



House of Commons

Thursday 10 September 2020

PUBLIC BILL COMMITTEE PROCEEDINGS

FISHERIES BILL [*LORDS*]

[*FIRST TO FOURTH 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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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.

[*FIRST AND SECOND SITTINGS*]

Victoria Prentis

Agreed to

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;

Fisheries Bill [*Lords*], *continued*

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.

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate 61

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

- “(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.”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate 71

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

- “(i) the public asset objective;
(j) the safety and workforce objective.”

Victoria Prentis

Agreed to on division 1

Clause 1, page 1, line 12, leave out subsections (2) and (3) and insert—

- “(2) The “sustainability objective” is that—
(a) fish and aquaculture activities are—
(i) environmentally sustainable in the long term, and
(ii) managed so as to achieve economic, social and employment benefits and contribute to the availability of food supplies, and
(b) the fishing capacity of fleets is such that fleets are economically viable but do not overexploit marine stocks.”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 74

Clause 1, page 2, line 6, after “marine” insert “and aquatic”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 75

Clause 1, page 2, line 7, leave out “minimised and, where possible,”

Fisheries Bill [Lords], continued

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 76

Clause 1, page 2, line 8, leave out “minimised and, where possible,”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 77

Clause 1, page 2, line 12, at end insert—

“(aa) real-time scientific data is generated from both research vessels and all fishing vessels,”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 78

Clause 1, page 2, line 21, leave out paragraph (c)

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 79

Clause 1, page 2, line 24, after “area” insert “, fishing opportunity, or entitlement for any resources”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Negated on division 73

Clause 1, page 2, leave out lines 33 to 35 and insert—

“(a) fish and aquaculture activities achieve net zero carbon emissions by 2030, including in particular through efforts to—

(i) improve the environmental performance of fishing ports;

(ii) promote the decarbonisation of fish and aquaculture activities;
and

(iii) phase out the use of fossil fuels;

(b) fish and aquaculture activities adapt to the impact of the climate emergency;

(c) fisheries policy is compliant with the United Kingdom’s obligations under—

(i) the United Nations Paris Agreement under the United Nations Framework Convention on Climate Change,

(ii) the Convention on International Trade in Endangered Species of Wild Fauna and Flora,

(iii) the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,

Fisheries Bill [*Lords*], *continued*

- (iv) the Convention on the Law of the Sea,
- (v) the International Covenant on Economic, Social and Cultural Rights (ICESCR),
- (vi) the United Nations Sustainable Development Goals.”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 72

Clause 1, page 2, line 35, at end insert—

“(10A) 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.”

(10B) 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
- (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.”

Clause, as amended, agreed to.

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 62

Clause 2, page 3, line 33, 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.”

Victoria Prentis

Agreed to 2

Clause 2, page 3, line 37, leave out “18 months” and insert “two years”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate 63

Clause 2, page 3, line 38, at end insert—

“(5A) 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.

Fisheries Bill [*Lords*], *continued*

- (5B) In establishing the system under subsection (5A), 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 2022 due to disputes between the fisheries policy authorities.”

Clause, as amended, agreed to.

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate 64

Clause 3, page 4, line 11, leave out “6” and insert “5”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 65

Clause 3, page 4, line 14, leave out “6” and insert “5”

Clause agreed to.

Clause 4 agreed to.

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate 66

Clause 5, page 5, line 38, leave out “6” and insert “5”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called 67

Clause 5, page 5, line 40, after “must” insert “, within 45 calendar days,”

Clause agreed to.

Clause 6 agreed to.

Fisheries Bill [Lords], continued

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate **68**

Clause 7, page 7, line 45, before “available” insert “best”

Clause agreed to.

Clause 8 agreed to.

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate **69**

Clause 9, page 8, line 45, at end insert—

“(2) In preparing and publishing a fisheries management plan under subsection (1), a fisheries policy authority acting alone must—

- (a) consult any other fisheries policy authorities that it deems appropriate, and
- (b) have regard to their responses before publishing the fisheries management plan.”

Clause agreed to.

Clause 10 agreed to.

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate **70**

Clause 11, page 10, line 25, at end insert—

“(b) any other person whom the Secretary of State deems appropriate.”

Clause agreed to.

Schedule 1 agreed to.

Fisheries Bill [*Lords*], *continued**[THIRD AND FOURTH SITTINGS]*

Victoria Prentis

To move, That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Agreed to

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Withdrawn after debate 80

Clause 12, page 11, line 5, at end insert—

“(3A) The master, the owner and the charterer (if any) are not each guilty of an offence if a fishing boat contravenes subsection (1) or (2) as a result of—

- (a) danger to life or property, or
- (b) any other reason prescribed by the Secretary of State in regulations.”

