



House of Commons

Tuesday 15 September 2020

PUBLIC BILL COMMITTEE PROCEEDINGS

FISHERIES BILL [*LORDS*]

[*FIRST TO SIXTH SITTINGS*]

GLOSSARY

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

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

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

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

[*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Withdrawn after debate 61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Withdrawn after debate 71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

Negatived 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— *Agreed to* 27
“(a) sections 15 to 17,”

Schedule 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— *Agreed to* 29
““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;”

Victoria Prentis

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

Victoria Prentis

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

Victoria Prentis

Schedule 4, page 63, line 44, leave out from “charterer;” to end of line 47 and insert— *Agreed to* 32
“(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—

Fisheries Bill [Lords], continued

- (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.”

Victoria Prentis

Agreed to **33**

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

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 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”.”

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),”;

Fisheries Bill [*Lords*], *continued*

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

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.”

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) ”

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.”

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”;

Fisheries Bill [Lords], continued

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

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”.”

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;”;

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.”

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”)”;
- (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;

Fisheries Bill [*Lords*], *continued*

- (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).”

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 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”.”

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—

Fisheries Bill [Lords], continued

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

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.
 - (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.””

Fisheries Bill [Lords], continued

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)”.

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.

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.”

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

Fisheries Bill [Lords], continued

force of paragraph 6(2) as if they were made under paragraph 7(1) of Schedule 3 to this Act.”

Schedule, as amended, agreed to.

Stephanie Peacock
Luke Pollard

Clause 24, page 16, line 14, leave out “may determine” and insert “must determine” *Withdrawn after debate* 111

Stephanie Peacock
Luke Pollard

Clause 24, page 16, leave out lines 16 to 19 and insert— *Withdrawn after debate* 113

- “(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.”

Stephanie Peacock
Luke Pollard

Clause 24, page 16, line 19, at end insert— *Withdrawn after debate* 114

“(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.”

Stephanie Peacock
Luke Pollard

Clause 24, page 16, line 26, at end insert— *Withdrawn after debate* 115

“(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.”

Stephanie Peacock
Luke Pollard

Clause 24, page 16, line 43, at end insert— *Withdrawn after debate* 116

“(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

Fisheries Bill [Lords], continued

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.”

Stephanie Peacock
Luke Pollard

Clause 24, page 17, line 8, leave out “negative” and insert “affirmative” *Withdrawn after debate* 112

Clause agreed to.

Stephanie Peacock
Luke Pollard

Clause 25, page 17, line 19, at end insert— *Withdrawn after debate* 117
“(e) the public.”

Stephanie Peacock
Luke Pollard

Clause 25, page 17, line 24, at end insert “and stating what published scientific advice was used as the basis of the decision,” *Not called* 118

Clause agreed to.

Stephanie Peacock
Luke Pollard

Clause 26, page 17, leave out line 38 *Withdrawn after debate* 119

Stephanie Peacock
Luke Pollard

Clause 26, page 17, line 44, at end insert— *Withdrawn after debate* 120
“(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 consultation from relevant stakeholder advisory groups, including representative groups from across the fishing fleet, scientists, and environmental groups.”

Stephanie Peacock
Luke Pollard

Clause 26, page 17, line 44, at end insert— *Withdrawn after debate* 121
“(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.”

Fisheries Bill [Lords], continued

- (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.”

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Negated 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.”

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”

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”

Victoria Prentis

Not selected 6

Page 18, line 7, leave out Clause 27

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.

Fisheries Bill [*Lords*], *continued*

- (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.”

Clause agreed to.

Clause 29 agreed to.

Schedule 5 agreed to.

Clauses 30 to 34 agreed to.

[FIFTH AND SIXTH SITTINGS]

Stephanie Peacock
Luke Pollard
Ruth Jones
Rosie Duffield

Not called **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.”

Stephanie Peacock
Luke Pollard

Withdrawn after debate **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;
- (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.”

Stephanie Peacock
Luke Pollard

Negated on division **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.”

Fisheries Bill [Lords], continued

Victoria Prentis

Agreed to 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).”

Stephanie Peacock
Luke Pollard*Withdrawn after debate* 138

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

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

Clause, as amended, agreed to.

Stephanie Peacock
Luke Pollard*Not called* 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.”

Stephanie Peacock
Luke Pollard*Not called* 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.”

Victoria Prentis

Agreed to 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.

Fisheries Bill [Lords], continued

- (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).”

Stephanie Peacock
Luke Pollard

Not called 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.”

Stephanie Peacock
Luke Pollard

Not called 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.”

Victoria Prentis

Agreed to 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).”

Fisheries Bill [Lords], continued

Stephanie Peacock
Luke Pollard

Not called 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.”

Stephanie Peacock
Luke Pollard

Not called 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.”

Victoria Prentis

Agreed to 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).”

Schedule, as amended, agreed to.

Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

Clause 36, page 25, line 21, leave out “negative” and insert “affirmative” *Withdrawn after debate* 96

Clause agreed to.

Schedule 7 agreed to.

Clause 37 agreed to.

Stephanie Peacock
Luke Pollard

Clause 38, page 26, line 6, at end insert— *Withdrawn after debate* 130
“(d) the gathering of scientific data to inform management of fish stocks.”

Stephanie Peacock
Luke Pollard

Clause 38, page 26, line 37, at end insert— *Withdrawn after debate* 139
“(pa) fishing-related activities in the vicinity of a feature of archaeological or historic interest.”

Clause agreed to.

