



House of Commons

Tuesday 15 September 2020

PUBLIC BILL COMMITTEE

New Amendments handed in are marked thus ★

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

FISHERIES BILL [*LORDS*]

NOTE

This document includes all amendments remaining before the Committee and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the Committee [8 September 2020].

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

81

Clause 35, page 23, line 44, at end insert—

“(1A) Prior to giving financial assistance under subsection (1)(i), the Secretary of State must conduct a public consultation on how best to promote sustainable public access to recreational fishing opportunities, taking socioeconomic factors into account.

(1B) The consultation in subsection (1A) must include consideration of the use of boats that are chartered for recreational fishing.”

Member’s explanatory statement

This amendment would require the Secretary of State to conduct a consultation on recreational fishing prior to providing financial assistance.

Stephanie Peacock
Luke Pollard

126

Clause 35, page 23, line 44, at end insert—

“(j) the gathering of scientific data relating to fishing, including but not limited to carrying out stock assessments, vessel monitoring and recording fishing catches.

(k) the promotion of fishery products to consumers;

Fisheries Bill [Lords], continued

- (l) the commissioning of boats of less than 10 metres in length if such boats are allocated increased catch and effort quotas;
- (m) the decommissioning of boats of less than 10 metres in length if such boats are allocated reduced catch and effort quotas.”

Member’s explanatory statement

This amendment would enable financial assistance to be provided in England for scientific data collection, for the promotion of fishery products to consumers, and for the commissioning or decommissioning of boats whose catch and effort quotas are changed.

Stephanie Peacock
Luke Pollard

134

Clause 35, page 23, line 44, at end insert—

- “(j) The provision and maintenance of terrestrial or marine infrastructure involved in commercial fishing or aquaculture activities.”

Member’s explanatory statement

This amendment would allow for financial assistance to be used for the provision or maintenance of landside infrastructure, such as ports and market facilities, involved in supporting the operations of commercial fish or aquaculture activities in England.

Victoria Prentis

54

Clause 35, page 24, line 15, at end insert—

- “(c) require the Secretary of State, or another person, to publish specified information about financial assistance given in accordance with the scheme.

- (4A) In subsection (4)(c) “specified” means specified by the scheme; and information that may be specified under that provision includes information about—
 - (a) the recipient of the financial assistance;
 - (b) the amount of the financial assistance;
 - (c) the purpose for which the financial assistance was given.

- (4B) The scheme may not impose a duty to publish information where its publication would (taking the duty into account) contravene the data protection legislation (within the meaning of the Data Protection Act 2018).”

Member’s explanatory statement

This amendment allows financial assistance schemes to include requirements to publish information about financial assistance given under the scheme.

Stephanie Peacock
Luke Pollard

138

Clause 35, page 24, line 20, at end insert—

- “(5A) The scheme shall be open to statutory harbour authorities.”

Member’s explanatory statement

This amendment would ensure that all statutory harbour authorities are eligible for financial assistance under the scheme, regardless of ownership.

 Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

127

Schedule 6, page 72, line 8, at end insert—

- “(j) the gathering of scientific data relating to fishing, including but not limited to carrying out stock assessments, vessel monitoring and recording fishing catches.
- (k) the promotion of fishery products to consumers;
- (l) the commissioning of boats of less than 10 metres in length if such boats are allocated increased catch and effort quotas;
- (m) the decommissioning of boats of less than 10 metres in length if such boats are allocated reduced catch and effort quotas.”

Member’s explanatory statement

This amendment would enable financial assistance to be provided in Scotland for scientific data collection, for the promotion of fishery products to consumers, and for the commissioning or decommissioning of boats whose catch and effort quotas are changed.

Stephanie Peacock
Luke Pollard

135

Schedule 6, page 72, line 8, at end insert—

- “(j) The provision and maintenance of terrestrial or marine infrastructure involved in commercial fishing or aquaculture activities.”

Member’s explanatory statement

This amendment would allow for financial assistance to be used for the provision or maintenance of landside infrastructure, such as ports and market facilities, involved in supporting the operations of commercial fishing or aquaculture activities in Scotland..

Victoria Prentis

56

Schedule 6, page 72, line 19, at end insert—

- “(c) require the Scottish Ministers, or another person, to publish specified information about financial assistance given in accordance with the scheme.
- (4A) In sub-paragraph (4)(c) “specified” means specified by the scheme; and information that may be specified under that provision includes information about—
- (a) the recipient of the financial assistance;
 - (b) the amount of the financial assistance;
 - (c) the purpose for which the financial assistance was given.
- (4B) The scheme may not impose a duty to publish information where its publication would (taking the duty into account) contravene the data protection legislation (within the meaning of the Data Protection Act 2018).”

Member’s explanatory statement

This amendment allows financial assistance schemes made by the Scottish Ministers to include requirements to publish information about financial assistance given under the scheme.

 Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

128

Schedule 6, page 73, line 8, at end insert—

- “(j) the gathering of scientific data relating to fishing, including but not limited to carrying out stock assessments, vessel monitoring and recording fishing catches.
- (k) the promotion of fishery products to consumers;
- (l) the commissioning of boats of less than 10 metres in length if such boats are allocated increased catch and effort quotas;
- (m) the decommissioning of boats of less than 10 metres in length if such boats are allocated reduced catch and effort quotas.”

Member’s explanatory statement

This amendment would enable financial assistance to be provided in Wales for scientific data collection, for the promotion of fishery products to consumers, and for the commissioning or decommissioning of boats whose catch and effort quotas are changed.

Stephanie Peacock
Luke Pollard

136

Schedule 6, page 73, line 8, at end insert—

- “(j) The provision and maintenance of terrestrial or marine infrastructure involved in commercial fishing or aquaculture activities.”

Member’s explanatory statement

This amendment would allow for financial assistance to be used for the provision or maintenance of landside infrastructure, such as ports and market facilities, involved in supporting the operations of commercial fishing or aquaculture activities in Wales.