*Clause agreed to.**Clause 13 agreed to.*

Victoria Prentis

Agreed to 11

Schedule 2, page 42, line 38, leave out from “crabs”), to end of line 1 on page 43 and insert “, in paragraph (2), after “foreign fishing boats” insert “of sea fish caught in waters lying outside British fishery limits”.”

Victoria Prentis

Agreed to 12

Schedule 2, page 43, line 2, leave out, from “crabs”) to end of line 4 and insert “, in paragraph (2), after “foreign fishing boats” insert “and were caught in waters lying outside British fishery limits”.”

Victoria Prentis

Agreed to 13

Schedule 2, page 43, line 13, leave out “Scottish or”

Victoria Prentis

Agreed to 14

Schedule 2, page 43, line 13, leave out “or a foreign vessel”

Victoria Prentis

Agreed to 15

Schedule 2, page 43, line 16, at end insert—

“(4) A foreign vessel is prohibited from carrying in the English zone velvet crab that were caught in waters lying within British fishery limits and are below the minimum size mentioned in sub-paragraph (1).”

Fisheries Bill [*Lords*], *continued*

Victoria Prentis

Schedule 2, page 43, line 23, leave out “Scottish or”

Agreed to 16

Victoria Prentis

Schedule 2, page 43, line 29, at end insert—
“(5A) After article 4 insert—

Agreed to 17

“Fishing by Faroe Islands-licensed foreign vessels

4A (1) Nothing in article 2, 3 or 4 applies in relation to fish that were caught by a Faroe Islands-licensed foreign vessel in waters lying within the Special Area unless, at the time they were caught, the vessel was included in the list maintained and published by the Scottish Ministers for the purposes of section 16(2A) of the Fisheries Act 2020.

(2) In this article the following expressions have the same meaning as in section 16 of the Fisheries Act 2020—

“Faroe Islands-licensed”;

“the Special Area”.

Victoria Prentis

Schedule 2, page 44, line 19, leave out from “prohibition)” to end of line 20 and insert—

Agreed to 18

“(a) in paragraph (1) omit “wherever caught”;

(b) in paragraph (2), after “applies” insert “(wherever caught)”;

(c) after paragraph (2) insert—

“(3) The landing in England or Northern Ireland from a foreign fishing boat of any sea fish to which this article applies that were caught in waters lying within British fishery limits is prohibited.””

Victoria Prentis

Schedule 2, page 44, line 22, at end insert—
“(4A) After article 4A insert—

Agreed to 19

“Fishing by Faroe Islands-licensed foreign fishing boats

4B (1) Nothing in article 3(2) or 4A(1) (fishing prohibition) applies in relation to fishing at any time by a Faroe Islands-licensed foreign fishing boat in waters lying within the Special Area unless, at that time, the fishing boat was included in the list maintained and published by the Scottish Ministers for the purposes of section 16(2A) of the Fisheries Act 2020.

(2) Nothing in article 4(3) (landing prohibition) applies in relation to fish that were caught by a Faroe Islands-licensed foreign fishing boat in waters lying within the Special Area unless, at the time they were caught, the fishing boat was included in the list maintained

Fisheries Bill [Lords], continued

and published by the Scottish Ministers for the purposes of section 16(2A) of the Fisheries Act 2020.

- (3) In this article the following expressions have the same meaning as in section 16 of the Fisheries Act 2020—
 “Faroe Islands-licensed”;
 “the Special Area”.”

Victoria Prentis

Agreed to 20

Schedule 2, page 44, line 36, at end insert—

“(3A) After article 4 insert—

“Fishing by Faroe Islands-licensed foreign fishing boats

4A (1) Nothing in article 4 (landing prohibition) applies in relation to fish that were caught by a Faroe Islands-licensed foreign fishing boat in waters lying within the Special Area unless, at the time they were caught, the fishing boat was included in the list maintained and published by the Scottish Ministers for the purposes of section 16(2A) of the Fisheries Act 2020.

- (2) In this article the following expressions have the same meaning as in section 16 of the Fisheries Act 2020—
 “Faroe Islands-licensed”;
 “the Special Area”.”

Victoria Prentis

Agreed to 21

Schedule 2, page 45, line 13, at end insert—

“(2A) In article 3, in paragraph (3), at the end of sub-paragraph (c) insert “; or

- (d) carried in, or used by, a Faroe Islands-licensed foreign fishing boat for the purpose of fishing in waters lying within the Special Area unless the fishing boat is, at the time it is so carried or used, included in the list maintained and published by the Scottish Ministers for the purposes of section 16(2A) of the Fisheries Act 2020.”

