

Fisheries Bill [HL]

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Before Clause 1

LORD TEVERSON
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Insert the following new Clause –

“Fisheries principles

- (1) Marine stocks within the UK Exclusive Economic Zone are a resource that belongs to the nation as a whole.
- (2) Any quotas or other rights to harvest marine stocks whether allocated to vessels, public bodies, or persons natural or corporate remain the property of the nation.
- (3) No vessel, public body, or person natural or corporate shall have a permanent claim over quota or other rights granted to them by a public authority or authorities.”

Member’s explanatory statement

The amendment makes clear that UK fish stocks belong to the nation and not to private organisations.

Clause 1

LORD GRANTCHESTER

Page 2, line 35, at end insert “in a manner consistent with achieving net-zero emissions in the sector by 2030”

Member’s explanatory statement

This amendment strengthens the “climate change objective” by setting a target of net-zero emissions in the sector by 2030.

After Clause 1

LORD TEVERSON
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Insert the following new Clause—

“Office for Environmental Protection

It shall be a duty of the Office for Environmental Protection to promote the sustainability objective and the climate change objective under section 1.”

Member’s explanatory statement

This amendment ensures that fisheries policy comes under the scrutiny of the Office for Environmental Protection.

Clause 6

BARONESS JONES OF WHITCHURCH

Page 6, leave out lines 24 and 25 and insert—

- “(i) restoring the stock to, or maintaining it above, sustainable levels, and
- (ii) facilitating the protection of a strategic reserve of the stock to ensure its long-term wellbeing;”

Member’s explanatory statement

This amendment requires fisheries management plans to specify policies to maintain stocks above, rather than at, maximum sustainable yield, as well as facilitating a reserve of stocks to be held back to promote their long-term sustainability.

Clause 7

BARONESS JONES OF WHITCHURCH

Page 7, line 34, leave out “include (in particular)” and insert “are limited to”

Page 7, line 39, leave out from “to” to end of line 40 and insert “catastrophic events which have an impact on fisheries management or the marine environment.”

Clause 10

BARONESS JONES OF WHITCHURCH

Page 9, line 22, leave out “include (in particular)” and insert “are limited to”

Page 9, line 27, leave out from “to” to end of line 28 and insert “catastrophic events which have an impact on fisheries management or the marine environment.”

Clause 19

LORD GRANTCHESTER

Page 13, line 40, at end insert “not exceeding £50,000”

Member's explanatory statement

This amendment is to probe the maximum fine payable under Clause 19(1)(c).

Before Clause 23

BARONESS JONES OF WHITCHURCH
LORD TEVERSON

Insert the following new Clause—

“Negotiations on fishing opportunities previously governed by the Common Fisheries Policy

- (1) A Minister of the Crown must, before the end of the period of three months beginning with the day on which this Act is passed, lay before both Houses of Parliament a statement containing—
 - (a) information on the status of negotiations with the European Union and other relevant parties on fishing opportunities after IP completion day which were governed by the Common Fisheries Policy before IP completion day,
 - (b) the policy of Her Majesty's Government in relation to access, after IP completion day, for British fishing boats to EU quota for distant waters outside of the British fishery limits.
- (2) To meet the requirement under subsection (1)(a), the statement must include a declaration of whether Her Majesty's Government intends to reclaim the United Kingdom's full share of EU quota on IP completion day or over a period of time.”

Member's explanatory statement

This new Clause requires a Minister of the Crown to lay a statement before Parliament outlining the status of UK-EU fisheries negotiations and the Government's policy in relation to (1) ongoing access to EU distant waters quota for British fishing boats and (2) the time period over which it will reclaim the UK's share of EU fishing quotas.

Clause 23

LORD TEVERSON
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Page 15, line 16, at beginning insert “Subject to subsection (11), ”

Page 15, line 23, at end insert—

- “() When making a determination under subsection (1), the Secretary of State must engage with any other state that exploits a shared stock with a view to ensuring that—
- (a) shared stocks are managed in accordance with the United Kingdom's international law obligations and in accordance with the fisheries objectives in section 1, and
 - (b) fishing mortality is below levels for restoring or maintaining shared stocks above levels capable of producing the maximum sustainable yield.”

Member's explanatory statement

This amendment sets clear sustainability criteria in relation to negotiations with other countries to prevent overfishing.

BARONESS JONES OF WHITCHURCH

Page 16, line 5, at end insert –

- “() Before making regulations under subsection (8), the Secretary of State must consult –
- (a) the Scottish Ministers,
 - (b) the Welsh Ministers,
 - (c) the Northern Ireland department, and
 - (d) the Marine Management Organisation.”

Member's explanatory statement

This amendment would require the Secretary of State to consult with devolved Ministers and the MMO prior to making regulations determining the number of days in a calendar year that a fishing boat is to be regarded as spending at sea.

LORD TEVERSON

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Page 16, line 11, at end insert –

- “(11) For those fisheries in England that are local and operate within the 6-mile limit, the local Inshore Fisheries and Conservation Authority must determine fishing opportunities.”

Member's explanatory statement

This amendment allows local decision-making for localised fisheries.

Clause 24

LORD LANSLEY

Page 16, line 18, at end insert –

- “() any persons appearing to the Secretary of State to be representative of the interests of the British fishing boats whose fishing opportunities may be affected by the determination.”

Clause 27

BARONESS JONES OF WHITCHURCH

LORD TEVERSON

Page 18, line 6, at end insert –

- “() reserving a proportion of fishing opportunities for boats whose length is 10 metres or less;”

Member's explanatory statement

This amendment would allow regulations made under Clause 27(1) to reserve a proportion of annual fishing opportunities for small boats.

Clause 33

LORD TEVERSON
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Page 22, line 19, after “subsection (1)” insert “or section (*Selectivity research and implementation fund*)”

Member’s explanatory statement

The amendment addresses the choke issue connected to the landing obligation, and aims to minimise the impact on marine ecosystems by only catching targeted species.

After Clause 33

LORD TEVERSON
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Insert the following new Clause—

“Selectivity research and implementation fund

The Secretary of State must establish a research and implementation fund that promotes research into new and improved methods of selectivity, and encourages and assists vessel owners to replace old nets or other technologies with those that give greater selectivity.”

Member’s explanatory statement

The amendment addresses the choke issue connected to the landing obligation, and aims to minimise the impact on marine ecosystems by only catching targeted species.

After Clause 45

LORD TEVERSON
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Insert the following new Clause—

“Marine regulators

- (1) The Secretary of State must carry out a consultation regarding—
 - (a) the rationalisation of, and
 - (b) the sharing of,
 regulatory activities between the Marine Management Organisation and the Maritime and Coastguard Agency, and lay a report of the conclusions of the consultation before both Houses of Parliament.
- (2) The Marine Management Organisation and the Inshore Fisheries and Conservation Authorities must—
 - (a) fully cooperate in each of their geographic areas in order to maximise the use of resources and intelligence;
 - (b) draw up and submit joint plans for cooperation in fisheries management to the Secretary of State annually.”

Member's explanatory statement

This amendment aims to ensure the best use of all marine regulator resources by better shared facilities, resources and coordination.

Clause 51

LORD RANDALL OF UXBRIDGE

Page 35, line 33, after "Fisheries" insert "and Marine Conservation"

Schedule 1

LORD LANSLEY

Page 36, line 26, after "draft," insert –

“(aa) persons representative of the interests of the UK fishing fleets, including those fishing in UK coastal waters and those fishing in other waters,”

Page 38, line 17, after "draft" insert –

“(aa) persons representative of the interests of the UK fishing fleets, including those fishing in UK coastal waters and those fishing in other waters,”

LORD TEVERSON

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Page 40, line 1, at end insert –

“10A The relevant authority in England must consult the local advisory boards before, and following, the production of the draft plan.”

Member's explanatory statement

This amendment consolidates the process of devolution and consultation in England.

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25 February 2020
