union law” substitute “Fisheries Rules”;
  - (c) in paragraph 2—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “his flag Member State” substitute “a fisheries administration”,
    - (iii) for “The Member States shall” substitute “A fisheries administration must”, and
    - (iv) for “Member State where the landing is to be made” substitute “country where the landing is to be made”;
  - (d) for paragraph 3 substitute—

“3. A fisheries administration may provide for a shorter notification period than laid down in paragraph 1. In such a case, the fisheries administration must put this information on its official website.”.
- (64) In Article 81 for “Member State concerned shall” substitute “A fisheries administration must”.
- (65) In Article 82—
- (a) after “arrival in” insert “a United Kingdom”; and
  - (b) for “the Member State” substitute “a fisheries administration”.
- (66) In Article 87 for “Member State” substitute “country”.
- (67) Omit Articles 88 and 89.
- (68) In Article 90(3) for “the currency applicable in the Member State where sale takes place” insert “pounds sterling”.
- (69) In Article 91—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and



- (ii) for “Member States and the” substitute “a fisheries administration and its”;
  - (b) omit paragraphs 2 and 3;
  - (c) in paragraph 4 for “Member States shall” substitute “A fisheries administration must”;  
and
  - (d) omit paragraphs 5, 6 and 7.
- (70) In Article 92—
- (a) omit paragraph 2;
  - (b) in paragraph 3 for “kept available in the database” substitute “retained”;
  - (c) in paragraph 4—
    - (i) for “the flag Member State shall” substitute “a fisheries administration must”,
    - (ii) for “its fishing vessels” substitute “United Kingdom fishing vessels”; and
  - (d) in paragraph 5 for “European Union” substitute “United Kingdom”.
- (71) In Article 93—
- (a) in paragraph 1 for “Union” substitute “United Kingdom”;
  - (b) in paragraph 2—
    - (i) for “Member States shall” in each place it occurs, substitute “A fisheries administration must”, and
    - (ii) for “Union” substitute “United Kingdom”; and
  - (c) in paragraph 3 omit “EU”.
- (72) In Article 94 for “Union” in each place it occurs, substitute “United Kingdom”.
- (73) In Article 95—
- (a) for “Union” in each place it occurs, substitute “United Kingdom”; and
  - (b) in paragraph 3—
    - (i) for “the flag Member State” substitute “a fisheries administration”, and
    - (ii) omit the words from “Their competent authorities shall make the report available” to the end.
- (74) In Article 97—
- (a) in paragraph 1—
    - (i) for “the Member States” substitute “a fisheries administration”, and
    - (ii) for “Member States shall” substitute “a fisheries administration must”,
  - (b) omit paragraph 2.
- (75) In Article 98—
- (a) in paragraph 1 for “Member States shall” substitute “a fisheries administration must”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) for “each Member State shall” substitute “a fisheries administration must”, and
    - (ii) for “the rules of the Common Fisheries Policy” substitute “Fisheries Rules”; and
  - (d) omit paragraph 5.
- (76) In Article 99 omit point (d).
- (77) In Article 101—
- (a) for the heading for “Member State, the Commission and European Fisheries Control Agency” substitute “a fisheries administration”;
  - (b) in paragraph 1 for “Member States, and, where appropriate, the Commission and the European Fisheries Control Agency shall” substitute “a fisheries administration must”;

- (c) in paragraph 2—
    - (i) for “each Member State shall” substitute “a fisheries administration must”, and
    - (ii) for “national law” substitute “applicable laws”; and
  - (d) omit paragraph 3.
- (78) In Article 105—
- (a) in paragraph 1(b) for “rules of the Common Fisheries Policy” substitute “Fisheries Rules”;
  - (b) in paragraph 2 for “the Member States shall” substitute “a fisheries administration must”; and
  - (c) in paragraph 3 for “Member States” substitute “a fisheries administration”.
- (79) In Article 106(3) for “Member States shall” substitute “A fisheries administration must”.
- (80) In Article 107 for “Member State shall” substitute “fisheries administration must”.
- (81) In Article 109 for “Member States shall” substitute “a fisheries administration must”.
- (82) In Article 111 for “Member States” substitute “a fisheries administration”.
- (83) Omit Article 112.
- (84) In Article 113—
- (a) for paragraph 1 substitute—
    - “1. All United Kingdom operators may be subject to an inspection regarding their obligations under Fisheries Rules.”; and
  - (b) in paragraph 2(a) for “the rules of the Common Fisheries Policy” substitute “Fisheries Rules”.
- (85) In Article 115 omit paragraph 5.
- (86) In Article 116(2) omit “Without prejudice to national law”.
- (87) In Article 117 omit the words from “and in accordance with the national law” to the end.
- (88) In Article 118—
- (a) in paragraph 1, for “Member States shall” substitute “A fisheries administration must”; and
  - (b) omit paragraph 2.
- (89) Omit Chapter 5 of Title 6.
- (90) In Article 125 for “Each Member State shall” substitute “A fisheries administration must”.
- (91) in Article 126—
- (a) in paragraph 1 omit “by the competent authority of the flag Member State”;
  - (b) in paragraph 4 omit the second sentence; and
  - (c) omit paragraph 5.
- (92) Omit Article 127.
- (93) In Article 130—
- (a) in paragraph 1—
    - (i) after “fishing licence” insert “in respect of a United Kingdom fishing vessel”, and
    - (ii) for “the flag Member State” substitute “a fisheries administration”, and
  - (b) in paragraph 2 for “the flag Member State” in each place it occurs, substitute “a fisheries administration”.
- (94) In Article 131—
- (a) in paragraph 1 omit the final sentence; and
  - (b) omit paragraphs 2 and 3.

- (95) Omit Article 134.
- (96) Omit Title 8.
- (97) Omit Articles 143 to 146a.
- (98) In Article 146c—
- (a) omit paragraph 2;
  - (b) omit paragraph 3;
  - (c) omit paragraph 7; and
  - (d) omit paragraph 8.
- (99) In Article 146d, in paragraph 8 omit “and the Commission”.
- (100) Omit Articles 146e – 153.
- (101) In Article 154—
- (a) for paragraph 1 substitute—
 

“1. When a fisheries administration becomes aware of any potential non-compliance with Fisheries Rules, in particular serious infringement referred to in Article 90(1) of the Control Regulation or reasonably suspects that such an infringement may occur, it must notify the countries concerned without delay. That notification shall supply all necessary information.”;
  - (b) for paragraph 2 substitute—
 

“2. When a fisheries administration takes enforcement measures in relation to a non-compliance or an infringement referred to in paragraph 1, it must notify the other countries concerned.”.
- (102) Omit Sections 3, 4 and 5 of Title 10.
- (103) Omit Articles 165 and 167.
- (104) In Annex 2 for “Union” substitute “United Kingdom”.
- (105) In Annex 3 for “Union” substitute “United Kingdom”.
- (106) In Annex 6 omit “Union” in each place it occurs.
- (107) Omit Annex 7.
- (108) In Annex 10—
- (a) in the first sentence—
    - (i) omit “Union”, and
    - (ii) for “a Member State” substitute “the United Kingdom”;
  - (b) in the table—
    - (i) in the first row—
      - (aa) for “CFR” substitute “UKFR”,
      - (bb) for “Community Fleet Register (CFR)” substitute “United Kingdom Fleet Register (UKFR)”,
      - (cc) for “Union vessel by a Member State” substitute “United Kingdom fishing vessel by a fisheries administration”, and
      - (dd) for “Union” in each place it occurs, substitute “United Kingdom”;
    - (ii) in the third row omit “, Member State”;
    - (iii) in the seventh row—
      - (aa) for “CFR” substitute “UKFR”,
      - (bb) for “Community Fleet Register (CFR)” substitute “United Kingdom Fleet Register (UKFR)”, and
      - (cc) for “Union” substitute “United Kingdom”;

- (c) in table note (1) for “Article 10 of Commission Regulation (EC) No 26/2004 of 30 December 2003 on the Community fishing fleet register (OJ L 5, 9.1.2004, p. 25)” substitute “Article 8 of Commission Implementing Regulation (EU) 2017/218 on the Union fishing fleet register”;
  - (d) in table note (2) for “a Union legal act adopted in the area of the common fisheries policy” substitute “relevant retained direct EU legislation”; and
  - (e) in point 2—
    - (i) for “Member States” in the first place it occurs, substitute “a fisheries administration”, and
    - (ii) for “in Member States” substitute “of a fisheries administration”.
- (109) Omit Annexes 16 and 17.
- (110) In Annex 18 in point 4 for the second sentence, substitute “A fisheries administration may use a different tare weight per box or block”.
- (111) In Annex 19—
- (a) in the heading for “Member States” substitute “the United Kingdom”;
  - (b) in the first sentence for “Member States” substitute “a fisheries administration”;
  - (c) in point 2—
    - (i) for “the rules of the Common Fisheries Policy” substitute “Fisheries Rules”, and
    - (ii) omit “in the Member State”;
  - (d) in point 3 for “Member States shall” substitute “A fisheries administration must”;
  - (e) in point 4—
    - (i) for “the rules of the Common Fisheries Policy” substitute “Fisheries Rules”, and
    - (ii) for “Member States shall” substitute “a fisheries administration must”;
  - (f) in point 6—
    - (i) for “Member States” substitute “a fisheries administration”, and
    - (ii) for “Member States shall” substitute “a fisheries administration should”; and
  - (g) in point 7 for “each Member State” substitute “a fisheries administration”.
- (112) In Annex 20—
- (a) in the first sentence for “Member States” substitute “a fisheries administration”;
  - (b) in point 2 for “Member States shall” substitute “A fisheries administration must”;
  - (c) in point 3 for “the rules of the Common Fisheries Policy (CFP)” substitute “Fisheries Rules”;
  - (d) in point 4 for Member States shall” substitute “A fisheries administration must”;
  - (e) in point 5—
    - (i) for “the rules of the Common Fisheries Policy” substitute “Fisheries Rules”, and
    - (ii) for “Member States shall” substitute “a fisheries administration must”;
  - (f) in point 8 for “Member States shall” substitute “a fisheries administration should”, and
  - (g) in point 10 for “each Member State” substitute “a fisheries administration”.
- (113) In Annex 21—
- (a) in the first sentence—
    - (i) for “Member States” substitute “a fisheries administration”, and
    - (ii) for “that Member State” substitute “the United Kingdom”;
  - (b) in point 1—
    - (i) for “the rules of the Common Fisheries Policy” substitute “Fisheries Rules”,
    - (ii) for “Member State” substitute “fisheries administration”, and

- (iii) for “that Member State” substitute “the United Kingdom”;
- (c) in point 2 for “the rules of the Common Fisheries Policy (CFP)” substitute “Fisheries Rules”;
- (d) in point 3 for “Member States shall” substitute “A fisheries administration must”;
- (e) in point 4 for “the rules of the Common Fisheries Policy, Member States shall” substitute “Fisheries Rules, a fisheries administration must”;
- (f) in point 5—
  - (i) in the first indent for “Member State” substitute “United Kingdom”, and
  - (ii) in the sixth indent for “Member States” substitute “a fisheries administration”; and
- (g) in point 6—
  - (i) for “the Member State” substitute “a fisheries administration”, and
  - (ii) “Member States shall” substitute “a fisheries administration should”.
- (114) Omit Annex 22.
- (115) In Annex 23—
  - (a) in point 3 for “Member State” substitute “country”;
  - (b) in point 11 before “Community” insert “United Kingdom Fleet Register number or”.
- (116) Omit Annex 24.
- (117) In Annex 26 for “Community” substitute “United Kingdom”;
- (118) Omit Annex 27.
- (119) In Annex 30—
  - (a) in row 2 of the table, for “Union legislation” substitute “relevant retained direct EU law”; and
  - (b) in row 10 of the table, omit “Union”.
- (120) Omit Annexes 33 to 37.

**Council Regulation (EC) No 1936/2001 laying down control measures applicable to fishing for certain stocks of highly migratory fish**

6.—(1) Council Regulation (EC) No 1936/2001 laying down control measures applicable to fishing for certain stocks of highly migratory fish is amended as follows.

(2) In Article 1 for “vessels flying the flag of Member States and registered in the Community, (hereinafter referred to as Community fishing vessels),” substitute “United Kingdom fishing vessels”.

(3) In Article 3(b) for “State” substitute “state”.

(4) In Article 4a—

- (a) in paragraph 1 for “Community” substitute “United Kingdom fishing”;
- (b) in paragraph 3 for “Article 11 of Regulation (EEC) No 2847/93 or a copy of document T2M referred to in Article 13 of Regulation (EEC) No 2847/93” substitute “Article 21 of Council Regulation (EC) No 1224/2009”; and
- (c) for paragraph 4 substitute—

“4. A fisheries administration must ensure that all bluefin tuna put into cages by United Kingdom fishing vessels are registered by the competent authority.”.

(5) In Article 4b—

- (a) in paragraph 1—
  - (i) for “Member States shall” substitute “A fisheries administration must”,
  - (ii) for “their” substitute “its”, and

- (iii) for “Member States” substitute “a fisheries administration”;
- (b) in paragraph 2 for “Member States shall” substitute “A fisheries administration must”; and
- (c) omit paragraph 4.
- (6) Omit Article 4c.
- (7) In Article 20—
  - (a) for “Member States shall” substitute “A fisheries administration must”; and
  - (b) for “flying their flag” substitute “within their fleet”.
- (8) In Article 20c(1) for “Community” substitute “United Kingdom fishing”.
- (9) In Article 20d—
  - (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) omit “for the Commission,”; and
  - (b) in paragraph 2—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) omit “, with electronic access for the Commission”.
- (10) In Article 22—
  - (a) for “Each Member State shall” substitute “A fisheries administration must”;
  - (b) for “flying its flag” substitute “in its fleet”; and
  - (c) for “Community law” substitute “law”.
- (11) Omit Articles 23, 24 and 26.

**Commission Regulation (EU) No 724/2010 laying down detailed rules for the implementation of real-time closures of certain fisheries in the North Sea and Skagerrak**

7.—(1) Commission Regulation (EU) No 724/2010 laying down detailed rules for the implementation of real-time closures of certain fisheries in the North Sea and Skagerrak is amended as follows.

- (2) In Article 3, in point (a) for “Council Regulation (EEC) No 3880/91” substitute “Regulation (EC) No 218/2009”.
- (3) In Article 6—
  - (a) in paragraph 1 for “the coastal Member State and/or the Member State participating in a joint operation under a Joint Deployment Plan shall” substitute “a fisheries administration must”;
  - (b) for paragraph 2 substitute—
 

“2. In the areas identified in accordance with paragraph 1, the fisheries administration must carry out inspections to measure whether the percentage of juveniles reaches the trigger level.”;
  - (c) in paragraph 3—
    - (i) for “the coastal Member State and/or the Member State participating in a joint operation under a Joint Deployment Plan shall” substitute “a fisheries administration must”, and
    - (ii) omit point (b);
  - (d) omit paragraph 4; and
  - (e) in point 5 for “coastal Member State” substitute “fisheries administration”.
- (4) In Article 7—
  - (a) in paragraph 1—

- (i) for “coastal Member State” substitute “fisheries administration”, and
  - (ii) omit the words “in accordance with Article 53 of Regulation (EC) No 1224/2009” and the comma immediately before it;
  - (b) in paragraph 2(c) for “the baseline of the coastal Member State” substitute “baselines”;
  - (c) in paragraph 3(a) for “Member State” substitute “fisheries administration”; and
  - (d) in paragraph 4 for “coastal Member State” substitute “fisheries administration”.
- (5) In Article 8—
- (a) in paragraph 1—
    - (i) for the words from “For the purpose” to “Member State shall” substitute “The fisheries administration concerned must”,
    - (ii) omit point (b), and
    - (iii) in point (d) omit “other “Member States and””;
  - (b) in paragraph 2—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “their FMCs inform the vessels flying their flag” substitute “its FMC informs United Kingdom fishing vessels”; and
  - (c) for paragraph 3 substitute—
 

“3. The fisheries administration concerned must publish on a website accessible to the public the detailed sampling reports and justifications underlying the real-time closure decided in accordance with Article 7.”.
- (6) Omit Article 9.

**Regulation (EU) 2017/2403 of the European Parliament and of the Council on the sustainable management of external fishing fleets**

**8.**—(1) Regulation (EU) 2017/2403 of the European Parliament and of the Council on the sustainable management of external fishing fleets is amended as follows.