(2B) In article 3, after paragraph (3) insert—

- “(4) In this article the following expressions have the same meaning as in section 16 of the Fisheries Act 2020—
 “Faroe Islands-licensed”;
 “the Special Area”.”

Victoria Prentis

Agreed to 22

Schedule 2, page 45, line 16, leave out “in relation to”

Victoria Prentis

Agreed to 23

Schedule 2, page 45, line 19, leave out “in relation to”

Fisheries Bill [*Lords*], *continued*

Victoria Prentis

Agreed to 24

Schedule 2, page 45, line 26, at end insert—

“(2A) In article 3, in paragraph (2), at the end of sub-paragraph (c) insert—

“(d) to fishing at any time by a Faroe Islands-licensed foreign fishing boat in waters lying within the Special Area unless the fishing boat is, at that time, included in the list maintained and published by the Scottish Ministers for the purposes of section 16(2A) of the Fisheries Act 2020.”

(2B) In article 3, after paragraph (2) insert—

“(3) In this article the following expressions have the same meaning as in section 16 of the Fisheries Act 2020—

“Faroe Islands-licensed”;

“the Special Area”.”

Victoria Prentis

Agreed to 25

Schedule 2, page 46, line 11, at end insert “, or

(d) a foreign fishing boat outside British fishery limits.

(4) The prohibition in this article does not apply in relation to a net carried in, or deployed by, a Faroe Islands-licensed foreign fishing boat for the purpose of fishing in waters lying within the Special Area unless the fishing boat is, at the time it is so carried or deployed, included in the list maintained and published by the Scottish Ministers for the purposes of section 16(2A) of the Fisheries Act 2020.

(5) In this article the following expressions have the same meaning as in section 16 of the Fisheries Act 2020—

“Faroe Islands-licensed”;

“the Special Area”.”

Victoria Prentis

Agreed to 26

Schedule 2, page 46, line 34, at end insert—

“(2A) In article 3, in paragraph (2), at the end of sub-paragraph (c) insert “, or

(d) to fishing at any time by a Faroe Islands-licensed foreign fishing boat in waters lying within the Special Area unless the fishing boat is, at that time, included in the list maintained and published by the Scottish Ministers for the purposes of section 16(2A) of the Fisheries Act 2020.”

(2B) In article 3, after paragraph (2) insert—

“(3) In this article the following expressions have the same meaning as in section 16 of the Fisheries Act 2020—

“Faroe Islands-licensed”;

“the Special Area”.”

Schedule, as amended, agreed to.

Clauses 14 and 15 agreed to.

Fisheries Bill [Lords], continued

Victoria Prentis

Agreed to 3

Clause 16, page 12, line 32, at end insert—

“(b) by a Faroe Islands-licensed fishing boat in waters lying within the Special Area.

- (2A) The exception in subsection (2)(b) does not apply in relation to a foreign fishing boat that is for the time being included in a list maintained and published for the purposes of this subsection by the Scottish Ministers.”

Victoria Prentis

Agreed to 4

Clause 16, page 13, line 3, leave out subsection (8) and insert—

“(8) For the purposes of this section a fishing boat is “Faroe Islands-licensed” if there is in force a licence issued by or on behalf of the Government of the Faroe Islands authorising it to fish in waters lying (to any extent) within the Special Area.

(9) In this section—

(a) “the Special Area” means the Special Area, as defined in Article 4 of, and Schedule C to, the Faroe Islands Treaty;

(b) “the Faroe Islands Treaty” means the agreement between—

(i) the Government of the United Kingdom, and

(ii) the Government of the Kingdom of Denmark together with the Home Government of the Faroe Islands,

relating to the maritime delimitation in the area between the Faroe Islands and the United Kingdom, entered into on 18 May 1999;

(c) “licence” (except in subsection (8)) means a licence granted under section 17.”

Clause, as amended, agreed to.

Stephanie Peacock
Luke Pollard*Withdrawn after debate 99*

Clause 17, page 13, line 29, 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.”

Stephanie Peacock
Luke Pollard*Not called 103*

Clause 17, page 13, line 32, at end insert—

“(5) A licence may not be granted under this section unless the fishing boat meets safety standards that are at least equivalent to those applicable to British fishing boats.

Clause agreed to.