Victoria Prentis

57

Schedule 6, page 73, line 19, at end insert—

- “(c) require the Welsh Ministers, or another person, to publish specified information about financial assistance given in accordance with the scheme.
- (4A) In sub-paragraph (4)(c) “specified” means specified by the scheme; and information that may be specified under that provision includes information about—
- (a) the recipient of the financial assistance;
 - (b) the amount of the financial assistance;
 - (c) the purpose for which the financial assistance was given.
- (4B) The scheme may not impose a duty to publish information where its publication would (taking the duty into account) contravene the data protection legislation (within the meaning of the Data Protection Act 2018).”

Member’s explanatory statement

This amendment allows financial assistance schemes made by the Welsh Ministers to include requirements to publish information about financial assistance given under the scheme.

 Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

129

Schedule 6, page 74, line 8, at end insert—

- “(j) the gathering of scientific data relating to fishing, including but not limited to carrying out stock assessments, vessel monitoring and recording fishing catches.
- (k) the promotion of fishery products to consumers;
- (l) the commissioning of boats of less than 10 metres in length if such boats are allocated increased catch and effort quotas;
- (m) the decommissioning of boats of less than 10 metres in length if such boats are allocated reduced catch and effort quotas.”

Member’s explanatory statement

This amendment would enable financial assistance to be provided in Northern Ireland for scientific data collection, for the promotion of fishery products to consumers, and for the commissioning or decommissioning of boats whose catch and effort quotas are changed.

Stephanie Peacock
Luke Pollard

137

Schedule 6, page 74, line 8, at end insert—

- “(j) The provision and maintenance of terrestrial or marine infrastructure involved in commercial fishing or aquaculture activities.”

Member’s explanatory statement

This amendment would allow for financial assistance to be used for the provision or maintenance of landside infrastructure, such as ports and market facilities, involved in supporting the operations of commercial fishing or aquaculture activities in Northern Ireland.

Victoria Prentis

58

Schedule 6, page 74, line 19, at end insert—

- “(c) require the Northern Ireland department, or another person, to publish specified information about financial assistance given in accordance with the scheme.
- (4A) In sub-paragraph (4)(c) “specified” means specified by the scheme; and information that may be specified under that provision includes information about—
- (a) the recipient of the financial assistance;
 - (b) the amount of the financial assistance;
 - (c) the purpose for which the financial assistance was given.
- (4B) The scheme may not impose a duty to publish information where its publication would (taking the duty into account) contravene the data protection legislation (within the meaning of the Data Protection Act 2018).”

Member’s explanatory statement

This amendment allows financial assistance schemes made by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland to include requirements to publish information about financial assistance given under the scheme.

 Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

96

- Clause 36, page 25, line 21, leave out “negative” and insert “affirmative”
Member’s explanatory statement
This amendment would make the relevant regulations subject to the affirmative procedure.
-

Stephanie Peacock
Luke Pollard

130

- Clause 38, page 26, line 6, at end insert—
“(d) the gathering of scientific data to inform management of fish stocks.”
Member’s explanatory statement
This amendment would add scientific data collection to the conservation purposes for which Clause 38 enables the Secretary of State to make regulations.

Stephanie Peacock
Luke Pollard

139

- Clause 38, page 26, line 37, at end insert—
“(pa) fishing-related activities in the vicinity of a feature of archaeological or historic interest.”
Member’s explanatory statement
This amendment would give the Secretary of State the power to make regulations about fishing-related activities in the vicinity of a feature of archaeological or historic interest in England.
-

Victoria Prentis

144

- Clause 41, page 28, line 24, after “Senedd Cymru” insert “(ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006)”
Member’s explanatory statement
This amendment has the effect that the Secretary of State’s power to make regulations under clause 38 without the consent of the Welsh Ministers does not to include power to make provision that would be within the legislative competence of Senedd Cymru with the consent of a Minister of the Crown.

Victoria Prentis

7

- Clause 41, page 28, line 31, after “of” insert “sea fishing by”
Member’s explanatory statement
This amendment clarifies the scope of the Secretary of State’s power to make regulations under clause 38 or 40 in relation to matters that are also within the scope of the corresponding powers conferred on the devolved authorities under Schedule 8.
-

Fisheries Bill [Lords], continued

Stephanie Peacock
Luke Pollard

97

Clause 43, page 29, line 32, leave out from “if” to the end of line 42

Member’s explanatory statement

This amendment would make the relevant regulations subject to the affirmative procedure.

Stephanie Peacock
Luke Pollard

131

Schedule 8, page 79, line 16, at end insert—

“(d) the gathering of scientific data to inform management of fish stocks.”

Member’s explanatory statement

This amendment would add scientific data collection to the conservation purposes for which Schedule 8 enables the Scottish Ministers to make regulations.

Stephanie Peacock
Luke Pollard

140

Schedule 8, page 80, line 2, at end insert—

“(pa) fishing-related activities in the vicinity of a feature of archaeological or historic interest.”

Member’s explanatory statement

This amendment would give the Scottish Ministers the power to make regulations about fishing-related activities in the vicinity of a feature of archaeological or historic interest in Scotland.

Stephanie Peacock
Luke Pollard

132

Schedule 8, page 83, line 4, at end insert—

“(d) the gathering of scientific data to inform management of fish stocks.”

Member’s explanatory statement

This amendment would add scientific data collection to the conservation purposes for which Schedule 8 enables the Welsh Ministers to make regulations.

Stephanie Peacock
Luke Pollard

141

Schedule 8, page 83, line 34, at end insert—

“(pa) fishing-related activities in the vicinity of a feature of archaeological or historic interest.”

Member’s explanatory statement

This amendment would give the Welsh Ministers the power to make regulations about fishing-related activities in the vicinity of a feature of archaeological or historic interest in Wales.

 Fisheries Bill [*Lords*], *continued*

Victoria Prentis

50

Schedule 8, page 85, line 26, after “of” insert “sea fishing by”

Member’s explanatory statement

This amendment clarifies the scope of the Welsh Ministers’ power to make regulations under paragraph 6 or 8 of Schedule 8 in relation to matters that are not within the legislative competence of Senedd Cymru.

Victoria Prentis

146

Schedule 8, page 85, line 26, at end insert—

“(3A) Provision which does not fall within sub-paragraph (3)(a), but which would do so but for a requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006, may be included in regulations under paragraph 6 or 8 with the consent of the Secretary of State.”

Member’s explanatory statement

This amendment enables the Welsh Ministers, with the consent of the Secretary of State, to include in regulations under paragraph 6 or 8 provision that is only within the legislative competence of Senedd Cymru if consent has been given by a Minister of the Crown.

