



Llywodraeth Cymru
Welsh Government

**WRITTEN STATEMENT
BY
THE WELSH GOVERNMENT**

TITLE **The Fisheries (Amendment) (EU Exit) Regulations 2019**

DATE **7 December 2018**

BY **Julie James AM, Leader of the House and Chief Whip**

SO30C –SI laid in Parliament, which amends secondary legislation in a devolved area

The Fisheries (Amendment) (EU Exit) Regulations 2019

Summary of the primary and secondary legislation to be corrected

Primary Legislation

The Sea Fish (Conservation) Act 1967

The Fisheries Act 1981

The Marine and Coastal Access Act 2009

Secondary Legislation

The Merchant Shipping (Registration of Ships) Regulations 1993

The Sea Fisheries (Northern Ireland) Order 2002

The Tote (Prohibition of Fishing) Order 2008

The Eels (England and Wales) Regulations 2009

The Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order 2009.

The Fish Labelling Regulations 2013

The Sea Fishing (Points for Masters of Fishing Boats) Regulations 2014

The Sea Fishing (Enforcement and Miscellaneous Provisions) Order 2015
The Grants for Fishing and Aquaculture Industries Regulations 2015

The Sea Fishing (Enforcement) Regulations 2018

Any impact the SI may have on the Assembly's legislative competence and/or the Welsh Ministers' executive competence

No legislative functions are transferred by this statutory instrument.

This instrument respects the existing devolution settlement and does not impact on the National Assembly for Wales's legislative competence or the Welsh Ministers executive competence. The National Assembly for Wales has legislative competence in relation to Wales (which includes the territorial sea out to 12nm) for fisheries management and the marine environment subject to reservations within Schedule 7A to the Government of Wales Act 2006 (GOWA 2006). Further, Welsh Ministers have executive competence for fisheries management and the marine environment, subject to reservations within Schedule 7A to GOWA 2006 for Wales, the Welsh zone, and Welsh fishing boats beyond that zone.

The purpose of the amendments

This affirmative procedure SI provides technical corrections to primary and secondary domestic legislation which gives effect to certain EU measures forming part of the Common Fisheries Policy (CFP), marine management measures and measures relating to the register of British fishing boats. This will ensure that the legislation continues to operate effectively, and that the UK has an enforceable approach to maintaining the sustainability of fisheries management, after the UK leaves the EU. This instrument is linked with The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2018

The 2019 Regulations and accompanying Explanatory Memorandum, setting out the effect of amendments is available here: <https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments>

Why consent was given

Consent has been given for the UK Government to make these corrections in relation to, and on behalf of, Wales for reasons of efficiency, expediency and due to the technical nature of the amendments. The amendments have been considered fully; and there is no divergence in policy. These amendments are to ensure that the statute book remains functional following the UK's exit from the EU.