

# BREXIT AND FISHERIES

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# **BREXIT AND FISHERIES**

## **Introduction**

- **UK - Withdrawal**
  - **Confusion**

## **Jurisdiction**

- **High Seas**
- **Third Country Vessels**

## **Common Fisheries Policy**

- **Equal Access**
- **Relative Stability**

## **UK Withdrawal Bill**

- **Devolved Administrations – Northern Ireland - Scotland**

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## **Introduction**

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# BREXIT AND FISHERIES

## Jurisdiction

- **High Seas**

- *Joined Cases 3/76, 4/76 and 6/76 Cornelis Kramer and others [1976] ECR 1279*

- **Third Country Vessels**

- *Case C-286/90 Anklagemyndigheden v Peter Michael Poulsen and Diva Navigation Corp. [1992] ECR 1-6019. (Poulsen Case)*

# BREXIT AND FISHERIES

## Common Fisheries Policy (CFP)

- **Equal Access**
  - C - 61/77 *Commission v Ireland* [1978] ECR 417
  - C - 32/79 *Commission of the European Communities v United Kingdom of Great-Britain and Northern Ireland* [1980] ECR 2403.
- **Relative Stability** - Council Regulation 170/83
  - *Case 216/87 The Queen v Ministry of Agriculture, Fisheries and Food, ex parte Jaderow Ltd* [1989] ECR 4509.
  - *Case 46/86 Albert Romkes v Officier van Justitie for the District of Zwoffe* [1987] ECR 2671.

# BREXIT AND FISHERIES

## UK Withdrawal Bill

- **Proposed Fisheries Bill**

*“Powers to enable the UK to exercise responsibility for access to fisheries and management of its waters.”* (Queen’s speech June 2017)

# BREXIT AND FISHERIES

## Devolved Administrations

- Northern Ireland

***“..the international dimension [of] shared stocks. There have to be agreements about the share of those..”*** (Barnes R. HL Select Committee 18 April 2018)

- Scotland

## UK Fisheries Policy Post-Brexit:

***“National government will set the strategic framework in which the priorities will be the restoration of the marine environment and rebuilding the fishing industry; new local bodies will take day-to-day responsibility for managing their fisheries”***  
(Patterson; Brexitcentral.com 24 March 2017) Devolved Administrations

# **BREXIT AND FISHERIES**

## **International Law**

- **Act of Accession (Ireland, UK and Denmark)**
- **Coincidence of Access**

# **BREXIT AND FISHERIES**

## **SUMMARY**

- **After Brexit?**

## **Conclusion**

- **Vienna Convention**

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