- (2) In Article 1 for “Union” in each place it occurs, substitute “United Kingdom”.
- (3) In Article 2—
  - (a) in the heading omit “and Union”;
  - (b) in points (a) and (b) for “Union” in each place it occurs, substitute “United Kingdom”; and
  - (c) in point (c) for “Union law” substitute “law applying in the United Kingdom or any part of it”.
- (4) In Article 3(2)—
  - (a) for point (b) substitute—
 

“(b) ‘fishing authorisation’ means—

    - (i) in respect of a United Kingdom fishing vessel, an authorisation within the meaning of point 10 of Article 4 of the Control Regulation issued by a third country entitling a United Kingdom fishing vessel to carry out specific fishing operations in the waters under the sovereignty or jurisdiction of that third country, during a specified period, in a given area or for a given fishery under specific conditions; and
    - (ii) in respect of a third country vessel, an authorisation issued by a fisheries administration entitling the third country vessel to carry out fishing operations in United Kingdom waters during a specified period, in a given area or for a given fishery under specific conditions. Such an authorisation may be by way of, or contained in, a licence issued by the fisheries administration;”;

- (b) in point (c) for “Union” substitute “United Kingdom”;
  - (c) in point (d) omit the second sentence;
  - (d) in point (e) for “, a third country or a Member State” substitute “or a third country”; and
  - (e) in point (f)—
    - (i) after “arrangement by which a” insert “United Kingdom”,
    - (ii) omit “flying the flag of a Member State”, and
    - (iii) omit “either another Member State or”.
- (5) In the heading to Title 2 for “Union” in each place it occurs, substitute “United Kingdom”.
- (6) In Article 4—
- (a) for “Union” in each place it occurs, substitute “United Kingdom”;
  - (b) for “its flag Member State” substitute “a fisheries administration”.
- (7) In Article 5—
- (a) in paragraph 1—
    - (i) for “A flag Member State” substitute “A fisheries administration”,
    - (ii) for “Union” substitute “United Kingdom”,
    - (iii) in point (a) for “non-Union” substitute “non-United Kingdom”,
    - (iv) in point (c) for “under Union law” substitute “by Fisheries Rules”,
    - (v) in point (d) for “Union” substitute “United Kingdom”, and
    - (vi) in point (e) for “flag Member State” substitute “United Kingdom”; and
  - (b) omit paragraph 2.
- (8) In Article 6—
- (a) in paragraph 1 for “Union” in each place it occurs, substitute “United Kingdom”;
  - (b) in paragraph 2—
    - (i) for “flag Member State” substitute “fisheries administration”, and
    - (ii) omit point (d).
  - (c) in paragraph 3—
    - (i) for “flag Member State” substitute “fisheries administration”, and
    - (ii) in point (d), for “Union” substitute “United Kingdom”;
  - (d) in paragraph 4—
    - (i) for “flag Member State shall” substitute “fisheries administration must”, and
    - (ii) omit point (b); and
  - (e) in paragraph 5 for “the flag Member State” substitute “a fisheries administration”.
- (9) In Article 7—
- (a) in paragraph 1 for “the flag Member State” substitute “a fisheries administration”;
  - (b) in paragraph 2 for “the flag Member State” substitute “a fisheries administration”;
  - (c) in paragraph 3 for “flag Member State shall” substitute “fisheries administration must”;
  - (d) in paragraph 4—
    - (i) for “the flag Member State” in each place it occurs, substitute “a fisheries administration”,
    - (ii) omit “and the Commission”, and
    - (iii) for “the Commission” in the second place it occurs, substitute “a fisheries administration”; and
  - (e) omit paragraphs 5, 6 and 7.
- (10) In the heading to Chapter 2 for “Union” substitute “United Kingdom”.



- (11) In Article 8 for “Union” substitute “United Kingdom”.
- (12) In Article 9 for “Union” substitute “United Kingdom”.
- (13) In Article 10—
- (a) in the heading omit “by the flag Member State”; and
  - (b) for “flag Member State” substitute “fisheries administration”.
- (14) Omit Articles 11, 12 and 13.
- (15) In Article 14—
- (a) in paragraph 1—
    - (i) for “11” substitute “10”, and
    - (ii) for “Union” substitute “United Kingdom”; and
  - (b) omit paragraph 2.
- (16) Omit Article 15.
- (17) In Article 16 for “Union” substitute “United Kingdom”.
- (18) In Article 17—
- (a) in the heading omit “by the flag Member State”;
  - (b) in paragraph 1 for “flag Member State” substitute “fisheries administration”;
  - (c) in paragraph 2 for “The flag Member State shall” substitute “A fisheries administration must”; and
  - (d) in paragraph 3 for “of a Member State or of the Union” substitute “in the United Kingdom”.
- (19) Omit Article 18.
- (20) In the heading to Chapter 3 for “Union” substitute “United Kingdom”.
- (21) In Article 19—
- (a) for “Union” in each place it occurs, substitute “United Kingdom”.
- (22) In Article 20—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) in point (a) for “Union” substitute “United Kingdom”, and
    - (iii) in point (b) for “its flag Member State” substitute “a fisheries administration”; and
  - (b) in paragraph 2 for “Union” in each place it occurs, substitute “United Kingdom”.
- (23) In Article 21—
- (a) in the heading omit “by the flag Member State”;
  - (b) for “flag Member State” substitute “fisheries administration”; and
  - (c) in point (b), for “transposing Union law” substitute “relevant laws transposing them”.
- (24) Omit Article 22.
- (25) In the heading to Chapter 4 for “Union” substitute “United Kingdom”.
- (26) In Article 23 for “Union” substitute “United Kingdom”.
- (27) In Article 24—
- (a) in the heading omit “by the flag Member State”;
  - (b) for “flag Member State” substitute “fisheries administration”; and
  - (c) in point (b) for “flag Member State” in each place it occurs, substitute “United Kingdom”.
- (28) Omit Article 25.
- (29) In the heading to Chapter 5 for “Union” substitute “United Kingdom”.

- (30) In Article 26—
- (a) for “Union” in each place it occurs, substitute “United Kingdom”;
  - (b) in paragraph 4 for “its flag Member State” substitute “the United Kingdom”;
  - (c) in paragraph 5—
    - (i) for “the flag Member State” substitute “a fisheries administration”,
    - (ii) omit “its”, and
    - (iii) for “the CFP” substitute “Fisheries Rules”; and
  - (d) in paragraph 6—
    - (i) for “the flag Member State” substitute “a fisheries administration”, and
    - (ii) omit the final sentence.
- (31) In Article 27 for “the flag Member State shall” substitute “a fisheries administration must”.
- (32) In Article 28—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) omit the second sentence;
  - (b) in paragraph 2—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “their flag Member State” substitute “a fisheries administration”; and
  - (c) in paragraph 3, for “Union” substitute “United Kingdom”.
- (33) In Article 29—
- (a) for “Union” substitute “United Kingdom”; and
  - (b) for “the flag Member State” substitute “a fisheries administration”.
- (34) In Article 30—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”, and
    - (ii) for “its flag Member State” substitute “a fisheries administration”;
  - (b) in paragraph 2—
    - (i) for “flag Member State shall” substitute “fisheries administration must”,
    - (ii) omit “in accordance with Article 109 of the Control Regulation,”; and
  - (c) in paragraph 3, for “the flag Member State” substitute “a fisheries administration”.
- (35) In the heading to Title 3 for “Union” substitute “United Kingdom”.
- (36) In Article 31, for “Union” substitute “United Kingdom”.
- (37) In Article 32—
- (a) in paragraph 1—
    - (i) for “Union” substitute “United Kingdom”,
    - (ii) for “the Commission” substitute “a fisheries administration”;
  - (b) in paragraph 2—
    - (i) for “Union waters” substitute “United Kingdom waters”, and
    - (ii) for “Union vessels” substitute “United Kingdom fishing vessels”; and
  - (c) in paragraph 3 for “Union” substitute “United Kingdom”.
- (38) In Article 33(1)—
- (a) for “The Commission” substitute “A fisheries administration”;
  - (b) for “Union” substitute “United Kingdom”;

- (c) in point (c) for “Union” substitute “relevant retained direct EU”; and
  - (d) in point (d) for “Union” substitute “United Kingdom”.
- (39) In Article 34—
- (a) in paragraphs 1, 2 and 3, for “the Commission” wherever it occurs, substitute “a fisheries administration”; and
  - (b) in paragraph 3 omit “and the Member States”.
- (40) In Article 35—
- (a) in paragraph 1—
    - (i) for “the Commission shall” substitute “a fisheries administration must”; and
    - (ii) omit “and the Member States”; and
  - (b) in paragraph 2—
    - (i) for “The Commission” in each place it occurs, substitute “A fisheries administration”; and
    - (ii) for “Union” substitute “United Kingdom”.
- (41) In Article 36—
- (a) in paragraph 1—
    - (i) for “the Commission” in each place it occurs, substitute “a fisheries administration”,
    - (ii) omit “and the competent inspection authorities of the Member States”, and
    - (iii) omit the final sentence; and
  - (b) omit paragraph 4.
- (42) Omit Article 37.
- (43) In Article 38—
- (a) in paragraph 1 for “Union” in each place it occurs, substitute “United Kingdom”;
  - (b) for paragraph 2 substitute—
 

“2. A third country fishing vessel authorised to fish in United Kingdom waters must send to a fisheries administration the data which United Kingdom fishing vessels are required to send to a fisheries administration under the Control Regulation.”;
  - (c) omit paragraph 3;
  - (d) in paragraph 4—
    - (i) for “Union” substitute “United Kingdom”;
    - (ii) for “the Commission or the body designated by it” substitute “a fisheries administration”;
  - (e) in paragraph 5 for “coastal Member State” substitute “fisheries administration”.
- (44) Omit Articles 39 to 45.
- (45) Omit Articles 47 and 48.

## PART 4

### AMENDMENT OF THE ILLEGAL, UNREPORTED AND UNREGULATED FISHING REGULATIONS

#### **Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing**

**9.—**(1) Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing is amended as follows.

(2) In Article 1—

- (a) in paragraph 1 omit “Community”;
- (b) omit paragraph 2; and
- (c) for paragraph 3 substitute—

“3. The system laid down in paragraph 1 applies to all IUU fishing and associated activities carried out in United Kingdom waters, within maritime waters under the jurisdiction or sovereignty of third countries and on the high seas.”.

(3) In Article 2—

- (a) in points 2 and 4 for “State” and “States” in each place they occur, substitute “state” and “states” respectively;
- (b) omit points 5 and 6;
- (c) in point 9 for “international and/or Community law” substitute “the applicable law”;
- (d) in point 11—
  - (i) for “Community” substitute “United Kingdom”, and
  - (ii) for “its territory” substitute “the United Kingdom”;
- (e) in point 12 for “State” substitute “state”;
- (f) for point 13 substitute—

“13. ‘exportation’ means any movement to a third country of fishery products harvested by United Kingdom fishing vessels wherever the fishery products were harvested;”;

- (g) for point 14 substitute—

“14. ‘re-exportation’ means any movement from the United Kingdom of fishery products which had been previously imported into the United Kingdom;”;

- (h) in point 16 for “States” substitute “states”;
- (i) for point 17 substitute—

“17. ‘sighting’ means any observation by the competent authorities of a fisheries administration or by the master of a United Kingdom or third country fishing vessel of a fishing vessel that may fall under one or several of the criteria referred to in Article 3(1);”;

- (j) in point 19 for “States” and “State” substitute “states” and “state” respectively;
- (k) in point 20 for “Community” substitute “United Kingdom”;
- (l) in point 21 omit “, Community”.

(4) In Article 3—

- (a) in paragraph 1—
  - (i) in point (a) for “State” in each place it occurs, substitute “state”,
  - (ii) in point (h) omit “Community”,
  - (iii) in point (j) for “Community” substitute “United Kingdom”,
  - (iv) in point (k) for “State” substitute “state”; and
- (b) in paragraph 2 for “the Member State” substitute “a fisheries administration”.

(5) In the heading to Chapter 2 for “MEMBER STATES” substitute “UNITED KINGDOM”.

(6) In Article 4—

- (a) in paragraph 1 for “Member States” substitute “the United Kingdom”;
- (b) in paragraph 2 for “Member States” substitute “the United Kingdom”;
- (c) in paragraph 3—
  - (i) for “fishing vessels flying the flag of a Member State” substitute “United Kingdom fishing vessels”, and

- (ii) for “Community” substitute “United Kingdom”; and
- (d) in paragraph 4—
  - (i) for “Fishing vessels flying the flag of a Member State” substitute “United Kingdom fishing vessels”, and
  - (ii) for “Community” substitute “United Kingdom”.
- (7) In Article 5—
  - (a) in paragraph 1 for “Member States shall” substitute “A fisheries administration must”;
  - (b) for paragraph 3 substitute—
 

“3. A fisheries administration must publish on a website that is accessible to the public a list of ports, or places close to the shore, designated under paragraph 1.”; and
  - (c) omit paragraph 4.
- (8) In Article 6—
  - (a) in paragraph 1—
    - (i) for “the Member State whose designated port or landing facility they wish to use” substitute “a fisheries administration when they wish to use a port or landing facility designated under Article 5”,
    - (ii) in point (g) for “Community” substitute “United Kingdom”, and
    - (iii) for “territory of the Community” substitute “United Kingdom”; and
  - (b) in paragraph 4 for “Community” substitute “United Kingdom”.
- (9) In Article 7(3)
  - (a) for “the port Member State” in each place it occurs, substitute “a fisheries administration”; and
  - (b) for “national rules” substitute “applicable law”.
- (10) in Article 8—
  - (a) in paragraph 1 for “the Member State whose designated ports of landing or transshipment facilities they use” substitute “a fisheries administration, in circumstances when they use landing or transshipment facilities in the United Kingdom”;
  - (b) in paragraph 2 for “Member States shall” substitute “A fisheries administration must”; and
  - (c) omit paragraph 4.
- (11) In Article 9(2)—
  - (a) omit points (a) and (b);
  - (b) in point (c) omit “by the Commission”; and
  - (c) in point (d) for “Member States in accordance with Article 30” substitute “the United Kingdom”.
- (12) In Article 11—
  - (a) in paragraph 2 for “the competent authority of the port Member State” substitute “a fisheries administration”;
  - (b) in paragraph 3—
    - (i) for “inspecting Member State shall” substitute “fisheries administration must”,
    - (ii) omit “the Commission or to a body designated by it, which shall immediately transmit it to”,
    - (iii) for “State” and “States” in each place they occur, substitute “state” and “states” respectively; and
  - (c) for paragraph 4 substitute—

“4. Where the suspected breach has taken place in the high seas, and the United Kingdom is the port state, a fisheries administration must co-operate with the flag state in carrying out an investigation into it and, where appropriate, must apply the sanctions provided for under the law applying in the relevant part of the United Kingdom, under the condition that, in accordance with international law, that flag state has expressly agreed to transfer its jurisdiction. In addition, where the suspected breach has taken place in the maritime waters of a third country, a fisheries administration must also co-operate with the coastal state in carrying out an investigation into it and, where appropriate, must apply the sanctions provided for under the law applying in the relevant part of the United Kingdom, under the condition that, in accordance with international law, that coastal state has expressly agreed to transfer its jurisdiction.”.

(13) In Article 12—

- (a) in paragraph 1 for “Community” substitute “United Kingdom”;
- (b) in paragraph 2—
  - (i) at the beginning insert “Subject to paragraph 2A”, and
  - (ii) for “Community” substitute “United Kingdom”;
- (c) after paragraph 2 insert—

“2A. Catches made by fishing vessels registered under the law of the Isle of Man or any of the Channel Islands which are imported into the United Kingdom are not required to be accompanied by a catch certificate.”;

- (d) in paragraph 3 for “State” substitute “state”; and
- (e) in paragraph 4—
  - (i) for “State” substitute “state”, and
  - (ii) omit the final sentence.

(14) In Article 13—

- (a) in paragraph 1—
  - (i) for “the Member State of importation” substitute “a fisheries administration, when the fishery products are to be imported into the United Kingdom”, and
  - (ii) omit the last sentence; and
- (b) for paragraph 2 substitute—

“2. Paragraph 1 is without prejudice to any enactment implementing such catch documentation schemes in the United Kingdom.”.

(15) In Article 14—

- (a) in paragraph 1—
  - (i) for “Community” substitute “United Kingdom”,
  - (ii) omit “other than the flag State”,
  - (iii) for “the authorities of the Member State of importation” substitute “a fisheries administration”,
  - (iv) in point (a) for “State” substitute “state”, and
  - (v) in point (b)(i) for “State” substitute “state”;
- (b) in paragraph 2—
  - (i) for “State” in each place it occurs, substitute “state”, and
  - (ii) for “the authorities of the Member State of importation” substitute “a fisheries administration”; and
- (c) omit paragraph 3.

(16) In Article 15—

- (a) in the heading for “fishing vessels flying the flag of a Member State” substitute “United Kingdom fishing vessels”;
  - (b) in paragraph 1—
    - (i) for “fishing vessels flying the flag of a Member State” substitute “United Kingdom fishing vessels”,
    - (ii) for “the flag Member State” substitute “a fisheries administration”, and
    - (iii) omit “, if required within the framework of the cooperation laid down in Article 20(4)”; and
  - (c) omit paragraph 2.
- (17) In Article 16—
- (a) in paragraph 1—
    - (i) for “the Member State in which the product is intended to be imported” substitute “a fisheries administration”,
    - (ii) for “Community” in each place it occurs, substitute “United Kingdom”,
    - (iii) for “State” substitute “state”, and
    - (iv) for “Articles 20 and 22” substitute “Article 20”;
  - (b) in paragraph 2 for “the Member State” substitute “a fisheries administration”; and
  - (c) in paragraph 3—
    - (i) for “Member State” substitute “fisheries administration”,
    - (ii) for “that Member State” substitute “the United Kingdom”, and
    - (iii) omit “Member States shall communicate to the Commission the name and address of approved economic operators as soon as possible after having granted this status. The Commission shall make available this information to the Member States by electronic means.”.
- (18) In Article 17—
- (a) in paragraph 1 for “the Member States” substitute “a fisheries administration”;
  - (b) in paragraph 3—
    - (i) omit “or Community”, and
    - (ii) omit the words from “Member States shall notify” to the end;
  - (c) in paragraph 4—
    - (i) for “the Member State” in each place it occurs, substitute “a fisheries administration”,
    - (ii) in point (a) for “State” substitute “state”,
    - (iii) in point (d) for “States” in each place it occurs, substitute “states”, and
    - (iv) omit point (e);
  - (d) in paragraph 5 for “Member States” substitute “A fisheries administration”;
  - (e) in paragraph 6—
    - (i) for “Member State” substitute “fisheries administration”,
    - (ii) for “State” in each place it occurs, substitute “state”,
    - (iii) in point (a)—
      - (aa) for “Member State in question” substitute “fisheries administration”, and
      - (bb) for “State” in each place it occurs, substitute “state”,
    - (iv) omit point (b); and
  - (f) omit paragraph 8.
- (19) In Article 18—

- (a) in paragraph 1—
  - (i) for “the Member States shall” substitute “a fisheries administration must”,
  - (ii) for “Community” substitute “United Kingdom”,
  - (iii) for “State” in each place it occurs, substitute “state”, and
  - (iv) in point (f)—
    - (aa) for “Community” substitute “United Kingdom”, and
    - (bb) for “referred to in Article 30” substitute “adopted by regional fisheries management organisations”;
- (b) in paragraph 2—
  - (i) for “the Member States shall” substitute “a fisheries administration must”, and
  - (ii) for “Community” substitute “United Kingdom”;
- (c) in paragraph 3 for “Member States” substitute “a fisheries administration”;
- (d) in paragraph 4 omit the final sentence;
- (e) for paragraph 5 substitute—
 

“5. A fisheries administration must notify the flag state and, where appropriate, the third country other than the flag state as referred to in Article 14, of refusals of importation.”.
- (20) Omit Article 19.
- (21) In Article 20—
  - (a) in paragraph 1—
    - (i) for “State” in each place it occurs, substitute “state”,
    - (ii) for “the Commission” substitute “a fisheries administration”, and
    - (iii) in point (b) for “the Member States” substitute “a fisheries administration”;
  - (b) in paragraph 3—
    - (i) for “State” in each place it occurs, substitute “state”, and
    - (ii) for “The Commission shall” in each place it occurs, substitute “A fisheries administration must”; and
  - (c) omit paragraphs 4 and 5.
- (22) In Article 21—
  - (a) in paragraph 1 for “the Member State from which the re-exportation is to take place” substitute “a fisheries administration”; and
  - (b) omit paragraph 3.
- (23) In Article 22—
  - (a) omit paragraphs 1 to 3;
  - (b) in paragraph 4—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) omit “, in accordance with national rules”; and
  - (c) in paragraph 5 omit “, in accordance with national rules”.
- (24) Omit Chapter 4.
- (25) In Article 25—
  - (a) in paragraph 1—
    - (i) for “The Commission” substitute “A fisheries administration”, and
    - (ii) in point (b) for “Regulation (EEC) No 2847/93” substitute “Council Regulation 1224/2009”;
  - (b) omit paragraph 2;



- (c) in paragraph 3 for “The Commission” substitute “A fisheries administration”; and
- (d) after paragraph 3 insert—

“4. A fisheries administration must share the contents of the file it keeps under paragraph 3 with the other fisheries administrations and inform them each time the file is updated by providing the details of each update.”.