Clauses 39 and 40 agreed to.

Victoria Prentis

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)” *Agreed to* 144

Victoria Prentis

Clause 41, page 28, line 31, after “of” insert “sea fishing by” *Agreed to* 7

Clause agreed to.

Clause 42 agreed to.

Fisheries Bill [Lords], continued

Stephanie Peacock
Luke Pollard

Withdrawn after debate 97

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

Clause agreed to.

Clause 44 agreed to.

Stephanie Peacock
Luke Pollard

Not called 131

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

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

Stephanie Peacock
Luke Pollard

Not called 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.”

Stephanie Peacock
Luke Pollard

Not called 132

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

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

Stephanie Peacock
Luke Pollard

Not called 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.”

Victoria Prentis

Agreed to 50

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

Victoria Prentis

Agreed to 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.”

Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

Not called 133

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

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

Stephanie Peacock
Luke Pollard

Not called 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.”

Schedule, as amended, agreed to.

Clauses 45 and 46 agreed to.

Victoria Prentis

Agreed to 51

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

Stephanie Peacock
Luke Pollard

Withdrawn after debate 98

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

Victoria Prentis

Agreed to 52

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

Schedule, as amended, agreed to.

Clause 47 agreed to.

Victoria Prentis

Agreed to 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;

Fisheries Bill [Lords], continued

- (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—

“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.”

Fisheries Bill [*Lords*], *continued*

Victoria Prentis

Agreed to 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.”

Victoria Prentis

Agreed to 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.

(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.”

Fisheries Bill [Lords], continued

Schedule, as amended, agreed to.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Withdrawn after debate 92

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

Stephanie Peacock
Luke Pollard

Withdrawn after debate 108

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

Stephanie Peacock
Luke Pollard

Not called 143

Clause 48, page 31, line 29, at end insert—
“(iii) monitoring compliance with personal flotation device regulations;”

Stephanie Peacock
Luke Pollard

Not called 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”

Stephanie Peacock
Luke Pollard

Not called 110

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

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called 93

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

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called 94

Clause 48, page 32, line 3, at end insert—
“(3) Regulations under this section are subject to the affirmative resolution procedure.”

Fisheries Bill [Lords], continued

Victoria Prentis

Not selected 8

Page 31, line 20, leave out Clause 48

Clause negatived on division.

Clauses 49 and 50 agreed to.

Victoria Prentis

Agreed to 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;”

Victoria Prentis

Agreed to 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);”

Clause, as amended, agreed to.

Victoria Prentis

Agreed to 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”

Clause, as amended, agreed to.

Victoria Prentis

Agreed to 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.”

Clause, as amended, agreed to.

Fisheries Bill [Lords], continued

Stephanie Peacock
 Luke Pollard
 Ruth Jones
 Rosie Duffield

Withdrawn after debate 83

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

Victoria Prentis

Agreed to 84

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

Clause, as amended, agreed to.

Victoria Prentis

Added 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.”

Stephanie Peacock
 Luke Pollard
 Ruth Jones
 Rosie Duffield

Not called 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 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.”
-

Fisheries Bill [Lords], continued

Deidre Brock
 Steven Bonnar
 Brendan O'Hara
 Patrick Grady

Negatived on division 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.”
-

Deidre Brock
 Steven Bonnar
 Brendan O'Hara
 Patrick Grady

Not called 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

Fisheries Bill [*Lords*], *continued*

- (b) prevent the Authority from exercising the function itself.””

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called 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 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.””

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called 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—

Fisheries Bill [Lords], continued

- (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
 - (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

Fisheries Bill [*Lords*], *continued*

- (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.”.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called 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—
- (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”.

Deidre Brock
Steven Bonnar
Brendan O’Hara
Patrick Grady

Not called 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”,

Fisheries Bill [Lords], continued

- (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.
 - (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.”.

Fisheries Bill [Lords], continued

Deidre Brock
Steven Bonnar
Brendan O'Hara
Patrick Grady

Not called 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);”

Stephanie Peacock
Luke Pollard

Withdrawn after debate 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).”

Stephanie Peacock
Luke Pollard

Negated on division 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.”
-

Fisheries Bill [Lords], continued

Stephanie Peacock
Luke Pollard

Withdrawn after debate 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;
 - (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.

Stephanie Peacock
Luke Pollard

Withdrawn after debate 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.

Fisheries Bill [Lords], continued

- (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.”

Stephanie Peacock
Luke Pollard

Withdrawn after debate 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.

Fisheries Bill [Lords], continued

- (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.
- (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.”

Stephanie Peacock
Luke Pollard

Withdrawn after debate 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).”

Stephanie Peacock
Luke Pollard

Withdrawn after debate 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—

Fisheries Bill [*Lords*], *continued*

- (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.”

Stephanie Peacock
Luke Pollard

Negatived on division 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

Withdrawn after debate 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
 - (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.”

Fisheries Bill [*Lords*], *continued*

Stephanie Peacock
Luke Pollard

Withdrawn after debate 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

Negatived on division 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—

“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).”
-

Fisheries Bill [Lords], continued

Stephanie Peacock
Luke Pollard

Negated on division 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.”

Victoria Prentis

Added 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.”

Fisheries Bill [*Lords*], *continued*

- 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,”;
 - (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;”;

Fisheries Bill [*Lords*], *continued*

““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.”
- 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” |
|-------|-----------|

Fisheries Bill [*Lords*], *continued*

- 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””

Bill, as amended, to be reported.