Stephanie Peacock

Luke Pollard

133

Schedule 8, page 86, line 34, at end insert—

“(d) the gathering of scientific data to inform management of fish stocks.”

Member’s explanatory statement

This amendment would add scientific data collection to the conservation purposes for which Schedule 8 enables the Northern Ireland department to make regulations.

Stephanie Peacock

Luke Pollard

142

Schedule 8, page 87, line 22, at end insert—

“(pa) fishing-related activities in the vicinity of a feature of archaeological or historic interest.”

Member’s explanatory statement

This amendment would give the Northern Ireland department the power to make regulations about fishing-related activities in the vicinity of a feature of archaeological or historic interest in Northern Ireland.

Victoria Prentis

51

Schedule 9, page 93, line 12, leave out “2010 (S.I. 2010/940)” and insert “2017 (S.I. 2017/1012)”

Member’s explanatory statement

This technical amendment updates a cross reference to a set of regulations so that it refers to the current version.

 Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

98

Schedule 9, page 95, line 16, leave out “and” and insert “or”

Member’s explanatory statement

This amendment would enable the Marine Management Organisation to make byelaws to protect marine features in circumstances where the need for protection is not urgent.

Victoria Prentis

52

Schedule 9, page 96, line 37, leave out “2010 (S.I. 2010/940)” and insert “2017 (S.I. 2017/1012)”

Member’s explanatory statement

This technical amendment updates a cross reference to a set of regulations so that it refers to the current version.

Victoria Prentis

59

Schedule 10, page 105, line 39, at end insert—

Commission Delegated Regulation (EU) No 1393/2014

- 3A (1) Commission Delegated Regulation (EU) No 1393/2014 establishing a discard plan for certain pelagic fisheries in north-western waters is amended as follows.
- (2) In Article 1 (subject matter)—
- (a) the existing text becomes paragraph 1;
 - (b) in that paragraph, for the words from “in the north-western” to “that Regulation” substitute “and applies to waters within ICES subarea 5B that are within United Kingdom waters and to waters within ICES subareas 6 and 7 that are not within Union waters”;
 - (c) after that paragraph insert—

“2 In paragraph 1, “United Kingdom waters” and “Union waters” have the meaning they have in Regulation (EU) No 1380/2013.”
- (3) In Article 2 (survivability exemption), in paragraph 6 for “and 2020” substitute “, 2020 and 2021”.
- (4) In Article 3a (de minimis exemptions in the years 2018, 2019 and 2020)—
- (a) in the heading, for “and 2020” substitute “, 2020 and 2021”;
 - (b) in points (a), (b) and (c), for “and 2020” substitute “, 2020 and 2021”.
- (5) For Article 5 (entry into force) substitute—

Fisheries Bill [Lords], continued

“Article 5

Expiry

This regulation ceases to have effect at the end of 31 December 2021.”

Commission Delegated Regulation (EU) No 1395/2014

- 3B (1) Commission Delegated Regulation (EU) No 1395/2014 establishing a discard plan for certain small pelagic fisheries and fisheries for industrial purposes in the North Sea is amended as follows.
- (2) In Article 1 (subject matter)—
- (a) the existing text becomes paragraph 1;
 - (b) in that paragraph, for the words from “in the North” to “that Regulation” substitute “and applies to waters within ICES division 2a and subarea 4 that are within United Kingdom waters”;
 - (c) after that paragraph insert—

“2 In paragraph 1, “United Kingdom waters” has the meaning it has in Regulation (EU) No 1380/2013.”
- (3) In Article 3a (de minimis exemption in the years 2018, 2019 and 2020)—
- (a) in the heading, for “and 2020” substitute “, 2020 and 2021”;
 - (b) in the body, for “and 2020” substitute “, 2020 and 2021”.
- (4) Article 4a (Danish North Sea coast) is revoked.
- (5) For Article 5 (application) substitute—

“Article 5

Expiry

This regulation ceases to have effect at the end of 31 December 2021.”

Member’s explanatory statement

This amendment makes minor changes to retained EU legislation in connection with the application of the landing obligation.

Victoria Prentis

53

Schedule 10, page 106, line 4, at end insert—

“Regulation (EU) 2017/2403

- 4A Regulation (EU) 2017/2403 of the European Parliament and of the Council on the sustainable management of external fishing fleets is revoked.”

Member’s explanatory statement

This amendment revokes an EU Regulation that is not needed after IP completion day.

Victoria Prentis

60

Schedule 10, page 111, line 31, at end insert—

Commission Delegated Regulation (EU) 2019/2238

- 8A (1) Commission Delegated Regulation (EU) 2019/2238 specifying details of implementation of the landing obligation for certain demersal fisheries in the North Sea for the period 2020-2021 is amended as follows.

Fisheries Bill [Lords], continued

- (2) In Article 3 (exemptions for Norway lobster)—
- (a) in paragraph 1, omit point (b);
 - (b) omit paragraph 3.
- (3) In Article 6 (exemption for plaice)—
- (a) in paragraph 1, omit point (c);
 - (b) in paragraph 2, in point (b), for “80-99” substitute “80”;
 - (c) omit paragraph 4.
- (4) In Article 8 (exemption for turbot), omit paragraph 2.
- (5) In Article 10 (de minimis exemptions)—
- (a) in point (f) after “6% in 2020” insert “and 2021”;
 - (b) in each of points (f), (h) and (k) to (n), omit the words from “the de minimis” to the end;
 - (c) after point (n) insert—
 - “(o) in fisheries by vessels using bottom trawls (OTB, OTT, TB, TBN) of mesh size 80-99mm in the United Kingdom waters of ICES subarea 4 and ICES Division 2a:

a quantity of Norway lobster below the minimum conservation reference size, which shall not exceed 2% of the total annual catches of that species.”

Commission Delegated Regulation (EU) 2019/2239

- 8B (1) Commission Delegated Regulation (EU) 2019/2239 specifying details of the landing obligation for certain demersal fisheries in North-Western waters for the period 2020-2021 is amended as follows.
- (2) In Article 6 (exemption for plaice), omit paragraph (2).
- (3) In Article 8 (de minimis exemptions)—
- (a) in paragraph 1, in each of points (d) to (k), omit “in 2020”;
 - (b) omit paragraph 2.”

