



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Sea Fisheries (Amendment) Regulations 2024**

DATE **4 March 2024**

BY **Lesley Griffiths MS, Minister for Rural Affairs and North Wales,
and Trefnydd**

The Sea Fisheries (Amendment) Regulations 2024 (“the Regulations”)

Members of the Senedd will wish to be aware I have given consent to the Minister for Biosecurity, Animal Health and Welfare to exercise a subordinate legislation-making power in a devolved area in relation to Wales.

The Sea Fisheries (Amendment) Regulations 2024 (“the Regulations”) was laid before the UK Parliament on 28 February 2024 by the Parliamentary Under Secretary of State in exercise of powers conferred by:

1. Article 4(2) of Regulation (EU) 2017/1004 of the European Parliament and of the Council of the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the common fisheries policy and now vested in the Secretary of State;
2. Section 36(1)(b) and (c) of the Fisheries Act 2020.

This instrument makes amendments to the following retained EU law:

- a) Commission Implementing Decision (EU) 2019/909 establishing the list of mandatory research surveys and thresholds for the purposes of the multiannual Union programme for the collection and management of data in the fisheries and aquaculture sectors;
- b) 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;
- c) Commission Delegated Decision (EU) 2019/910 establishing the multiannual Union programme for the collection and management of biological, environmental, technical and socioeconomic data in the fisheries and aquaculture sectors.

- d) Commission Delegated Regulation (EU) No 1393/2014 establishing a discard plan for certain pelagic fisheries in North-Western waters;
- e) Commission Delegated Regulation (EU) No 1395/2014 establishing a discard plan for small pelagic fisheries and fisheries for industrial purposes in the North Sea; and
- f) 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;

The Regulations were laid before Parliament on 28 February 2024 and will come into force on 6 April 2024.

The 2024 Regulations do not commit Welsh Ministers to adopting any future UK Government position on this matter.

The Regulations do not diminish or undermine the powers of Welsh Ministers in any way, and they do not create, amend or remove any functions conferred on the Welsh Ministers.

I would like to reassure the Senedd it is normally the policy of the Welsh Government to legislate for Wales in matters of devolved competence. However, in certain circumstances there are benefits in working collaboratively with the UK Government where there is a clear rationale for doing so. On this occasion, I have given my consent to these Regulations for reasons of efficiency and expediency in cross-UK coordination, and consistency.

Impact the instrument may have on the Senedd's legislative competence and/or the Welsh Ministers' executive competence:

The purpose of the instrument

The Regulations provide that the application of the Multiannual Programme Decision due to expire on 31 December 2024 and its associated Work Plan for the collection and management of fisheries data be extended for two years to the 31 December 2026. Extending the MAP ensures that the UK Work Plans from 2024 to the end of 2026 will have legislative underpinning (by referring to a current MAP), providing coordination across the Fisheries Administrations for the continuation of essential data collection.

The Regulations further provide that the expiration date of the 31 December 2024 for the scientifically justified discard exemptions from the Landing Obligation is removed. This will ensure ongoing compliance with the landing obligation whilst Fisheries Management Plans are developed for the stocks concerned.

Why consent has been given

Consent has been given for the UK Government to make the Regulations because, whilst acknowledging Welsh Ministers are not exercising devolved powers in Wales, I consider, in the present circumstances where a consistent approach to fisheries management is required across the UK, it is a pragmatic approach which ensures the efficient use of Welsh Government's resources to work closely with the UK Government, while maintaining appropriate governance arrangements through the Common UK Framework on Sea Fisheries Management.