(26) In Article 26—

- (a) in paragraph 1—
  - (i) for “The Commission shall” substitute “A fisheries administration must”, and
  - (ii) for “State” substitute “state”;
- (b) after paragraph 1 insert—

“1A. A fisheries administration must inform the other fisheries administrations on each occasion it identifies a vessel which it believes should be subject to an official enquiry in accordance with this Article.

1B. In order to avoid duplication and any potential differences in information presented as part of an official enquiry, a fisheries administration must, jointly with the other fisheries administrations, agree—

  - (a) whether an official enquiry should be carried out in respect of a vessel identified under paragraph 1; and
  - (b) the information which should be presented as part of any official enquiry agreed to be carried out under paragraph (a).”.
  - (c) in paragraph 2—
    - (i) for “The Commission shall” substitute “The Secretary of State must”,
    - (ii) for “States” substitute “states”,
    - (iii) for “identified pursuant to paragraph 1” substitute “agreed pursuant to paragraph 1B(a)”,
    - (iv) in point (a) for “by the Commission” substitute “, and agreed pursuant to paragraph 1B(b).”,
    - (v) in point (b)—
      - (aa) for “State” substitute “state”, and
      - (bb) for “Commission” substitute “Secretary of State”,
    - (vi) in point (c)—
      - (aa) for “State” substitute “state”, and
      - (bb) for “Commission” substitute “Secretary of State”,
    - (vii) in point (d)—
      - (aa) for “State” substitute “state”,
      - (bb) for “Community” substitute “United Kingdom”,
      - (cc) for “States” substitute “states”,
      - (dd) for “Commission” substitute “Secretary of State”; and
    - (viii) in point (e) for “State” substitute “state”;
  - (d) omit paragraphs 3 and 4.

(27) In Article 27—

- (a) in the heading for “Community” substitute “United Kingdom”;
- (b) in paragraph 2—
  - (i) for “Community” substitute “United Kingdom”, and
  - (ii) for “Commission shall” substitute “Secretary of State must”;

- (c) in paragraph 3—
    - (i) for “Community” substitute “United Kingdom”, and
    - (ii) for “Commission shall” substitute “Secretary of State must”;
  - (d) in paragraph 4—
    - (i) for “Commission” in each place it occurs, substitute “Secretary of State”, and
    - (ii) for “State” substitute “state”;
  - (e) in paragraph 5—
    - (i) for “Commission shall” substitute “Secretary of State must”,
    - (ii) for “State” in each place it occurs, substitute “state”, and
    - (iii) for “Community” substitute “United Kingdom”;
  - (f) in paragraph 6—
    - (i) for “Commission shall” substitute “Secretary of State must”,
    - (ii) for “States” substitute “states”,
    - (iii) for “Community” substitute “United Kingdom”,
    - (iv) in point (a) for “Community” substitute “United Kingdom”, and
    - (v) in point (b) for “Commission” substitute “Secretary of State”; and
  - (g) omit paragraphs 7 and 8.
- (28) Omit Article 30.
- (29) In Article 31—
- (a) for paragraph 1 substitute—
 

“1. A fisheries administration must, jointly with the other fisheries administrations, agree—

    - (a) whether a particular country should be identified as a non-cooperating third country in fighting IUU fishing and therefore notified by the Secretary of State in accordance with Article 32; and
    - (b) the reason, or reasons for any identification and the supporting evidence that should be submitted with any notification under Article 32.”;
  - (b) in paragraph 3 for “State” substitute “state”;
  - (c) in paragraph 4 for “the Commission shall” substitute “a fisheries administration must”;
  - (d) in paragraph 5—
    - (i) for “the Commission shall” substitute “a fisheries administration must”,
    - (ii) for point (a) substitute—
 

“(a) whether the country concerned effectively cooperates with the United Kingdom, by providing a response to requests made by a fisheries administration to investigate, provide feedback or follow-up to IUU fishing and associated activities;”;
  - (e) in paragraph 6 for “the Commission shall” substitute “a fisheries administration must”.
- (30) In Article 32—
- (a) in the heading omit “Démarches in respect of”;
  - (b) in paragraph 1—
    - (i) for the first subparagraph substitute—
 

“1. The Secretary of State must, without delay, notify any country identified in accordance with Article 31(1). The Secretary of State must include in the notification the following information—”, and
    - (ii) in point (b) for “Commission” substitute “Secretary of State”;
  - (c) in paragraph 2 for “Commission shall” substitute “Secretary of State must”;

- (d) in paragraph 3 for “Commission shall” in each place it occurs, substitute “Secretary of State must”; and
  - (e) in paragraph 4 for “Commission shall” substitute “Secretary of State must”.
- (31) For Article 35 substitute—

*“Article 35*

**Publicity of the list of non-cooperating third countries**

The Secretary of State must take such measures as the Secretary of State feels necessary to ensure the publicity of any list of non-cooperating third countries contained in regulations made under Article 33(1). In particular, the Secretary of State must publish the vessel list on a website that is accessible to the public.”

- (32) In Article 36—

- (a) for paragraph 1 substitute—

“1. If there is evidence that the measures adopted by a third country undermine the conservation and management measures adopted by a regional fisheries management organisation, a fisheries administration may adopt, in line with the international obligations of the United Kingdom, emergency measures which must last no more than six months. A fisheries administration may take a new decision to extend the emergency measures for no more than six months.”;

- (b) in paragraph 2—

- (i) in point (a) for “Member States” substitute “the United Kingdom”,
- (ii) in point (b) for “fishing vessels flying the flag of a Member State” substitute “United Kingdom fishing vessels”, and
- (iii) in point (c) for “fishing vessels flying the flag of a Member State” substitute “United Kingdom fishing vessels”, and
- (iv) for point (e) for “maritime waters under the jurisdiction of a Member State” substitute “United Kingdom waters”;

- (c) for paragraph 3 substitute—

“3. Emergency measures have immediate effect. A fisheries administration must notify the country concerned and publish the measures on a website that is accessible to the public.”; and

- (d) omit paragraphs 4 and 5.

- (33) In Article 37—

- (a) in the heading omit “Community”;
- (b) in the first paragraph for “Community” substitute “United Kingdom”;
- (c) omit point 1;
- (d) in point 2 for “flag Member States” substitute “a fisheries administration”;
- (e) in point 3—
  - (i) omit “flying the flag of a third country”, and
  - (ii) for “Community” substitute “United Kingdom”;
- (f) in point 4 for “fishing vessels flying the flag of a Member State” substitute “United Kingdom fishing vessels”;
- (g) for point 5 substitute—

“5. IUU fishing vessels must not be authorised to enter into a port in the United Kingdom, except in case of force majeure or distress. Alternatively, a fisheries administration may authorise the entry into a United Kingdom port on the condition that the catches on board and, where appropriate, fishing gear prohibited pursuant to conservation and management measures adopted by regional fisheries management organisations, are

confiscated. A fisheries administration may also confiscate catches and, where appropriate, fishing gear prohibited pursuant to those measures, on board IUU fishing vessels which have been authorised to enter a United Kingdom port for reason of force majeure or distress.”;

- (h) in point 6 omit “flying the flag of a third country”;
- (i) in point 7 omit “flying the flag of a third country”; and
- (j) omit point 8.

(34) In Article 38—

(a) in paragraphs 1 and 2 for “Community” in each place it occurs, substitute “United Kingdom”;

(b) for paragraph 3 substitute—

“3. the reflagging of a United Kingdom fishing vessel to such countries is prohibited;”;

(c) in paragraph 4—

(i) for “Member States shall” substitute “A fisheries administration must”, and

(ii) omit “for fishing vessels flying their flag”;

(d) in paragraph 5 for “Community” substitute “United Kingdom”;

(e) in paragraph 6—

(i) for “a Member State” substitute “the United Kingdom”,

(ii) for “fishing vessel flying the flag of that Member State” substitute “United Kingdom fishing vessel”;

(f) in paragraph 7 for “fishing vessels flying the flag of a Member State” substitute “United Kingdom fishing vessels”;

(g) omit paragraph 8; and

(h) in paragraph 9 for “Commission” substitute “Secretary of State”.

(35) In Article 39—

(a) in paragraph 1—

(i) for “Member States (nationals)” substitute “the United Kingdom”, and

(ii) for “Community” substitute “United Kingdom”;

(b) omit paragraphs 2 to 4;

(36) In Article 40—

(a) in paragraph 1 for “Member States shall” substitute “A fisheries administration must”;

(b) in paragraph 2 for “Community” substitute “United Kingdom”;

(c) in paragraph 3—

(i) omit “Community” in the first place it occurs,

(ii) for “Member States shall” substitute “a fisheries administration must”,

(iii) omit “or under Community funds”, and

(iv) for “Community IUU vessel list” substitute “United Kingdom IUU vessel list”;

(d) in paragraph 4—

(i) for “Member States shall” substitute “A fisheries administration must”,

(ii) for “fishing vessels flying their flag” substitute “United Kingdom fishing vessels”,  
and

(iii) omit the final sentence.

(37) In Article 41—

(a) for point 1 substitute—

“1. serious infringements committed in United Kingdom waters;”;

(b) for point 2 substitute—

“2. serious infringements committed by United Kingdom fishing vessels or nationals of the United Kingdom;” and

(c) in point 3 omit “territory or within”.

(38) In Article 42(2) for “the competent authority of a Member State” substitute “a fisheries administration”.

(39) In Article 43(1)—

(a) for “Member States shall” substitute “a fisheries administration must”; and

(b) for “their national law” substitute “applicable law”.

(40) Omit Articles 44 to 53.

(41) Omit Articles 55 to 57.

(42) In Annex 2 omit “European Community” in each place it occurs.

(43) In Annex 3—

(a) for “the Commission” substitute “a fisheries administration”; and

(b) in paragraph 1 omit point (e).

#### **Commission Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing**

**10.**—(1) Commission Regulation (EU) No 468/2010 establishing the EU list of vessels engaged in illegal, unreported and unregulated fishing is amended as follows.

(2) In Article 1 for “EU” substitute “United Kingdom”.

(3) In Article 2—

(a) for “EU” substitute “United Kingdom”; and

(b) omit the final two subparagraphs.

(4) In the Annex—

(a) in the heading for “EU” substitute “United Kingdom”;

(b) for the heading to PART A substitute—

“Vessels listed by the United Kingdom”; and

(c) for the heading to PART B substitute—

“Vessels listed by Regional Fisheries Management Organisations”.

#### **Council Implementing Decision 2014/170/EU establishing a list of non-cooperating third countries in fighting IUU fishing pursuant to Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing**

**11.**—(1) Council Implementing Decision 2014/170/EU establishing a list of non-cooperating third countries in fighting IUU fishing pursuant to Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing is amended as follows.

(2) In Article 1—

(a) for “Union” substitute “United Kingdom”; and

(b) omit “third”.

(3) Omit Article 2.

(4) In the Annex, in the heading omit “third”.

**Commission Regulation (EC) No 1010/2009 laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing**

12.—(1) Commission Regulation (EC) No 1010/2009 laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing is amended as follows.

- (2) In the heading to Title 1 for “MEMBER STATES” substitute “UNITED KINGDOM”.
- (3) In Article 3 omit paragraphs 3 and 4.
- (4) In Article 4—
  - (a) for “State” in each place it occurs, substitute “state”;
  - (b) in point (b) for the words from “Chapter IV” to the end, substitute “Article 9 of Council Regulation (EC) No 1224/2009;”;
  - (c) in point (c) for “port in the port Member State” substitute “a port in the United Kingdom”;
  - (d) in point (d) for “the port Member State” substitute “a fisheries administration”; and
  - (e) omit the final subparagraph.
- (5) Omit Article 5.
- (6) In Article 6(2) for “State” in each place it occurs, substitute “state”.
- (7) Omit Article 10.
- (8) In Article 11—
  - (a) in paragraph 1 for “the rules of the common fisheries policy” in each place it occurs, substitute “Fisheries Rules”; and
  - (b) in paragraph 2 for “the competent Member State authority” substitute “a fisheries administration”.
- (9) In Article 14—
  - (a) in paragraph 1 for “the competent Member State authority on whose territory the importer is established” substitute “a fisheries administration”;
  - (b) in paragraph 2 for “competent Member State authority” in each place it appears, substitute “fisheries administration”;
  - (c) omit paragraph 3;
  - (d) in paragraph 4 for “competent Member State authority” substitute “fisheries administration”;
  - (e) in paragraph 5 for “authority” substitute “fisheries administration”; and
  - (f) omit paragraph 6.
- (10) In Article 16—
  - (a) in paragraph 1—
    - (i) for “Member State authority shall” substitute “fisheries administration must”, and
    - (ii) for “competent Member State authority” substitute “fisheries administration”; and
  - (b) omit paragraph 3.
- (11) Omit Article 17.
- (12) In Article 18—
  - (a) in paragraph 1 for “issuing authority shall” substitute “fisheries administration must”; and
  - (b) in paragraph 3, for “competent Member State authority shall” substitute “fisheries administration must”.
- (13) In Article 19—
  - (a) in paragraph 1—

- (i) for “Articles 16 and 17” substitute “Article 16”, and
  - (ii) for “issuing authority shall” substitute “fisheries administration must”; and
  - (b) omit paragraph 3.
- (14) In Article 20—
- (a) in paragraph 1—
    - (i) for “the competent Member State authority” substitute “a fisheries administration”
    - (ii) for “that authority” substitute “the fisheries administration”, and
    - (iii) for “that Member State” substitute “the United Kingdom”;
  - (b) in paragraph 2—
    - (i) for “the competent Member State authority” substitute “a fisheries administration”, and
    - (ii) omit “Community”; and
  - (c) in paragraph 3—
    - (i) for “the competent Member State authority” in the first place each it occurs, substitute “a fisheries administration”,
    - (ii) for “competent Member State authority concerned” substitute “fisheries administration”, and
    - (iii) for “competent Member State authority” in the final place it occurs, substitute “fisheries administration”.
- (15) In Article 21—
- (a) in paragraph 2 for “Member State of the issuing authority” substitute “United Kingdom”;
  - (b) in paragraph 3 for “The competent authorities” substitute “A fisheries administration”;
  - (c) in paragraph 5—
    - (i) for “authority” substitute “fisheries administration”, and
    - (ii) in point (a) omit “Community”; and
  - (d) omit paragraph 7.
- (16) In Article 22—
- (a) in paragraph 1—
    - (i) for “issuing authority” substitute “fisheries administration”,
    - (ii) in point (b) for “competent Member State authorities have” substitute “fisheries administration has”, and
    - (iii) for “the rules of the common fisheries policy” substitute “Fisheries Rules”;
  - (b) in paragraph 2 for “competent Member State authorities shall communicate their” substitute “fisheries administration must communicate its”; and
  - (c) in paragraph 3 omit the final sentence.
- (17) In Article 23—
- (a) in paragraph 1—
    - (i) for “competent Member State authority shall” substitute “fisheries administration must”, and
    - (ii) omit “and the competent authorities of the other Member States”;
  - (b) in paragraph 2—
    - (i) for “issuing authority shall” substitute “fisheries administration must”, and
    - (ii) omit the final sentence; and
  - (c) in paragraph 3—
    - (i) for “issuing authority shall” substitute “fisheries administration must”, and

- (ii) omit “and the Commission”.
- (18) In Article 24—
  - (a) in paragraph 1—
    - (i) for “issuing authority shall” substitute “fisheries administration must”, and
    - (ii) omit the final sentence; and
  - (b) in paragraph 2 for “competent Member State authority” substitute “fisheries administration”.
- (19) In Article 25—
  - (a) for “issuing authority shall” substitute “fisheries administration must”; and
  - (b) omit the final sentence.
- (20) In Article 26—
  - (a) in paragraph 1 for “issuing authority” in each place it occurs, substitute “fisheries administration”;
  - (b) omit paragraph 2; and
  - (c) in paragraph 3—
    - (i) for “issuing authority” substitute “fisheries administration”, and
    - (ii) omit the final sentence.
- (21) In Article 27—
  - (a) in paragraph 1(b) for “the rules of the common fisheries policy” substitute “Fisheries Rules”; and
  - (b) omit paragraph 4.
- (22) In Article 28—
  - (a) in paragraph 1 for “issuing authority” substitute “fisheries administration”; and
  - (b) omit paragraph 2.
- (23) In Article 29—
  - (a) for paragraph 1 substitute—

“1. A fisheries administration must store any APEO certificates and, where applicable, relevant information relating to their amendment, suspension or withdrawal for a minimum period of three years.”;
  - (b) omit paragraphs 2 and 3.
- (24) Omit Article 30.
- (25) In Article 31—
  - (a) in the heading omit “Community”;
  - (b) in the first paragraph omit “Community”; and
  - (c) omit point (m).
- (26) Omit Article 32.
- (27) Omit Chapter 4 of Title 2.
- (28) Omit Titles 3 and 4.
- (29) Omit Article 54.
- (30) In Annex 1 omit “Community”.
- (31) In Annex 4 omit “European Community” wherever it occurs.
- (32) In Annex 6 for “Community” in each place it occurs, substitute “United Kingdom”.
- (33) In Annex 7 omit “European Community” wherever it occurs.
- (34) In Annex 8 omit “European Community” wherever it occurs.



