



House of Commons

Tuesday 11 December 2018

PUBLIC BILL COMMITTEE PROCEEDINGS

FISHERIES BILL

[FIFTH AND SIXTH SITTINGS]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

Peter Aldous

Withdrawn after debate 78

Clause 1, page 1, line 2, at end insert—

“(A1) Any public authority with any function relating to fishing activities or fisheries management must exercise those functions to achieve or contribute to the achievement of the fisheries objectives.”

Luke Pollard

Sue Hayman

Matthew Pennycook

Mr Paul Sweeney

Thangam Debbonaire

Negatived on division 36

Clause 1, page 1, line 9, at end insert—

Fisheries Bill, *continued*

“(1A) Any public authority with functions relating to fisheries activities or fisheries management must have regard to the fisheries objectives in the exercise of those functions.”

Member’s explanatory statement

This amendment would place a duty on public authorities to have regard to the fisheries objectives in exercising their fisheries functions.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Negated on division 37

Clause 1, page 1, line 9, at end insert—

“(g) the public asset objective.”

Member’s explanatory statement

This amendment would add to the fisheries objectives the “public asset” objective, defined in Amendment 38.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Withdrawn after debate 39

Clause 1, page 1, line 9, at end insert—

“(g) the marine planning objective.”

Member’s explanatory statement

This amendment would add to the fisheries objectives the “marine planning” objective, defined in Amendment 40.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Withdrawn after debate 41

Clause 1, page 1, line 9, at end insert—

“(g) the safety and workforce objective.”

Member’s explanatory statement

This amendment would add to the fisheries objectives the ‘safety and workforce’ objective, defined in Amendment 42.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Withdrawn after debate 43

Clause 1, page 1, line 9, at end insert—

“(g) The climate change and international agreements objective.”

Member’s explanatory statement

This amendment would add to the fisheries objectives the ‘climate change and international agreements’ objective, defined in Amendment 44.

Fisheries Bill, continued

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Withdrawn after debate 45

Clause 1, page 2, line 11, after “marine” insert “and aquatic”

Member’s explanatory statement

This amendment would add the avoidance of the degradation of the aquatic environment to the definition of the “ecosystem objective”.

Peter Aldous

Withdrawn after debate 79

Clause 1, page 2, line 11, at end insert—

“(c) to ensure that fishing activities are managed in a manner that contributes to the achievement of good environmental status as set out in Article 1 of Directive 2008/56/EC and is consistent with all other international and domestic environmental legislation.”

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Withdrawn after debate 46

Clause 1, page 2, line 13, at end insert—

“(aa) to facilitate generation of accurate real-time scientific data from both research and all fishing vessels.”

Member’s explanatory statement

This amendment would add the generation of accurate real-time scientific data to the definition of the “scientific evidence objective”.

Mr Alistair Carmichael

Not called 24

Clause 1, page 2, line 15, at end insert—

“(c) to ensure full documentation of catches.”

Member’s explanatory statement

The purpose of this amendment is to ensure the UK achieves full documentation of catches to give a true picture of what is being removed from the sea and in order to provide accurate scientific data to ensure effective management of the shared stocks in UK waters.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Withdrawn after debate 47

Clause 1, page 2, line 21, after “area” insert “, fishing opportunity, or entitlement for any resources”

Member’s explanatory statement

These amendments would extend the definition of the “equal access objective” to cover equal access to fishing opportunities.

Fisheries Bill, *continued*

Mr Alistair Carmichael

Not called 30

Clause 1, page 2, line 24, at end insert—

- “(c) individual measures introduced by—
- (i) the Marine Management Organisation
 - (ii) the Scottish Ministers,
 - (iii) the Welsh Ministers, or
 - (iv) the Northern Ireland department.”

Member’s explanatory statement

To ensure that any measures introduced by a ‘relevant national authority’ do not impact on the equal access objective.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 38

Clause 1, page 2, line 24, at end insert—

- “(7A) The “public asset objective” is to manage fisheries, and the rights to exploit those fisheries, as a shared resource and public asset held in stewardship for the public good.”

Member’s explanatory statement

This amendment defines the “public asset” objectives.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 40

Clause 1, page 2, line 24, at end insert—

- “(7A) The “marine planning objective” is to ensure that any policies are compatible with any marine plans prepared pursuant to Part 3 of the Marine and Coastal Access Act 2009.”

Member’s explanatory statement

This amendment defines the “marine planning” objective.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 42

Clause 1, page 2, line 24, at end insert—

- “(7A) The “safety and workforce objective” is—
- (a) to protect and enhance the safety of workers in fishing activities,
 - (b) to set and protect minimum standards for wages, terms and conditions of employment in fishing activities,
 - (c) to prevent modern slavery in fishing activities, and

Fisheries Bill, *continued*

- (d) to ensure the application and enforcement of the national minimum wage by HMRC on fishing vessels within the United Kingdom's Exclusive Economic Zone."

