

NATIONAL ASSEMBLY FOR WALES

S T A T U T O R Y I N S T R U M E N T S

2003 No. (W.)

SEA FISHERIES, WALES

**The South Wales Sea Fisheries
District (Variation) Order 2003**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further varies an Order made by the Board of Agriculture and Fisheries on 27th June 1912 (as amended) to establish the South Wales Sea Fisheries District.

The Order varies the constitution of the local fisheries committee for the district to provide for the withdrawal from the committee of Rhondda Cynon Taff County Borough Council. Nevertheless, the sea area covered by the Sea Fisheries District remains unchanged.

The number of representatives from each council and the contribution of each council to the expenses of the committee are specified (articles 3 and 4 and the Schedule).

2003 No. (W.)

SEA FISHERIES, WALES

**The South Wales Sea Fisheries
District (Variation) Order 2003**

Made [] 2003

Coming into force 30th November 2003

The National Assembly for Wales, in exercise of the powers conferred by sections 1, and 2(1) and (5) of the Sea Fisheries Regulation Act 1966(1) and now vested in it(2), on the applications of Pembrokeshire County Council and Rhondda Cynon Taff County Borough Council, and having consulted with every local authority that would be affected, hereby makes the following Order:

Name, commencement and interpretation

1.—(1) This Order is called the South Wales Sea Fisheries District (Variation) Order 2003 and comes into force on 30th November 2003.

(2) In this Order “the principal Order” means the order made by the Board of Agriculture and Fisheries on 27th June 1912(3) (which created the South Wales Sea Fisheries District and constituted a local fisheries committee for the regulation of the sea fisheries within that District).

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- (1) 1966 c.38, amended by the Environment Act 1995 (c.25) section 102; see section 20(1) for the definition of “the Minister”. References in the 1966 Act to a river authority should be read with the Water Act 1973 (c.37) section 33, the Water Act 1989 (c.15) section 141 and Schedule 17, paragraph 1, and the Environment Act 1995 section 105 and Schedule 15, paragraph 2.
- (2) By S.I. 1978/272 the functions of the Minister of Agriculture, Fisheries and Food under the Sea Fisheries Regulation Act 1966 were, so far as they were exercisable in relation to Wales, transferred to the Secretary of State. Those functions of the Secretary of State were then transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of the Water Act 1989 section 141 and Schedule 17, paragraphs 1(3) and (4)(a), functions exercised separately by the Minister of Agriculture, Fisheries and Food and the Secretary of State in respect of different water authorities or water authority areas are to be exercised concurrently by them.
- (3) S.R. and O. 1926/1121 as varied by S.I. 1953/443, 1973/2203 and 1980/823.

Amendments to the principal Order

2. The principal Order is amended in accordance with articles 3 to 5 below.

3. For article 7 (constitution of committee) there is substituted the following –

“7. The committee shall be a joint committee of the county and county borough councils referred to in column 1 of the Schedule to this Order and shall consist of twenty one members appointed as follows —

- (a) the number of members appointed by each constituent council shall be the number indicated in relation to the council in column 2 of the Schedule to this Order ;
- (b) nine members appointed by the National Assembly for Wales;
- (c) one member appointed by the Environment Agency.”.

4. For article 17 (expenses) there shall be substituted the following —

“Expenses

17.—The expenses of the Committee, other than those which may be required to be incurred under section 17(2) of the Act, shall be chargeable jointly to the constituent councils in the proportions set out in Column 3 of the Schedule to this Order opposite the reference to each constituent council and shall be expenses for general county or county borough purposes.”.

5. For the Schedule there is substituted the Schedule set out in the Schedule to this Order.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

Date

The Presiding Officer of the National Assembly

(4) 1998 c.38.

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