(35) Omit Annexes 9 to 12.

**Regulation (EU) No 1026/2012 of the European Parliament and of the Council on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing**

**13.**—(1) Regulation (EU) No 1026/2012 of the European Parliament and of the Council on certain measures for the purpose of the conservation of fish stocks in relation to countries allowing non-sustainable fishing is amended as follows.

- (2) In Article 1 for “Union” in each place it occurs, substitute “United Kingdom”.
- (3) In Article 2—
  - (a) in point (a) for “Union” in each place it occurs, substitute “United Kingdom”;
  - (b) in point (d) for “Union” substitute “United Kingdom”.
- (4) In Article 3(b)(ii) for “Union” in each place it occurs, substitute “United Kingdom”.
- (5) In Article 5 for “Union” in each place it occurs, substitute “United Kingdom”.
- (6) In Article 6—
  - (a) in paragraph 1—
    - (i) for “Commission” substitute “Secretary of State”, and
    - (ii) omit the final sentence; and
  - (b) in paragraph 3 for “Commission shall” substitute “Secretary of State must”.
- (7) In Article 7(1) for “Union” in each place it occurs, substitute “United Kingdom”.
- (8) Omit Article 9.

## PART 5

### AMENDMENT OF MULTIANNUAL PLANS AND EFFORT REGIMES

**Council Regulation (EC) No 1100/2007 establishing measures for the recovery of the stock of European Eel**

**14.**—(1) Council Regulation (EC) No 1100/2007 establishing measures for the recovery of the stock of European Eel is amended as follows.

- (2) In Article 1—
  - (a) for paragraph 1 substitute—

“1. This Regulation establishes a framework for the protection and sustainable use of the stock of European eel of the species *Anguilla anguilla* in United Kingdom waters, in coastal lagoons, in estuaries and in rivers and inland waters of the United Kingdom that flow into the seas in ICES areas 4, 6 and 7.”; and
  - (b) omit paragraphs 2 and 3.
- (3) After Article 1 insert—

“Article 1A

#### **Eel Management Plans**

- 1. References in this Regulation to an “Eel Management Plan” are references to—
  - (a) each Eel Management Plan which was, immediately before exit day, the Eel Management Plan approved by the European Commission under Article 5(1) of the Council Regulation in relation to a river basin within the United Kingdom; or
  - (b) any Eel Management Plan referred to in point (a) which has been amended in accordance with the requirements of this Regulation.

2. In this Article “the Council Regulation” means Council Regulation (EC) No 1100/2007 establishing measures for the recovery of the stock of European eel<sup>(a)</sup> as it had effect in EU law before exit day.”.

(4) In Article 2—

(a) for the heading substitute—

**“Eel Management Plans: objectives and content”;**

(b) omit paragraphs 1, 2 and 3

(c) in paragraph 4—

(i) for “shall be” in the first place it occurs, substitute “is”, and

(ii) for the final sentence substitute “This objective is a long term objective”;

(d) in paragraph 7 for “The Member States” substitute “A fisheries administration”;

(e) in paragraph 10 for “In the Eel Management Plan, each Member State shall implement appropriate measures” substitute “A fisheries administration must ensure that appropriate measures are implemented”;

(f) in paragraph 11 for “Community” substitute “United Kingdom”; and

(g) omit paragraph 12.

(5) Omit Articles 3 and 4.

(6) Omit Article 6.

(7) In Article 7—

(a) in paragraph 1—

(i) for “Member State” in the first place it occurs, substitute “fisheries administration”,

(ii) for the words from “, either as part” to “with Article 4(2) or Article 5(4)” substitute “as part of an Eel Management Plan”,

(iii) for “that Member State” substitute “the United Kingdom”, and

(iv) for “as defined by Member States according to Article 2(1)” substitute “in accordance with Eel Management Plans”;

(b) omit paragraph 2;

(c) in paragraph 3—

(i) for “the respective percentages set out in paragraph,” substitute “60%”, and

(ii) for “Member States” substitute “a fisheries administration”;

(d) in paragraph 4 for “Article 2” substitute “Article 1A”;

(e) omit paragraph 5;

(f) omit paragraph 7; and

(g) in paragraph 8—

(i) for “Article 38(2) of Regulation (EC) No 1198/2006” substitute “Article 11(f) of Regulation (EU) No 508/2014”, and

(ii) in the first indent omit “established in accordance with Article 2”.

(8) In Article 8—

(a) in the heading for “Community” substitute “United Kingdom”;

(b) in paragraph 1—

(i) for “Member State” in each place it occurs, substitute “fisheries administration”, and

(ii) for “Community” substitute “United Kingdom”; and

(c) in paragraph 2—

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(a) OJ No. L 248, 22.9.2007, p.17.

- (i) for “Community” substitute “United Kingdom”, and
  - (ii) for “by Member States according to Article 2(1)” substitute “in Eel Management Plans”.
- (9) In Article 9—
- (a) in paragraph 1—
    - (i) in the first paragraph for “Each Member State shall report to the Commission” substitute “A fisheries administration must ensure that for each Eel Management Plan a report is prepared and published”,
    - (ii) in point (a)—
      - (aa) omit “for each Member State,”,
      - (bb) for “that Member State” substitute “the United Kingdom”, and
      - (cc) for “Article 2(4)” substitute “the Eel Management Plan”,
    - (iii) in point (b) for “Articles 4(2) and 5(4)” substitute “the Eel Management Plan”, and
    - (iv) in point (c) for “Article 2(10)” substitute “the Eel Management Plan”; and
  - (b) omit paragraphs 2 and 3.
- (10) In Article 10—
- (a) in the heading for “other than Community” substitute “outside United Kingdom”;
  - (b) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”,
    - (ii) for “their inland fisheries” substitute “inland fisheries within the United Kingdom”, and
    - (iii) for “Regulation (EEC) No 2847/93” substitute “Council Regulation (EC) No 1224/2009”;
  - (c) in paragraph 2, for “by Member States according to Article 2(1)” substitute “in Eel Management Plans”.
- (11) Omit Article 11.
- (12) In Article 12—
- (a) for “Member States shall” substitute “A fisheries administration must”;
  - (b) in the first indent for “their territory” substitute “the United Kingdom”;
  - (c) in the second indent—
    - (i) for “Community area” substitute “United Kingdom”,
    - (ii) omit “from their territory”, and
    - (iii) omit “Community”; and
  - (d) in the third indent for “their territory” substitute “the United Kingdom”.
- (13) Omit Article 13.

**Council Regulation (EC) No 1954/2003 on the management of the fishing effort relating to certain Community fishing areas and resources**

**15.**—(1) Council Regulation (EC) No 1954/2003 on the management of the fishing effort relating to certain Community fishing areas and resources is amended as follows.

- (2) In Article 1—
  - (a) after “fishing effort in” insert “those parts of”; and
  - (b) at the end insert “which are within United Kingdom waters”.
- (3) In Article 2—

- (a) in point (a) for “Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the Northeast Atlantic” substitute “Regulation (EC) No 218/2009 of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic”; and

- (b) at the end insert—

“For the calculation of fishing effort, as defined in point (b), the fishing capacity of a vessel must be measured as the installed power expressed in kilowatts (kW).”.

- (4) Omit Article 3.

- (5) For Article 4 substitute—

*“Article 4*

**Fishing vessels less than 15 metres and 10 metres**

1. A fisheries administration must, jointly with the other fisheries administrations, determine the average annual fishing effort during the period 1998 to 2002 of United Kingdom fishing vessels less than 15 metres in length overall for each fishery listed in paragraph 3 in relation to each of the areas and divisions referred to in Article 1, excluding the biologically sensitive area.

2. A fisheries administration must, jointly with the other fisheries administrations, determine the average annual fishing effort during the period 1998 to 2002 of United Kingdom fishing vessels less than 10 metres in length overall for each fishery listed in paragraph 3 in relation to the biologically sensitive area.

3. The fisheries referred to in paragraphs 1 and 2 are—

- (a) demersal fisheries, excluding demersal fisheries covered by Regulation (EU) 2016/2336 of the European Parliament and of the Council establishing specific conditions for fishing for deep-sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic;
- (b) fisheries for scallops;
- (c) fisheries for edible crab and spider crab.

4. A fisheries administration must, jointly with the other fisheries administrations, ensure that the fishing effort of these vessels is limited to the average annual level of fishing effort determined conforming to paragraphs 1 and 2.”.

- (6) Omit Article 5.

- (7) In Article 6—

- (a) in the heading omit “Conditions in”;
- (b) in paragraph 1 for “A specific effort regime shall apply” substitute “In this Regulation, references to ‘the biologically sensitive area’ are references”;
- (c) omit paragraphs 2 and 3.

- (8) In Article 7—

- (a) in paragraph 1—
  - (i) for “Member States” substitute “Secretary of State”,
  - (ii) for “fishing vessels flying their flag and registered in the Community” substitute “United Kingdom fishing vessels”, and
  - (iii) for “Articles 3 and 6” substitute “Article 4(3) in the areas and divisions referred to in Article 1”; and
- (b) in paragraph 2—
  - (i) for “Member States” substitute “Vessels on the list referred to in paragraph 1”,
  - (ii) for “replace vessels entered on their list” substitute “be replaced”, and

- (iii) for “Articles 3 and 6” substitute “paragraph 1”.
- (9) In Article 8—
- (a) omit paragraph 1;
  - (b) in paragraph 2—
    - (i) for “Member State” substitute “A fisheries administration”, and
    - (ii) for “their” substitute “the”; and
  - (c) in paragraph 3—
    - (i) for “Each Member State” substitute “A fisheries administration”,
    - (ii) for “special fishing permits for vessels flying its flag” substitute “authorisations for United Kingdom fishing vessels”,
    - (iii) for “Articles 3 and 6” substitute “Article 4(3) in the areas and divisions referred to in Article 1”, and
    - (iv) for “Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits” substitute “Article 7 of Council Regulation (EC) No 1224/2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy”.
- (10) In Article 9 for—
- (a) “The Member States” substitute “A fisheries administration”; and
  - (b) “vessels flying their flag” substitute “United Kingdom fishing vessels”.
- (11) Omit Article 10.
- (12) For Article 11 substitute—

*“Article 11*

**Maximum annual effort**

1. The maximum levels of annual fishing effort in the areas and divisions referred to in Article 1, excluding the biologically sensitive area, for United Kingdom fishing vessels equal to or more than 15 metres in length overall are set out in Part 1 of the Annex to this Regulation by reference to group of species.
2. The maximum levels of annual fishing effort in the biologically sensitive area for United Kingdom fishing vessels equal to or more than 10 metres in length overall are set out in Part 2 of the Annex to this Regulation by reference to group of species.
3. The maximum levels of annual fishing effort fixed in Parts 1 and 2 of the Annex are without prejudice to fishing effort limitations fixed under recovery plans or any other management measure under relevant retained direct EU law provided that the measure with the lower amount of fishing effort is complied with.”.

- (13) For Article 13 substitute—

*“Article 13*

**Control provisions**

For the purposes of this Regulation, Section 2 of Chapter 1 of Title 4 of Council Regulation (EC) No 1224/2009 shall apply in the areas and divisions referred to in Article 1.”.

- (14) Omit Articles 14 and 16.
- (15) For the Annex substitute—

# “ANNEX

## PART 1

### Maximum Annual Fishing Effort

#### Demersal species excluding those covered by Regulation (EU) 2016/2336

| <i>Fishing area (except, where appropriate, for the biologically sensitive area)</i> | <i>Annual average of fishing effort, in kW(x) days<sup>(1)</sup>, for vessels equal to or more than 15 metres in length</i> |
|--|---|
| ICES V, VI   | 24,017,229  |
| ICES VII   | 25,756,266  |
| ICES VIII  | 248,406   |
| ICES IX  | 0   |
| ICES X   | 0   |
| CECAF 34.1.1   | 0   |
| CECAF 34.1.2   | 0   |
| CECAF 34.2.0   | 0   |
| <i>Total</i>   | 50,021,901  |

<sup>(1)</sup> For the calculation of fishing effort by vessel in a particular area, the activity is defined, for the vessel absent from port, as the number of days at sea by trip in the area, rounded up to the nearest whole number.

#### Scallops

| <i>Fishing area (except, where appropriate, for the biologically sensitive area)</i> | <i>Annual average of fishing effort, in kW(x) days<sup>(1)</sup>, for vessels equal to or more than 15 metres in length</i> |
|--|---|
| ICES V, VI   | 1,974,425   |
| ICES VII   | 3,315,619   |
| ICES VIII  | 0   |
| ICES IX  | 0   |
| ICES X   | 0   |
| CECAF 34.1.1   | 0   |
| CECAF 34.1.2   | 0   |
| CECAF 34.2.0   | 0   |
| <i>Total</i>   | 5,209,044   |

<sup>(1)</sup> For the calculation of fishing effort by vessel in a particular area, the activity is defined, for the vessel absent from port, as the number of days at sea by trip in the area, rounded up to the nearest whole number.

#### Edible crab and spider crab

| <i>Fishing area (except, where appropriate, for the biologically sensitive area)</i> | <i>Annual average of fishing effort, in kW(x) days<sup>(1)</sup>, for vessels equal to or more than 15 metres in length</i> |
|--|---|
| ICES V, VI   | 702,292   |
| ICES VII   | 543,366   |
| ICES VIII  | 0   |
| ICES IX  | 0   |
| ICES X   | 0   |

|              |           |
|--------------|-----------|
| CECAF 34.1.1 | 0         |
| CECAF 34.1.2 | 0         |
| CECAF 34.2.0 | 0         |
| <i>Total</i> | 1,245,658 |

<sup>(1)</sup> For the calculation of fishing effort by vessel in a particular area, the activity is defined, for the vessel absent from port, as the number of days at sea by trip in the area, rounded up to the nearest whole number.

## PART 2

### Maximum Annual Fishing Effort: the biologically sensitive area

| <i>Target species in the biologically sensitive area</i>              | <i>Annual average of fishing effort, in kW(x) days<sup>(1)</sup>, for vessels equal to or more than 10 metres in length overall</i> |
|---|---|
| Demersal species excluding those covered by Regulation (EU) 2016/2336 | 3,061,485   |
| Scallops  | 1,223   |
| Edible crab and spider crab   | 393   |
| <i>Total</i>  | 3,063,101   |

<sup>(1)</sup> For the calculation of fishing effort by vessel in a particular area, the activity is defined, for the vessel absent from port, as the number of days at sea by trip in the area, rounded up to the nearest whole number.”.

## PART 6

### AMENDMENT OF THE DATA COLLECTION FRAMEWORK MEASURES

#### **Regulation (EU) 2017/1004 of the European Parliament and of the Council on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy**

**16.**—(1) Regulation (EU) 2017/1004 of the European Parliament and of the Council on the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy is amended as follows.

(2) In Article 1—

- (a) in paragraph 1 omit “of the common fisheries policy”;
- (b) in paragraph 2 for “Union legal acts” substitute “applicable law”; and
- (c) in paragraph 3 for “Union legal acts” substitute “applicable law”.

(3) In Article 3(3)—

- (a) for the comma immediately after “1380/2013” substitute “or”; and
- (b) omit “or an area defined in the implementing act referred to in Article 9(11)”.

(4) In the heading of Chapter 2 omit “Union”.

(5) In the heading of Section 1 of Chapter 2 omit “Union”.