Fisheries Bill [*Lords*], *continued*

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Negated on division **87**

Clause **18**, page **13**, line **34**, leave out “Secretary of State” and insert “fisheries policy authorities”

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Withdrawn after debate **85**

Clause **18**, page **13**, line **36**, leave out “or 16(1)”

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called **88**

Clause **18**, page **13**, line **38**, leave out “Secretary of State” and insert “fisheries policy authorities”

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called **89**

Clause **18**, page **13**, leave out lines 41 to 43, insert “, and” at the end of line 40

Stephanie Peacock
Luke Pollard

Not called **105**

Clause **18**, page **13**, leave out lines 41 to 43

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called **90**

Clause **18**, page **14**, line **1**, leave out “Secretary of State” and insert “fisheries policy authorities”

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called **91**

Clause **18**, page **14**, line **2**, leave out “the UK fishing industry” and insert “their respective fishing industries”

Fisheries Bill [Lords], continued

Deidre Brock
Steven Bonnar
Brendan O'Hara
Patrick Grady

Not called 86

Clause 18, page 14, line 9, leave out “or 16(1)”

Stephanie Peacock
Luke Pollard

Not called 106

Clause 18, page 14, line 16, after “limits”, insert “and outside of Scotland, the Scottish zone, Wales, the Welsh zone, Northern Ireland and the Northern Ireland zone”

Stephanie Peacock
Luke Pollard

Not called 107

Clause 18, page 14, line 17, leave out “the United Kingdom, Isle of Man, Guernsey or Jersey” and insert “England”

Victoria Prentis

Not selected 5

Page 13, line 33, leave out Clause 18

Clause negatived on division.

Clause 19 agreed to.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 104

Schedule 3, page 52, line 7, at end insert—

“(2A) A sea fishing licensing authority must attach to any sea fishing licence appropriate conditions with respect to the safety of the boat and its crew.”

Stephanie Peacock
Luke Pollard

Withdrawn after debate 100

Schedule 3, page 52, line 15, at end insert—

“(6) Conditions attached to any sea fishing licence must include a prohibition on the use of any form of electric pulse beam trawl fishing.”

Stephanie Peacock
Luke Pollard

Negatived on division 101

Schedule 3, page 52, line 15, at end insert—

“(6) Conditions attached to any sea fishing licence must include a prohibition on using a fishing boat greater than 100 metres in length in any of the protected areas specified in subsection (7).

(7) The protected areas to which the prohibition in subsection (6) applies are marine conservation zones and marine protected areas as defined in the Marine and Coastal Access Act 2009.

Fisheries Bill [*Lords*], *continued*

- (8) The list of protected areas in subsection (7) may be added to by the Secretary of State by means of regulations.”

Stephanie Peacock
Luke Pollard

Schedule 3, page 55, line 4, leave out “negative” and insert “affirmative” *Withdrawn after debate* 95

Victoria Prentis

Schedule 3, page 56, line 3, leave out paragraph (a) and insert—
“(a) sections 15 to 17,” *Agreed to* 27

Schedule, as amended, agreed to.

Clauses 20 to 23 agreed to.

Victoria Prentis

Schedule 4, page 57, line 2, leave out sub-paragraph (3) *Agreed to* 28

Victoria Prentis

Schedule 4, page 63, line 14, at end insert—
““temporary foreign vessel licence” means a licence that—
(a) is granted in respect of a foreign fishing boat, and
(b) has effect for a period of no more than three weeks;” *Agreed to* 29

Victoria Prentis

Schedule 4, page 63, line 23, after “words”, insert—
“(i) after “A licence” insert “, other than a temporary foreign vessel licence;”,
(ii) ” *Agreed to* 30

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Schedule 4, page 63, line 40, leave out “this regulation” and insert “paragraphs (1) and (2)”. *Agreed to* 31

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Fisheries Bill [*Lords*], *continued*

Victoria Prentis

Agreed to 32

Schedule 4, page 63, line 44, leave out from “charterer;” to end of line 47 and insert—

- “(b) in relation to a licence or notice relating to a foreign fishing boat, the owner or charterer of the fishing boat.
- (2B) A temporary foreign vessel licence shall be granted to the owner or charterer of a foreign fishing boat by communicating it to the relevant person by—
- (a) transmitting it to the relevant person by means of an electronic communication, and
 - (b) subsequently publishing it on the website of the Welsh Ministers or of a person granting the licence on their behalf.
- (2C) In paragraph (2B), “the relevant person”, in relation to a foreign fishing boat, means—
- (a) if the fishing boat is registered in a member State, the European Commission;
 - (b) if the fishing boat is registered in a country or territory that is not a member State, the authority in that country or territory that is responsible for the regulation of fishing boats.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 33

Schedule 4, page 64, line 10, after “licence”, insert “, other than a temporary foreign vessel licence,”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 34

Schedule 4, page 64, line 21, leave out paragraphs (a) and (b) and insert—

- “(a) in the heading, for “Delivery” substitute “Granting”;
- (b) in paragraphs (1) and (2), for “delivered” substitute “granted”;
- (c) in paragraph (3)—
- (i) after “A licence” insert “, other than a temporary foreign vessel licence,”;
 - (ii) for “a nominee’s” substitute “an”;
 - (iii) for “delivered” substitute “granted”;
- (d) after paragraph (3) insert—

“(3A) In relation to a licence or notice transmitted by electronic means at any time during January 2021, the reference in paragraph (3) to 24 hours is to be read as a reference to one hour.