Member’s explanatory statement

This amendment makes minor changes to retained EU legislation in connection with the application of the landing obligation.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

92

Clause 48, page 31, line 21, leave out “Secretary of State” and insert “fisheries policy authorities”

Member’s explanatory statement

This amendment is to ensure respect for devolved competence on this issue by giving regulation making powers to appropriate fisheries policy authorities.

 Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

108

Clause 48, page 31, line 23, leave out “the UK Exclusive Economic Zone” and insert “England or the English zone”

Member’s explanatory statement

This amendment turns the UK-wide requirements around remote electronic monitoring systems into England-only requirements.

Stephanie Peacock
Luke Pollard

143

Clause 48, page 31, line 29, at end insert—

“(iii) monitoring compliance with personal flotation device regulations;”

Member’s explanatory statement

For boats over 10 metres in length, this amendment would require the on-board cameras to be used additionally to monitor compliance with regulations about lifejackets.

Stephanie Peacock
Luke Pollard

109

Clause 48, page 31, line 30, leave out “British vessels fishing outside the UK Exclusive Economic Zone” and insert “English vessels fishing outside England and the English zone”

Member’s explanatory statement

This amendment turns the UK-wide requirements around remote electronic monitoring systems into England-only requirements.

Stephanie Peacock
Luke Pollard

110

Clause 48, page 31, line 43, leave out “the UK Exclusive Economic Zone” and insert “England or the English zone”

Member’s explanatory statement

This amendment turns the UK-wide requirements around remote electronic monitoring systems into England-only requirements.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

93

Clause 48, page 32, line 2, after “made” insert “by the Secretary of State”

Member’s explanatory statement

This amendment is consequential on Amendment 92.

 Fisheries Bill [*Lords*], *continued*

Deidre Brock
 Steven Bonnar
 Brendan O’Hara
 Patrick Grady

94

Clause 48, page 32, line 3, at end insert—

“(3) Regulations under this section are subject to the affirmative resolution procedure.”

Member’s explanatory statement

This amendment enables appropriate parliamentary scrutiny of the proposals by each respective Parliamentary Body and is consequential on Amendment 92.

Victoria Prentis

8

Page 31, line 20, leave out Clause 48

Member’s explanatory statement

This amendment removes clause 48, which was inserted at Report stage in the Lords.

Victoria Prentis

9

Clause 51, page 35, leave out lines 26 to 28 and insert—

““minimum conservation reference size”, in relation to an aquatic organism, means the size of a member of the species of which the organism is a member, at the level of maturity of that organism, below which capture or retention is prohibited or restricted;”

Member’s explanatory statement

This amendment clarifies the definition of “minimum conservation reference size”.

Victoria Prentis

145

Clause 51, page 35, line 28, at end insert—

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975 (see section 8(1) of that Act);”

Member’s explanatory statement

This amendment inserts into the Bill a definition of “Minister of the Crown”.

Victoria Prentis

10

Clause 52, page 37, line 3, leave out “revocation made by paragraph 5” and insert “repeals and revocations made by paragraphs 3 to 5”

Member’s explanatory statement

This amendment ensures that the repeal in Schedule 4 of the current regime governing access of foreign fishing boats to British waters extends to the Channel Islands and the Isle of Man.

 Fisheries Bill [*Lords*], *continued*

Victoria Prentis

55

Clause 53, page 37, line 30, at end insert—

“(4A) Section (*conservation of seals*) and Schedule (*conservation of seals*) come into force on 1 March 2021.”

Member’s explanatory statement

This amendment provides that the proposed new clause and Schedule on the conservation of seals come into force on 1 March 2021.

Stephanie Peacock

Luke Pollard

Ruth Jones

Rosie Duffield

83

Clause 54, page 37, line 37, after “the” insert “Sustainable”

Victoria Prentis

84

Clause 54, page 37, line 38, leave out subsection (2)

Member’s explanatory statement

This amendment removes the privilege amendment inserted by the Lords.

Victoria Prentis

NC1

To move the following Clause—

“Conservation of Seals

Schedule (*conservation of seals*) contains amendments of the Conservation of Seals Act 1970 and the Wildlife (Northern Ireland) Order 1985 (1985/171 (N.I. 2)) in connection with prohibiting the killing, injuring or taking of seals.”

Member’s explanatory statement

This new clause introduces the proposed new Schedule on the conservation of seals.

Stephanie Peacock

Luke Pollard

Ruth Jones

Rosie Duffield

NC2

To move the following Clause—

“Recreational fishing

- (1) When any provision of this Act, including provisions inserted into other Acts by this Act, requires or permits the Secretary of State to consult with any person

Fisheries Bill [Lords], continued

considered appropriate, the Secretary of State must consult with persons representing the practice of recreational fishing, including those who charter boats for the purpose of recreational fishing.

- (2) The Secretary of State shall publish an annual report providing an assessment of the extent to which the provisions of this Act have—
 - (a) promoted recreational fishing, and
 - (b) had economic benefits attributable to the promotion of recreational fishing.
- (3) The first report under subsection (2) shall be published no more than 12 months after this section comes into force.”

Member’s explanatory statement

This new clause would require the Secretary of State to consult on providing financial assistance for the promotion of recreational fishing, and to include representatives of recreational fishing when conducting a consultation under any other provisions of the Bill.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

NC3

To move the following Clause—

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

- (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.”

Member’s explanatory statement

The primary purpose of this new clause is to give the Sea Fish Industry Authority greater flexibility to exercise its functions separately and differently in different parts of the UK. It inserts a new clause into subsection 3, which will enable the Authority to do this.

Fisheries Bill [Lords], continued

Deidre Brock
 Steven Bonnar
 Brendan O’Hara
 Patrick Grady

NC4

To move the following Clause—

“Sea Fish Industry Authority: delegation of functions

- (1) The Fisheries Act 1981 is amended as follows.
- (2) After section 3A (exercise of functions in relation to different parts of the UK etc.), insert—

“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.”.”

Member’s explanatory statement

This new clause inserts a new clause which will allow the Authority to authorise any other person to exercise on its behalf any of its functions to the extent determined by the Authority. It will also allow the Authority to give any such person financial and other assistance to do so.

