



Law Society
of Scotland

Consultation response

Fisheries: Apportioning additional quota between the
UK administrations

November 2020



Introduction

The Law Society of Scotland is the professional body for over 12,000 Scottish solicitors. With our overarching objective of leading legal excellence, we strive to excel and to be a world-class professional body, understanding and serving the needs of our members and the public. We set and uphold standards to ensure the provision of excellent legal services and ensure the public can have confidence in Scotland's solicitor profession.

We have a statutory duty to work in the public interest, a duty which we are strongly committed to achieving through our work to promote a strong, varied and effective solicitor profession working in the interests of the public and protecting and promoting the rule of law. We seek to influence the creation of a fairer and more just society through our active engagement with the Scottish and United Kingdom Governments, Parliaments, wider stakeholders and our membership.

Our Marine Law Sub-committee welcomes the opportunity to respond to Defra's Consultation on *Fisheries: Apportioning additional quota between the UK administrations*¹. We have the following comments to put forward for consideration.

General comments

We note that the consultation document states "This consultation is about how we apportion this additional quota between the four UK fisheries administrations"², however we consider that there is a lack of clarity on the face of the consultation as to how the allocation will be carried out and how this interacts with the provisions of the Fisheries Bill.

From the consultation document it appears that Defra alone shall allocate the additional quota to the respective UK fisheries administrations, with the Joint Fisheries Statement containing the policies of each administration as to how they will meet the fisheries objectives. The Fisheries Bill, clause 2(2) currently states:

"(2) The policies for achieving, or contributing to the achievement of, the fisheries objectives required to be set out in a JFS by subsection (1)(a) include, in particular, the policies of the fisheries policy authorities relating to the distribution, in accordance with section 25, of catch quotas and effort quotas for use by fishing boats."

¹ <https://consult.defra.gov.uk/fisheries/apportioning-additional-quota-between-the-uk-admin/>

² Page 3



However, given the fisheries objectives in the Joint Fisheries Statement shall be shared, we would welcome clarity as to whether there is expected to be any agreement among the four fisheries administrations around the initial allocation of the additional quota.

For further information, please contact:

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