(3B) A notice communicated in accordance with regulation 2(2)(b) (publication on website) shall be treated as given

Fisheries Bill [Lords], continued

immediately it is published in accordance with that provision.

(3C) A temporary foreign vessel licence communicated in accordance with regulation 2(2B) shall be treated as granted immediately it is published in accordance with that provision.”;

(e) in paragraph (5) (in each place it occurs), for “delivered” substitute “granted”.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 35

Schedule 4, page 64, line 27, leave out from “paragraph (a)” to end of line 28 and insert—

“(i) after “2(1)” insert “or (2B)”;

(ii) omit “, and a notice which is communicated in accordance with regulation 2(2)(b),”;

(iii) for “delivered or given” substitute “granted”.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 36

Schedule 4, page 65, line 38, at end insert—

“(e) after that definition insert—

““temporary foreign vessel licence” means a licence that—

(a) is granted in respect of a foreign fishing boat, and

(b) has effect for a period of no more than three weeks.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 37

Schedule 4, page 65, line 40, after “words”, insert—

“(i) after “A licence”, insert “, other than a temporary foreign vessel licence,”;

(ii) ”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the

Fisheries Bill [Lords], continued

European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to **38**

Schedule 4, page 65, line 43, at end insert—

“(ba) after that paragraph insert —

“(1A) A temporary foreign vessel licence is to be granted to the owner or charterer of a foreign fishing boat by communicating it to the relevant person by—

- (a) transmitting it to the relevant person by means of an electronic communication, and
- (b) subsequently publishing it on the website of the Scottish Ministers or of a person granting the licence on their behalf.

(1B) In paragraph (1A), “the relevant person”, in relation to a foreign fishing boat, means—

- (a) if the fishing boat is registered in a member State, the European Commission;
- (b) if the fishing boat is registered in a country or territory that is not a member State, the authority in that country or territory that is responsible for the regulation of fishing boats.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to **39**

Schedule 4, page 66, line 3, leave out from “notices)” to end of line 4 and insert—

- “(a) in the heading, for “Delivery” substitute “Granting”;
- (b) in paragraphs (1) and (2), for “delivered” substitute “granted”;
- (c) in paragraph (3)—
 - (i) after “A licence”, insert “, other than a temporary foreign vessel licence,”;
 - (ii) for “a nominee’s” substitute “an”;
 - (iii) for “delivered” substitute “granted”;
- (d) after paragraph (3) insert—

“(3A) In relation to a licence or notice transmitted by electronic communication at any time during January 2021, the reference in paragraph (3) to 24 hours is to be read as a reference to one hour.

(3B) A temporary foreign vessel licence communicated in accordance with regulation 3(1A) is to be treated as granted immediately it is published in accordance with that provision.”;

Fisheries Bill [*Lords*], continued

(e) in paragraph (5) (in both places), for “delivered” substitute “granted”.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 40

Schedule 4, page 66, line 4, at end insert—

“(6) In regulation 5 (time at which licences and notices to have effect), in paragraph (a)—

(a) after “3(1)”, insert “or (1A)”;

(b) for “delivered” substitute “granted”.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 41

Schedule 4, page 66, line 30, at end insert—

“(ba) for the definition of “notice” substitute—

““notice” means a notice of variation, suspension or revocation of a licence;”;

Member’s explanatory statement

This amendment updates the definition of “notice” in the Sea Fishing (Licences and Notices) (England) Regulations 2012 to reflect other changes to those regulations made in this Schedule.