(6) In Article 5—

- (a) in the heading omit “Union”;
- (b) in paragraph 1—

- (i) omit “Union”,
  - (ii) in point (c)—
    - (aa) for “Member States” substitute “a fisheries administration”, and
    - (bb) for “their” substitute “its”;
  - (c) in paragraph (2)—
    - (i) in point (a)—
      - (aa) omit “Union” in the first place it occurs,
      - (bb) for “Union waters” substitute “United Kingdom waters”, and
      - (cc) for “operation of the common fisheries policy” substitute “regulation and management of fishing activities”,
    - (ii) in point (b)—
      - (aa) for “Union fisheries” substitute “fisheries within United Kingdom waters”,
      - (bb) for “Union waters” substitute “United Kingdom waters”, and
      - (cc) for “Union” in the third place it occurs, substitute “any law applying in the United Kingdom or any part of it”,
    - (iii) in point (c)—
      - (aa) for “Union fishing vessels” substitute “United Kingdom fishing vessels”,
      - (bb) for “Union waters” substitute “United Kingdom waters”, and
      - (cc) for “Union fleet” substitute “United Kingdom fleet”,
    - (iv) in point (d) for “Union” substitute “United Kingdom”, and
    - (v) in point (e) for “Union” substitute “United Kingdom”;
  - (d) in paragraph 3 for “Union” substitute “United Kingdom”;
  - (e) in paragraph 4—
    - (i) omit “Union”, and
    - (ii) for “the Commission shall” substitute “a fisheries administration must”;
    - (iii) in point (a)—
      - (aa) for “implementation of the common fisheries policy” substitute “regulation of fishing activities”, and
      - (bb) omit the last sentence,
    - (iv) in point (c) omit “at Union level”,
    - (v) omit point (i), and
    - (vi) in point (j) for “Union and its Member States” substitute “United Kingdom”;
  - (f) in paragraph 5—
    - (i) in point (a)—
      - (aa) for “management of the common fisheries policy” substitute “regulation and management of fishing activities”, and
      - (bb) for “its” substitute “the”; and
  - (g) omit paragraphs 6 and 7.
- (7) For the heading of Section 2 of Chapter 2 substitute—
- “Implementation of the multiannual programme”.
- (8) In Article 6—
- (a) in paragraph 1—
    - (i) for “their current data collection obligations under Union law, Member States” substitute “other legal obligations to collect data, a fisheries administration”, and



- (ii) omit “Union”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) in point (a) omit “Union”, and
    - (ii) in point (g) for “Union and its Member States” substitute “United Kingdom”; and
  - (d) omit paragraph 4.
- (9) Omit Articles 7 to 11.
- (10) In Article 12—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “their” substitute “its”;
  - (b) in paragraph 2 for “Union” in each place it occurs, substitute “United Kingdom”; and
  - (c) in paragraph 3 for “Union” substitute “United Kingdom”.
- (11) In Article 13 for “Member States shall” substitute “A fisheries administration must”.
- (12) In Article 14—
- (a) in paragraph 1 for “Member States shall be” substitute “A fisheries administration is”; and
  - (b) in paragraph 2—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) omit point (c).
- (13) Omit Article 15.
- (14) In Article 16—
- (a) in paragraph 1 for “Member States shall” substitute “A fisheries administration must”; and
  - (b) in paragraph 2—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) omit “and the Commission”.
- (15) In Article 17—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”, and
    - (ii) for “They” substitute “It”;
  - (b) in paragraph 2—
    - (i) for “Member States shall” substitute “A fisheries administration must”,
    - (ii) for “Member State” substitute “fisheries administration”, and
    - (iii) for “Member State concerned” substitute “fisheries administration”;
  - (c) in paragraph 3 for “Member States shall” substitute “a fisheries administration must”;
  - (d) in paragraph 4—
    - (i) for “Member States shall” in the first place it occurs, substitute “a fisheries administration must”, and
    - (ii) for “the Member States shall” substitute “a fisheries administration must”;
  - (e) in paragraph 5 for “Member States” substitute “a fisheries administration”;
  - (f) omit paragraph 6; and
  - (g) in paragraph 7—
    - (i) for “Member States” substitute “a fisheries administration”,

- (ii) for “Member States shall” substitute “A fisheries administration must”, and
  - (iii) omit “and the Commission”.
- (16) Omit Articles 18 and 19.
- (17) In Article 20—
- (a) in paragraph 1—
    - (i) in point (d) for “Commission and the Member States concerned” substitute “fisheries administration”,
    - (ii) in point (e) for “Commission and the Member States concerned” substitute “fisheries administration”, and
    - (iii) in point (f) for “Member State concerned” substitute “fisheries administration”;
  - (b) omit paragraph 2; and
  - (c) in paragraph 3 for “the Commission may allow the Member State concerned to” substitute “a fisheries administration may”.
- (18) In Article 21—
- (a) for “Member States shall” substitute “A fisheries administration must”;
  - (b) for “their” substitute “its”; and
  - (c) for “Union” substitute “United Kingdom”.
  - (d) Omit Articles 22 to 24.
- (19) Omit Article 27.

**Commission Implementing Decision (EU) 2016/1251 adopting a multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors for the period 2017-2019**

17.—(1) Commission Implementing Decision (EU) 2016/1251 adopting a multiannual Union programme for the collection, management and use of data in the fisheries and aquaculture sectors for the period 2017-2019 is amended as follows.

- (2) In Article 1—
- (a) omit “Union”; and
  - (b) for “Article 3 of Regulation (EC) No 199/2008” substitute “Article 4 of Regulation (EU) 2017/1004”.
- (3) Omit Article 3.
- (4) In the Annex—
- (a) in Chapter 1, in point (6) for “Union and its Member States” substitute “United Kingdom”;
  - (b) in Chapter 2, for “the common fisheries policy” substitute “fishing activity”;
  - (c) in Chapter 3—
    - (i) in point 1.1—
      - (aa) for “Member States shall” substitute “A fisheries administration must”,
      - (bb) for point (a) substitute—
 

“(a) biological data, by catch fraction, on stocks caught by United Kingdom commercial fisheries within and outside United Kingdom waters and by recreational fisheries within United Kingdom waters;”,
      - (cc) for point (b) substitute—
 

“(b) data to assess the impact of fisheries in United Kingdom waters on the marine ecosystem within and outside United Kingdom waters;”, and
      - (dd) for point (c) substitute—

“(c) detailed data on the activity of United Kingdom fishing vessels within and outside United Kingdom waters as reported under Regulation (EC) No 1224/2009;”,

(ii) for point 1.2 substitute—

“1.2. The data to be collected must be established in accordance with Regulation (EU) 2017/1004.”,

(iii) in point 2, for the heading substitute—

**“Biological data on stocks caught by United Kingdom fishing vessels in commercial fisheries within and outside United Kingdom waters and in recreational fisheries within United Kingdom waters”**,

(iv) in point 3, for the heading substitute—

**“Data to assess the impact of United Kingdom fisheries on marine ecosystems within and outside United Kingdom waters”**,

(v) in point 3(a)—

(aa) for “Union” substitute “relevant”, and

(bb) for “Member States” substitute “a fisheries administration”,

(vi) in point 3(b) for “in Union waters and outside Union waters” substitute “within and outside United Kingdom waters”,

(vii) in point 3(c) for “Member States” substitute “a fisheries administration”,

(viii) in point 4, for the heading substitute—

**“Detailed data on the activity of United Kingdom fishing vessels within and outside United Kingdom waters as recorded under Regulation (EC) No 1224/2009”**, and

(ix) for the first sentence substitute “Data to assess the activity of United Kingdom fishing vessels within and outside United Kingdom waters consist of the variables as indicated in Table 4.”,

(x) in point 5—

(aa) in the heading, for “Union fisheries sector” substitute “United Kingdom fisheries sector”, and

(bb) in point (a) for the second subparagraph substitute—

“The population must be all active and inactive vessels registered in the United Kingdom Fishing Fleet Register, as defined in Commission Implementing Regulation (EU) 2017/218, on 31 December of the reporting year and vessels that do not appear on the Register at that date but have fished at least one day during the reporting year.”, and

(xi) in point 6—

(aa) in the heading, for “Union aquaculture sector” substitute “United Kingdom aquaculture sector”, and

(bb) in point (c) for “Member State” substitute “United Kingdom”;

(d) in Chapter 4—

(i) in point 2 for “Member States shall” substitute “A fisheries administration must”,

(ii) in point 3 for “Member States” substitute “The United Kingdom’s”, and

(iii) in point 4—

(aa) for “Member States shall” substitute “A fisheries administration must”, and

(bb) for “their” substitute “its”; and

(e) omit Chapter 5.

**Regulation (EC) No 218/2009 of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic**

**18.**—(1) Regulation (EC) No 218/2009 of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic is amended as follows.

(2) For Article 1 substitute—

*“Article 1*

This Regulation defines statistical fishing regions in the north-east Atlantic.

Annex III defines International Council for the Exploration of the Sea (“ICES”) areas and divisions.”.

(3) Omit Articles 2 to 6 and Article 8.

(4) Omit Annexes 1 and 2.

(5) In the heading to Annex 3 omit “fishery statistics and”.

(6) Omit Annexes 4 to 7.

**PART 7**

**AMENDMENT OF THE COMMON ORGANISATION OF THE MARKETS REGULATIONS**

**Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products**

**19.**—(1) Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products is amended as follows.

(2) In Article 1—

(a) in paragraph 3 omit “Council Regulation (EU) No 1220/2012 and by”;

(b) omit paragraph 4.

(3) In Article 2 for “Union” substitute “United Kingdom”.

(4) In Article 5—

(a) in point (e) for “Union” substitute “United Kingdom”; and

(b) in point (f) for “Union” substitute “United Kingdom”.

(5) In Article 6(1) for “one or more Member States” substitute “the United Kingdom”.

(6) In Article 7—

(a) in paragraph 1(a) for “the Member State concerned” substitute “a fisheries administration”; and

(b) in paragraph 2 omit point (b).

(7) In Article 8—

(a) in paragraph (1)(c) for “Union” substitute “United Kingdom”; and

(b) in paragraph (2)(a) for “Member States” substitute “a fisheries administration”.

(8) In Article 9(1) for “one or more Member States” substitute “the United Kingdom”.

(9) In Article 10 omit paragraph 2.

(10) In Article 11 for “one or more Member States” substitute “the United Kingdom”.

(11) In Article 12 omit “Union”.

(12) In Article 13—

(a) in point (a) for “Union” substitute “applicable”;

- (b) in point (b) for “Union” substitute “United Kingdom”; and
  - (c) in point (c) omit “Union or national”.
- (13) In Article 14—
- (a) in paragraph 1—
    - (i) for “Member States” substitute “A fisheries administration”;
    - (ii) in point (b) for “territory of the Member State concerned” substitute “United Kingdom”; and
    - (iii) for point (c) substitute—
      - “(c) have legal personality, are established in the United Kingdom and have their official headquarters there;”.
- (14) Omit Article 15.
- (15) In Article 16—
- (a) in paragraph 1—
    - (i) for “Member States” substitute “A fisheries administration”,
    - (ii) for “on their territory” substitute “in the United Kingdom”; and
    - (iii) for point (d) substitute—
      - “(d) have legal personality, are established in the United Kingdom and have their official headquarters there;”;
  - (b) in paragraph 2 for “the Member State concerned” substitute “a fisheries administration”; and
  - (c) in paragraph 3 for “decembre” substitute “December”.
- (16) In Article 18—
- (a) in the heading omit “by Member States”;
  - (b) in paragraph 1 for “Member States shall” substitute “A fisheries administration must”; and
  - (c) omit paragraph 2.
- (17) Omit Articles 19 and 20.
- (18) In Article 22(1)—
- (a) for “Member State” substitute “fisheries administration”; and
  - (b) in point (a)—
    - (i) for “one Member State” substitute “the United Kingdom”, and
    - (ii) for “the competent national authorities” substitute “a fisheries administration”;
- (19) In Article 23—
- (a) in paragraph 1—
    - (i) for “Member State” substitute “fisheries administration”;
    - (ii) in point (a)—
      - (aa) for “a Member State” substitute “the United Kingdom”, and
      - (bb) for “the competent national authorities” substitute “a fisheries administration”, and
    - (iii) in point (b) for “Member State concerned or the Union” substitute “United Kingdom”; and
  - (b) in paragraph 2 omit “, without prejudice to Article 25(4)”.
- (20) In Article 24 for “the Member State concerned” substitute “a fisheries administration”.
- (21) Omit Articles 25 to 27.
- (22) In Article 28—

- (a) in paragraph 1 for “its competent national authorities” substitute “a fisheries administration”;
  - (b) in paragraph 3 for “The competent national authorities shall” substitute “A fisheries administration must”;
  - (c) in paragraph 4 for “the competent national authorities” substitute “a fisheries administration”;
  - (d) in paragraph 5 for “its competent national authorities” substitute “a fisheries administration”;
  - (e) omit paragraph 6;
  - (f) in paragraph 7 for “Member States shall” substitute “A fisheries administration must”; and
  - (g) in paragraph 8 for “Member States shall” substitute “a fisheries administration must”.
- (23) Omit Articles 30 to 32
- (24) In Article 33(1) omit “(Union or imported)”.
- (25) In Article 34(1) omit “Union”.
- (26) In Article 35—
- (a) in paragraph 1 for “within the Union” substitute “in the United Kingdom”;
  - (b) in paragraph 4 for “Member States” substitute “A fisheries administration”; and
  - (c) omit paragraphs 5 and 6.
- (27) Omit Article 36.
- (28) In Article 37—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “the Secretary of State must”,
    - (ii) for “their territory” substitute “the United Kingdom”, and
    - (iii) in point (b)(i) omit “in the official language or languages of the Member State concerned”; and
  - (b) omit paragraph 3.
- (29) In Article 38(1)—
- (a) in point (b) for “Member State” substitute “United Kingdom”; and
  - (b) in point (c) for “Member State or third country” substitute “country”.
- (30) In Article 40—
- (a) for “Articles 101 to 106 TFEU and their implementing provisions shall apply” substitute “Part 1 of the Competition Act 1998(a) applies”; and
  - (b) omit “referred to in Article 101(1) and Article 102 TFEU”.
- (31) In Article 41—
- (a) in the heading for “Exceptions to” substitute “Exclusions from”;
  - (b) in paragraph 1—
    - (i) for “Article 101(1) TFEU shall” substitute “the prohibition in Chapter 1 of the Competition Act 1988 does”,
    - (ii) in point (a) after “TFEU” insert “(as it had effect immediately before exit day)”, and
    - (iii) in point (c) omit “within the Union”;
  - (c) in paragraph 2—

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(a) 1998 c. 41.

- (i) for “Article 101(1) TFEU shall” substitute “the prohibition in Chapter 1 of the Competition Act 1998 does”,
  - (ii) in point (a) after “TFEU” insert “(as it had effect immediately before exit day)”,
  - (iii) in point (c) omit “within the Union”, and
  - (iv) in point (f) for “of the CFP” substitute “specified in Article 2 of Regulation 1380/2013”; and
- (d) after paragraph 2 insert—

“3. The Competition and Markets Authority<sup>(a)</sup> may at any time give a direction to the effect that the exclusions in paragraphs (1) and (2) of this Article no longer apply to a particular agreement.

4. Subparagraphs (4) to (8) of paragraph 9 of Schedule 3 to the Competition Act 1998<sup>(b)</sup> apply to a direction under paragraph (3) of this Article as they apply to a direction under paragraph 9 of Schedule 3 to the Competition Act 1998.”.

- (32) Omit Articles 42 and 43.
- (33) Omit Articles 48 and 49.

**Council Regulation (EC) No 2406/96 laying down common marketing standards for certain fishery products**

**20.**—(1) Council Regulation (EC) No 2406/96 laying down common marketing standards for certain fishery products is amended as follows.

- (2) In Article 1—
  - (a) in paragraph 1 for “Article 2 of Regulation (EEC) No 3759/92” substitute “Article 33 of Regulation (EU) No 1379/2013”;
  - (b) in paragraph 2, in point (a) for “on Community territory” substitute “in the United Kingdom”; and
  - (c) omit paragraph 3.
- (3) In Article 2(1) for “Community” substitute “United Kingdom”.
- (4) In Article 6 omit paragraphs 1 and 6.
- (5) In Article 7(2)—
  - (a) for “the minimum lengths required under:” substitute “minimum conservation reference sizes set out in other relevant retained direct EU legislation”; and
  - (b) omit all three indents.
- (6) In Article 11(2)—
  - (a) for “Community” in each place it occurs, substitute “United Kingdom”; and
  - (b) for “Regulation (EC) No 1093/94” substitute “Council Regulation (EC) No 1005/2008”.
- (7) In Article 12—
  - (a) for “Member States shall” substitute “A fisheries administration must”; and
  - (b) for “the competent national authorities” substitute “a fisheries administration”.
- (8) Omit Articles 13, 14 and 16.
- (9) In Annex 1—
  - (a) in Table A (WHITEFISH) omit table note (1);

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(a) The Competition and Markets Authority was established by section 25 of the Enterprise and Regulatory Reform Act 2013 (c. 24).

(b) 1998 c. 41. Paragraph 9 of Schedule 3 was amended by the Enterprise and Regulatory Reform Act 2013, Schedule 5, Part 1, paragraph 55.

- (b) in Table B (BLUEFISH) omit table notes (1) and (2); and
- (c) in Table C (SELACHII) omit table note (1).

(10) In the Table in Annex 2 for the column heading “Minimum sizes to be observed in the conditions laid down in the Regulations referred to in Article 7” substitute “Minimum sizes to be observed in accordance with conditions laid down in legislation specifying minimum conservation reference sizes for relevant fish”.

**Commission Regulation (EEC) No 3703/85 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish**

**21.**—(1) Commission Regulation (EEC) No 3703/85 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish is amended as follows.

(2) In Article 1 for “Regulation (EEC) No 103/76” substitute “Council Regulation (EC) No 2406/96”.

(3) In Article 2 for “7(1) and 8(3) of Regulation (EEC) No 103/76” substitute “5(1) and 8(2) of Council Regulation (EC) No 2406/96”.

(4) In Article 3—

- (a) for “7(1) and 8(3) of Regulation (EEC) No 103/76” substitute “5(1) and 8(2) of Council Regulation (EC) No 2406/96”; and
- (b) for “the Member State” substitute “a fisheries administration”.

(5) In Article 4—

- (a) for “Member States shall” substitute “A fisheries administration must”; and
- (b) for “Regulation (EEC) No 103/76” substitute “Council Regulation (EC) No 2406/96”.

(6) In Article 5—

- (a) for “8(4) of Regulation (EEC) No 103/76” substitute “8(3) of Council Regulation (EC) No 2406/96”;
- (b) for “national provisions or commercial rules applied in Member States” substitute “requirements in any other enactment”;
- (c) omit “, as provided for in Article 8(5) of Regulation (EEC) No 103/76,”; and
- (d) for “national provisions on matter of commercial law” substitute “requirements in any other enactment”.

(7) In Article 6—

- (a) for “7 and 8 of Regulation (EEC) No 103/76” substitute “5 and 8 of Council Regulation (EC) No 2406/96”; and
- (b) for “the inspection provided for in Article 4 of Regulation (EEC) No 3796/81” substitute “inspection”.

(8) In Article 7—

- (a) in paragraph 1 for “Regulation (EEC) No 103/76” substitute “Council Regulation (EC) No 2406/96”; and
- (b) in paragraph 2 omit “in the Member States”.

