
STATUTORY INSTRUMENTS

2010 No. 2916 (W.241)

SEA FISHERIES, WALES

**The Marine and Coastal Access Act 2009
(Consequential Provisions) (Wales) (No. 2) Order 2010**

<i>Made</i>	- - - -	<i>7 December 2010</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>9 December 2010</i>
<i>Coming into force</i>	- -	<i>1 January 2011</i>

The Welsh Ministers make this Order in exercise of the powers conferred by sections 188(1) and (2) (d) of the Marine and Coastal Access Act 2009(1).

Title, commencement and application

1.—(1) The title of this Order is the Marine and Coastal Access Act 2009 (Consequential Provisions) (Wales) (No. 2) Order 2010 and it comes into force on 1 January 2011.

(2) This Order applies in relation to Wales.

Amendment of byelaws 24 and 25 of the former North Western and North Wales Sea Fisheries Committee

2.—(1) In byelaw 24(2) of the former North Western and North Wales Sea Fisheries Committee(3) –

- (a) in paragraph (b), replace “For the purposes of Section 37 (2) of the Salmon Act 1986, the” with “The”; and
- (b) in paragraph (c), replace “For the purposes of Section 37(1) of the Salmon Act 1986, any” with “Any”.

(2) In byelaw 25(4) of the former North Western and North Wales Sea Fisheries Committee—

(1) 2009 c. 23.

(2) Byelaw 24 of the former North Western and North Wales Sea Fisheries Committee now has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied by virtue of Article 13(3) of and Schedule 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630) (c.42).

(3) The North Western and North Wales Sea Fisheries Committee was dissolved, in relation to Wales, on 1 April 2010 when Article 3 of the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630 (c.42)) brought into force section 187 of the Marine and Coastal Access Act 2009, with the effect of repealing the Sea Fisheries Regulation Act 1966 (c. 38).

(4) Byelaw 25 of the former North Western and North Wales Sea Fisheries Committee now has effect as if made by the Welsh Ministers in a statutory instrument in relation to the same area of Wales as the area to which that byelaw originally applied, by

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- (a) in paragraph (c), replace “For the purposes of section 37(1) of the Salmon Act 1986, no” with “No”.

7 December 2010

Elin Jones
Minister for Rural Affairs, one of the Welsh
Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies in relation to Wales, amends byelaws 24 and 25 of the former North Western and North Wales Sea Fisheries Committee (“NWNWSFC”) in consequence of the repeal of the Sea Fisheries Regulation Act 1966 (c. 38) (“the 1966 Act”).

The 1966 Act was repealed in relation to Wales on 1 April 2010, by section 187 of the Marine and Coastal Access Act 2009 (c. 23) (“the 2009 Act”), with the effect of dissolving the NWNWSFC in so far as it related to Wales.

Since 1 April 2010, the byelaws of the NWNWSFC have effect in Wales as if made by the Welsh Ministers in a statutory instrument, to the extent that the Welsh Ministers could have made those provisions in a statutory instrument, by virtue of Article 13(3) of and Schedule 4 to the Marine and Coastal Access Act 2009 (Commencement No. 1, Consequential, Transitional and Savings Provisions) (England and Wales) Order 2010 (S.I. 2010/630) (c.42) (“the 2010 Order”).

Section 37 of the Salmon Act 1986 (c. 62) (Byelaws under Sea Fisheries Regulation Act 1966) was also repealed, in relation to Wales, on 1 April 2010 by section 321 of and Part 4 of Schedule 22 to the 2009 Act.

In consequence of the repeal of the 1966 Act by the 2009 Act, article 2 of this Order amends the text of byelaws 24 and 25 of the former NWNWSFC so as to remove references to section 37 of the Salmon Act 1986.

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sectors.