

Research Briefing

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# Shark Fins Bill



## Summary

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# Summary

The Shark Fins Bill, which would ban the import and export of shark fins, was being introduced as a Private Members Bill by Christina Rees. It had its [Second Reading in the House of Commons on Friday 15 July 2022](#).

The scale of the global trade in shark fins is estimated at around 16-17,000 (metric) tonnes per year. The annual number of sharks killed globally by the practice is estimated to be around 97 million.

The landing of fins not attached to sharks was banned in the EU, including the UK, since 2003. However, EU countries appear to be responsible for the supply of a large share of shark fins imported by some of the major trading jurisdictions, with Spain standing out as by far the largest individual country source.

The UK imported around 60 tonnes of shark fins per year between 2013 and 2017. In 2020, it exported around 5 tonnes.

The introduction of the Bill follows a campaign to ban the trade in fins in the UK. This included a [parliamentary e-petition](#) which received over 100,000 signatures and was debated in parliament on 7 June 2021.

The Government issued a [call for evidence](#) on the impact of the shark fin trade on protecting endangered shark species in December 2020. A [summary of responses](#) was published in August 2021. This set out the Government's intention to ban the export and import of shark fins, including the existing 20kg personal allowance.

[The Bill](#) was published on 12 July 2022. [Defra published Explanatory Notes, a Delegated Powers Memorandum and an Impact Assessment for the Bill](#), which are also available on the Parliament website.

The Bill received general support during Second Reading, including from the Government. It had its [Committee Stage on 16 November 2022](#), with one technical amendment made, and again general support from Members and the Government.

Report Stage for the Bill is scheduled in the House of Commons for 20 January 2023.

# 1 Background

There are 46 species of sharks and rays listed on CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora), which means trade in them, or their products, is either prohibited or restricted and requiring permits. There are no UK import or export restrictions for species that are not CITES listed.<sup>1</sup>

A January 2021 article in Nature highlighted a 71% [global decline in species abundance](#) of sharks and rays since 1970:

We find that, since 1970, the global abundance of oceanic sharks and rays has declined by 71% owing to an 18-fold increase in relative fishing pressure. This depletion has increased the global extinction risk to the point at which three-quarters of the species comprising this functionally important assemblage are threatened with extinction. Strict prohibitions and precautionary science-based catch limits are urgently needed to avert population collapse, avoid the disruption of ecological functions and promote species recovery.<sup>2</sup>

There have been long-standing campaigns to protect shark species, from fishing activity, including finning. This is the practice of catching sharks, removing their fins and throwing them back into the water, sometimes alive. [The Shark Trust](#) sets out on its website the threats to shark populations globally which include overfishing, the demand for shark products, shark finning and the threats to their habitats from pollution and climate change.

It is not known exactly how many sharks are killed or wounded each year by the practice of finning. The most recent, reliable estimate of the number of sharks killed worldwide by finning was around 97 million in 2010, within a broad range of between 63 million and 273 million.<sup>3</sup> An earlier estimate put the figure at 73 million in 2006.<sup>4</sup>

The [EU banned the landing of fins](#) not attached to shark in 2003, and this continues to apply in the UK after Brexit.

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<sup>1</sup> Defra, [Call for evidence on the scale of Shark Fin Trade in the UK and possible impacts of stricter controls](#), December 2020

<sup>2</sup> Nature, [Half a century of global decline in oceanic sharks and rays](#), 27 January 2021

<sup>3</sup> Worm et al. (2013) '[Global catches, exploitation rates, and rebuilding options for sharks](#)', *Marine Policy*, Vol.40, pp.194-204

<sup>4</sup> Clarke, et al. (2006) '[Global estimates of shark catches using trade records from commercial markets](#)', *Ecology Letters*, Vol. 9, pp.1115-1126

## 1.1 Petition debate

A petition from UK charity [Shark Guardian](#) calling for [a UK ban on the import of shark fins](#) closed on 11 September 2020, having received 115,382 responses. It was [debated in Parliament on 7 June 2021](#).