(9) In Article 8—

- (a) in paragraph 1 for “Regulation (EEC) No 103/76” substitute “Council Regulation (EC) No 2406/96”
- (b) in paragraph 2—
  - (i) in point (a) for “Regulation (EEC) No 103/76” substitute “Council Regulation (EC) No 2406/96”;
  - (ii) in point (b) for “6, 7 and 8 of Regulation (EEC) No 103/76” substitute “4, 5 and 8 of Council Regulation (EC) No 2406/96”, and



- (iii) in point (c) for “11 of Regulation (EEC) No 103/76” substitute “12 of Council Regulation (EC) No 2406/96”; and
  - (c) in paragraph 3 omit “as laid down in Article 6(6) of Regulation (EEC) No 103/76”.
- (10) In Article 9—
- (a) for “Member States shall” substitute “A fisheries administration must”; and
  - (b) for “Regulation (EEC) No 103/76” substitute “Council Regulation (EC) No 2406/96”.
- (11) In Article 10, in the second indent of paragraph 3 for “the office responsible for weights and measures in the Member State concerned” substitute “a local weights and measures authority”.
- (12) In Article 11—
- (a) for “Member States shall” substitute “a fisheries administration must”;
  - (b) in the first indent—
    - (i) before “vessels” insert “United Kingdom fishing”, and
    - (ii) for “Regulation (EEC) No 103/76” substitute “Council Regulation (EC) No 2406/96”; and
  - (c) in the second indent, for “the vessels” substitute “in relation to United Kingdom fishing vessels”.
- (13) Omit Article 12.
- (14) In Annex 1, in the table note for “Article 2 of Regulation (EEC) No 3796/81” substitute “Article 33 of Regulation (EU) No 1379/2013”.

**Council Regulation (EEC) No 2136/89 laying down common marketing standards for preserved sardines and trade descriptions for preserved sardines and sardine-type products**

**22.**—(1) Council Regulation (EEC) No 2136/89 laying down common marketing standards for preserved sardines and trade descriptions for preserved sardines and sardine-type products is amended as follows.

- (2) In Article 1 for “Community” substitute “United Kingdom”.
- (3) In Article 7a for “Community” substitute “United Kingdom”.
- (4) Omit Article 9.

**Council Regulation (EEC) No 1536/92 laying down common marketing standards for preserved tuna and bonito**

**23.**—(1) Council Regulation (EEC) No 1536/92 laying down common marketing standards for preserved tuna and bonito is amended as follows.

- (2) In Article 1 for “Community” substitute “United Kingdom”.
- (3) In Article 5(3) omit “in the Member State in which the products are marketed”.
- (4) In Article 6 omit “Community”.
- (5) Omit Article 9.

**Commission Implementing Regulation (EU) No 1418/2013 concerning production and marketing plans pursuant to Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products**

**24.**—(1) Commission Implementing Regulation (EU) No 1418/2013 concerning production and marketing plans pursuant to Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products is amended as follows.

- (2) In Article 2—
  - (a) in paragraph 1—
    - (i) for “their competent national authorities” substitute “a fisheries administration”, and
    - (ii) for “the competent national authorities” substitute “a fisheries administration”, and
  - (b) in paragraphs 2, 3 and 5 for “competent national authority” in each place it occurs, substitute “fisheries administration”.
- (3) In Article 3 for “competent national authority” in each place it occurs, substitute “fisheries administration”.
- (4) Omit Article 4.

**Commission Implementing Regulation (EU) No 1419/2013 concerning the recognition of producer organisations and inter-branch organisations, the extension of the rules of producer organisations and inter-branch organisations and the publication of trigger prices as provided for by Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products**

**25.**—(1) Despite the revocation of Articles 27 and 32 of Regulation (EU) No 1379/2013, Commission Implementing Regulation (EU) No 1419/2013 concerning the recognition of producer organisations and inter-branch organisations, the extension of the rules of producer organisations and inter-branch organisations and the publication of trigger prices as provided for by Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products continues to have effect and is amended as follows.

- (2) In Article 2(1)—
  - (a) for “the Member State concerned shall” substitute “a fisheries administration must”; and
  - (b) for “the Member State shall” substitute “a fisheries administration must”.
- (3) In Article 3—
  - (a) for “Member State” substitute “fisheries administration”; and
  - (b) for “The Member State shall” substitute “A fisheries administration must”.
- (4) Omit Articles 4 and 5.
- (5) In Article 6 for “Member States” substitute “a fisheries administration”.
- (6) Omit Article 7.
- (7) Omit Annexes 2 and 3.
- (8) In Annex 4—
  - (a) for “Member States” substitute “a fisheries administration”;
  - (b) for “their territories” substitute “the United Kingdom”; and
  - (c) omit points (b), (c) and (f).

## PART 8

### AMENDMENT OF THE MEASURES RELATING TO THE PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE DEEP SEAS AND HIGH SEAS

**Council Regulation (EC) No 734/2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears**

**26.**—(1) Council Regulation (EC) No 734/2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears is amended as follows.

- (2) In Article 1 for “Community” in each place it occurs, substitute “United Kingdom”.
- (3) In Article 3—
- (a) in paragraph 1—
    - (i) for “Community fishing vessels shall” substitute “United Kingdom fishing vessels must”, and
    - (ii) for “special fishing permit” substitute “fishing authorisation”; and
  - (b) in paragraph 2 for “special fishing permit shall be issued in accordance with Regulation (EC) No 1627/94” substitute “fishing authorisation must be issued in accordance with Council Regulation (EC) No 1224/2009”.
- (4) In Article 4—
- (a) in paragraph 1—
    - (i) for “special fishing permit” substitute “fishing authorisation”, and
    - (ii) in point (d) for “the competent authorities of the Flag State concerned” substitute “a fisheries administration”;
  - (b) in paragraph 2 for “The competent authorities shall issue a special fishing permit after having” substitute “A fisheries administration may only issue a fishing authorisation provided for in Article 3(1) if it has”;
  - (c) in paragraph 3 for “competent authorities shall” substitute “fisheries administration must”;
  - (d) in paragraph 5 for “The competent authorities shall” substitute “A fisheries administration must”; and
  - (e) in paragraph 6—
    - (i) for “the competent authorities shall” in each place it occurs, substitute “a fisheries administration must”, and
    - (ii) for “special fishing permit” substitute “fishing authorisation”.
- (5) In Article 5—
- (a) in paragraph 1 for “special fishing permit” substitute “fishing authorisation”;
  - (b) in paragraph 2—
    - (i) for “the competent authorities” in the first place it occurs, substitute “a fishing administration”, and
    - (ii) for “competent authorities” in the second place it occurs, substitute “fisheries administration”; and
  - (c) in paragraph 3 for “the flag State of the special fishing permit” substitute “a fisheries administration of the fishing authorisation”.
- (6) In Article 6(1) omit the final sentence.
- (7) In Article 7(3) for “the competent authorities” substitute “a fisheries administration”.
- (8) In Article 8—
- (a) in paragraph 1—
    - (i) for “their” in the first place it occurs, substitute “United Kingdom”,
    - (ii) for “Member States shall” in the first place it occurs, substitute “a fisheries administration must”,
    - (iii) for “Member States shall” in the second place it occurs, substitutes “A fisheries administration must”,
    - (iv) for “their” in the second place it occurs, substitute “United Kingdom fishing”,
    - (v) for “Commission” substitute “Contracting Parties to the United Nations Convention on the Law of the Sea and to the Agreement on the implementation of the provisions

of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks”, and

- (vi) omit the final sentence; and
  - (b) omit paragraph 2.
- (9) In Article 9—
- (a) in paragraph 1—
    - (i) for “Article 11(1) of Regulation (EC) No 2244/2003” substitute “Article 25 of Commission Implementing Regulation (EU) No 404/2011”; and
    - (ii) for “the flag Member State” substitute “a fisheries administration”; and
  - (b) in paragraph 2 for “the competent authorities” substitute “a fisheries administration”.
- (10) In Article 10—
- (a) in paragraph 1—
    - (i) for “special fishing permit” substitute “fishing authorisation”; and
    - (ii) for “the rules of the common fisheries policy” substitute “Fisheries Rules”; and
  - (b) in paragraph 2 for “rules of the common fisheries policy” substitute “Fisheries Rules”.
- (11) In Article 11—
- (a) in paragraph 1—
    - (i) for “special fishing permit” substitute “fishing authorisation”, and
    - (ii) omit “The number of observers covering fishing activities in a fishing area shall be reviewed on 20 July 2009.”; and
  - (b) for paragraph 2—
    - (i) in point (a) for “Article 6 of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy” substitute “Article 14 of Council Regulation (EC) No 1224/2009”, and
    - (ii) for point (e) substitute—
      - “(e) present a report to the competent authorities of the fisheries administration concerned 20 days following the termination of the observation period.”.
- (12) Omit Articles 12 to 14.

**Regulation (EU) 2016/2336 of the European Parliament and of the Council establishing specific conditions for fishing for deep sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic**

27.—(1) Regulation (EU) 2016/2336 of the European Parliament and of the Council establishing specific conditions for fishing for deep sea stocks in the north-east Atlantic and provisions for fishing in international waters of the north-east Atlantic is amended as follows.

- (2) In Article 1(c) omit “Union”.
- (3) In Article 2(1) for “Union” in each place it occurs, substitute “United Kingdom”.
- (4) In Article 4, in the definition of “fisheries monitoring centre”, for “flag Member State” substitute “fisheries administration”.
- (5) In Article 5—
  - (a) omit paragraph 4;
  - (b) in paragraph 5 for “shall be” substitute “are”; and
  - (c) in paragraph 7 for “Council Regulation (EC) No 1006/2008” substitute “Regulation (EU) 2017/2403”.
- (6) In Article 6—
  - (a) in paragraph 1—

- (i) for “Union” substitute “United Kingdom”,
  - (ii) for “Member State” substitute “fisheries administration”,
  - (iii) for “the vessels of that Member State” substitute “United Kingdom fishing vessels”,  
and
  - (iv) omit point (b); and
- (b) omit paragraph 2.
- (7) In Article 9—
- (a) in paragraph 3—
    - (i) omit “national”, and
    - (ii) for “who shall notify the Commission without delay” substitute “of a fisheries administration”;
  - (b) in paragraph 4—
    - (i) for “Member States shall” substitute “A fisheries administration must”,
    - (ii) omit the words from “In addition,” to the end of the first subparagraph, and
    - (iii) omit the second subparagraph; and
  - (c) omit paragraph 5.
- (8) In Article 11—
- (a) in paragraph 1—
    - (i) for “Member States shall” in the first place it occurs, substitute “A fisheries administration must”, and
    - (ii) omit the final sentence; and
  - (b) in paragraph 2 for “Member States” substitute “a fisheries administration”.
- (9) In Article 12—
- (a) for “Union” substitute “United Kingdom”; and
  - (b) for “their flag Member State’s competent authority” substitute “the competent authority of a fisheries administration”.
- (10) In Article 13 for “Union” in each place it occurs, substitute “United Kingdom”.
- (11) In Article 15—
- (a) in paragraph 2—
    - (i) omit “Union”, and
    - (ii) for “Member States shall” insert “a fisheries administration must”;
  - (b) in paragraph 3 for “Member States shall” substitute “A fisheries administration must”;
  - (c) in paragraph 4 for “the Member State” substitute “a fisheries administration”;
  - (d) omit paragraph 5.
- (12) In Article 16—
- (a) in paragraph 1 for “Member States shall” substitute “A fisheries administration must”;
  - (b) in paragraph 2 for “its Member State” substitute “a fisheries administration”; and
  - (c) omit paragraphs 3 and 4.
- (13) Omit Articles 17, 19 and 21.
- (14) In Annex 2—
- (a) in paragraph 1—
    - (i) for “Member States shall” substitute “A fisheries administration must”,
    - (ii) for “Union” in each place it occurs, substitute “United Kingdom”; and
  - (b) in paragraph 5 for “Member States shall” substitute “a fisheries administration must”.

PART 9  
AMENDMENT OF THE EUROPEAN MARITIME AND FISHERIES FUND  
REGULATIONS

**Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund**

28.—(1) Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund is amended as follows.

(2) For Article 1 substitute—

*“Article 1*

**Subject-matter**

This Regulation specifies various purposes for which financial assistance may be provided to the fishing and aquaculture sector in the United Kingdom until its expiry at the end of December 2020.

This Regulation defines the manner in which applications for assistance may be made and the applicable criteria for providing such assistance.”.

(3) In Article 2 for “Union” substitute “United Kingdom”.

(4) In Article 3(2)—

- (a) omit points (2) and (4);
- (b) in point (5) for “Member State” substitute “fisheries administration”;
- (c) in point (6) omit “, as recognised by the Member State”;
- (d) omit points (8) and (9);
- (e) in point (10)—
  - (i) omit “Union” in the first place it occurs,
  - (ii) for “Member States” substitute “the United Kingdom”,
  - (iii) omit “and notably the coastal, insular and outermost regions in the Union,”, and
  - (iv) for “maritime sectors” substitute “the maritime sector”;
- (f) in point (11)—
  - (i) for “a Union” substitute “an”, and
  - (ii) omit “in respect of the European seas”.
- (g) in point (12) omit “Member State’s”;
- (h) in point (14) omit “as listed in Table 3 of Annex I to Commission Regulation (EC) No 26/2004”; and
- (i) in point (15) for “Union” substitute “United Kingdom”.

(5) For the heading to Chapter 1 of Title 2 substitute—

*“Objectives when providing financial assistance to the fishing and aquaculture sector”.*

(6) Omit Article 4.

(7) In Article 5—

- (a) in the first paragraph, for “The EMFF shall” substitute “Financial assistance provided to the fishing and aquaculture sector under this Regulation must”;
- (b) in point (b) for “the CFP” substitute “fisheries and aquaculture legislation”; and
- (c) in point (d) for “Union’s IMP in a manner complementary to cohesion policy and to the CFP” substitute “IMP”.

(8) In Article 6—

- (a) in the heading, omit “Union”;
  - (b) in the first paragraph—
    - (i) for “The EMFF” substitute “Financial assistance provided to the fishing and aquaculture sector under this Regulation”,
    - (ii) omit “shall contribute to the Europe 2020 strategy and to the implementation of the CFP. It”, and
    - (iii) omit “Union”; and
  - (c) in point (3) for “the CFP” substitute “fisheries and aquaculture legislation”.
- (9) Omit Chapter 2 of Title 2.
- (10) In the heading to Chapter 3 of Title 2 omit “under shared management”.
- (11) Omit Article 9.
- (12) In Article 10—
- (a) in paragraph 1—
    - (i) for “from the EMFF” substitute “under this Regulation”,
    - (ii) for “pursuant to paragraph 4 of this Article” substitute “in Commission Delegated Regulation (EU) 2015/288”,
    - (iii) for “the competent authority” substitute “a fisheries administration”,
    - (iv) in point (b) for “Union” substitute “United Kingdom”,
    - (v) in point (c)—
      - (aa) for “the CFP rules” substitute “Fisheries Rules”,
      - (bb) for “other” substitute “relevant”, and
      - (cc) omit “adopted by the European Parliament and by the Council”;
  - (b) in paragraph 3—
    - (i) for “pursuant to paragraph 4 of this Article” substitute “in Commission Delegated Regulation (EU) 2015/288”,
    - (ii) for “the competent authority” substitute “a fisheries administration”, and
    - (iii) for “ or the EMFF” substitute “, the European Maritime and Fisheries Fund (EMFF) or in the context of this Regulation”;
  - (c) omit paragraph 4; and
  - (d) in paragraph 5—
    - (i) in the first subparagraph—
      - (aa) for “Member States shall require that operators” substitute “Operators”,
      - (bb) for “the EMFF” in the first place it occurs, substitute “this Regulation must”,
      - (cc) for “managing authority” substitute “Secretary of State”,
      - (dd) for “ or the EMFF” substitute “, the EMFF or under this Regulation”, and
      - (ee) for “Member States” in the second place it occurs, substitute “The Secretary of State”; and
    - (ii) omit the second subparagraph.
- (13) In Article 11—
- (a) in the first paragraph for “the EMFF” substitute “this Regulation”; and
  - (b) in point (f) for “a Union legal act” substitute “another enactment”.
- (14) Omit Title 3.
- (15) In the heading to Chapter 1 of Title 4 for “shared management” substitute “this Regulation”.
- (16) Omit Article 17.

(17) For Article 18 substitute—

*“Article 18*

**The United Kingdom operational programme**

The operational programme of the United Kingdom approved under Commission Implementing Decision C(2015) 8628 of 30th November 2015 on approving the operational programme “European Maritime and Fisheries Fund – Operational Programme for the United Kingdom” for support from the European Maritime and Fisheries Fund in the United Kingdom is, subject to any amendments made by virtue of Article 20, the operational programme for the purposes of implementing the priorities set out in Article 6 (“the operational programme”).”.

(18) Omit Article 19.

(19) In Article 21—

(a) for the heading substitute—

**“The United Kingdom work plan for data collection”;** and

(b) for paragraph 1 substitute—

“1. The work plan for data collection of the United Kingdom approved under Commission Implementing Decision C(2018) 2277 of 11th April 2018 on approving the work plan of the United Kingdom for data collection in the fisheries and aquaculture sector for the period 2018-2019 is, subject to any amendments made by virtue of paragraph 2, the work plan for the purposes of the objective of collection of data for sustainable fisheries management referred to in point (a) of Article 6(3).”.

(20) Omit Articles 22 and 23.

(21) For the heading to Title 5 substitute—

**“FINANCING OF MEASURES”.**

(22) In Article 24 omit “under the Union priority”.

(23) In Article 25—

(a) in paragraph 1—

(i) for “Union” substitute “United Kingdom”,

(ii) after “beneficiary.” insert “Where the date of actual payment occurred before exit day, the vessel may be transferred to a member State of the European Union but not outside the European Union within five years following that date.”, and

(iii) for “recovered by the Member State,” substitute “repaid”;

(b) in paragraph 3—

(i) for “from the EMFF to” substitute “, financed under this Regulation, towards”,

(ii) for “Articles 33 and 34” substitute “Article 33”,

(iii) in point (a) for “EUR 6 000 000” substitute “£5,200,000”,

(iv) in point (b)—

(aa) omit “Union” in both places it occurs, and

(bb) omit “by the Member State”;

(c) in paragraph 4—

(i) for “from the EMFF” substitute “, financed under this Regulation,”,

(ii) omit “Union”, and

(iii) for “per Member State” substitute “under this Regulation”; and

(d) omit paragraph 5.