Deidre Brock
 Steven Bonnar
 Brendan O’Hara
 Patrick Grady

NC5

To move the following Clause—

“Sea Fish Industry Authority: accounts and reports

- (1) The Fisheries Act 1981 is amended as follows.
- (2) In section 11 (accounts and reports)—
 - (a) 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.”,
 - (b) 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

Fisheries Bill [Lords], continued

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.””

Member’s explanatory statement

This new clause is intended to ensure that the Authority reports how income received from the levies it imposes has been applied in respect of each part of the United Kingdom.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

NC6

To move the following Clause—

“Sea Fish Industry Authority: plan relating to allocation of Scottish levies

- (1) The Fisheries Act 1981 is amended as follows.
- (2) After section 11 (accounts and reports), insert—

“11A Plan relating to allocation of Scottish levies

- (1) Before the start of each financial year, the Authority must—
 - (a) prepare a plan setting out—
 - (i) an estimate of the total amount of income that the Authority expects to receive during 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 (“Scottish levies”), and
 - (ii) a description of how the Authority proposes to apply that income in the course of exercising its functions, and
 - (b) refer the plan to the committee appointed under paragraph 16(A1) of Schedule 1 (“the Scottish committee”) for approval of the Authority’s proposal mentioned in paragraph (a)(ii).
- (2) If, as a result of relevant regulations, the Authority estimates that the total amount of income that it expects to receive from Scottish levies during a financial year is greater than the total amount of income that it received from Scottish levies during the previous financial year, the Authority’s plan prepared under subsection (1) for the financial year must include a statement describing how the Authority proposes in particular to apply the additional income from Scottish levies in the course of exercising its functions.
- (3) For the purposes of subsection (2)—
 - (a) “relevant regulations”, in relation to a financial year, means—
 - (i) regulations made by the Authority under section 4(2) during the previous financial year, and

Fisheries Bill [Lords], continued

- (ii) regulations which the Authority expects to make, and to be confirmed by the Scottish Ministers, under section 4(2) during the financial year,
 - (b) the total amount of income received by the Authority from Scottish levies during a previous financial year is the total amount of such income as recorded in the Authority's accounts kept under section 11(1) in respect of that year.
- (4) The Authority—
 - (a) must publish a plan prepared under subsection (1) as soon as reasonably practicable after receiving the Scottish committee's approval as mentioned in subsection (1)(b), and
 - (b) may publish the plan in such manner as it considers appropriate.
- (5) The Authority must, as soon as reasonably practicable after publishing a plan under subsection (4)—
 - (a) send a copy of the plan to the Scottish Ministers, and
 - (b) lay the plan before the Scottish Parliament.
- (6) The Authority must have regard to each relevant plan—
 - (a) in the exercise of its functions, and
 - (b) in particular, in authorising any other person under section 3B to exercise any of its functions on its behalf.
- (7) A person who is authorised by the Authority under section 3B to exercise any of the Authority's functions must have regard to each relevant plan in the exercise of those functions.
- (8) In subsections (6) and (7), "relevant plan", in relation to the exercise of a function, means—
 - (a) the latest plan published under subsection (4), and
 - (b) any earlier plan published under that subsection in so far as it contains a proposal mentioned in subsection (1)(a)(ii) (or, as the case may be, in subsection (2)) to apply income during the financial year in which the function is being exercised."."

Member's explanatory statement

The primary purpose of this new clause is to ensure the Authority sets out an annual plan that outlines how it intends to apply the levy income it expects to receive. This plan must make comparison to the levy income of the previous year and where the levy income is expected to be higher detail how the Authority proposes to apply the additional income from Scottish levies.

Deidre Brock
Steven Bonnar
Brendan O'Hara
Patrick Grady

NC7

To move the following Clause—

"Sea Fish Industry Authority: committee for Scotland

- (1) The Fisheries Act 1981 is amended as follows.
- (2) In schedule 1 (the Sea Fish Industry Authority), in paragraph 16—

Fisheries Bill [Lords], continued

- (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’s new provisions require the Authority to 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. They additionally require the consultation of this committee on the exercise of the Authority’s functions in relations to Scotland.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

NC8

To move the following Clause—

“Sea Fish Industry Levies: powers in relation to Scotland and the Scottish Zone

- (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.

Fisheries Bill [Lords], continued

- (9B) Before laying a draft Scottish statutory instrument containing an order under subsection (7) before the Scottish Parliament, the Scottish Ministers must consult—
- (a) the committee appointed under paragraph 16(A1) of Schedule 1, and
 - (b) such other persons as they consider appropriate.”.
- (3) In section 14 (interpretation of Part 1), 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))”.
- (4) 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 The Scottish Ministers must, before making an order confirming any regulations, consult—
- (a) the committee appointed under paragraph 16(A1) of Schedule 1, and
 - (b) such other persons as they consider appropriate.
- 5 In this schedule, “appropriate Ministerial authority” has the same meaning as in section 4 of this Act.”.

Member’s explanatory statement

The primary purpose of this new clause is to devolve, to the Scottish Ministers, the control of the Scottish aspects of levies imposed by the Authority. Currently, levies imposed by the Authority require confirmation by the relevant Ministers for England, Wales and Northern Ireland with the agreement of the Scottish Ministers. The new clause intends to ensure that levies imposed in relation to Scotland require confirmation by Scottish Ministers.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

NC9

To move the following Clause—

“Sea Fish Industry Levies: definitions relating to Scotland and the Scottish Zone

- (1) The Fisheries Act 1981 is amended as follows.
 - (2) In section 14 (interpretation of Part 1), after the definition of “the Ministers” 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);”.

Member’s explanatory statement

This new clause inserts a new clause which makes consequential new clause to section 14 (interpretation of Part 1) of the 1981 Act by inserting definitions of “Scotland” and “the Scottish zone”.

Fisheries Bill [Lords], continuedStephanie Peacock
Luke Pollard

NC10

To move the following Clause—

“Duty to co-operate

- (1) A fisheries policy authority must co-operate with other fisheries policy authorities in the preparation and application of the JFS and any SSFS, the licensing of fishing boats, enforcement against illegal fishing activity, the determination and distribution of fishing opportunities and the prevention of discards.
- (2) A fisheries policy authority may share information with another fisheries policy authority for the purpose of discharging its duty under subsection (1).”

