



FALKLAND ISLANDS

Fisheries (Conservation and Management) (Amendment) Ordinance 2021

(ORDINANCE No. 9 OF 2021)

ARRANGEMENT OF PROVISIONS

Section

1. Title
2. Commencement
3. Amendment of Fisheries (Conservation and Management) Ordinance 2005
4. Section 2 amended - Interpretation
5. Section 17 amended - Individual Transferable Quotas
6. New subpart and new sections inserted in Chapter 2 after section 17
7. Section 19 replaced – Notice of Intention to grant Individual Transferable Quotas or Provisional Quotas and criteria in relation to their grant
8. Section 21 replaced - Grant of Individual Transferable Quota
9. Section 22 amended - Grant of Provisional Quota
10. Section 23 replaced - Individual Transferable Quota Eligibility Registers
11. Section 24 amended - Application for name of company to be placed upon Individual Transferable Quota Eligibility Register
12. Section 25 replaced - Determination of applications for name of company to be placed upon Individual Transferable Quota Eligibility Register
13. Section 26 replaced - Period for which name of company shall appear upon Individual Transferable Quota Eligibility Register
14. Section 31 amended - Duty to notify change of circumstances: removal of company's name from Eligibility Register
15. Section 36 amended - Offences in relation to certain applications

16. Section 37 amended - Total Allowable Effort and Catch Entitlements
 17. Section 38 amended - Total Allowance Catch and Catch Entitlements
 18. Section 39 amended - Supplementary to sections 37 and 38
 19. Section 41 amended - Fishing licences
 20. Section 52 amended - Individual Transferable Quota Ownership Register
 21. Section 53 amended - Provisional Quota Ownership Register
 22. Section 55 amended - Catch Entitlement Register
 23. Section 57 amended - Transfer of Individual Transferable Quota
 24. Section 58 amended - Domination of fishing sector
 25. Section 107 replaced - The functions of the Commission
 26. Section 191 amended - Falkland Islands Fishing Companies Association
 27. Section 223 amended - Regulations
 28. New section 223A inserted
 29. Transitional provisions
 30. Minor and consequential amendments
- Schedule - Minor and consequential amendments



FALKLAND ISLANDS

Fisheries (Conservation and Management) (Amendment) Ordinance 2021

(assented to: 21 September 2021)
(commencement: in accordance with section 2)
(published: 30 September 2021)

AN ORDINANCE

To amend the Fisheries (Conservation and Management) Ordinance 2005.

ENACTED by the Legislature of the Falkland Islands —

1. Title

This Ordinance is the Fisheries (Conservation and Management) (Amendment) Ordinance 2021.

2. Commencement

This Ordinance comes into force on a day appointed by the Governor by notice in the *Gazette*.

3. Amendment of the Fisheries (Conservation and Management) Ordinance 2005

This Ordinance amends the Fisheries (Conservation and Management) Ordinance 2005.

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29. Transitional provisions

(1) In this section —

“**Amendment Ordinance**” means the Fisheries (Conservation and Management) (Amendment) Ordinance 2021;

“**Ordinance**” means the Fisheries (Conservation and Management) Ordinance 2005;

“**Registers**” means Catch Entitlement Register, Individual Transferable Quota Eligibility Register and Individual Transferable Quota Ownership Register; and

(2) The Individual Transferable Quota that was granted to a company before the commencement of the Amendment Ordinance becomes Individual Transferable Quota A with effect from the date of commencement.

[S.R. & O.16/2024/w.e.f. 18/10/2024]

(3) A grant of Individual Transferable Quota before the commencement of the Amendment Ordinance, and the Catch Entitlement deriving from that Quota, will continue to exist in the same form that it was granted until it is surrendered, cancelled, forfeited or it expires in accordance with the provisions of the Ordinance.

(4) The Director must divide the existing Registers on commencement of the Amendment Ordinance into Part A and Part B.

(5) All the companies that are listed in the Individual Transferable Quota Eligibility Register or in the Individual Transferable Quota Ownership Register as on the date of commencement of the Amendment Ordinance must be moved to Part A of the relevant Register.

(6) The Director must move all existing entries in the Catch Entitlement Register and the Individual Transferable Quota Ownership Register relating to the Individual Transferable Quota granted before commencement of the Amendment Ordinance into Part A of the relevant Register.

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SCHEDULE - ...