



Our ref / MA/LG/3874/21

Huw Irranca-Davies, MS
Chair of Legislation, Justice and Constitution Committee

Cc: Counsel General and Minister for the Constitution

08 December 2021

Dear Huw,

The Sea Fisheries (Amendment etc.) (No. 2) Regulations 2021

The above named regulations (the “2021 Regulations”) relate to measures which apply to fisheries, fish stocks and technical matters extending beyond the Welsh Zone. In order for them to be effective they need to apply on a UK basis and apply to all vessels operating in UK waters.

In particular the 2021 Regulations:

- Makes amendments to the landing obligations contained in retained EU and the four discard plans which specify exemptions from the landing obligation (“discard exemptions”). The 2021 regulations make amendments to the individual discard exemptions and extends their application from January 2022 for a further three years;
- Extends the application of the Multiannual Programme for the collection and management of fisheries data (Commission Implementing Decision (EU) 2019/909 and Commission Delegated Decision (EU) 2019/910 (as amended in retained EU law)) for a further three years to the end of December 2024;
- Make amendments to provisions regulating seabass fisheries, extending and increasing the level of European seabass which may be caught as bycatch to the Scottish and Northern Irish zones of the British fishery limits. This will allow fish to be landed which were previously wastefully discarded. The mesh size that may be used in static nets to take seabass in the English Channel is also being increased;

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

- Revokes the now expired article 12a of the retained Council Regulation (EU) 2020/123 (fixing fishing opportunities in Union and non-Union waters) relating to the closed season for sandeel fishing in UK waters. Management of sandeel fisheries will be exercised by fishing vessel licence conditions in future;
- Updates the UK Illegal, Unreported and Unregulated (IUU) Fishing Vessel List to align with decisions made by Regional Fisheries Management Organisations (RFMOs) of which the UK is now a member as an independent Coastal State.

I am writing to let you know I have given my consent to the Secretary of State to make the 2021 Regulations so the provisions therein apply in Wales. I understand the 2021 Regulations will be laid before the Houses of Parliament on 9 December and the SI will be subject to the negative procedure.

In these circumstances when there is a need to maintain regulatory fisheries frameworks across the UK, it is appropriate I consent to the UK Government legislating on our behalf on the several and wide ranging number of matters traversed by the 2021 Regulations. Should I withhold consent, these matters would need to be made through legislation made by the Welsh Government.

I am copying this letter to the Counsel General and Minister for the Constitution and writing in similar terms to the Chair of the Environment, Trade and Rural Affairs Committee.

Regards,

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive, flowing style.

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd