



# House of Commons

**Thursday 6 December 2018**

## **PUBLIC BILL COMMITTEE**

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

*Amendments tabled since the last publication: 2 and 3 and NC1 to NC3*

### **FISHERIES BILL**

#### **NOTE**

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the Committee [4 December 2018].**

Brendan O'Hara  
Alan Brown  
Deidre Brock

2

★ Clause 19, page 10, line 38, at end insert—

“(A1) A determination under section 18 may not be made or withdrawn without the consent of the Scottish Ministers.”

Brendan O'Hara  
Alan Brown  
Deidre Brock

3

★ Clause 19, page 10, line 41, leave out paragraph (a)

---

**Fisheries Bill, *continued***

Mrs Sheryll Murray  
David Duguid  
Scott Mann

1

☆ Clause 42, page 26, line 35, at end insert—

“(3A) The Secretary of State must make regulations under subsection (3) so that all provisions of this Act come into force no later than 31 December 2020.”

---

Brendan O’Hara  
Alan Brown  
Deidre Brock

NC1

★ To move the following Clause—

**“Sea Fish Industry Authority: powers in relation to parts of UK etc.**

- (1) The Fisheries Act 1981 is amended as follows.
- (2) In section 2(1) (duties of the Authority)—
  - (a) after the third “of” insert, “(amongst other things)”,
  - (b) delete the words “as a whole”.
- (3) After section 3 (powers of the Authority), insert—

**“3A Exercise of functions in relation to different parts of the UK etc.**

The Authority may exercise its functions separately and differently in relation to—

- (a) the sea fish industry in different parts of the United Kingdom,
- (b) sea fish and sea fish products landed in different parts of the United Kingdom,
- (c) sea fish and sea fish products trans-shipped in different parts of the sea within British fishery limits adjacent to different parts of the United Kingdom.

**3B Delegation of functions**

- (1) The Authority may authorise any other person to exercise on its behalf such of its functions and to such extent as it may determine.
- (2) The Authority may give to any person authorised under this section to exercise any of its functions—
  - (a) financial assistance (by way of loan, grant or guarantee),
  - (b) other assistance including assistance by way of the provision of property, staff or services, for the purposes of those functions.
- (3) The giving of authority under this section to exercise a function does not—
  - (a) affect the Authority’s responsibility for the exercise of the function, or
  - (b) prevent the Authority from exercising the function itself.”.

**Fisheries Bill**, *continued*

- (4) In section 11 (accounts and reports), after subsection (7) insert—
- “(7A) The report must include details of how income received from levies imposed under section 4 has been applied in the financial year in respect of each part of the United Kingdom by the Authority in exercising its functions including in particular details, in respect of each part of the United Kingdom, of how the income has been applied by the Authority in—
- (a) promoting the efficiency of the sea fish industry in that part,
  - (b) promoting the marketing and consumption of, and the export of, sea fish and sea fish products relating to that part.”
- (5) In schedule 1 (the Sea Fish Industry Authority), in paragraph 16—
- (a) before sub-paragraph (1) insert—
    - “(A1) The Authority must appoint a committee for the purpose of assisting the Authority in the exercise of its functions in relation to the sea fish industry in Scotland.
    - (A2) The committee is to consist of or include persons who are not members of the Authority.
    - (A3) The Authority must consult the committee on the exercise of its functions in relation to the sea fish industry in Scotland.”,
  - (b) in sub-paragraph (1), before “committees” insert “other”,
  - (c) in sub-paragraph (2), for “such committees” substitute “committees appointed under this paragraph”.”

**Member’s explanatory statement**

*This new clause would give the Sea Fish Industry Authority greater flexibility to exercise its functions separately and differently in different parts of the UK. It would also require Seafish to report how income received from the levies it imposes has been applied in respect of each part of the United Kingdom.*

---

Brendan O’Hara  
Alan Brown  
Deidre Brock

NC2

- ★ To move the following Clause—

**“Fisheries payments to the Scottish Ministers**

After exit day, the Secretary of State must make available to the Scottish Ministers each year sums which are at least equivalent to the sums made available to the Scottish Ministers in the year prior to exit day for the purpose of expenditure under the European Maritime and Fisheries Fund (established under Article 4 of Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund).”