Member’s explanatory statement

This new clause would place a duty to co-operate on all fisheries policy authorities in carrying out their functions under this Bill; and would provide for the sharing of information between fisheries policy authorities.

Stephanie Peacock
Luke Pollard

NC11

To move the following Clause—

“Highly Protected Marine Areas for England

- (1) The Secretary of State must publish a plan to designate Highly Protected Marine Areas for England.
- (2) Before publishing a plan under subsection (1), the Secretary of State must carry out a public consultation.
- (3) The plan in subsection (1) must be published by 31 December 2021.”

Member’s explanatory statement

This new clause would require the Secretary of State to carry out a consultation and publish a plan to designate Highly Protected Marine Areas for England.

Stephanie Peacock
Luke Pollard

NC12

To move the following Clause—

“Plastic waste produced by fishing activities

- (1) The Secretary of State may make regulations to control the creation and disposal of plastic waste in all areas of the UK’s Exclusive Economic Zone except for Scotland, the Scottish zone, Wales, the Welsh zone, Northern Ireland and the Northern Ireland zone during fishing activities.
- (2) Regulations under this section may make provision—
 - (a) to prohibit the disposal of plastic items while at sea;

Fisheries Bill [Lords], continued

- (b) to require plastic items to be disposed of at specified onshore processing facilities;
- (c) to require the amount of plastic waste produced during fishing activities to be recorded;
- (d) to prohibit the use of certain categories of plastic item during fishing activities;
- (e) to require the holder of a licence to fish granted under this Act to publish a plan for the reduction of plastic waste if the annual value of the fish landed by the licence holder exceeds £1,000,000.

(3) Regulations under this section are subject to the affirmative procedure.

Member's explanatory statement

This new clause would enable the Secretary of State to make regulations to control the creation and disposal of plastic waste in England and in English waters during fishing activities.

Stephanie Peacock
Luke Pollard

NC13

To move the following Clause—

“Enforcement of licences

- (1) A Minister of the Crown must, before the end of the period of 6 months beginning with the day on which this Act is passed, and annually by the 30 November every year thereafter, lay before Parliament a statement containing the policy of Her Majesty's Government in relation to the—
 - (a) routine patrolling of waters within British fishery limits, and
 - (b) enforcement of the requirements under sections 14(1) and 16(1).
- (2) Before making a statement under subsection (1), the Minister must consult—
 - (a) the Scottish Ministers,
 - (b) the Welsh Ministers, and
 - (c) the Northern Ireland department.
- (3) The statement under subsection (1) must include a declaration of whether, in the Minister's opinion, the United Kingdom has sufficient resources to undertake the actions mentioned in subsections (1)(a) and (1)(b).
- (4) If, in the Minister's opinion, the United Kingdom does not have sufficient resources to undertake the actions mentioned in subsections (1)(a) and (1)(b), the Minister shall, within 30 days of making the statement, publish a strategy for acquiring such resources.
- (5) A strategy published under subsection (3) must be laid before both Houses of Parliament.
- (6) For the purpose of this section “sufficient resources” includes—
 - (a) an appropriate number of vessels,
 - (b) an appropriate number of personnel, and
 - (c) any other resource that a Minister of the Crown deems appropriate.”

Member's explanatory statement

This new clause requires a Minister of the Crown to outline the Government's policy in relation to

Fisheries Bill [Lords], continued

the patrolling of British waters and enforcement of fisheries licences, and, in the event of the UK not having sufficient resources, requires publication of a strategy for them.

Stephanie Peacock
Luke Pollard

NC14

To move the following Clause—

“Expert advisory council on fisheries

- (1) The Secretary of State must establish a body called the Expert Advisory Council on Fisheries for the purpose of exercising the functions in subsections (4) to (6).
- (2) The Expert Advisory Council on Fisheries shall consist of as many people as the Secretary of State considers appropriate.
- (3) Before appointing any person to the Expert Advisory Council, the Secretary of State must consult with—
 - (a) the other fisheries policy authorities;
 - (b) inshore fisheries and conservation authorities;
 - (c) fishing industry representatives;
 - (d) representatives of the 10m and under fishing sector;
 - (e) recreational fishing representatives;
 - (f) environmental organisations;
 - (g) fish processors;
 - (h) port representatives;
 - (i) local government representatives; and
 - (j) any other such organisations as the Secretary of State considers appropriate.
- (4) The Secretary of State must have regard to the advice of the Expert Advisory Council on Fisheries before—
 - (a) publishing or amending a Secretary of State fisheries statement,
 - (b) making or withdrawing a determination of fishing opportunities under Section 24, and
 - (c) making any regulations under this Act.
- (5) The Secretary of State shall publish the Expert Advisory Council on Fisheries’ assessment, for a calendar year, of the state of UK fisheries, including—
 - (a) current stocks and their sustainability,
 - (b) species distribution within the Exclusive Economic Zone,
 - (c) the status of employment and skills in the fishing industry,
 - (d) the take-up of fishing industry job opportunities by school and college leavers,
 - (e) present total catches and future projected total catches, by both volume and monetary value, and
 - (f) the economic and social value and impact of the fishing industry on coastal communities.
- (6) The first annual assessment under subsection (5) shall be published within 12 months of this section coming into force, and each subsequent assessment must be published within 12 months of the previous such assessment.

Fisheries Bill [Lords], continued

- (7) For a calendar year, no determination may be made under section 24 until the annual assessment under subsection (5) has been published for that year.”

Member’s explanatory statement

This new clause would place a duty on the Secretary of State to establish an Expert Advisory Council on Fisheries, and would provide for the Council’s membership and functions.

