



Department  
for Environment  
Food & Rural Affairs

# Brexit and the Fisheries Bill – the Government Perspective

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# Today's presentation

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Will cover how the legislative framework will enable us to deliver more sustainable fisheries:

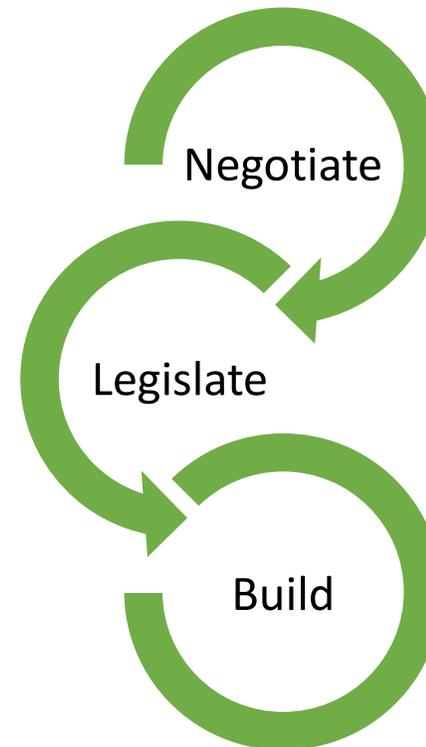
- Defra's vision for fisheries
- The European Union (Withdrawal) Bill
- The Fisheries Bill
- Devolution

# Defra's Exit work

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Is organised into 3 main categories:

- Negotiation
- Legislation
- Build



# The vision for sustainable fisheries

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Michael Gove – **The Unfrozen Moment - Delivering A Green Brexit 21 July 2017**

*Fisheries management should always be guided by science - by a hard-headed assessment of which species and stocks can be fished and which must be protected if their numbers are not to dip below sustainable levels.*

*With UK control of waters in our exclusive economic zone we cannot just husband fish stocks more wisely - we can also ensure that we allow our fishing industry to grow sustainably in the future as well. Outside the EU, as an independent coastal state, we can be home to world class fishing fleets as well as proving ourselves environmental leaders.*

**Theresa May's speech on the environment: 11 January 2017**

*Brexit will not mean a lowering of environmental standards.*

*Once we've taken back control of our waters, we will implement a more sustainable fishing policy that also supports our vital coastal communities.*

[The 25 Year Environment Plan's] goals are simple: clean air, clean and plentiful water, plants and animals which are thriving, and a cleaner, greener country for us all