The [petition](#) called for the UK to be the first European country to introduce a ban on the import of shark fins. The Government provided a response to the petition on 3 November 2020, which included the following:

The UK Government is strongly opposed to shark finning, the practice of removing the fins of a shark and discarding the body at sea. The UK has already banned the act of shark finning and has enforced a Fins Naturally Attached policy in order to combat illegal finning of sharks in UK and EU waters. This means that shark fins from sharks fished in UK and EU waters can only be retained and utilised provided they are still attached to the shark when landed at port by fishing vessels.

[...]

The UK Government does not oppose the capture and use of sharks providing catches are shown to be genuinely sustainable; the whole shark is used; and that fins are not removed from sharks while alive. The Government is also exploring a range of other measures to support shark conservation.<sup>5</sup>

The [response](#) also set out the Government views on the existing 20kg personal travel allowance of dried shark fins:

In addition, EU law [applicable at the time of the response] allows individuals travelling to Europe to carry 20kg of dried shark fins for personal consumption. Our departure from the EU allows us to consider options to tighten the personal import allowance and improve the traceability of the shark in fin trade in the UK.<sup>6</sup>

Introducing the debate, Elliot Colborne [highlighted concerns about the 20kg allowance](#):

Twenty kilograms of dried shark fin potentially equates to hundreds of sharks being butchered, depending on their size. Many of those fins could belong to threatened shark species listed under the convention on international trade in endangered species of wild fauna and flora, and they could make their way into the UK illegally through this loophole. UK Border Force also requires people to declare goods worth more than £390, but 20 kg of shark fin could

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<sup>5</sup> [E-petition 300535, The UK should ban the importation of Shark Fins, 11 September 2020](#)

<sup>6</sup> [E-petition 300535, The UK should ban the importation of Shark Fins, 11 September 2020](#)

have a value of more than £4,000, so Shark Guardian identifies huge potential for tax evasion.<sup>7</sup>

Victoria Prentis, the Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs, set out the Governments opposition to shark finning and its [intention to ban the import and export of shark fins not naturally attached, and remove the 20kg personal allowance](#):

As a Government, we are strongly opposed to shark finning: we banned finning nearly 20 years ago and, since 2009, we have enforced a “fins naturally attached” policy that applies to UK vessels. We launched a call for evidence, which closed earlier this year; the evidence we got through that has helped us to draft legislation that will seek to ban all fins that are not naturally attached to the carcass from being imported to and exported from the UK, with extremely limited scientific exceptions. This will get rid of the high personal allowance mentioned by my hon. Friend the Member for Carshalton and Wallington in his opening speech. I am not able to give an exact date for the introduction of that Bill, but I reassure hon. Members that we are moving at pace to make sure we get this legislation absolutely right.<sup>8</sup>

## 1.2 Government call for evidence and proposed ban

The Government [launched a call for evidence](#) in December 2020 on protecting endangered shark species, specifically the impact of the fin trade, with the following remit:

The government is now seeking additional evidence to ensure that appropriate protection is in place for all shark species and to inform future policy on protecting marine wildlife.

The call for evidence will help the government better understand the scale of the shark fin trade in the UK and the conservation, economic, social and cultural impacts of potential further restrictions such as banning the import and export of detached shark fins.

The greatest threat to sharks is overfishing, driven by demand for shark products. Wild populations of shark, skates and ray species have declined rapidly and species such as the scalloped hammerhead and angel shark are now considered critically endangered.

The call for evidence will provide insight into the role of the shark fin trade and what action can be taken to better protect sharks.<sup>9</sup>

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<sup>7</sup> [HC Deb c231WH 7 June 2021](#)

<sup>8</sup> [HC Deb c231WH 7 June 2021](#)

<sup>9</sup> Defra, [Shark fins: Call for evidence on protecting endangered shark species launches](#), 6 December 2020



The Government called for evidence in four areas:

- scale of shark fin trade in the UK
- conservation impacts of shark fin trade in the UK
- economic, social and cultural impacts of further restrictions on shark fin trade in the UK
- international issues<sup>10</sup>

The Government published [a summary of the responses](#) received on 15 August 2021. This included the following:

Overall, respondents from all categories were consistent in their view that the ability to import 20kg of dried shark fins into the UK for personal consumption was excessive.