Victoria Prentis

Agreed to 42

Schedule 4, page 66, line 44, at end insert—

““temporary foreign vessel licence” means a licence that—

(a) is granted in respect of a foreign fishing boat, and

(b) has effect for a period of no more than three weeks.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 43

Schedule 4, page 66, line 46, leave out paragraph (a) to paragraph (c) on page 67 and insert—

“(a) in paragraph (1)—

(i) after “A licence”, insert “, other than a temporary foreign vessel licence;”;

(ii) for the words from “the owner” to the end substitute “an appropriate recipient (“P”)”;

Fisheries Bill [Lords], continued

- (b) after that paragraph insert—
- “(1A) In paragraph (1) “an appropriate recipient” means—
- (a) in relation to a licence or notice relating to a relevant fishing boat—
 - (i) the owner or charterer of the fishing boat, or
 - (ii) a nominee of the owner or charterer;
 - (b) in relation to a licence or a notice, relating to a foreign fishing boat, the owner or charterer of the fishing boat.”;
- (c) in paragraph (2), after “A licence”, insert “, other than a temporary foreign vessel licence, ”;
- (d) after paragraph (3) insert —
- “(3A) A temporary foreign vessel licence is to be granted to the owner or charterer of a foreign fishing boat by communicating it to the relevant person by—
- (a) transmitting it to the relevant person by means of an electronic communication, and
 - (b) subsequently publishing it on the website of the Marine Management Organisation or of a person granting the licence on its behalf.
- (3B) In paragraph (3A), “the relevant person”, in relation to a foreign fishing boat, means—
- (a) if the fishing boat is registered in a member State, the European Commission;
 - (b) if the fishing boat is registered in a country or territory that is not a member State, the authority in that country or territory that is responsible for the regulation of fishing boats.”;
- (e) omit paragraph (8).”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 44

Schedule 4, page 67, line 10, at end insert—

- “(5) In regulation 4 (time at which licences are delivered and notice given)—
- (a) in the heading and paragraphs (1), (2), (3) and (4), for “delivered” substitute “granted”;
 - (b) after paragraph (4) insert—
- “(4A) In relation to a licence or notice transmitted by means of an electronic communication at any time during January 2021, the reference in paragraph (4) to 24 hours is to be read as a reference to one hour.
- (4B) A temporary foreign vessel licence communicated as described in regulation 3(3A) is treated as granted

Fisheries Bill [Lords], continued

immediately it is published in accordance with that provision.”;

(c) in paragraph (7) (in both places), for “delivered” substitute “granted”.

(6) In regulation 5 (time at which licences and notices have effect), in paragraph (a), for “delivered” substitute “granted”.

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 45

Schedule 4, page 68, line 4, at end insert—

“(f) after that definition insert—

““temporary foreign vessel licence” means a licence that—

- (a) is granted in respect of a foreign fishing boat, and
- (b) has effect for a period of no more than three weeks.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 46

Schedule 4, page 68, line 6, leave out paragraphs (a) to (c) and insert—

“(a) in paragraph (1)—

- (i) after “A licence”, insert “, other than a temporary foreign vessel licence,”;
- (ii) omit “Northern Ireland”;
- (iii) for the words from “the owner or charterer of the boat” to the end substitute “an appropriate recipient”;

(b) in paragraph (2), after “A licence”, insert “(other than a temporary foreign vessel licence)”;

(c) in paragraph (3), for the words from “the owner or charterer of the boat” to the end substitute “an appropriate recipient”;

(d) after paragraph (4) insert—

“(4A) In paragraphs (1) to (4), “an appropriate recipient” means—

- (a) in relation to a licence or notice relating to a Northern Ireland fishing boat—
 - (i) the owner or charterer of the fishing boat, or
 - (ii) a nominee of that owner or charterer;
- (b) in relation to a licence or notice relating to a foreign fishing boat, the owner or charterer of the fishing boat.

Fisheries Bill [Lords], continued

- (4B) A temporary foreign vessel licence is to be granted to the owner or charterer of a foreign fishing boat by delivering it to the relevant person by—
- (a) transmitting it to the relevant person by means of an electronic communication, and
 - (b) subsequently publishing it on the website of the Department or of a person granting the licence on its behalf.
- (4C) In paragraph (4B), “the relevant person”, in relation to a foreign fishing boat, means—
- (a) if the fishing boat is registered in a member State, the European Commission;
 - (b) if the fishing boat is registered in a country or territory that is not a member State, the authority in that country or territory that is responsible for the regulation of fishing boats.”

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 47

Schedule 4, page 68, line 20, at end insert—

“(5) In regulation 4 (time when licences are delivered and notices given), after paragraph (4) insert—

“(4A) In relation to a licence or notice transmitted by means of an electronic communication at any time during January 2021, the reference in paragraph (4) to 24 hours is to be read as a reference to one hour.

(4B) A temporary foreign vessel licence delivered as described in regulation 3(4B) is treated as delivered immediately it is published in accordance with that provision.”

(6) In regulation 5 (time when licences, variations, suspensions or revocations have effect), in paragraph (a), after “3(2)”, insert “or (4B)”.