# The European Union (Withdrawal) Bill

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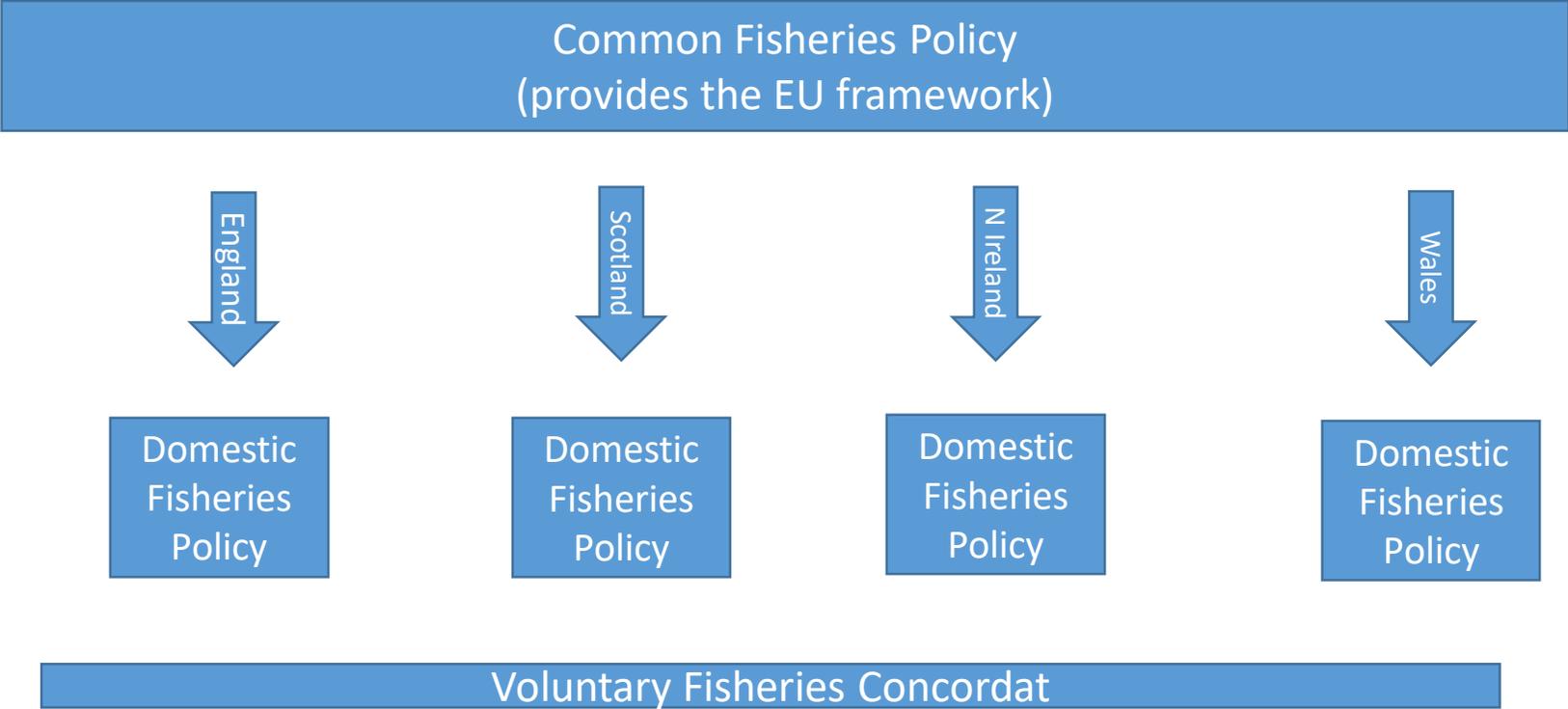
- Will provide continuity, certainty and control as we leave the EU
- Converts EU law in to UK law – as retained EU law
- Repeals the European Communities Act
- Avoids any sudden changes on the day of exit and ensures we still have a functioning statute book
- Does not prejudice the outcome of the exit negotiations
- Does not make substantial policy changes – but does correct deficiencies so that UK laws are operable

# The Fisheries Bill

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- The Bill will return control to the UK:
  - To determine access to UK waters out to 200nm or the median line
  - To determine fishing opportunities (through quota allocations or days at sea)
- The Bill will enable the UK to sustainably manage our Exclusive Economic Zone (EEZ) as an independent Coastal State
- The Bill will be small
- It will enable us to create a new regime. It will not create a new regime

# Devolution – The Current Fisheries Framework



The policy framework and key features of fisheries policy is currently set by the CFP. Fisheries policy is devolved and Devolved Administrations (DAs) are able to make decisions on how to manage their fisheries within the framework, such as how to allocate quota to individual vessels

# How it will change

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- 2017 Conservative Party Manifesto stated: *We will respect the devolution settlements: no decision-making that has been devolved will be taken back to Westminster. Indeed, we envisage that the powers of the devolved administrations will increase as we leave the EU.*
- European Union (Withdrawal) Bill will incorporate the EU framework (Regulations, Decisions directed at the UK, ECJ rulings) into UK law as “retained EU law”
- Clause 11 puts retained EU law into a temporary devolution arrangement until such time as decisions are made about where those powers will sit
- Need to consider what happens to the retained EU law – does it stay at UK level, or is it “released” to become exercisable by each Administration
- Need to consider how the Administrations will work together in future, whether and how a UK framework is put in place.

# Principle for UK frameworks

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Common frameworks will be established where they are necessary to help the functioning of the UK **internal market**, ensure compliance with **international obligations**, enter into and implement new **trade agreements and treaties**, manage **common resources**, gain access to **justice** on cross-border issues, provide **security** of the UK.

Frameworks will respect the devolution settlements and the democratic accountability of the devolved legislatures, and will therefore:

- be based on established conventions and practices, including that the competence of the devolved institutions will not normally be adjusted without their consent;
- maintain, as a minimum, equivalent flexibility for tailoring policies to the specific needs of each territory as is afforded by current EU rules;
- lead to a significant increase in decision-making powers for the devolved administrations.

Frameworks will ensure recognition of the economic and social linkages between Northern Ireland and Ireland and that Northern Ireland will be the only part of the UK that shares a land frontier with the EU. They will also adhere to the Belfast Agreement.

# Thank you!

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