
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 87

**EXITING THE EUROPEAN UNION
SEA FISHERIES**

**The Sea Fish Licensing (Foreign Vessels)
(EU Exit) (Scotland) Order 2019**

Made - - - - 12th March 2019
Laid before the Scottish
Parliament - - - - 12th March 2019
Coming into force in accordance with article 1

The Scottish Ministers make the following Order in exercise of the powers conferred by section 4(1) of the Sea Fish (Conservation) Act 1967(1) and all other powers enabling them to do so.

Citation, commencement and extent

1.—(1) This Order may be cited as the Sea Fish Licensing (Foreign Vessels) (EU Exit) (Scotland) Order 2019 and comes into force on exit day.

(2) In this article “exit day” has the meaning given in section 20(1) of the European Union (Withdrawal) Act 2018(2).

(3) This Order extends to Scotland only.

Prohibition on foreign boats fishing in the Scottish zone without a licence

2.—(1) Fishing by foreign fishing boats within the Scottish zone is prohibited unless authorised by a licence granted by the Scottish Ministers.

(2) In this article, “foreign fishing boat” has the meaning given in section 4(12) of the Sea Fish (Conservation) Act 1967(3).

(1) 1967 c.84 (“the Act”). Section 4 of the Act was substituted by section 3 of the Fishery Limits Act 1976 (c.68) and relevantly amended by S.I. 1999/1820 paragraph 43(2) and (5) of Part 1, schedule 2. Section 4 is modified in relation to Scotland by section 22A of the Act. Section 22(2) of the Act, which contains a definition of “the Ministers” for the purposes of the Act, was relevantly amended by the Fisheries Act 1981 (c.29), sections 19(2)(d) and 45. The definition is modified in relation to Scotland by section 22A(12)(b) of the Act. Section 22A(12)(b) was inserted by S.I. 1999/1820, schedule 2.

(2) 2018 c.16.

(3) Section 4(12) has effect in Scotland with the modifications set out in section 22A of the Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St Andrew's House, Edinburgh
12th March 2019

FERGUS EWING
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits foreign fishing boats from fishing within the Scottish zone without first obtaining a licence from the Scottish Ministers.

This Order is made in consequence of the withdrawal of the United Kingdom from the European Union to ensure that fisheries within the Scottish zone are managed appropriately.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.