Member’s explanatory statement

This amendment is one of a group of amendments that introduces an expedited process for granting temporary licences to foreign fishing boats by communicating them electronically to the European Commission (or, in the case of a non-EU fishing boat, the relevant regulatory authority) and publishing them on the web.

Victoria Prentis

Agreed to 48

Schedule 4, page 68, line 22, at end insert—

“*Sea Fish Licensing (Wales) Order 2019*

22 The Sea Fish Licensing (Wales) Order 2019 (S.I. 2019/507 (W. 117)) (which has not come into force) is revoked.

Fisheries Bill [Lords], continued
Sea Fishing (Licences and Notices) (Wales) Regulations 2019

- 23 The Sea Fishing (Licences and Notices) (Wales) Regulations 2019 (S.I. 2019/500 (W. 116)) (which have not come into force) are revoked.

Sea Fish Licensing (England) (EU Exit) Regulations 2019

- 24 The Sea Fish Licensing (England) (EU Exit) Regulations 2019 (S.I. 2019/523) (which have not come into force) are revoked.

Sea Fish Licensing (Foreign Vessels) (EU Exit) (Scotland) Order 2019

- 25 The Sea Fish Licensing (Foreign Vessels) (EU Exit) (Scotland) Order 2019 (S.S.I. 2019/87) (which has not come into force) is revoked.

Sea Fishing (Licences and Notices) (Scotland) (Amendment) Regulations 2019

- 26 The Sea Fishing (Licences and Notices) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/88) (which have not come into force) are revoked.

Fishing Boats Designation (EU Exit) (Scotland) Order 2019

- 27 The Fishing Boats Designation (EU Exit) (Scotland) Order 2019 (S.S.I. 2019/345) (which has not come into force) is revoked.”

Member’s explanatory statement

This amendment revokes various statutory instruments that have not come into force, and were made as part of contingency planning in case the Bill was not passed before IP completion day.

Victoria Prentis

Agreed to **49**

Schedule 4, page 69, line 21, at beginning insert—

“(1) Regulations made under section 4B of the Sea Fish (Conservation) Act 1967 (regulations supplementary to sections 4 and 4A of that Act) in relation to licences under section 4 of that Act have effect on and after the coming into force of paragraph 6(2) as if they were made under paragraph 7(1) of Schedule 3 to this Act.”

Member’s explanatory statement

This is a technical amendment clarifying the transitional provisions applying on the transition from the licensing regime in the Sea Fish (Conservation) Act 1967 to the licensing regime in the Bill.

Schedule, as amended, agreed to.

Stephanie Peacock
Luke Pollard

Withdrawn after debate **111**

Clause 24, page 16, line 14, leave out “may determine” and insert “must determine”

Member’s explanatory statement

This amendment makes it compulsory for the Secretary of State to make a determination relating to fishing opportunities.

Fisheries Bill [Lords], continued

Stephanie Peacock
Luke Pollard

Withdrawn after debate 113

Clause 24, page 16, leave out lines 16 to 19 and insert—

- “(a) the maximum quantity of sea fish that may be caught by British fishing boats or foreign fishing boats holding rights to use the British catch quota;
- (b) the maximum number of days that British fishing boats or foreign fishing boats holding rights to use the British catch quota may spend at sea.”

Member’s explanatory statement

This amendment would add foreign fishing boats to the determination made by the Secretary of State of the maximum quantity of sea fish caught, or of the maximum number of days at sea.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 114

Clause 24, page 16, line 19, at end insert—

- “(1A) No determination of effort quota under subsection (1)(b) may be made until the completion of a trial for the relevant area of sea, stocks fished, fishing methods used, documentation methods used and any other relevant considerations that demonstrates that there is no evidence that such a determination—
 - (a) might cause a detriment to the achievement of any of the fisheries objectives;
 - (b) might cause the maximum sustainable yield of any stock to be exceeded;
 - (c) might reduce the accuracy of the recording of catches;
 - (d) might increase the risk of danger to the crew of fishing boats.”

Member’s explanatory statement

This amendment would prevent the Secretary of State making a determination of effort quota until it has been shown not to cause adverse impacts through a days at sea trial.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 115

Clause 24, page 16, line 26, at end insert—

- “(3A) The Secretary of State must ensure that a baseline stock assessment has been made for all non-quota species by 2030 and must report on progress on an annual basis.”

Member’s explanatory statement

This amendment would require the Secretary of State to gather a baseline stock assessment for those stocks that are not subject to catch limits.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 116

Clause 24, page 16, line 43, at end insert—

- “(7A) The Secretary of State may also determine, for such year or other period as may be specified in the determination, the maximum number of different descriptions of sea fish that may be caught, tagged and released, for the purposes of gathering data to aid scientific study, by those engaged in recreational fishing.”