Member's explanatory statement

This amendment defines the "safety and workforce" objective.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 44

Clause 1, page 2, line 24, at end insert—

“(7A) The climate change and international agreements objective is to ensure that fisheries policy aims to ensure compliance with the United Kingdom's obligations under—

- (a) the United Nations Paris Agreement under the United Nations Framework Convention on Climate Change,
- (b) the Convention on International Trade in Endangered Species of Wild Fauna and Flora,
- (c) the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,
- (d) the Convention on the Law of the Sea,
- (e) the International Covenant on Economic, Social and Cultural Rights (ICESCR),
- (f) the United Nations Sustainable Development Goals.”

Member's explanatory statement

This amendment defines the "climate change and international agreements" objective.

Peter Aldous

Withdrawn after debate 80

Clause 1, page 2, line 32, at end insert—

“(10) The fisheries policy authorities must publish, on at least an annual basis, an update on progress made against the fisheries objectives.”

Clause agreed to.

Peter Aldous

Withdrawn after debate 87

Clause 2, page 2, line 37, at end insert “and their policies for distribution of fishing opportunities.”

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Withdrawn after debate 50

Clause 2, page 3, line 17, at end insert—

Fisheries Bill, *continued*

“(j) promoting the development of fishing and aquaculture activities that conserve, enhance or restore the marine and aquatic environment.”

Member’s explanatory statement

This amendment would add promoting activities to conserve, enhance or restore the marine and aquatic environment to the policies to be included in the fisheries statements.

Peter Aldous

Not called 88

Clause 2, page 3, line 17, at end insert—

“(j) distributing fishing opportunities.”

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Negatived on division 48

Clause 2, page 3, line 19, at end insert—

“(3A) For the purposes of this Act, a “UK fisheries statement” is a statement made jointly by the fisheries policy authorities on progress towards achieving the fisheries objectives.

(3B) The first UK fisheries statement must be published within 12 months of this section coming into force, and each subsequent UK fisheries statement must be published within 12 months of the previous statement being published.”

Member’s explanatory statement

This amendment would add a requirement on the fisheries policy authorities to publish a joint “UK fisheries statement” within 12 months of the section being brought into force

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 49

Clause 2, page 3, line 19, at end insert—

“(3A) The Secretary of State must annually lay a statement before Parliament on progress towards achieving the fisheries objectives.

(3B) The first such statement under subsection (3A) must be laid before Parliament within 12 months of this section coming into force.”

Member’s explanatory statement

This amendment would add a requirement on the Secretary of State to lay before Parliament an annual statement on progress towards achieving the fisheries objectives.

Peter Aldous

Withdrawn after debate 15

Clause 2, page 3, line 24, at end insert—

“(e) the Minister with responsibility for English fisheries.”

Member’s explanatory statement

To set the Minister with responsibility for English fisheries at an equal level to Scottish Ministers, Welsh Ministers and the Northern Ireland department.

Fisheries Bill, continued

Clause agreed to.

Mr Alistair Carmichael

Not selected 31

Clause 3, page 3, line 38, at end insert—

“(5) A dispute resolution mechanism will be established by regulations.”

Member’s explanatory statement

To establish a formal dispute resolution mechanism to resolve any disputes between different national relevant authorities.

Luke Pollard

Sue Hayman

Matthew Pennycook

Mr Paul Sweeney

Thangam Debbonaire

Negated on division 51

Clause 3, page 3, line 38, at end insert—

“(5) The Secretary of State must by regulations establish a system to resolve disputes between fisheries policy authorities that result in no joint fisheries statement being published.

(6) In establishing the system under subsection (5), the Secretary of State must in particular ensure that the dispute resolution system makes provision to require the fisheries policy authorities to make use of the system if it appears that no JFS will be published by 1 January 2021 due to disputes between the fisheries policy authorities.”

Member’s explanatory statement

This amendment would provide for the Secretary of State to establish a system for resolving a dispute between the fisheries policy authorities which could otherwise result in no joint fisheries statement being published.

Clause agreed to.

Clause 4 agreed to.

Schedule 1 agreed to.

Luke Pollard

Sue Hayman

Matthew Pennycook

Mr Paul Sweeney

Thangam Debbonaire

Withdrawn after debate 52

Clause 5, page 4, line 10, leave out “before 1 January 2021” and insert “at the latest one calendar year from the date of withdrawal of the United Kingdom from the European Union.”