Many respondents expressed the need for shark conservation efforts to go further than just tighter restrictions on trade, emphasising the importance of needing to stop the unsustainable commercial exploitation of shark<sup>11</sup>

The next steps in response to the evidence received were set out as follows:

The evidence provided in response to this Call for Evidence has been used to develop a policy measure that seeks to ban all fins that are not naturally attached to the shark carcass from being imported to and exported from the UK, subject to specific scientific and training exceptions.

This ban will apply to detached fins brought into the UK commercially or under the personal import allowance.

Through this, our aim is to deliver effective shark conservation benefits globally, as well as demonstrate leadership in shark conservation issues and signal our strong opposition to any ongoing finning practices.<sup>12</sup>

## 1.3

## Legislation announced

Following the Queen's Speech on 11 May 2021, the Government published an [Animal Welfare Action Plan](#) covering a broad range of animal welfare issues that would be legislated for. This included a commitment on legislating to ban the import and export of shark fins:

The UK has a strong track record in marine conservation, and we have been pressing for stronger international action to protect sharks against

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<sup>10</sup> Defra, [Call for evidence on the scale of Shark Fin Trade in the UK and possible impacts of stricter controls](#), December 2020

<sup>11</sup> Defra, [Call for evidence on the scale of Shark Fin Trade in the UK and possible impacts of stricter controls Summary of Responses](#) 15 August 2021

<sup>12</sup> Defra, [Call for evidence on the scale of Shark Fin Trade in the UK and possible impacts of stricter controls Summary of Responses](#) 15 August 2021



unsustainable fishing practices and shark finning. Shark finning is the practice of removing a shark's fins at sea and discarding the finless body back in the water. It is a barbaric practice that has rightly been banned in the UK for nearly 20 years, but we do still import shark fins which may contribute to the practice. To this end, we will bring in legislation to ban the import and export of detached shark fins.<sup>13</sup>

Shark Guardian [welcomed the announcement](#) as a response to their campaign.

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<sup>13</sup> [Queen's Speech, 11 May 2022](#)

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## 2 Statistics on shark finning

- The scale of the global trade in shark fins is estimated at around 16-17,000 (metric) tonnes per year.
- The annual number of sharks killed globally by the practice is estimated to be around 97 million.
- Hong Kong special administrative region (Hong Kong SAR) is the largest importer and exporter of shark fins. Other major traders and consumers are China, Taiwan, Malaysia, and Vietnam.
- EU countries appear to be responsible for the supply of a large share of shark fins imported by some of the major trading jurisdictions, with Spain standing out as by far the largest individual country source.
- The UK imported around 60 tonnes of shark fins per year between 2013 and 2017. In 2020, it exported around 5 tonnes.

### 2.1 Scale of the trade

An estimate of the scale of the global trade in shark fins was made by the UK-based non-governmental organisation TRAFFIC in 2019, using data from UN Comtrade (the UN International Trade Statistics Database) and the Food and Agriculture Organisation (FAO).<sup>14</sup>

TRAFFIC found that “an average of 16,177 [tonnes] of shark fin products (with an average value of USD294 million per year) were reported as imported [globally] during 2000–2016.”<sup>15</sup> This is a rough estimate because there are gaps in the trade data for certain countries and years. Analysis by the FAO of its own data put the scale of global exports in shark fins at around 17,154 tonnes or USD 438.6 million in 2011.<sup>16</sup>

The most recent, reliable estimate of the number of sharks killed worldwide by finning was around 97 million in 2010, within a broad range of between

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<sup>14</sup> UN Comtrade data on shark fins is only available from 2012 onwards.

<sup>15</sup> Okes, N. and Sant, G., [An Overview of Major Shark Traders, Catchers, and Species](#) [PDF], 2019, Cambridge: TRAFFIC International

<sup>16</sup> FAO (2015) [State of the global market for shark products](#), p.1

63 million and 273 million.<sup>17</sup> An earlier estimate put the figure at 73 million in 2006.<sup>18</sup>

## 2.2 Main players in the global trade

As set out by the United Nations Food and Agriculture Organisation (FAO) the “vast majority of shark fins” are destined for consumption in a relatively small selection of countries and territories in East and Southeast Asia:

...such as China, Hong Kong SAR, Taiwan Province of China, Singapore, Malaysia and Viet Nam. However, the world’s largest consumers of shark meat are found in South America and Europe, with the most important importers being Italy, Brazil, Uruguay, Spain and the Republic of Korea.<sup>19</sup>

TRAFFIC’s 2019 report made the similar finding that:

The world’s four largest importers of shark fin accounted for 90% of average annual global imports of fins during 2000–2016 Hong Kong SAR is the largest, importing an average of 9,069 [tonnes] of shark fin a year over this period, followed by Malaysia (average 2,556 [tonnes/year]), China (1,868 [tonnes/year]) and Singapore (1,587 [tonnes/year]).<sup>20</sup>

While Hong Kong SAR remains the largest importer and exporter of shark fins, its volume of shark fin imports had declined by around 50% in the decade to 2018 (Government of Hong Kong SAR, [Question on ‘LCQ11: Regulating trading of shark fin products’](#), 11 July 2018). The size of the Hong Kong trade also declined by around 60% between 2019 and 2020, likely in part due to the Covid-19 pandemic.<sup>21</sup>

## 2.3 Europe’s role

A 2022 report by the International Fund for Animal Welfare (IFAW), [Supply and Demand: the EU’s role in the global shark trade](#), specifically examined the role of European and EU countries in the shark fin trade. IFAW used customs data from Hong Kong SAR, Singapore and Taiwan for the years 2003

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<sup>17</sup> Worm et al. (2013) ‘[Global catches, exploitation rates, and rebuilding options for sharks](#)’, *Marine Policy*, Vol.40, pp.194-204

<sup>18</sup> Clarke, et al. (2006) ‘[Global estimates of shark catches using trade records from commercial markets](#)’, *Ecology Letters*, Vol. 9, pp.1115-1126

<sup>19</sup> FAO (2015) [State of the global market for shark products](#), p3

<sup>20</sup> Okes, N. and Sant, G., [An Overview of Major Shark Traders, Catchers, and Species](#) [PDF], 2019, Cambridge: TRAFFIC International

<sup>21</sup> WWF [HK shark fin imports down 70% since 2009, WWF announces](#) 14 July 2020.

to 2020, which showed the origin and destination of shark fin and meat imports and exports.

During this period, EU27 countries were responsible for 28% of total reported imports of shark fin-related products to these jurisdictions, although this figure was as high as 45% in some years.<sup>22</sup>

Of EU27 countries, Spain was by far the largest reported source of imports, with an annual average of 2,878 tonnes. Portugal and the Netherlands, which were the second and third largest source of imports, exported an average of 36 and 35 tonnes, respectively, to these jurisdictions.<sup>23</sup>

## 2.4 UK statistics

According to HMRC trade information, in 2020 (the most recent year for which data are available) the UK exported 5.1 tonnes of shark fins with a value of £40,700.<sup>24</sup>

The UK exported shark fins to three countries in 2020 – Spain, France and New Zealand. Spain accounted for the vast majority of UK exports of shark fins – by value, 94% of UK exports of shark fins were exported to Spain.

UK shark fins exports, 2020		
	£	Tonnes
Spain	38,432	4.6
New Zealand	1,200	0.01
France	1,068	0.6
<b>Total</b>	<b>40,700</b>	<b>5.1</b>

Source: HMRC, [UK Trade Info](#)

HMRC do not record the UK as having imported any shark fins in 2020, suggesting the value of any commercial shark fin imports to the UK is very small – trade in commodities below a value of £873 and a net mass of one tonne is not recorded separately by HMRC.

Shark fin imports brought to the UK by individuals for personal consumption are also not recorded by HMRC. Currently individuals are able to bring up to 20kg of fish, fish products and processed fish into Great Britain from outside the EU, Switzerland, Norway, Iceland, Liechtenstein, the Faroe Islands and

<sup>22</sup> IFAW, [Supply and Demand: the EU's role in the global shark trade](#) February 2022. Although the UK was a member of the EU during the period studied, it is not included in the study, so EU27 refers to the EU's current membership minus the UK.

<sup>23</sup> IFAW, [Supply and Demand: the EU's role in the global shark trade](#) February 2022

<sup>24</sup> Data from HMRC, [UK Trade Info](#), based on HS code 030292, fresh or chilled shark fins

Greenland in personal luggage – fish, fish products and processed fish could include shark fin.<sup>25</sup>

According to TRAFFIC's analysis of UN Comtrade data, the UK imported at least 300 tonnes of shark fins between 2013 and 2017.<sup>26</sup> This figure was referenced by contributors to the government's call for evidence on the scale and impacts of the import and export of shark fins (2021).<sup>27</sup>

## UK landings of naturally attached fins

The EU Scientific, Technical and Economic Committee for Fisheries published a review of the implementation of the shark finning regulation in 2019. This included [data on the number of sharks landed with fins](#) attached by Members States.

The Sharkproject summarised the findings in its [response to Defra's call for evidence](#):

According to the report of Scientific, Technical and Economic Committee for Fisheries (STECF) the UK has reported between 2,000t and 3,000t of 'marketable fin' shark species landings per year between 2015 and 2018 with 12,000 – 14,000 landings per year reported by the UK under the Finning Regulation over that time based on reports (2016-2019) supplied to the EWG. Thereby UK ranked number four with regard to shark landings within EU coastal states, after Spain, Portugal and France while not all member states had reported their catches throughout this period and France reported only once in 2018, reporting close to 22,000 tons landed in 137,000 landings that year.<sup>28</sup>

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<sup>25</sup> Gov.uk [Bringing food into Great Britain](#) [website visited 13 July 2022]

<sup>26</sup> Traffic [Almost 600,000 metric tonnes of sharks and rays caught each year by world's top 20 catchers](#) 11 September 2019

<sup>27</sup> Department for Food, Environment and Rural Affairs, [Summary of responses: call for evidence on the scale and impacts of the import and export of shark fins](#) 15 August 2021

<sup>28</sup> Sharkproject [The Scale of Shark Fin Trade in the UK and Possible Impacts of Stricter Controls](#) 4 June 2021

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## 3 The Bill

The Shark Fins Bill was introduced as a Private Members Bill by Christina Rees. It had its [Second Reading in the House of Commons on 15 July 2022](#).

[The Bill](#) was published on 12 July 2022. [Defra has published Explanatory Notes, a Delegated Powers Memorandum and an Impact Assessment for the Bill](#), which are also available on the Parliament website. The Impact Assessment (Regulatory Triage Assessment) sets out the Government's rationale for introducing the legislation.

The Bill's aim is set out in the [Explanatory Notes](#):

The Bill bans imports and exports of detached shark fins or parts of shark fins, or things containing them, except in limited circumstances (i.e. in connection with the conservation of sharks), so that only fins naturally attached to the body of the shark can be imported or exported.<sup>29</sup>

It consists of 3 Clauses and 1 Schedule. The Explanatory notes explain the territorial extent as follows:

The provision in the Bill extends to England and Wales and Scotland and Northern Ireland.

However, the prohibition in clause 1 relating to the import and export of detached shark fins, applies in relation to Great Britain.

[...].

To the extent that all of the provisions of the Bill fall within the legislative competence of one or more of the devolved legislatures, the legislative consent procedure would be appropriate.<sup>30</sup>

Appendix 1 of the Explanatory Notes state that the "legislative Consent Motion process has been engaged" with all three devolved administrations.

**Clause 1** sets out a ban shark fins:

(1) It is prohibited -

(a) to import shark fins, or things containing shark fins, into the United Kingdom as a result of their entry into Great Britain, or

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<sup>29</sup> Defra, [Shark Fins Bill Explanatory Notes](#), 12 July 2021

<sup>30</sup> Defra, [Shark Fins Bill Explanatory Notes](#), 12 July 2021

(b) to export shark fins, or things containing shark fins, from the United Kingdom as a result of their removal from Great Britain.

The prohibition applies to the whole of the UK but reflects different arrangements for Northern Ireland after Brexit under the Northern Ireland Protocol. The [Explanatory Notes](#) include the following explanation:

Clause 1 makes it clear that the prohibition relating to the import and export of detached shark fins applies to goods entering into Great Britain, or being removed from Great Britain only.<sup>31</sup>

The prohibition applies to all the fins off fish from the taxon Elasmobranchii. These are cartilaginous fish (who have cartilage skeleton instead of bone), including sharks, rays, skates, and sawfish. The one exception set out in Clause 1 is the pectoral fin of rays “because they are a constituent part of raywings”.