(24) In Article 26—

(a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;



- (b) in paragraph 2 for “the Member State or the Union” substitute “a fisheries administration”; and
  - (c) in paragraph 3 omit “by the Member State”.
- (25) In Article 27—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”; and
  - (b) omit paragraph 4.
- (26) In Article 28(1) for “the EMFF” substitute “financial assistance under this Regulation”.
- (27) In Article 29—
- (a) in paragraph 1—
    - (i) for “the EMFF” substitute “financial assistance under this Regulation”, and
    - (ii) in point (c) omit “Union,”;
  - (b) in paragraph 3—
    - (i) after “training of” insert “unemployed”,
    - (ii) omit “, who are recognised as unemployed by the Member State concerned”, and
    - (iii) omit “that is recognised by the Member State concerned”;
  - (c) in paragraph 4—
    - (i) omit “of the Member State concerned”, and
    - (ii) for “EUR 40 000” substitute “£35,000”.
- (28) In Article 30—
- (a) in paragraph 1 for “The EMFF” substitute “Financial assistance under this Regulation”; and
  - (b) in paragraph 4 for “EUR 75 000” substitute “£65,000”.
- (29) In Article 31—
- (a) in paragraph 1 for “The EMFF” substitute “Financial assistance under this Regulation”;
  - (b) in paragraph 2 omit point (d);
  - (c) in paragraph 3 for “Member States may” substitute “The Secretary of State may, with the consent of the other fisheries administrations,”; and
  - (d) in paragraph 4 for “EUR 75 000” substitute “£65,000”.
- (30) In Article 32—
- (a) in paragraph 1—
    - (i) for “the EMFF” substitute “financial assistance under this Regulation”, and
    - (ii) for “the requirements under Union or national law” substitute “the relevant minimum legal requirements”, and
  - (b) omit paragraph 4.
- (31) In Article 33—
- (a) in paragraph 1—
    - (i) for “The EMFF” substitute “Financial assistance under this Regulation”, and
    - (ii) omit points (a) and (c);
  - (b) in paragraph 3 for “Union” in both places it occurs, substitute “United Kingdom”; and
  - (c) in paragraph 4 for “The competent authority” substitute “A fisheries administration”.
- (32) Omit Article 34.
- (33) In Article 35—
- (a) in paragraph 1 for “The EMFF” substitute “Financial assistance under this Regulation”;

- (b) in paragraph 2 for “the Member State, in accordance with national law,” substitute “a fisheries administration”;
  - (c) for paragraph 3 substitute—
    - “3. A mutual fund under this Article must be designed to ensure that overcompensation as a result of the combination of support under this Article with other national instruments or private insurance schemes is avoided.”;
  - (d) in paragraph 4(a) for “the competent authority of the Member State, in accordance with national law” substitute “a fisheries administration”;
  - (e) in paragraph 5—
    - (i) for “Member States shall” in the first place it occurs, substitute “The Secretary of State may, with the consent of the other fisheries administrations,”;
    - (ii) for “Member States” in the second place it occurs, substitute “The fund arrangements”, and
    - (iii) omit “ensure that the fund arrangements”.
  - (f) paragraph 6 for “the competent authority of the Member State concerned” substitute “a fisheries administration”;
  - (g) in paragraph 7 for “Member States” substitute “The fund arrangements”;
  - (h) in paragraph 9 for “No contribution from the EMFF shall” substitute “Financial assistance under this Regulation must not”; and
  - (i) omit paragraph 10.
- (34) In Article 36—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”; and
  - (b) in paragraph 2—
    - (i) after “persons or” insert “recognised”, and
    - (ii) omit “recognised by the Member State”.
- (35) Omit Article 37.
- (36) In Article 38—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3 for “Union” substitute “United Kingdom”;
  - (d) in paragraph 4—
    - (i) for “standard” substitute “minimum legally permitted standard of”, and
    - (ii) omit “permitted under Union law” until the end of the paragraph;
  - (e) in paragraph 5—
    - (i) in points (a) and (b) for “Union” substitute “United Kingdom”, and
    - (ii) in point (c) —
      - (aa) at the beginning, insert “recognised”, and
      - (bb) omit “recognised by the Member State”.
- (37) In Article 39—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;
  - (b) in paragraph 2 for “the Member State” substitute “a fisheries administration”;
  - (c) in paragraph 3 omit “by the Member State”;
  - (d) in paragraph 4—

- (i) for “number of vessels of the national fleet or 5% of the national fleet” substitute “United Kingdom fleet by number or by”, and
    - (ii) omit the final sentence;
  - (e) omit paragraph 5; and
  - (f) in paragraph 6 omit “in accordance with Article 65(8) of Regulation (EU) No 1303/2013”.
- (38) In Article 40—
- (a) in paragraph 1—
    - (i) for “the EMFF” substitute “financial assistance under this Regulation”, and
    - (ii) omit point (h);
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) after “Advisory Councils, fishermen or” insert “recognised”, and
    - (ii) omit “which are recognised by the Member State”; and
  - (d) omit paragraph 4.
- (39) In Article 41—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;
  - (b) omit paragraph 3;
  - (c) in paragraph 4 for “Union” substitute “United Kingdom”;
  - (d) in paragraph 7—
    - (i) omit “from the EMFF”,
    - (ii) in point (a) for “EUR 1 500 000” substitute “£1,300,000”, and
    - (iii) in point (b)—
      - (aa) omit “Union” in both places it occurs, and
      - (bb) omit “by the Member State”; and
  - (e) omit paragraph 10.
- (40) In Article 42—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”; and
  - (b) in paragraph 2 for “Union” substitute “United Kingdom”.
- (41) In Article 43(1), (2) and (3) for “the EMFF” substitute “financial assistance under this Regulation”.
- (42) In Article 44—
- (a) in paragraphs 1, 2, 3, 4 and 6, for “the EMFF” substitute “financial assistance under this Regulation”; and
  - (b) for paragraph 7 substitute—

“7. Any vessel that receives support under this Article must continue to operate exclusively in inland waters. Where a vessel operates outside inland waters in breach of the condition set out in the first sentence, sums paid in respect of that vessel must be repaid in an amount proportionate to the funding period and the proportion of that period since the condition was first breached.”.
- (43) In Article 45 omit “under the Union priority”.
- (44) In Article 46—
- (a) in paragraph 2 for “EUR 50 000” substitute “£44,000”;
  - (b) in paragraph 3—

- (i) for “ensuring” substitute “, support may be granted to ensure”,
  - (ii) after “future” insert “minimum legal”, and
  - (iii) omit “under Union law”; and
  - (c) in paragraph 5 for “the competent authority of the Member State” substitute “a fisheries administration”.
- (45) In Article 47—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;
  - (b) in paragraph 2—
    - (i) after “in collaboration with,” insert “recognised”, and
    - (ii) omit “recognised by the Member State.”; and
  - (c) in paragraph 3 omit “by the Member State”.
- (46) In Article 48—
- (a) in paragraph 1 for “The EMFF” substitute “Financial assistance under this Regulation”; and
  - (b) in paragraph 3 omit “, provided that the development is consistent with the multiannual national strategic plan for the development of aquaculture referred to in Article 34 of Regulation (EU) No 1380/2013”.
- (47) In Article 49—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;
  - (b) in paragraph 2—
    - (i) in point (a) omit “Union and national”,
    - (ii) in point (b)—
      - (aa) after “as referred to in” insert “legislation implementing”, and
      - (bb) omit “and Directive 92/43/EEC”,
    - (iii) in point (c) omit “Union and national”, and
    - (iv) in point (d) omit “based on Union and national legislation”;
  - (c) in paragraph 3—
    - (i) after “entities” insert “recognised to have the required competences in”, and
    - (ii) omit “with the required competences as recognised by the Member State”;
  - (d) in paragraph 4—
    - (i) omit “public law bodies or other”, and
    - (ii) for “the Member State” substitute “a fisheries administration”; and
  - (e) omit paragraph 5.
- (48) In Article 50—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”; and
  - (b) in paragraph 3—
    - (i) after “other” insert “recognised”, and
    - (ii) omit “recognised by the Member State”.
- (49) In Article 51—
- (a) in paragraph 1—
    - (i) for “the EMFF” substitute “financial assistance under this Regulation”, and
    - (ii) in point (c) after “under” insert “legislation implementing”; and
  - (b) in paragraph 2 omit “by the Member State”.

- (50) In Article 52(1) for “the EMFF” substitute “financial assistance under this Regulation”.
- (51) Omit Article 53.
- (52) In Article 54—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;
  - (b) in paragraph 3—
    - (i) for “Union and national law” substitute “the minimum legal requirements”, and
    - (ii) for “the Member State” substitute “a fisheries administration”;
  - (c) in paragraph 5 omit “by the Member State”.
- (53) In Article 55—
- (a) in paragraph 1 for “The EMFF” substitute “Financial assistance under this Regulation”;  
and
  - (b) in paragraph 2—
    - (i) in point (b) at the end insert “(or, where the business has less than three years of activity, the Secretary of State may, with the consent of the other fisheries administrations, establish special calculation rules)”, and
    - (ii) omit the second subparagraph.
- (54) In Article 56—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;
  - (b) in point (e) omit “as recognised by Member States”; and
  - (c) in paragraph 3 omit “by the Member State”.
- (55) In Article 57—
- (a) in paragraph 1 for “the EMFF” substitute “financial assistance under this Regulation”;
  - (b) in paragraph 2 for “the Member State concerned” substitute “a fisheries administration”;  
and
  - (c) omit paragraph 3.
- (56) In Article 58 for “The EMFF” substitute “Support under this Chapter”.
- (57) In Article 59 omit “under the Union priority”.
- (58) In Article 60(2) omit “Union”.
- (59) In Article 61—
- (a) in paragraph 1 for “the EMFF” substitute “this Regulation”;
  - (b) in paragraph 4—
    - (i) for “the EMFF” in the first place it occurs, substitute “receiving support under this Regulation”, and
    - (ii) for “EMFF supported operations” substitute “operations supported under this Regulation”; and
  - (c) in paragraph 5 for “managing authority” substitute “Secretary of State”.
- (60) In Article 62—
- (a) in the heading, omit “from the EMFF”; and
  - (b) omit paragraph 2.
- (61) In Article 64—
- (a) in paragraph 1—
    - (i) in point (a) omit “or transnational”,
    - (ii) in point (b) omit “and transnational”, and
    - (iii) in the second subparagraph for “within a Member State” to the end of the subparagraph, substitute “within the United Kingdom.”;

- (b) in paragraph 2—
    - (i) for “the EMFF” substitute “this Regulation”, and
    - (ii) for “or outside the Union” substitute “the United Kingdom”;
  - (c) omit paragraphs 3 to 5.
- (62) In Article 65 omit “under the Union priority”.
- (63) In Article 66—
- (a) in paragraph 1 for “The EMFF shall” substitute “Financial assistance under this Regulation may”;
  - (b) in paragraph 2—
    - (i) for “from the EMFF” substitute “under this Regulation”, and
    - (ii) for the words from “the competent authorities in the Member State” to the end, substitute “a fisheries administration”; and
  - (c) in paragraph 4—
    - (i) for “The Member State concerned may grant” substitute “Where financial assistance is provided under this Article,”,
    - (ii) after “support” insert “may be granted”, and
    - (iii) for the words “of the production and marketing plan” until the end, substitute “by a fisheries administration”.
- (64) Omit Article 67.
- (65) In Article 68—
- (a) in paragraph 1 for “The EMFF” substitute “Financial assistance under this Regulation”;
  - (b) in point (d) for “Union’s” substitute “United Kingdom’s”;
  - (c) in point (e) for “a Union-wide” substitute “an”;
  - (d) in point (f) omit “, which are compatible with Union law”; and
  - (e) in point (g) for “regional, national or transnational” substitute “regional or national”.
- (66) In Article 69(1) for “The EMFF” substitute “Financial assistance under this Regulation”.
- (67) Omit Articles 70 to 73.
- (68) In the heading to Chapter 6 of Title 5 omit “for the CFP under shared management”.
- (69) In Article 74 for “Union” substitute “United Kingdom”.
- (70) In Article 75 omit “under the Union priority”.
- (71) In Article 76—
- (a) in paragraph 1—
    - (i) for “The EMFF” substitute “Financial assistance under this Regulation”,
    - (ii) omit “Union”, and
    - (iii) omit “in Article 36 of Regulation (EU) No 1380/2013 and further specified”,
  - (b) in paragraph 2—
    - (i) in point (b) omit “Member State and Union”,
    - (ii) in points (d) and (h) for “between Member States” substitute “with other countries”,
    - (iii) in point (j) for “the CFP rules” substitute “Fisheries Rules”,
    - (iv) in point (k) omit “and subject to control coordination in accordance with Article 15 of Council Regulation (EC) No 768/2005”, and
    - (v) omit point (l);
  - (c) in paragraph 3 for “(l)” substitute “(k)”; and
  - (d) omit paragraph 4.

- (72) In Article 77—
- (a) in paragraph 1—
    - (i) for “The EMFF shall” substitute “Financial assistance under this Regulation may”, and
    - (ii) for “Regulation (EC) No 199/2008” substitute “Regulation (EU) 2017/1004”;
  - (b) in paragraph 2—
    - (i) in point (a) for “the CFP” substitute “fisheries and aquaculture measures”,
    - (ii) point (b)—
      - (aa) omit “, transnational”, and
      - (bb) for “the CFP” substitute “relevant fisheries or aquaculture measures”;
    - (iii) in point (e) —
      - (aa) for “Member States” substitute “the United Kingdom”, and
      - (bb) omit “of which the Union is a contracting party or an observer,”.
- (73) In the heading to Chapter 7 of Title 5 omit “at the initiative of Member States”.
- (74) In Article 78—
- (a) in the heading omit “at the initiative of Member States”;
  - (b) in paragraph 1—
    - (i) for “The EMFF” substitute “Financial assistance under this Regulation”, and
    - (ii) omit “at the initiative of a Member State, and”;
  - (c) in point (b) omit “in the territory of the Member State”.
- (75) In the heading to Chapter 8 of Title 5 omit “financed under shared management”.
- (76) In Article 79(1)—
- (a) omit “under the Union priority”; and
  - (b) in point (a) omit “Union”.
- (77) In Article 80 for “The EMFF” substitute “Financial assistance under this Regulation”.
- (78) Omit Title 6.
- (79) In the heading to Title 7 omit “under shared management”.
- (80) In Article 93 omit “shared management as set out in”.
- (81) In the heading to Section 1 of Chapter 2 of Title 7 for “from the EMFF” substitute “under this Regulation”.
- (82) Omit Article 94.
- (83) In Article 95—
- (a) for paragraph 1 substitute—
 

“1. Where financial assistance is provided under this Regulation, the maximum intensity of aid in relation to that assistance is 50% of the total eligible expenditure of the operation.”

;
  - (b) in paragraph 2—
    - (i) for “Member States may apply an intensity of public aid of” substitute “the maximum intensity of aid in relation to financial assistance under this Regulation may be”,
    - (ii) in point (a) after “TFEU” insert “(as it had effect immediately before exit day)”,
    - (iii) omit points (b) and (c),
    - (iv) in point (e)—
      - (aa) omit “or 34”, and

- (bb) omit “,55 or 56”, and
- (v) omit point (f);
- (c) omit paragraph 3;
- (d) in paragraph 4 for “additional percentage points of public aid intensity shall apply” substitute “the maximum aid intensity in relation to financial assistance under this Regulation may be increased by the additional percentage points”; and
- (e) for paragraph 5 substitute—

“5. Where several conditions set out in Annex I are fulfilled in relation to one operation, the different additional percentage point increases and decreases set out in Commission Implementing Regulation (EU) No. 772/2014 laying down the rules on intensity of public aid to be applied to the total eligible expenditure of certain operations financed under the European Maritime and Fisheries Fund apply.”.

(84) In Article 96 for “Member States shall ensure that the relevant calculations are adequate, accurate and” substitute “the relevant calculations must be adequately and accurately”.

(85) For Article 97 substitute—

*“Article 97*

**Publicity of operational programme**

In addition to the general rules set out in Article 125 of Regulation (EU) No. 1303/2013, the Secretary of State must publicise the operational programme by informing potential beneficiaries, professional organisations, economic and social partners, bodies involved in promoting equality between men and women and non-governmental organisations concerned, including environmental organisations, of the possibilities offered by the programme and the rules for gaining access to programme funding.”.

(86) Omit Articles 98 to 111.

(87) In Article 112—

- (a) in paragraph 1 for “managing authority referred to in Article 97 of this Regulation” substitute “Secretary of State”; and
- (b) in paragraph 2 for “managing authority” substitute “Secretary of State”.

(88) In Article 113 omit point (d).

(89) Omit Articles 114 to 118.

(90) In Article 119—

- (a) in paragraph 1—
  - (i) for “managing authority” substitute “Secretary of State”,
  - (ii) for “point (b) of Article 97(1)” substitute “Article 97”,
  - (iii) in point (a) omit “in the Member State”,
  - (iv) in point (c) —
    - (aa) omit “Union”, and
    - (bb) for “the EMFF” substitute “financial assistance provided under this Regulation”,
  - (v) in point (d) —
    - (aa) for “the CFP rules” substitute “Fisheries Rules”, and
    - (bb) omit “, including cases of non-compliance by Member States or beneficiaries,”;
- (b) in paragraph 2—
  - (i) for “from the EMFF” substitute “under this Regulation”, and
  - (ii) for “Member States” substitute “the Secretary of State”.