Member’s explanatory statement

This amendment would ensure that the fisheries statements are published no more than one year after the UK leaves the EU.

Fisheries Bill, *continued*

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 53

Clause 5, page 4, line 12, leave out “before 1 January 2021” and insert “at the latest one calendar year from the date of withdrawal of the United Kingdom from the European Union.”

Member’s explanatory statement

This amendment would ensure that the fisheries statements are published no more than one year after the UK leaves the EU.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Withdrawn after debate 54

Clause 5, page 4, line 15, leave out “6” and insert “5”

Member’s explanatory statement

This amendment would ensure that the fisheries statements are subject to review every five years, instead of every six years.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 55

Clause 5, page 4, line 17, leave out “6” and insert “5”

Member’s explanatory statement

This amendment would ensure that the fisheries statements are subject to review every five years, instead of every six years.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 56

Clause 5, page 4, line 22, leave out “6” and insert “5”

Member’s explanatory statement

This amendment would ensure that the fisheries statements are subject to review every five years, instead of every six years.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Not called 57

Clause 5, page 4, line 24, leave out “6” and insert “5”

Member’s explanatory statement

This amendment would ensure that the fisheries statements are subject to review every five years, instead of every six years.

Fisheries Bill, continued

Clause agreed to.

Peter Aldous

Clause 6, page 4, line 29, leave out from “authority” to end of line 34 *Withdrawn after debate* 89

Mr Alistair Carmichael

Clause 6, page 4, line 29, leave out from “authority” to end of line 42 *Not selected* 32
Member’s explanatory statement
The Bill’s wording gives significant powers for a relevant national authority to amend policies contained in the Joint Fisheries Statement with very little scrutiny or challenge. This amendment removes some of those powers.

Peter Aldous

Clause 6, page 4, line 37, leave out from “authority” to end of line 42 *Not called* 90

Peter Aldous

Clause 6, page 5, line 4, at end insert— *Not moved* 81
 (f) Natural Resources Wales,
 (g) the Environment Agency, or
 (h) the Inshore Fisheries and Conservation Authorities”

Peter Aldous

Clause 6, page 5, line 4, at end insert— *Not called* 82
 “(6) The Secretary of State may by regulations subject to the affirmative resolution procedure amend the definition of “relevant national authority” in subsection (5) so as to include additional bodies or persons.”

Clause agreed to.

Mr Alistair Carmichael

Clause 7, page 5, line 10, at end insert— *Not selected* 34
 “(1A) Future negotiations on rights of access between UK, EU and other relevant nations should not be conditional upon trade agreements.”
Member’s explanatory statement
The purpose of this amendment is to prevent any trade agreements being linked with access to fisheries.

Fisheries Bill, *continued*

Clause agreed to.

Peter Aldous

Withdrawn after debate 21

Clause 8, page 5, line 13, leave out “a” and insert “an annual British”

Peter Aldous

Not moved 83

Clause 8, page 5, line 17, leave out from “must” to end of line 18 and insert “comply with the same rules regarding fishing activities that apply to UK vessels.”

Clause agreed to.

Peter Aldous

Not called 16

Clause 9, page 6, line 9, at end insert—

“(e) the Minister with responsibility for English fisheries.”

Member’s explanatory statement

To require the Secretary of State to secure the consent of the Minister with responsibility for English fisheries regarding any amendments concerning licensing of boats in England.

Clause agreed to.

Peter Aldous

Not moved 17

Clause 10, page 6, line 43, leave out “Marine Management Organisation” and insert “Minister with responsibility for English fisheries.”

Member’s explanatory statement

To change the power to grant licenses in England from the Marine Management Organisation to the Minister with responsibility for English fisheries.

Clause agreed to.

Clause 11 agreed to.

Mr Alistair Carmichael

Withdrawn after debate 33

Clause 12, page 7, line 32, at end insert—

“(1A) The Secretary of State must publish each year a report on—

(a) the number of licenses granted, and

Fisheries Bill, continued

(b) the country of origin of the boat to which each license is granted.”

Member’s explanatory statement

To ensure transparency and accountability over the granting of licenses to foreign fishing boats by each relevant national authority.

Luke Pollard
Sue Hayman
Matthew Pennycook
Mr Paul Sweeney
Thangam Debbonaire

Negatived on division 63

Clause 12, page 8, line 10, at end insert—

“(3A) No licence may be granted under this section unless conditions are attached to that licence so as to require the foreign fishing boat to comply with any standards in relation to environmental protection and marine safety that would apply to the same boat if it were a British fishing boat.”

Member’s explanatory statement

This amendment would require licences granted to require foreign fishing boats to comply with the same environmental protection and marine safety standards as British fishing boats.

[Adjourned until Thursday 13 December at 11.30 am