

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-LG-0154-24

Huw Irranca-Davies, MS
Chair
Legislation, Justice and Constitution Committee

Cc: Counsel General and Minister for the Constitution

29th February 2024

Dear Huw,

The Sea Fisheries (International Commission for the Conservation of Atlantic Tunas) (Amendment) (No. 2) Regulations 2024

I have received a request from Lord Douglas-Miller, Minister for Biosecurity, Animal Health and Welfare, requesting formal consent for the Sea Fisheries (International Commission for the Conservation of Atlantic Tunas) (Amendment) (No.2) Regulations 2024 (the “2024 Regulations”) which intersects with devolved competence, and will apply in relation to Wales.

The 2024 Regulations make provision in relation to the International Convention for the Conservation of Atlantic Tunas (“the Convention”), to which the United Kingdom is a contracting party.

The UK has an obligation under the United Nations Convention on the Law of the Sea to cooperate on the management of shared fish stocks through appropriate regional or sub-regional organisations. Tuna and tuna-like species are managed globally through Regional Fisheries Management Organisations; the Convention being one such example.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The United Kingdom was formerly subject to the requirements of the Convention as a Member State of the European Union. Following EU exit, the UK has become a contracting party to the Convention as an independent coastal State. This instrument updates and amends retained EU law to account for further requirements under the Convention with respect to recreational and sport fishing. Under ICCAT rules, contracting parties must not allow the targeting of bluefin tuna in their waters for sport or recreation purposes without appropriate authorisation. The 2024 Regulations will insert into retained Regulation (EU) 2016/1627 a range of provisions which will prohibit recreational and sport fishing without a permit issued by a fisheries administration, in the case of Wales and the Welsh zone, issuing permits would be a matter for Welsh Ministers.

As a contracting party, the UK has an obligation to implement measures (known as 'recommendations') adopted under the Convention. Although the conduct of international relations is a reserved function, the obligations and their implementation are devolved in so far as they related to devolved matters (e.g. fisheries) and extend to Welsh Ministers in respect of Wales and the Welsh zone.

The Regulations amends retained EU law to implement recommendations adopted under the Convention which have not yet been reflected in the relevant legislation to ensure the UK is meeting its international obligations.

As these Regulations implement UK-wide, international obligations in relation to the Convention, it is appropriate they are made on a UK basis. Therefore, I intend to give my consent to the Secretary of State to make the 2024 Regulations, so the provisions therein apply in relation to Wales.

The anticipated laying date is 14 March and the SI is subject to the affirmative procedure meaning it can be made following a resolution.

I am copying this letter to the Counsel General and Minister for the Constitution and writing in similar terms to the Chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely,

A handwritten signature in cursive script that reads "Lesley Griffiths".

Lesley Griffiths AS/MS
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Minister for Rural Affairs and North Wales, and Trefnydd