---

---

**Fisheries Bill, *continued***

Brendan O'Hara  
 Alan Brown  
 Deidre Brock

NC3

★ To move the following Clause—

**“Sea Fish Industry Levies**

- (1) The Fisheries Act 1981 is amended as follows.
- (2) In section 4 (levies)—
  - (a) in subsection (2), for “Ministers” substitute “appropriate Ministerial authority”,
  - (b) in subsection (7), for “Ministers” substitute “appropriate Ministerial authority”,
  - (c) after subsection (8) insert—
    - “(8A) In this section, “appropriate Ministerial authority” means—
    - (a) in relation to sea fish or sea fish products landed in Scotland or trans-shipped within the Scottish zone, the Scottish Ministers,
    - (b) in any other case, the Ministers.”,
  - (d) in subsection (9), after “order” in both places where it occurs insert “of the Ministers”,
  - (e) after subsection (9) insert—
    - “(9A) Any order of the Scottish Ministers—
    - (a) under subsection (2) is subject to the negative procedure,
    - (b) under subsection (7) is subject to the affirmative procedure.”.
- (3) In section 11 (accounts and reports), after subsection (2) insert—
  - “(2A) The statement of accounts must specify the total amount of income received in the financial year from levies imposed under section 4 in relation to sea fish or sea fish products landed in Scotland or trans-shipped within the Scottish zone.”.
- (4) In section 14 (interpretation of Part 1)—
  - (a) in the definition of “the Ministers”, in paragraph (c), after “with” insert “(except in the case of an order under section 4(2) or (7))”,
  - (b) after that definition insert—
    - ““Scotland” and “the Scottish zone” have the same meanings as in the Scotland Act 1998 (see section 126(1) and (2) of that Act);”.
- (5) In schedule 2 (Sea Fish Industry Levies)—
  - (a) for “Ministers” in each place where it occurs substitute “appropriate Ministerial authority”,
  - (b) after paragraph 3 insert—
    - “4 In this schedule, “appropriate Ministerial authority” has the same meaning as in section 4 of this Act”.

***Member’s explanatory statement***

*This new clause seeks to devolve control of the Scottish aspects of levies imposed by Seafish to the Scottish Ministers to ensure inter alia that levies imposed in relation to fish or fish products landed in Scotland, or trans-shipped in Scottish waters, require confirmation by Scottish Ministers, and that Scottish Ministers may by order increase the rate of such levies.*

---

*Fisheries Bill, continued*

## ORDER OF THE HOUSE [21 NOVEMBER 2018]

That the following provisions shall apply to the Fisheries Bill:

*Committal*

1. The Bill shall be committed to a Public Bill Committee.

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Wednesday 19 December.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

*Proceedings on Consideration and up to and including Third Reading*

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

*Other proceedings*

7. Any other proceedings on the Bill may be programmed.

## ORDER OF THE COMMITTEE [4 DECEMBER 2018]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 4 December) meet—
  - (a) at 2.00 pm on Tuesday 4 December;
  - (b) at 11.30 am and 2.00 pm on Thursday 6 December;
  - (c) at 9.25 am, 2.00 pm and 5.00 pm on Tuesday 11 December;
  - (d) at 11.30 am and 2.00 pm on Thursday 13 December;
  - (e) at 4.30 pm, 7.00 pm and 9.00 pm on Monday 17 December;
  - (f) at 9.25 am and 2.00 pm on Wednesday 19 December;
- (2) the Committee shall hear oral evidence on Tuesday 4 December in accordance with the following Table:

**TABLE**

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 4 December	Until no later than 10.25 am	Scottish Fishermen's Federation; National Fishermen's Federation Organisation
Tuesday 4 December	Until no later than 10.55 am	UK Seafood Industry Alliance

---

**Fisheries Bill, *continued***

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 4 December	Until no later than 11.25 am	UK Association of Fisheries Producer Organisations; Angling Trust
Tuesday 4 December	Until no later than 2.30 pm	New Under Ten Fishermen's Association
Tuesday 4 December	Until no later than 3.00 pm	Marine Management Organisation
Tuesday 4 December	Until no later than 3.30 pm	Blue Marine Foundation
Tuesday 4 December	Until no later than 4.00 pm	Fishing for Leave
Thursday 6 December	Until no later than 12.15 pm	Greenpeace; Pew; Greener UK; Marine Conservation Society
Thursday 6 December	Until no later than 1.00 pm	Macduff Shellfish; Interfish/ Northbay Pelagic; Whitby Seafoods Ltd; Scottish White Fish Producers Association Ltd
Thursday 6 December	Until no later than 2.30 pm	New Economics Foundation
Thursday 6 December	Until no later than 3.00 pm	Carl O'Brien (Chief Fisheries Science Advisor, Department for Environment, Food and Rural Affairs)
Thursday 6 December	Until no later than 3.30 pm	Coastal Communities Alliance; Communities Inshore Fisheries Alliance

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 4; Schedule 1; Clauses 5 to 13; Schedule 2; Clauses 14 to 17; Schedule 3; Clauses 18 to 28; Schedule 4; Clause 29; Schedule 5; Clauses 30 to 37; Schedule 6; Clause 38; Schedule 7; Clauses 39 to 43; new Clauses; new Schedules; remaining proceedings on the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Wednesday 19 December.
-