

Draft Fisheries Act 2020 (Scheme for Financial Assistance) (England) Regulations 2021

Submission from ClientEarth

The Fisheries Act 2020 (Scheme for Financial Assistance) (England) Regulations 2021 establish a scheme for financial assistance in relation to England pursuant to section 33(1) of the Fisheries Act. The regulations allow the Marine Management Organisation to pay grants for specific purposes set out in the Fisheries Act. Whilst we welcome the exclusions set out in regulation 5, including that grants may not be used to increase the fishing capacity of a boat, the regulations represent a missed opportunity to transform the way we support the fishing industry financially to deliver climate-smart fishing technologies, more sustainably fishing practices and ocean recovery.

Section 33 of the Fisheries Act permits the Marine Management Organisation to place conditions on the payment of grants. However, the regulations do not place any environmental conditions on payments. In order for financial assistance to promote positive fishing practices, the regulations should be amended to include conditions on the provision and use of grants (for example to encourage investment in more sustainable fishing gears that do not damage the wider marine environment, to help fishers adapt to technologies for effective data collection and for restoration schemes and the collection of marine waste by fishers).

18 June 2021

Response from Defra

The Fisheries Act 2020 (Scheme for Financial Assistance) (England) Regulations 2021 will provide the long-term legal underpinning for delivery of grant funding to the seafood sector in England. This has been developed at a high level to future proof and provide flexibility for funding schemes to adapt to meet the changing needs of the seafood sector.

As a specific financial support scheme that will be delivered through the Statutory Instrument, the Fisheries and Seafood Scheme (FaSS) has clear eligibility criteria to ensure funding delivers the desired outcomes of supporting the long-term sustainability and success of seafood businesses and safeguarding the marine environment. All eligibility criteria and payment conditions are made clear to applicants through FaSS guidance documents [available at www.gov.uk/guidance/fisheries-and-seafood-scheme].

The FaSS has been developed in line with government policy to drive meaningful change to increase sustainability, provide world-class fisheries management, and support a thriving marine environment. For example, the scheme will fund projects that limit the environmental impact of fishing, equipment that improves the size or species selectivity of gear, marine litter collection schemes, and professional advice for seafood businesses on environmental sustainability. All grants are required to report against a number of indicators that ensure funding is meeting the key objectives of the scheme and in turn these results will enable us to develop and improve our scheme and the seafood environment. All projects

must support at least one of the seven strategic priorities of the scheme, which can be found in the general guidance [available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/995097/0._General_guidance_v2.pdf].

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