Stephanie Peacock
Luke Pollard

NC15

To move the following Clause—

“Fishing co-operatives

- (1) The Secretary of State must promote co-operatives within the fishing industry, in England, and such promotion may include—
- (a) offering financial assistance for the creation or development of fishing co-operatives within the following aspects—
 - (i) landing;
 - (ii) catching; and
 - (iii) processing;
 - (b) establishing bodies to provide practical support and guidance for the development of new co-operatives;
 - (c) issue guidance on the practical steps which can be taken pursuant to establishing a new co-operative.
- (2) Financial assistance under subsection (1) may be given by way of grant, loan or guarantee, or in any other form.
- (3) An organisation shall be recognised as a fishing co-operative if—
- (a) it is either—
 - (i) registered with the Financial Conduct Authority as a co-operative; or
 - (ii) constituted under the Co-operative and Community Benefit Societies Act 2014, and
 - (b) it operates in a sector of the fishing industry described in subsection (1)(a).”

Member’s explanatory statement

This new clause would require the Secretary of State to provide financial assistance, establish support and issue guidance in order to promote co-operatives in the fishing industry in England by—for example—offering financial assistance, establishing support bodies or issuing guidance.

Fisheries Bill [Lords], continuedStephanie Peacock
Luke Pollard

NC16

To move the following Clause—

“Fishing industry skills strategy

- (1) Within 1 year of this section coming into force, the Secretary of State must publish a strategy for skills, employment and economic regeneration for the fishing industry.
- (2) Before publishing a strategy under subsection (1), the Secretary of State must consult with—
 - (a) the Scottish Ministers;
 - (b) the Welsh Ministers;
 - (c) the Northern Ireland department;
 - (d) representatives of the fishing industry;
 - (e) any other person the Secretary of State considers appropriate.”

Member’s explanatory statement*This new clause would require the Secretary of State to publish a fishing industry skills strategy.*

Stephanie Peacock
Luke Pollard

NC17

To move the following Clause—

“Procurement of sustainable fishery products

The Secretary of State must lay before Parliament, within 12 months of this Act being passed, a strategy for increasing sustainable fish procurement in the public sector.”

Stephanie Peacock
Luke Pollard

NC18

To move the following Clause—

“Report on UK distant waters fishing fleet

- (1) The Secretary of State must at least once a year lay before Parliament a report on the commercial health and economic sustainability of the UK distant waters fishing fleet.
- (2) Each report must assess and address the following matters—
 - (a) the number and profitability of boats operating in the English distant water fleet;
 - (b) distant waters fishing opportunities currently available to and taken up by English boats;
 - (c) prospects for securing new or improved distant fishing opportunities; and

Fisheries Bill [Lords], continued

- (d) progress on negotiations between the UK and other independent coastal states or regional fisheries management organisations to secure existing new or improved distant fishing opportunities.
- (3) The first report must be laid before Parliament within six months of this Act being passed.
- (4) For the purposes of this section, “the UK distant waters fishing fleet” includes any British fishing boat which—
 - (a) is more than 24 metres in length; and
 - (b) operates outside of UK fishery limits.”

Member’s explanatory statement

This new clause requires the Secretary of State to report annually to Parliament on the commercial health and economic sustainability of the UK distant waters fishing fleet.

Stephanie Peacock
Luke Pollard

NC19

To move the following Clause—

“Report on fish caught in UK waters but landed abroad

- (1) Within 12 months of this Act being passed and annually thereafter, the Secretary of State must lay before Parliament a report stating—
 - (a) what fish have been caught within the UK Exclusive Economic Zone but landed at ports outside the United Kingdom, Isle of Man, Guernsey or Jersey; and
 - (b) why such fish were not landed at a port in the United Kingdom, Isle of Man, Guernsey or Jersey.”

Stephanie Peacock
Luke Pollard

NC20

To move the following Clause—

“Coronavirus and the fishing industry: report

- (1) The Secretary of State must, within six months of this Act being passed, lay before Parliament a report on the impact of coronavirus and coronavirus disease upon the fishing industry.
- (2) The report must assess and address the effects of coronavirus and coronavirus disease upon—
 - (a) the fishing industry workforce;
 - (b) the supply and availability of fishery products;
 - (c) demand for fishery products;
 - (d) access to export markets for fishery products;
 - (e) prices of fishery products, and
 - (f) the commercial viability of the catching sector.
- (3) In this section—

Fisheries Bill [Lords], continued

“coronavirus” means severe acute respiratory syndrome coronavirus 2;

“coronavirus disease” means COVID-19 (the official designation of the disease which can be caused by coronavirus).”

Member’s explanatory statement

This new clause requires the Secretary of State to report to Parliament on the impact of coronavirus and coronavirus disease upon the fishing industry.

Stephanie Peacock
Luke Pollard

NC21

To move the following Clause—

“Labelling of fishery products

- (1) The Secretary of State must, by regulations, ensure that all fisheries products offered for retail to the final consumer have appropriate marking or labelling to indicate—
 - (a) the commercial designation of the species as currently specified by the Department of Environment, Food and Rural Affairs or its successors, and its scientific name;
 - (b) the production method, in particular identified by use of the terms ‘wild caught’, ‘caught in freshwater’ or ‘farmed’;
 - (c) the area in which the product was caught or farmed; and
 - (d) the category of fishing gear used in the capture of the fisheries product.
- (2) For the purposes of subsection (1), the area in which the product was caught or farmed is defined as follows—
 - (a) for fish caught at sea, the Food and Agriculture Organization of the United Nations (FAO) catch area; and fish caught in the Northeast Atlantic, Mediterranean or Black Sea must be labelled with—
 - (i) the name of the FAO sub-area or division, and
 - (ii) a map or pictogram of the catch area;
 - (b) for freshwater fish—
 - (i) the country they were caught in, and
 - (ii) the name of the river or lake they were caught in; and
 - (c) for farmed fish, the country where they were harvested from the water when they reached their final size.”

Member’s explanatory statement

This new clause would require fisheries products to be labelled with categories of information for the consumer.

 Fisheries Bill [*Lords*], *continued*

Victoria Prentis

NS1

To move the following Schedule—

“CONSERVATION OF SEALS

PART 1

AMENDMENT OF THE CONSERVATION OF SEALS ACT 1970

1 The Conservation of Seals Act 1970 is amended in accordance with paragraphs 10 to 20.

2 For section 1 (prohibited methods of killing seals) substitute—

“1 Prohibition of the killing, injuring or taking of seals

A person commits an offence if the person intentionally or recklessly kills, injures or takes a seal.”