- (c) omit paragraph 4.
- (91) Omit Titles 8 and 9
- (92) Omit Articles 129 and 130.
- (93) Omit Annexes 2, 3 and 4.
- (94) In Annex 5—
  - (a) in the heading, for “FROM THE EMFF” substitute “UNDER THIS REGULATION”;
  - (b) in section 1—
    - (i) omit “, in at least one of the official languages of the Member State,”,
    - (ii) in the first indent omit “in accordance with national law”,
    - (iii) omit the second indent,
    - (iv) omit the eighth indent, and
    - (v) in the eleventh indent omit “Union”;
  - (c) in section 2—
    - (i) in paragraph 1 for “The Member State shall ensure that the information and publicity measures” substitute “Information and publicity measures should”,
    - (ii) in paragraph 2—
      - (aa) for the first paragraph substitute—
- “2. The information and publicity must comprise at least the following measures:”;
- (bb) omit points (a) and (c),
- (cc) in point (e) omit “the examples should be in a widely spoken official language of the Union other than the official language or languages of the Member State concerned;”, and
- (dd) in point (h) for “the CFP rules, including cases of non-compliance by Member States or beneficiaries,” substitute “Fisheries Rules”,
- (iii) in paragraph 3—
  - (aa) for “managing authority” substitute “Secretary of State”,
  - (bb) omit “in accordance with national laws and practices,”, and
  - (cc) omit point (b),
- (d) in section 3—
  - (i) in paragraph 1 of subsection 3.1—
    - (aa) for “managing authority” substitute “Secretary of State”, and
    - (bb) for “by the EMFF” substitute “under this Regulation”,
  - (ii) in paragraph 2 of subsection 3.1—
    - (aa) for “managing authority” substitute “Secretary of State”, and
    - (bb) in point (e) omit “Union”,
  - (iii) in subsection 3.2 for “managing authority” substitute “Secretary of State”.

**Commission Delegated Regulation (EU) 2015/288 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the period of time and the dates for the inadmissibility of applications**

**29.**—(1) Despite the revocation of Article 10(4) of Regulation (EU) No 508/2014, Commission Delegated Regulation (EU) 2015/288 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the period of time and the dates for the inadmissibility of applications continues to have effect and is amended as follows.

(2) In Article 1 for “from the European Maritime and Fisheries Fund (EMFF)” substitute “under Regulation (EU) No 508/2014”.

(3) In point 2 of Article 2 for “EMFF support” substitute “support under Regulation (EU) No 508/2014”.

(4) In Article 3—

(a) in paragraph 1—

(i) for “competent authority” substitute “fisheries administration”, and

(ii) “EMFF support” substitute “support under Regulation (EU) No 508/2014”;

(b) in paragraph 2—

(i) in the first paragraph for “Member State” substitute “fisheries administration”, and

(ii) in point (a) omit “EMFF”; and

(c) in paragraphs 3 and 4 for “competent authority” substitute “fisheries administration”.

(5) In Article 4—

(a) in the heading for “Union” substitute “United Kingdom”;

(b) in paragraph 1 for “Union” substitute “United Kingdom”;

(c) omit paragraph 3.

(6) In Article 4a—

(a) for “competent authority” wherever it occurs, substitute “fisheries administration”; and

(b) for “from the EMFF” wherever it occurs, substitute “under Regulation (EU) No 508/2014”.

(7) In Article 5—

(a) in the heading for “the EFF or the EMFF” substitute “Regulation (EU) No 508/2014 or the EMFF or EFF”;

(b) in paragraph 1—

(i) for “competent authority” substitute “fisheries administration”,

(ii) for “the EFF or EMFF” substitute “support under Regulation (EU) No 508/2014 or, prior to exit day, under the EMFF or EFF”, and

(iii) for “EMFF support” substitute “support under Regulation (EU) No 508/2014”;

(c) in paragraph 2 for “the end of the eligibility period of the EMFF as set out in Article 65(2) of Regulation (EU) No 1303/2013” substitute “31 December 2020”; and

(d) at the end insert—

“3. In this Article—

“EMFF” means the European Maritime and Fisheries Fund;

“EFF” means the European Fisheries Fund.”.

(8) In Article 6 for “EMFF support” wherever it occurs, substitute “support under Regulation (EU) No 508/2014”.

(9) In Article 8—

(a) in point (b) omit “by the Member State”; and

(b) in the final paragraph—

(i) for “from the EMFF” substitute “under Regulation (EU) No 508/2014”, and

(ii) for “the end of the eligibility period of the EMFF as set out in Article 65(2) of Regulation (EU) No 1303/2013” substitute “31 December 2020”.

(10) Omit Chapter 4.

**Commission Delegated Regulation (EU) 2015/531 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council by identifying the costs eligible for support from the European Maritime and Fisheries Fund in order to improve hygiene, health, safety and working conditions of fishermen, protect and restore marine biodiversity and ecosystems, mitigate climate change and increase the energy efficiency of fishing vessels**

**30.**—(1) Despite the revocation of Articles 32(4), 40(4) and 41(10) of Regulation (EU) No 508/2014, Commission Delegated Regulation (EU) 2015/531 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council by identifying the costs eligible for support from the European Maritime and Fisheries Fund in order to improve hygiene, health, safety and working conditions of fishermen, protect and restore marine biodiversity and ecosystems, mitigate climate change and increase the energy efficiency of fishing vessels continues to have effect and is amended as follows.

(2) In Article 1 for “from the EMFF” wherever it occurs, substitute “under Regulation (EU) No 508/2014”.

(3) In Article 2 for “the EMFF” wherever it occurs, substitute “Regulation (EU) No 508/2014”.

(4) In Article 3 for “the EMFF” substitute “that Regulation”.

(5) In Article 8—

(a) in paragraph 1 omit point (d); and

(b) in paragraph 2(b) omit “, except for costs provided for in paragraph 1(d)”.

**Commission Implementing Decision C(2015) 8628 on approving the operational programme “European Maritime and Fisheries Fund – Operational Programme for the United Kingdom” for support from the European Maritime and Fisheries Fund in the United Kingdom**

**31.**—(1) Despite the revocation of Article 19(1) of Regulation (EU) No 508/2014, Commission Implementing Decision C(2015) 8628 on approving the operational programme “European Maritime and Fisheries Fund – Operational Programme for the United Kingdom” for support from the European Maritime and Fisheries Fund in the United Kingdom continues to have effect and is amended as follows.

(2) Omit—

(a) Articles 2, 3 and 4; and

(b) Annexes 1 and 2.

## PART 10

### AMENDMENT OF OTHER MEASURES

**Regulation (EU) 2017/1130 of the European Parliament and of the Council defining characteristics for fishing vessels**

**32.**—(1) Regulation (EU) 2017/1130 of the European Parliament and of the Council defining characteristics for fishing vessels is amended as follows.

(2) In Article 1 for “Union rules concerning fisheries” substitute “relevant retained direct EU legislation”.

(3) In Article 2(2) for “Union” substitute “relevant retained direct EU”.

(4) In Article 4(3) for “Union rules” substitute “relevant retained direct EU legislation”.

(5) Omit Articles 7 and 9.

(6) In the final paragraph of Annex 1—

(a) for “shall be fixed on the basis of statistical analyses of pooled representative samples of the fleets of the Member States, These shall be” substitute “are”;

- (b) omit “definitions of the dimensions B<sub>1</sub> and T<sub>1</sub> and with”; and
- (c) for “a decision of the Commission” substitute “Commission Decision 95/84/EC concerning the implementation of the Annex to Council Regulation (EEC) No. 2930/86 defining the characteristics of fishing vessels”.

(7) Omit Annex 2.

**Commission Implementing Regulation (EU) 2017/218 on the Union fishing fleet register**

**33.**—(1) Commission Implementing Regulation (EU) 2017/218 on the Union fishing fleet register is amended as follows.

(2) For Article 1 substitute—

*“Article 1*

**Subject matter**

This Regulation determines the minimum information on vessel characteristics and activity which must appear in the United Kingdom fishing fleet register.”.

(3) In Article 2—

- (a) omit points (b), (c), (f), (g), (h) and (i);
- (b) for point (l) substitute—

“(l) ‘United Kingdom fleet register (UKFR) number’ means the unique identification number of the vessel in the United Kingdom fleet;”;

(c) omit point (n); and

(d) in point (o)—

(i) for “Union” in both places, substitute “United Kingdom”, and

(ii) for “Commission” substitute “Secretary of State”.

(4) In Article 3 for “Union” substitute “United Kingdom”.

(5) In Article 4—

(a) in the heading for “Union” substitute “United Kingdom”;

(b) for “Union” substitute “United Kingdom”; and

(c) for “the rules of the common fisheries policy” substitute “Fisheries Rules”.

(6) For Article 5 substitute—

*“Article 5*

**Data collection for the United Kingdom fishing fleet register**

A fisheries administration must, jointly with the other fisheries administrations, collect and validate without delay the data referred to in Annex I to enable the Secretary of State to record the same data in the United Kingdom fishing fleet register.”.

(7) Omit Articles 6 and 7.

(8) For Article 8 substitute—

*“Article 8*

**United Kingdom fleet register number**

1. The Secretary of State must assign a United Kingdom fleet register (UKFR) number to any fishing vessel which enters in the United Kingdom fleet for the first time.

2. The UKFR number must not be altered during the period in which the fishing vessel belongs to the United Kingdom fleet.

3. The UKFR number must not be reassigned to another vessel. If a fishing vessel is exported outside the United Kingdom and re-imported back into the United Kingdom, the fishing vessel must be reassigned the same UKFR number.”.

- (9) Omit Article 9.  
(10) For Article 10 substitute—

*“Article 10*

**Access to vessel data**

1. The Secretary of State must publish, in such manner as the Secretary of State sees fit, a limited version of the United Kingdom fishing fleet register which does not contain personal data.

2. The limited version of the register published under paragraph 1 must be updated at least once a month to update any event of which the Secretary of State is aware.”.

(11) In Article 11 for “Directive 95/46/EC and Regulation (EC) No 45/2001” substitute “data protection legislation”.

(12) Omit Article 13.

(13) In the Table in Annex 1—

- (a) omit the row for “Country of registration”;
- (b) in the row for “CFR”—
  - (i) in the first column for “CFR” substitute “UKFR”, and
  - (ii) for the words in the second column substitute “Unique identification number of a fishing vessel in the United Kingdom fishing fleet register”;
- (c) in the row for “Registration number”, in the second column, omit “given by the Member State”;
- (d) in the row for “Name of vessel”, for the words in the second column, substitute “The registered name of the fishing vessel”;
- (e) for “Regulation (EEC) No. 2930/86” in each place it occurs in the Table, substitute “Regulation (EU) 2017/1130”;
- (f) in the row for “Other tonnage”, in the second column, omit “or in accordance with a definition to be laid down by the Member State”; and
- (g) in table note (1) for “the date of the census in the Member State (Annex II)” substitute “1.1.1989”.

(14) Omit Annex 2.

**Commission Decision 95/84/EC concerning the implementation of the Annex to Council Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels**

**34.**—(1) Commission Decision 95/84/EC concerning the implementation of the Annex to Council Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels is amended as follows.

(2) In Article 1—

- (a) for “a<sub>1</sub>, a<sub>2</sub> and a<sub>3</sub> set out in Annex I to Regulation (EEC) No 2930/86” substitute “a<sub>1</sub> and a<sub>2</sub> set out in Annex I to Regulation (EU) 2017/1130 of the European Parliament and of the Council defining characteristics for fishing vessels”; and
- (b) omit “the tables in”.

(3) Omit Articles 2 to 5.

(4) In Annex 1—

- (a) in the heading for “a<sub>1</sub>, a<sub>2</sub> AND a<sub>3</sub>” substitute “a<sub>1</sub> AND a<sub>2</sub>”.
- (b) in the heading to paragraph 1 omit “and existing vessels of overall length less than 15 metres for which London Convention parameters are available”;
- (c) in paragraph 1 for “Regulation (EEC) No 2930/86” substitute “Regulation (EU) 2017/1130”;

- (d) in the heading to paragraph 2 for “Existing vessels of overall length less than 15 metres” substitute “Vessels of overall length less than 15 metres existing on 1 January 1995”;
  - (e) in paragraph 2 omit the words from “For Spain, Greece and Italy” to the end;
  - (f) omit paragraph 3; and
  - (g) in paragraph 4—
    - (i) for “administration of the Member State concerned” substitute “Secretary of State”; and
    - (ii) omit “Where the tonnage is so determined” to the end.
- (5) Omit Annexes 2 and 3.

**Commission Regulation (EEC) No 954/87 on sampling of catches for the purpose of determining the percentage of target species and protected species when fishing with small-meshed nets**

**35.**—(1) Commission Regulation (EEC) No 954/87 on sampling of catches for the purpose of determining the percentage of target species and protected species when fishing with small-meshed nets is amended as follows.

- (2) In Article 3—
  - (a) for “the representative of the competent authorities of the Member State” substitute “a representative of a fisheries administration”; and
  - (b) for “Article 3 of Council Regulation (EEC) No 2057/82 and Commission Regulation (EEC) No 2807/83” substitute “Council Regulation (EC) No 1224/2009”.
- (3) In Article 5 omit paragraphs 5 and 6.
- (4) Omit Articles 8 and 9.

Signed by authority of the Secretary of State

Date

*Name*  
Minister of State  
Department for Environment, Food and Rural Affairs

## SCHEDULE

Regulation 2

### Revocations

36. The following legislation is revoked—

- (a) Commission Regulation (EEC) No 2166/83 establishing a licencing system for certain fisheries in an area north of Scotland (Shetland area).
- (b) Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACs and quotas.
- (c) Council Regulation (EC) No 1415/2004 fixing the maximum annual fishing effort for certain fishing areas and fisheries.
- (d) Commission Regulation (EC) No 2103/2004 concerning the transmission of data on certain fisheries in western waters and the Baltic Sea.
- (e) Council Regulation (EC) No 768/2005 establishing a Community Fisheries Control Agency.
- (f) Council Regulation (EC) No 764/2006 on the conclusion of the Fisheries Partnership Agreement between the European Community and the Kingdom of Morocco.
- (g) Council Regulation (EC) No 509/2007 establishing a multiannual plan for the sustainable exploitation of the stock of sole in the Western Channel.
- (h) Commission Regulation (EC) No 665/2008 laying down detailed rules for the application of Council Regulation (EC) No 199/2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy.
- (i) Commission Regulation (EC) No 1078/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 861/2006.
- (j) Commission Regulation (EU) No 201/2010 laying down detailed rules for the implementation of Council Regulation (EC) No 1006/2008 concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters.
- (k) Council Regulation (EU) No 779/2011 concerning the allocation of the fishing opportunities under the Protocol between the European Union and the Kingdom of Morocco.
- (l) Regulation (EU) No 1343/2011 of the European Parliament and of the Council on certain provisions for fishing in the General Fisheries Commission for the Mediterranean Agreement area.
- (m) Council Regulation (EU) No 1270/2013 on the allocation of fishing opportunities under the Protocol between the European Union and the Kingdom of Morocco.
- (n) Commission Implementing Decision 2014/372/EU setting out the annual breakdown by Member State of the global resources of the European Maritime and Fisheries Fund available in the framework of shared management for the period 2014-2020.
- (o) Commission Implementing Decision 2014/464/EU identifying the priorities of the Union for enforcement and control policy in the framework of the European Maritime and Fisheries Fund.
- (p) Commission Implementing Regulation (EU) 763/2014 laying down rules for applying Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund as regards the technical characteristics of information and publicity measures and instructions for creating the Union emblem.

- (q) Commission Implementing Regulation (EU) No 771/2014 laying down rules pursuant to Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the model for operational programmes, the structure of the plans for compensation of additional costs incurred by operators in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions, the model for the transmission of financial data, the content of the ex ante evaluation reports and the minimum requirements for the evaluation plan to be submitted under the European Maritime and Fisheries Fund.
- (r) Commission Implementing Regulation (EU) No 902/2014 amending Council Regulation (EC) 1415/2004 as regards the adaptation for the United Kingdom of the maximum annual fishing effort in certain fishing areas.
- (s) Commission Delegated Regulation (EU) No 1014/2014 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regards to the content and construction of a common monitoring and evaluation system for the operations funded under the European Maritime and Fisheries Fund.
- (t) Commission Delegated Regulation (EU) No 1046/2014 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regards to the criteria for the calculation of the additional costs incurred by operators in the fishing, farming, processing and marketing of certain fishery and aquaculture products from the outermost regions.
- (u) Commission Implementing Regulation (EU) No 1242/2014 laying down rules pursuant to Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the presentation of relevant cumulative data on operations.
- (v) Commission Implementing Regulation (EU) No 1243/2014 laying down rules pursuant to Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund with regard to the information to be sent by Member States, as well as on data needs and synergies between potential data sources.
- (w) Commission Implementing Regulation (EU) No 1362/2014 laying down rules on a simplified procedure for the approval of certain amendments to operational programmes financed under the European Maritime and Fisheries Fund and rules concerning the format and presentation of the annual reports on the implementation of those programmes.
- (x) Commission Delegated Regulation (EU) 2015/852 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council as regards the cases of non-compliance and the cases of serious non-compliance with the rules of the Common Fisheries Policy that may lead to an interruption of a payment deadline or suspension of payments under the European Maritime and Fisheries Fund.
- (y) Commission Delegated Regulation (EU) 2015/1930 supplementing Regulation (EU) No 508/2014 of the European Parliament and of the Council on the European Maritime and Fisheries Fund as regards the criteria for establishing the level of financial corrections and for applying flat rate financial corrections.
- (z) Commission Delegated Regulation (EU) 2015/2252 amending Delegated Regulation (EU) 2015/288 as regards the period of inadmissibility of applications for support from the European Maritime and Fisheries Fund.
- (aa) Commission Implementing Decision (EU) 2016/1701 laying down rules on the format for the submission of work plans for data collection in the fisheries and aquaculture sectors.



## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) (in particular under section 8(1) and paragraph 21 of Schedule 7) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to retained direct EU legislation in the field of the common fisheries policy of the European Union.

They relate to the categories of deficiencies in retained EU law specified in section 8(2) and (3) of that Act.

An impact assessment has not been produced for this instrument as it has no, or no significant impact on the private or voluntary sector is foreseen. A copy of the Explanatory Memorandum is published on [www.legislation.gov.uk](http://www.legislation.gov.uk).

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