The prohibition does not apply if a shark fin is naturally attached to the body of a shark and the body is substantially intact. This is defined as the removal of the head and internal organs only.

Clause 1 also allows for exemption certificates to be issued, the process and penalties for this are set out in **Schedule 1**. This creates a civil offence with a maximum penalty of £3000. The certificates may only be issued “if the shark fins concerned are to be used for purposes connected with the conservation of shark”.

**Clause 2** of the Bill amends [EU Council Regulation \(EC\) No 1185/2003](#) which has been transposed into UK law so it applies to all vessels in UK waters and to UK vessels wherever they are, rather than Member States vessels.

The EU Regulation prohibits the removal of shark fins on board vessels, together with retaining, transshipping or landing unattached shark fins. It also prohibits the purchase, offer for sale or sale of shark fins obtained in this way.

**Clause 3** sets out the extent of the Bill to England and Wales, Scotland and Northern Ireland. Clause 1 of the Bill will come into force when the Secretary of State provides through regulations. Clause 2 will come into force when the Bill receives Royal Assent.

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<sup>31</sup> Defra, [Shark Fins Bill Explanatory Notes](#), 12 July 2021



## 3.1 Second reading debate

[Second Reading of the Bill](#) took place in the House of Commons on 15 July 2022. Christina Rees introduced the Bill, setting out the detail in the clauses and explaining the overall purpose as follows:

Shark finning has rightly been banned in the UK since 2003 and is illegal in many other parts of the world, but it still happens, so we must now ensure that shark fins are not being imported from places where finning practices still occur. This important and timely Bill will make it illegal to import and export detached shark fins. That will help to end practices that are forcing sharks closer to the brink of extinction. The Bill will be a significant step in helping to restore the balance of our ocean.<sup>32</sup>

She also set out the rationale for not including a complete ban on the sale or consumption of shark fins in the Bill:

It is important to note that the Bill does not ban the sale or consumption of shark fins. If a shark fin is removed from a shark after it is dead, and the shark was caught legally and sustainably, I do not see why the fin should not be used. In fact, it would be wasteful not to use the whole carcass. Banning the sale or consumption of shark fins that have been obtained ethically would disproportionately impact communities where shark fin soup is considered a traditional delicacy, and that is not what I seek to do.<sup>33</sup>

During the debate all Members spoke in support of the Bill, including Steve Double the then Parliamentary Under Secretary of State at the Department for Environment, Food and Rural Affairs. He set out the Government's position on the Bill:

This Bill will ban the import and export of detached shark fins into and out of Great Britain. That includes parts of fins and products made of fins. The only exception is where imports or exports will facilitate the greater conservation of sharks—for example, through education and training. There are strict processes in place to assess applications for exemption certificates to ensure that they do not undermine the overall ban.<sup>34</sup>

He also confirmed that the Bill would remove the 20kg personal allowance, following questions raised during the debate by some Members:

I will clarify one point that has been raised a few times in the debate. To be absolutely clear: this Bill bans the import and export of all detached shark fins. There is no exemption in the Bill for a personal allowance of 20 kg. That

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<sup>32</sup> [HC Deb 15 July 2022 c642](#)

<sup>33</sup> [HC Deb 15 July 2022 c643](#)

<sup>34</sup> [HC Deb 15 July 2022 c654](#)

was allowed previously, but it is being removed through the Bill. The only exemption, as I have referred to, is for conservation or research.<sup>35</sup>

## 3.2 Committee stage

The [Committee Stage for the Bill](#) took place in one session on 16 November 2022. There was one technical amendment to the Schedule in the Bill which was unopposed. This clarified that “references to the First-tier Tribunal, in relation to a decision of the Scottish Ministers, are to the First-tier Tribunal for Scotland”.<sup>36</sup> Christina Rees summarised the purpose of the amendment as follows:

Amendment 1 clarifies that appeals in relation to decisions by Scottish Ministers should be heard by the First-tier Tribunal for Scotland. Applicants who wish to appeal decisions where Scottish Ministers are the appropriate authority will do so to the First-Tier Tribunal for Scotland, as per paragraph 9 of the schedule. Scottish Ministers are the appropriate authority in relation to entry into or removal from Scotland of shark fins or things containing them. This is a technical amendment to appropriately reflect Scottish devolved competency within the Bill. For completeness, there is currently no similar and separate equivalent in Wales to the First-tier Tribunal. The Welsh Government have therefore indicated that a similar amendment is not necessary at this time.<sup>37</sup>

Rebecca Pow, Parliamentary Under Secretary of State at the Department for Environment, Food and Rural Affairs, reiterated Government support for the Bill:

I want to highlight that it is leaving the EU that has enabled us to have this opportunity, and we have probably moved much more quickly than we might have done because, had we been in the EU, we would have had to get the agreement of all member states. That would potentially have been slow, so at least we have been able to get this matter taken forward in an individual Bill.

We have had widespread support for the Bill from non-governmental organisations. Organisations such as the Shark Trust, Shark Guardian, the Blue Marine Foundation and the Wildlife Conservation Society have done a great deal of work, for which I thank them. They have spoken to many of our MPs.

To wind up, I am so grateful to the hon. Lady for her work on this important Bill and, of course, to the Committee. The Government will do all that we can to support the Bill’s passage through both Houses and get it on to the statute books so that we can protect this iconic and critical species for generations to come.<sup>38</sup>

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<sup>35</sup> [HC Deb 15 July 2022 c654](#)

<sup>36</sup> [PBC 16 November 2022 c1](#)

<sup>37</sup> [PBC 16 November 2022 c6](#)

<sup>38</sup> [PBC 16 November 2022 c9](#)

## 3.3 Legislative consent: devolved administrations

Animal welfare and fisheries are devolved matters. By constitutional convention, the UK Parliament normally only legislates on devolved matters with the consent of the relevant devolved legislature. For further information see the Commons Library briefing [Legislative consent: what, why and how?](#)

### Scotland

The Scottish Government lodged its response to the Bill with the Scottish Parliament, [setting out its reasoning for granting legislative consent](#) to the Westminster Parliament on 30 November 2022.

The Bill aligns with key Scottish Government priorities, including reversing biodiversity loss and enhancing marine protection. The Bill affirms Scotland's commitment to play no part in the trade of fins obtained through shark finning.<sup>39</sup>

The Memorandum also sets out the devolved competencies that are covered by the Bill. These include:

1. the movement into and out of Scotland of animals and animal products as it relates to animal welfare or environmental protection
2. the regulation of sea fishing activity of Scottish fishing boats, wherever they are, and fishing activity in Scottish waters zone
3. conferring functions on the First-tier Tribunal for Scotland that relate to matters within devolved competence (in this case enforcement of the ban).<sup>40</sup>

### Wales

The Minister for Climate Change, Julie James, laid [a Legislative Consent Memorandum \(PDF\)](#) in the Senedd/Welsh Parliament on 25 November 2022:

The Welsh Government supports the aims and objectives of the Bill, recognising the need for these provisions to prohibit shark fins obtained through unethical "shark finning" practices from entering UK markets.

Shark conservation, and more widely marine conservation, is a key policy for the Welsh Government and it is my view that this Bill helps deliver on these aims at a global level. The Bill as currently drafted sends a key message that shark finning is unacceptable and that Wales would like to distance itself from it.

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<sup>39</sup> Scottish Government, [Legislative Consent Memorandum Shark Fins Bill](#), 30 November 2022

<sup>40</sup> Scottish Government, [Legislative Consent Memorandum Shark Fins Bill](#), 30 November 2022

[...]

In my view it is appropriate to deal with these provisions in this UK Private Members' Bill to prevent any risk of legal ambiguities involving the import and export of shark fins in the UK and the formation of illegal trades of shark fins within the UK.<sup>41</sup>

## Northern Ireland

There is currently no Northern Ireland Assembly so there is no means of it providing legislative consent. But as this is [a transferred matter](#), if the Assembly returns it will be able to amend or retain the legislation as it sees fit.

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<sup>41</sup> Welsh Government [Legislative Consent Memorandum Shark Fins Bill](#) 5 November 2022

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