Member’s explanatory statement

This amendment would give the Secretary of State the power to determine a ‘catch, tag and release’ quota for recreational fishing for the purposes of gathering data to aid scientific study.

Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

Withdrawn after debate 112

Clause 24, page 17, line 8, leave out “negative” and insert “affirmative”

Member’s explanatory statement

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

Clause agreed to.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 117

Clause 25, page 17, line 19, at end insert—

“(e) the public.”

Member’s explanatory statement

This amendment would require the Secretary of State to conduct a public consultation prior to making or withdrawing a determination under section 24.

Stephanie Peacock
Luke Pollard

Not called 118

Clause 25, page 17, line 24, at end insert “and stating what published scientific advice was used as the basis of the decision,”

Member’s explanatory statement

This amendment would require the Secretary of State to state what scientific advice was used when making or withdrawing a determination under section 24.

Clause agreed to.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 119

Clause 26, page 17, leave out line 38

Member’s explanatory statement

This amendment would remove historical catch levels as a basis for distributing catch quotas and effort quotas

Stephanie Peacock
Luke Pollard

Withdrawn after debate 120

Clause 26, page 17, line 44, at end insert—

“(3A) When distributing English fishing opportunities, the Secretary of State may redistribute any fishing opportunities made available before IP completion day, and any such distribution and redistribution must be carried out according to social, environmental and local economic criteria following national and regional

Fisheries Bill [Lords], continued

consultation from relevant stakeholder advisory groups, including representative groups from across the fishing fleet, scientists, and environmental groups.”

Member’s explanatory statement

This amendment would allow the redistribution of existing fishing opportunities in England and would mean that such distribution and redistribution had to be carried out in accordance with certain criteria, following consultation.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 121

Clause 26, page 17, line 44, at end insert—

“(3A) When distributing catch quotas for use by fishing boats, the national fisheries authorities may make provision for the pooling of catch quotas by two or more boats.

(3B) Before making provision for the pooling of catch quotas under subsection (3A), the national fisheries authorities must be satisfied that any pooling will lead to a reduction in the discard of catch, including bycatch.”

Member’s explanatory statement

This amendment would allow the national fisheries authorities to enable catch quota to be pooled by two or more boats in cases where doing so would avoid discards.

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Negatived on division 82

Clause 26, page 17, line 44, at end insert—

“(c) access for the purpose of recreational fishing, including by means of boats chartered for that purpose, to increased stock levels of recovering species.”

Member’s explanatory statement

This amendment would add access by recreational fishing to increased stock levels of recovering species to the list of things that national fisheries authorities must seek to incentivise when distributing catch quotas and effort quotas.

Clause agreed to.

Stephanie Peacock
Luke Pollard

Not moved 124

Clause 27, page 18, line 9, leave out “Before making a determination under section 24 for the first time” and insert “After allocating catch and effort quotas to the national fisheries authorities”

Member’s explanatory statement

This amendment would require the Secretary of State to allocate quotas to the national fisheries authorities before establishing a minimum quota for new entrants and 10m and under boats.

Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

Not moved 123

Clause 27, page 18, line 23, at end insert—

- “(aa) consider the impact on communities with high unemployment;
- (ab) consider the impact on small and medium-sized enterprises, and”

Member’s explanatory statement

This amendment would require the Secretary of State to consider the impact on communities with high unemployment, and on small and medium-sized enterprises, when making a determination under section 24.

Victoria Prentis

Not selected 6

Page 18, line 7, leave out Clause 27

Member’s explanatory statement

This amendment removes clause 27, which was inserted at Report stage in the Lords.

Clause negated on division.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 125

Clause 28, page 18, line 43, at end insert—

“(3A) The national fisheries authorities must publish, on at least an annual basis, a comparison of the number of each species of sea fish caught and—

- (a) the catch quota for that species for that year, and
- (b) the maximum sustainable yield (FMSY) reference point for that species for that year.

(3B) The publication under subsection (3A) must, where the number of sea fish caught in a calendar year has exceeded the figures in paragraphs (3A)(a) or (3A)(b), note the impact on fish stocks that exceeding that figure is thought to have had.”

Member’s explanatory statement

This amendment would require the publication of the quantity of fish caught, by species, to enable the impact on the sustainability of fish stocks to be assessed.

Clause agreed to.

Clause 29 agreed to.

Schedule 5 agreed to.

Clause 30 to 34 agreed to.

[Adjourned until Tuesday 15 September at 9.25am]