3 Omit section 2 (close seasons for seals).

4 Omit section 3 (orders prohibiting killing seals).

5 In section 4 (apprehension of offenders and powers of search and seizure), in subsection (1), in paragraph (c) for “seal, seal skin, firearm, ammunition or poisonous” substitute “seal, item or”.

6 In section 6 (forfeitures), for the words from “any seal or seal” to the end substitute—

“(a) any seal or seal skin in respect of which the offence was committed;

(b) any item (but not a vehicle or boat) or substance used in connection with the commission of the offence;

(c) any seal, seal skin, poisonous or explosive substance, explosive article, firearm or ammunition, in the person’s possession at the time of the offence.”

7 In section 8 (attempt to commit offence), in subsection (2)—

(a) after “poisonous” insert “or explosive”;

(b) after “substance” insert “, any explosive article”;

(c) omit “the use of which is prohibited by section 1(1)(b) of this Act”.

8 In section 9 (general exceptions)—

(a) in subsection (1)—

(i) for “2 or 3” substitute “1”;

(ii) in paragraph (a), omit “otherwise than by his act”;

(iii) omit paragraphs (b) and (c);

(b) in subsection (2)—

(i) omit “, 2 or 3”;

(ii) omit “otherwise than by his act”.

9 In section 10 (power to grant licences)—

(a) in subsection (1), in paragraph (c)—

(i) omit sub-paragraphs (i) and (iii) (but not the “or” after paragraph (iii));

(ii) after sub-paragraph (ii) insert—

“(iia) the protection of animal or human health or public safety.”;

Fisheries Bill [Lords], continued

- (b) after subsection (1) insert—
- “(1A) Nothing in subsection (1) is to be read as authorising the grant of a licence for the purpose of the protection, promotion or development of commercial fish or aquaculture activities within the meaning of the Fisheries Act 2020 (see section 51 of that Act).”
- 10 In section 11 (entry upon land)—
- (a) in subsection (1), omit paragraph (b);
- (b) in subsection (2), omit paragraph (d);
- (c) in subsection (4)—
- (i) omit the words from “, or in the” to “28 days’ notice,”;
- (ii) omit the words from “; and in the case” to the end;
- (d) omit subsection (5).
- 11 Omit section 14 (orders).
- 12 In section 15 (interpretation), at the appropriate places insert—
- ““explosive article” means an article (for example, a bomb or a firework) containing one or more explosive substances;”;
- ““explosive substance” means a substance or preparation, not including a substance or preparation in a solely gaseous form or in the form of vapour, which is —
- (a) capable by chemical reaction in itself of producing gas at such a temperature and pressure and at such a speed as could cause damage to surroundings; or
- (b) designed to produce an effect by heat, light, sound, gas or smoke, or a combination of these as a result of a non-detonative, self-sustaining, exothermic chemical reaction;”;
- ““preparation” means a mixture of two or more substances or a solution of any substance or substances;”.

PART 2

AMENDMENT OF THE WILDLIFE (NORTHERN IRELAND) ORDER 1985

- 13 The Wildlife (Northern Ireland) Order 1985 (1985/171 (N.I. 2)) is amended in accordance with paragraphs 22 to 27.
- 14 In Article 10 (protection of certain wild animals), in paragraph (4A), for paragraphs (a) and (b) substitute—
- “(a) a seal (pinniped), or”.
- 15 In Article 11 (exceptions to Article 10)—
- (a) after paragraph (1) insert—
- “(1A) Article 5(5) (as it applies to Article 10 by virtue of paragraph (1)) applies in relation to seals (pinnipedia) as if—
- (a) in sub-paragraphs (a) and (b) the words “otherwise than by his unlawful act” were omitted, and
- (b) sub-paragraph (c) were omitted.”;
- (b) after paragraph (3) insert—
- “(3A) Paragraph (3) applies in relation to seals (pinnipedia) as if “or to fisheries” were omitted.”

Fisheries Bill [Lords], continued

- 16 In Article 18 (power to grant licences), after paragraph (3) insert—
 “(3ZA) But a licence may not be granted under paragraph (3) that permits the killing, injuring or taking of seals (pinnipedia) for the purpose of preventing damage to fisheries.”
- 17 In Schedule 5 (animals which are protected at all times), in the table, for the entries for “Seal, common” and “Seal, grey” substitute—
- | | |
|-------|-----------|
| “Seal | Pinniped” |
|-------|-----------|
- 18 In Schedule 6 (animals which may not be killed or taken by certain methods), in the table, for the entries for “Seal, common” and “Seal, grey” substitute—
- | | |
|-------|-----------|
| “Seal | Pinniped” |
|-------|-----------|
- 19 In Schedule 7 (animals which may not be sold alive or dead at any time), in the table, for the entries for “Seal, common” and “Seal, grey” substitute—
- | | |
|-------|------------|
| “Seal | Pinniped”” |
|-------|------------|

Member’s explanatory statement

This new Schedule makes amendments to the Conservation of Seals Act 1970 and the Wildlife (Northern Ireland) Order 1985. The amendments would generally prohibit the killing, injuring or taking of seals, and limit the circumstances in which that can be permitted.

ORDER OF THE HOUSE [1 SEPTEMBER 2020]

That the following provisions shall apply to the Fisheries Bill [Lords]:

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 Thursday 17 September 2020.
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.

Fisheries Bill [*Lords*], *continued*

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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ORDER OF THE COMMITTEE [8 SEPTEMBER 2020]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 8 September) meet—
 - (a) at 2.00 pm on Tuesday 8 September;
 - (b) at 11.30 am and 2.00 pm on Thursday 10 September;
 - (c) at 9.25 am and 2.00 pm on Tuesday 15 September;
 - (d) at 11.30 am and 2.00 pm on Thursday 17 September;
 - (2) the proceedings shall be taken in the following order: Clauses 1 to 11; Schedule 1; Clauses 12 and 13; Schedule 2; Clauses 14 to 19; Schedule 3; Clauses 20 to 23; Schedule 4; Clauses 24 to 29; Schedule 5; Clauses 30 to 35; Schedule 6; Clause 36; Schedule 7; Clauses 37 to 44; Schedule 8; Clauses 45 and 46; Schedule 9; Clause 47; Schedule 10; Clauses 48 to 54; new Clauses; new Schedules; remaining proceedings on the Bill;
 - (3) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 17 September.
-